



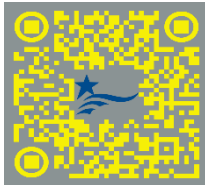
# PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, November 04, 2021 at 6:00 PM

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## Agenda

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



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

### VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/89488515922>

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

Webinar ID: 894 8851 5922

### ROLL-CALL ATTENDANCE

- Nate Wheeler       Andrew Seal       Bill Cassinelli
- Nick Grove       Maria Lorcher       Steven Yearsley
- Rhonda McCarvel, Chairperson

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Approve Minutes of the October 21, 2021 Planning and Zoning Commission Meeting](#)
2. [Findings of Fact, Conclusions of Law for Elsinore Daycare Facility \(H-2021-0061\) by 814 Development, LLC, Located at 4818 and 4858 N. Elsinore Ave.](#)

3. [Findings of Fact, Conclusions of Law for Meridian South Fire Station & Police Substation \(H-2021-0062\) by City of Meridian, Located at 2385 E. Lake Hazel Rd.](#)
4. [Findings of Fact, Conclusions of Law for Village Apartments \(MCU-2021-0008\) by KM Engineering, LLP, Located at 2600 N. Eagle Rd.](#)

**ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

**RESOLUTIONS [ACTION ITEM]**

5. [Resolution No. PZ-21-07: A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the Urban Renewal Plan for the Linder District Urban Renewal Project with the City of Meridian's Comprehensive Plan](#)

**ACTION ITEMS**

6. **Public Hearing** for [Black Cat Industrial Project \(H-2021-0064\) by Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd.](#)  
***Application Requires Continuance to November 18, 2021***  
[A. Request: Annexation of 122 acres of land with R-15 and I-L zoning districts.](#)
7. **Public Hearing** for [Moshava Village Subdivision \(H-2021-0067\) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.](#)  
***Applicant is Requesting Continuance***  
[A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.](#)  
[B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.](#)
8. **Public Hearing** Continued from October 7, 2021 for [Elderberry Estates Subdivision \(H-2021-0044 and H-2021-0005\) by Angie Cuellar of Mason and Associates, Located at 1332 N. Meridian Rd.](#)  
[A. Request: Rezone of 0.66 acres of land with the O-T zoning district.](#)  
[B. Request: Short Plat consisting of 4 buildable lots.](#)
9. **Public Hearing** Continued from October 7, 2021 for [Pera Place Subdivision \(H-2021-0056\) by Leavitt & Associates Engineers, Located at 4600 W. Daphne St., 4546 W. Daphne St., and Parcel S0427325702, Near the Northeast Corner of N. Black Cat Rd. and W. McMillan Rd.](#)  
[A. Request: Annexation and Zoning of 10 acres of land with a request for the R-8 zoning district.](#)  
[B. Request: Rezone of 6.84 acres of land from the R-4 zoning district to the R-8 zoning district.](#)  
[C. Request: Preliminary Plat consisting of 65 single-family detached building lots and 7 common lots on 16.63 acres of land.](#)

10. **Public Hearing** for Meridian Swim School (H-2021-0069) by CSHQA, Located at 2730 E. State Ave.

A. Request: Conditional Use Permit for an indoor recreation facility on 1.1 acres of land in the I-L zoning district.

11. **Public Hearing** for Outer Banks Subdivision/The 10 Meridian (H-2021-0063) by J-U-B Engineers, Inc., Located at the Southwest Corner of W. Franklin Rd. and S. Ten Mile Rd.

A. Request: Preliminary Plat consisting of 25 buildable lots on 36+/- acres of land in the R-40 and C-C zoning districts.

B. Request: Conditional use permit for a multi-family development containing a total of 516 residential dwelling units consisting of (364) high-density apartment, (126) flat and (26) townhome style units in the R-40 and C-C zoning districts.

## **ADJOURNMENT**



## AGENDA ITEM

**ITEM TOPIC:** Approve Minutes of the October 21, 2021 Planning and Zoning Commission Meeting

**Meridian Planning and Zoning Meeting**

**October 21, 2021.**

Meeting of the Meridian Planning and Zoning Commission of October 21, 2021, was called to order at 6:02 p.m. by Commissioner Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Nick Grove, Commissioner Steven Yearsley, and Commissioner Nate Wheeler.

Members Absent: Chairman Rhonda McCarvel, Commissioner Bill Cassinelli and Commissioner Maria Lorcher.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Joe Dodson, Alan Tiefenbach, Caleb Hood, Brian McClure and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Nate Wheeler	<input type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Andrew Seal	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input type="checkbox"/> Bill Cassinelli
<input type="checkbox"/> Rhonda McCarvel - Chairman	

Seal: Good evening. Welcome to Planning and Zoning Commission meeting for October 21st, 2021. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the City Attorney and Clerk's office, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiantcity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to go to watch this -- watch this streaming on the city's YouTube channel. You can access that at meridiantcity.org/live. With that let's begin with the roll call.

**ADOPTION OF AGENDA**

Seal: All right. Thank you. So, the first item on the agenda is the adoption of the agenda. Let me see. I don't think there is any amendments to the agenda. Okay. Can I get a motion to adopt the agenda?

Grove: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

### **CONSENT AGENDA [Action Item]**

- 1. Approve Minutes of the October 7, 2021 Planning and Zoning Commission Regular Meeting**
- 2. Findings of Fact, Conclusions of Law for Burger King Drive-Through (H-2021-0051) by Legend Engineering, Located at 6211 N. Ten Mile Rd.**
- 3. Findings of Fact, Conclusions of Law for Southridge Apartments Phase 3 (H-2021-0055) by The Land Group, Inc., Generally Located South of W. Overland Rd. and East of S. Ten Mile Rd.**
- 4. Findings of Fact, Conclusions of Law for TM Creek Storage (H-2021-0054) by Brighton Development, Inc., Generally Located South of W. Franklin Rd., Midway Between S. Linder Rd. and S. Ten Mile Rd.**

Seal: For the Consent Agenda we have four items on the Consent Agenda. The approval of the minutes of the October 7, 2021, Planning and Zoning Commission meeting. Findings of Fact, Conclusions of Law for Burger King Drive-Through, H-2021-0051. Findings of Facts, Conclusions of Law for Southridge Apartments Phase Three, H-2021-0055. Findings of Fact, Conclusions of Law for TM Creek Storage, H-2021-0054. Can I get a motion to accept the Consent -- Consent Agenda as presented?

Grove: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

### **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

Seal: So, at this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called on once and only once during the public testimony. The Clerk will call the names

individually of those who signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come to the microphones here in chambers. You will need to state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf conceding their time, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in chambers or if on Zoom press the raise hand button in the Zoom app. Or if you are only listening on -- on the phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, a computer and a phone, for example, please, sure -- please be sure to mute the extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And, please, remember we will not call on you a second time. After all testimony has been heard by the applicant will be given another -- the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions or recommend -- recommendations to City Council as needed.

## **ACTION ITEMS**

- 5. Public Hearing Continued from August 12, 2021 for Centerville Subdivision (H2021-0046) by Engineering Solutions, LLP, Located at 4111 E. Amity Rd. (Including the Outparcel to the South) and 5200 S. Hillsdale Ave., at the Southeast Corner of S. Hillsdale and E. Amity Rd.**
  - A. Request: Annexation and Zoning of 40.49 acres of land from RUT to the R-8 (13.35 acres) and R-15 (27.14) zoning districts.
  - B. Request: A Preliminary Plat consisting of 190 total lots (124 single-family residential lots, 35 townhome lots, 2 multi-family lots, 1 commercial lot, 1 clubhouse house, and 27 common lots) on 38.95 acres of land.

Seal: Okay. At this time I would like to open the public hearing for Item No. H-2021-0046, Centerville Subdivision, which was continued from 8/12/2021. We will begin with the staff report.

Dodson: Thank you, Mr. Chair. You stole some of my thunder there, the continuance, but thank you. Jump into this here. As noted this is for Centerville Subdivision. On the screen here we have the view of the land use maps associated with the site. Because it's been almost two months I will go briefly over the entire project and, then, I will come

back and hit on what has been revised since the last Commission hearing. In general, the site consists of 40 and a half acres of land, currently zoned RUT, near the intersection of Eagle and Amity, about a half mile to the east. It includes three existing parcels, as you can see by the three different shapes. I will just wait there. There is no history with the City of Meridian with this site, so no zoning history or anything like that. It is -- has two future land use designations on the site, mixed use neighborhood and medium density residential, with medium density residential being the vast majority, about 31 acres, versus eight acres on the site. The original request was for annexation and zoning of all 40 and a half acres from RUT to the R-8 zoning district, the R-15 -- and the R-15 zoning district. It showed 159 single family units and 168 multi-family units with a plat consisting of 190 total lots, which included 124 single family lots, 35 townhome lots, two multi-family lots, one commercial and one clubhouse a lot, with 27 common lots. There was no CUP and still is no CUP, which is a conditional use permit, proposed for any multi-family. The project is still proposed in four phases. I have not been told otherwise. With a majority of the detached single family in the first and second phases. The access is to Hillsdale and Amity and the large center open space is proposed with the first phase of development. Again, that has not changed from my understanding. Let me just -- access to the site -- I will go to this one here. Access to the site has not changed either. The main access point is from South Hillsdale, which is here, and to East Amity up here. The applicant is also extending two local stub streets from the southeast, one from the south, one from the east, with a pedestrian connection in between. There was a TIS required with this, because it has more than a hundred units, with -- well, not to spoil it, but the applicant has reduced the number of units, so the anticipated trips will be reduced as well. Originally it estimated to be about 2,600 additional vehicle trips per day and the TIS recommended some requirements. Those are still being recommended from both city and ACHD. Those improvements are to include an interim signal at the Hillsdale and Amity Road intersection, which is planned for a future roundabout at some point and where the Amity Road entrance is to what is shown Amorita Avenue. ACHD is requiring a dedicated eastbound right-turn lane and a dedicated westbound left-turn lane. Staff is recommending that both of these, the interim signal as well as the turn lanes, be constructed with the first phase, which is consistent with ACHD's recommendation. In addition, safe access to Hillsdale Elementary is imperative. ACHD recommends and the applicant has agreed to install a rapid rectangular flashing beacon, which most people just say RFB beacon or RFB crossing at the Hillsdale and Hill Park Street intersection. There is an existing RFB beacon, in my understanding, further south directly in front of the school. The school district, the city, and ACHD believe that this is the best location for an additional one, especially with the addition of more units -- more homes in the area. The project area as noted does have two different land use designations on the site. The relatively small area of mixed use neighborhood allows six to 12 units per acre and medium density residential allows three to eight dwelling units per acre. The mixed use neighborhood area is part of a larger area that encompasses most of the area to the west, as you can see here. So, it's about eight acres of -- more than 70 acres of mixed use neighborhood. Approximately half of this area is already residential -- was already approved for residential development, which is the Hill Century Farms North. The remaining area is comprised of commercial zoning that includes self storage, an urgent care, medical and dental offices, assisted living facility and some vacant commercial lots.



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Within the overall site -- and this has not changed with any revisions. The applicant is proposing transition a lot sizes and density within the project. This is done by -- around the perimeter and matches the lot sizes to the existing development of the east and the south and it has the higher density along Amity and further to the west, further away from the existing development. Staff does find that the proposed project is compatible with the surrounding uses because of this transitional density. Now, for the changes that have occurred since the Commission hearing, this is probably the best way to see it. On the left is the original plan that shows the apartment units. On the right is their new revised rendering. They have removed all of the apartment units and included more of these attached townhomes, which is about three-plexus here. The only multi-family remaining are four four-plex buildings here, which are new to the site -- a new use to the site. In addition, the applicant has added three additional commercial lots to basically comply with some of the mixed use neighborhood regulations. This is still proposed to be a daycare and these propose to be flex space lots. Flex space can have a number of uses, but there are certain specific use requirements that would be -- have to be complied with in the future as those sites develop. This has required the applicant request some commercial zoning, which was not previously requested. The applicant did provide revised legals with that and that was in the record. Overall, as I noted, all the apartments were removed. The total unit count is now 219, which is down from originally 327. So, it's a loss of 108 units. The only remaining portion of the site, as I noted, is multi-family and will require a future CUP for those four-plex units along Amity. This is specifically placed along Amity near the commercial, because of the higher density. That is -- that's Planning 101. So, staff does support the location of the proposed flex -- or both the proposed flex space and the four-plexes. The multi-family was replaced by more townhomes as noted and all of those previous drive aisles, which are all these, were replaced by 28 foot wide private streets, that, essentially, function as alleys for the townhome units. The applicant is required to submit for private streets -- for these private streets prior to the City Council meeting, which, to be clear, private street application is an administrative level only. There is no need for Commission or Council to act on that. They did add three additional commercial lots and removed two and a half acres of the existing residential zoning because of that new commercial zoning as I noted. Therefore, the overall area of the residential portion is now 36 and a half acres, give or take. The gross density is now six dwelling units per acre, which -- and originally it was 8.4. So, again, that's about two and a half units per acre difference that they have done. Because of this -- and they have lost, again, 108 units, staff does find that the applicant has made significant adjustments to the site to mitigate the Commission's concerns over the density and that general impact to the schools, as well as the transportation element. For the additional commercial properties, the applicant did also include and is proposing a right-in, right-out access to Hillsdale, which would be this access here, that was not previously proposed. That would be a new access. It is directly across from the existing access on the west side and ACHD has approved this with their latest revision to their staff report. The applicant also moved the pool amenity, which was previously here, to the central open space, which was also discussed at the previous Commission hearing as wanting to provide equal access for everybody in the development and have that centralized in the site. The initial review of the landscape plan does show continued compliance with all open space requirements. I would like to note that there has been new additions of

linear open space for these townhome units to front on, which staff does appreciate, which is these -- this large area here, as well as this open space here and the -- it is, essentially, a parkway, but a larger width area than just a parkway along here and the previously proposed parkway here is also remaining. Since the Commission hearing there were -- at least as of about 3:00 o'clock this afternoon there were eight pieces of testimony since the previous Commission hearing. They noted the same issues as before, which was a discussion of traffic, school impact, and overall density. Staff does recommend approval of the subject applications, especially with the revisions that have been in place and I have noted that in a memo dated last week at some point -- I don't remember. I apologize. The specific provisions that I'm recommending to be changed. So, if you do make any motion tonight you could just say per the memo -- or the staff memo. After that I will stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward? Name and address and away we go.

McKay: Thank you, Mr. Chairman, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm representing Challenger Development on this particular application. Just to kind of give the Commissioners kind of a brief summary of where we left off in our August hearing, we appreciate the Commission provided us the opportunity to go back and rework our plan, rethink it, work with the staff and come up with some new ideas and I just kind of wanted to go through the instructions that the Commission provided us. One, we were asked to eliminate the high density apartments that they were -- that you were convinced that this area was not appropriate for like three story apartments and based on the impact on traffic and schools, that you wanted to see an incorporation of more townhomes and that providing a larger commercial component would be preferred, so that we could meet the mixed use integrity that's talked about in the Comprehensive Plan. One of the other statements was -- you just need to reduce the overall density of the development. One of the other comments was the primary amenity should be centrally located and available to all residents and not located kind of in the south sector of the multi-family area and that we should limit all residential structures to more than -- no more than two stories. We also talked about transitioning from the commercial component to the townhomes and providing a more blended and integrated site plan, which better fits the definition of a true mixed use development and to improve the diversity of the residential uses with less impact on the adjoining neighborhood, the schools, and the transportation network and so what -- what we brought before you today we believe meets those -- those requirements that you -- or that guidance that you gave us to go back to the drawing board. So, I will skip that and go to the preliminary plat. So, we revised our preliminary plat. As -- as Joseph indicated we incorporated a community business district and added that C-C zone -- is this going to work for me? Joe, is it not working? Oh, there it is. I think. Maybe the battery's dead. It should work? Is it me? Okay. Moving on. Here we go. So, this is -- this is the new colored site plan as you can see. So, one of the things that we did is we have a C-C area over there in that -- at the intersection of the collector Hillsdale and Amity Road. As Joseph indicated, we are proposing a C-C zone within that quadrant and, then, we transition from some four-plexes that back up to Amity Road,

which is an arterial and, then, we transition into a townhome product and, then, into our single family residential. The single family residential portion that was proposed on the eastern side of the project has not changed. Those lot sizes have not been modified and we -- we have those two mixed designations in your comp plan that mixed use neighborhood allows us six to 12 dwelling units per acre. The medium density residential allows us three to eight. As Joseph indicated, we are asking for R-8, C-C and R-15. Our overall residential density is 6.01 dwelling units per acre and that calculation does exclude the commercial. So, it's not skewed by the commercial, it is a net density. We have in the R-8 zone -- thank you. Is it working now? A dead mouse. A dead mouse. There we go. Oh, that's you. Okay. Go ahead. I thought it was me. Within the R-8 zone, which is on primarily the eastern side of the project, our density is still 3.45 dwelling units per acre. Within the western portion of the residential where we have the four four-plexes on the north side and the townhomes, our density is at 7.44 within the R-15 zoning designation. So, the lot sizes on the single family, we have a variety of lot sizes just as we initially proposed, ranging from 36 feet in width, all the way up to 90 feet in width, 95 feet in depth, to 123 feet in depth. We incorporated the townhomes. The average townhome is about 3,104 square feet, whereas the average single family lot is about 5,550 square feet and I want to mention from the last hearing our largest lots are all on the periphery next to Rockhampton and, then, next to the Howry Lane Subdivision No. 2. The development -- we propose both rear and front load townhomes to provide variety. So, 71 percent of the townhomes that we have will be rear loaded and only 29 percent will be front loaded. Obviously, this gives a better curb appeal where we are actually loading them and, then, it provides us the ability to have a MEW on the north portion of the -- of the project. You guys working over there or -- there you go. So, on the north -- on the north portion we still have our collector roadway with our -- with our landscaped entrance, detached walks, and -- go to the west. Sorry. And, then, what we have is -- we have what we call a MEW there that the -- the lots -- the front of the lots we have sidewalks coming out of the townhomes and, then, connecting to a sidewalk that goes both north and south. Along the south portion we ended up with a linear open space. We have a playground in there. We have pathways. We have interconnectivity to those townhomes and all the townhomes south of our entrance collector are on open space. They back up to open space, either in the linear open space or to the south where we will be piping the Cunningham Lateral and grassing and creating a little nature path that goes on out and, then, our collector buffer. As far as the -- the commercial component, we are at a little over four percent in our commercial component. We kind of racked our brains. We don't want to compete with Hill Century Farms commercial. So, one of the things -- the daycare was integral, because that's an essential service that will, obviously, benefit this neighborhood and -- and this project. But the flex space was one thing that we came up with as a great alternative to trying to compete with the -- the commercial that's to the west of us. So the flex space would be small business development and it would be -- there would be no exterior materials, everything being closed. Obviously, would have to comply with your design guidelines for the commercial. There will be no outdoor storage. And, then, on the -- the townhomes we have almost an acre that -- that is in that linear open space. We have approximately a half acre that is the transition from the commercial to the townhomes. That ranges in width from -- I think 35 to about 55 feet. We will have pathways. We will have picnic areas. But when you come into the development the first

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thing you are going to see is our primary amenity and that primary amenity is significant in size. I think it's -- hold on. Got to get to my amenities. It is 1.93 acres. So, just a little bit shy of two acres. We will have a pool facility. We will also have a pickleball court. We have play -- a central playground for the kids and, then, we have pathways that link out through our pedestrian pathways for the project portion that is to the east. We have retained our pocket park to the north. I'm not doing that. We are having a great time tonight, aren't we? So, this -- this shows you what our qualified open space is. So, we have six acres of qualified open space. That's 15.4 percent. Previously we were at about 4.48 percent. Our central amenity with 1.93 acres. We are going to have a plaza, swimming pool, community playground, pickleball court, pathways, off-street parallel parking. We are proposing a ten foot sidewalk along Amity with micro path connections to our commercial component and our pocket park. Our entrance at Amity will have public art, a little plaza area, and, then, our MEW, like I said, is just a little less than half acre with two covered sitting areas and pathways and, then, our linear open space, another tot lot, gazebo, and, then, our micro path and a natural pathway. This was kind of a blow up of the landscape plan. We did submit a revised landscape plan that shows you what -- what we are proposing here. So, we are going to have a significant amount of open space in this project. Far more than was required. When we submitted the application the requirement was ten percent and, as I indicated, we are at 15.4 in our qualified open space. We have done a great job of -- of really spending a lot of time reworking this and working on elevations. These are our farmhouse elevations. This shows you the alley load townhomes. You see every elevation. You can see that there is articulation in the roof lines. Different materials. Different -- different angles to, obviously, provide a visual interest. Oops. This shows you our front load townhomes. They are more of a modern style. But we are still going to have them mesh in with -- with the architectural styles that we will have with our traditional craftsman, modern, and farmhouse styles. Here is the four-plexes. We only have four of those. So, there is 16 units. They back up to Amity. You know, that's going to be a -- that's a major intersection. It's going to be signalized. As you recall, we have to signalize that at there -- our 61st lot. So, basically, you know, we can get one phase in and, then, we have got to put the light in. So, it's almost like we need to go into design on that with the first phase, so that -- that's in there. As you can see with the four-plexes, there is, you know, roof articulation. They don't look like your standard four-plexes. There is a lot of variety. We only have four of those. Our sample elevations for the homes -- and you can see we will have a combination a two story, three car garage. Single story, three car garage. And, then, on the smaller 64 foot lots will have two story with a two car garage. Single story, two car garage. And, then, on the 36 foot wide lots -- this is a new product. So, they have kind of farmhouse styles. They have craftsman. They have modern. So, there is a variety of styles that fit on those lots to, obviously, meet the diversity that we need, especially in today's marketplace where everybody is struggling to meet that affordability that our community desires desperately in these times. I saw the other day the average price of a home in Meridian now is, what, 555,000, which is just like -- it blows my mind. I remember, you know, when -- when you struggled to get a 227,000 dollar house and the hoops you had to jump through. So, this -- this particular project I think hits the mark. It meets the -- the mixed use as far as an anchor on that corner, providing some type of employment opportunity. Maybe someone that lives in here will be able to put up their business there. Walk to work. Bike to work.

The townhomes will all be on separate lots, so they can be sold and, like I said, we have a combination of front load and alley load to meet different -- different tastes, different lifestyles. Smaller lots. Larger lots. This is a great project and with an overall gross density of just 6.01 we have reduced the -- the impact on the schools, the impact on the transportation system significantly and I ask the Commission to support it. Thank you. Any questions?

Seal: Do we have any questions for the applicant or staff? Commissioner Wheeler, go ahead.

Wheeler: Can you -- staff, can you tell us just one more time what the net gain or net loss on the total number of units is again?

Dodson: Yes. Commissioner Wheeler, that would be a total loss of 108 units. Three hundred and twenty-seven is what was approved before and now there are 219.

Wheeler: Thank you.

Dodson: If that math is right.

Wheeler: Okay. Thank you.

Seal: Quick question of staff or the applicant can answer. The -- I'm interested in the parking for the multi-family. I think we have to have at least a minimum of 24 parking spots here. How many are available?

McKay: Yes. For the four-plexes we are required to have 30 spaces. Of those 16 will be covered. For the commercial flex space we have 42 spaces. For the daycare we have seven. And, then, staff asked us to include parallel parking along our MEW area that's on the west side of the townhomes north of our collector and we have 12 parallel parking spaces there. Each townhome will have a two car garage, plus a 20 by 20 parking pad in front and, then, we also have guest parking on the south end. There are nine spaces for guest parking and, then, we also have four parallel spaces along our central amenity feature that's outside the right of way. And, then, the townhomes that front on the public street we will have detached sidewalks and the ones -- or excuse me. The ones that have the alley load they will be parking on the public street north of the collector roadway.

Seal: Okay. Thank you.

Dodson: Mr. Chair?

Seal: Go ahead, Joe.

Dodson: I would like to just add to that as well, just to visually show the -- all of this -- this right here, because -- oh, should say, actually, this north portion here, that's a public road. This entire length on both sides can have parallel parking. Can have on-street parking

because there are no driveways. So, that's in excess of code requirement. In addition, they are -- all the private streets they are proposing, especially here, as long as they are wide enough, which I believe it needs to be 29 feet wide, they can accommodate the parallel parking on that as well. So, again, this would all be in excess of code for the off-street parking. So, I did not mention that, because they are exceeding all of the parking requirements.

Seal: Thank you. Commissioner Grove.

Grove: Mr. Chair. Joe, could you remind us -- just kind of give us an overview of what was continued and kind of if there is any parameters on the discussion tonight?

Dodson: Commissioner Grove, Becky actually outlined that way better than I did, admittedly, about why we were continued. The majority of it was as discussed, the overall density, including more commercial and, frankly, removing all the apartments -- or some and per some of my recommendations and analysis in my staff report. Those are the -- really the main issues. I guess a secondary one is just overall compatibility with the adjacent neighborhoods, but that was based largely in the inclusion of apartments versus townhomes or single family. From my perspective they have responded to each of the comments that were in that previous hearing and have answered -- well, I do not have anymore concerns based upon my previous analysis.

Grove: I guess my question is -- I know when we do some continuances we will have, you know, pretty limited discussion points that we are actually bringing forward to discuss. I didn't know if there was anything that we are, you know, asking the public testimony to focus on as -- as we have a fairly full house. So --

Dodson: Right.

Grove: Just trying to make sure that we are all on the same page before we get started.

Dodson: That's a great question, Commissioner Grove. It was my understanding because of some of the major revisions that are going to occur, it was not limited. That the overall project was going to be basically still open for public testimony. That was my understanding. I hope -- the residency -- the work the applicant and staff have done.

Seal: All right. If there is no more questions, we will go ahead and open this up to public testimony. Do we have anybody signed up? A rhetorical question, more or less, but --

Weatherly: Mr. Chair, we do. Online the first to sign up was Rebecca Prestwich, representing Hillsdale Creek.

Seal: Good evening. Just to set -- right. Just -- just to set this up, we have had several public hearings where people come forward to represent a larger group and nobody yields any time to it. So, that is one of the requirements that you are speaking for a larger group and the people that you are representing are yielding their time to you. So, who in the

audience will be yielding their time? Okay. If you would state your name and address for the record.

Prestwich: Can you hear me?

Seal: Yes, ma'am.

Prestwich: All right. Thank you. I don't know who to address, because Madam Chair is not present, so to --

Seal: Chairman.

Prestwich: Mr. Chairman, I'm Rebecca Prestwich. I live in the Hillsdale Creek Subdivision on South Bleachfield Way and I am representing the HOA for this meeting. There is a couple of things that I wanted to point out is that I'm an ordinary citizen, I don't have 25 years of planning experience, as Ms. Becky does, and I haven't been before the Commission -- only once before and that was in the last meeting. However, my observation in this meeting and in the last is that the developer's representative tends to embellish her opinions of her own -- of their own presented plan and the community's response to them and so that is something that I would like you to keep in mind as you hear all the members of the community give their testimonies today. The request from Madam Chair as I remember was to the developer to reduce the overall density of the overall proposal, quote, end quote, and that didn't really say we were particularly happy with one plan or one piece of the plan or the other, we were unhappy with the entire proposal and we did want the density reduced and that's why we are here today to see that -- that can be further addressed. Now, with the FLUM, which has been referred to, we understand that the City of Meridian has invested thousands upon thousands of dollars engaged in the research of feasibility studies and engineering towards the Comprehensive Plan and the citizens have invested their hours and time in participating in this planning development process and the citizens feel vested in doing that and, quite frankly, we had ownership in that plan and we endorsed that plan as it exists in the written FLUM and it was an eye opener to me to come to the meeting last time and to have the feeling -- and I was really grateful to Madam Chair for voicing it -- that our voice wasn't being heard and she did say, yes, your voice is being heard and she handed it back to the committee to -- I mean to the developer to further reduce the density and that doesn't mean by a small percentage, it meant to us by a significant percentage that actually represented what we understand the -- the acreage to be developed -- you know, to be designated as in the FLUM. So, I want to discuss what that is. The subject property area presently -- presently consists of two future land use designations. The mixed use neighborhood consists of 9.97 acres, according to the county assessor parcel -- and I won't list that out. It's written out and approved in the land use. Medium density residential, R-8, consisting of two parcels totaling a total of 28.98 acres. That's 12 acres for one parcel and 16.98 acres for the other. That's 75 percent of the comprehensive FLUM land use proposal. Now, the Planning and Zoning -- in Idaho Code 67-6115, Subsection A, states: Planning and Zoning Commission shall evaluate the request to determine the extent and nature of the amendment. Particularly they shall consider the

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given effects of any proposed zone changes upon the delivery of services by any political subdivision providing public services, including school districts within that jurisdiction. The existing conditions report of the City of Meridian Comprehensive Plan designated that parcel as mixed use neighborhood. That is not what the developer put forward. The developer put forward a much more dense plan than mixed use neighborhood. The intent of a mixed use neighborhood is predominantly single use developments and that means they are supportive of proportional public and quasi-public spaces, places such as parks, plazas, gathering areas, open space -- and I know Ms. Becky would argue -- argue with you that they have provided that in their plan, but if you take a look at that plan and the small spaces and the number of people that are going to live in that community, you will find that it is a relatively small number compared to all of the neighborhoods in the surrounding area. The land uses are supposed to be supporting nonresidential services. Nonresidential service -- excuse me -- services should blend in with the buildings and their uses to provide goods and services that people typically do not travel far for and some employment opportunities. The proposal had a daycare in it and now they have put other commercial proposals into it. Now, there are services, as she mentioned, on the other side. There is actually a pediatric doctor's office, a separate children's dental office, adult dental office and a separate orthodontic office and there are a few vacant commercial building spaces. Those are what the mixed use neighborhood should be consisting of. R-8 houses in the majority, the 28.98, and in that 9.68 a few commercially -- commercial opportunities for business -- businesses to establish. Now, the community does want further additional serving uses to be developed on that parcel, the 9.97 acres. What they would like to see is -- a daycare is a good idea. Possibly a preschool. It was also suggested that perhaps additional elementary school facilities that could be used by Hillsdale Creek to further support the community could be donated by the developer. A coffee shop. A sandwich shop, dog grooming, and service providers that they would visit typically once a month or less and frequent -- and frequent -- or even a less frequent basis. That's not the proposal the developer is putting forth at this moment. The community respectfully requests the Council to follow the Comprehensive Plan and to maintain the current mixed use neighborhood designation for the 9.97 acres of land. We request the City Council to deny the developer's application for 2.5 acres of C-C zoning. I don't believe that most people understood until we really read through this document that that meant that they could include one warehousing unit with -- building within this community and in a -- in a community that exists only of low density urban family housing and they are now trying to place this dense and -- and all the commercial on that place -- on that small 40 acre lot. Furthermore, the community requested -- uh, my mouth is drying out. The developer not -- not be allowed to calculate the common area -- and this is another problem I have is the common area, the buffers, the green space are all calculated into their gross density, which, then, lowers it below the six. But if you go back down to their report, the last page, you will see that they report the 6.1 gross density, but the actual net density is 9.1 and that's far beyond what the FLUM designates. Let me get to the other part and I will be done. So, now that -- that is addressing the 9.69 acres. The other 28 acres -- I think it's 20 point what? Six eight? If memory serves me right. Is -- according to the original staff report at maximum allowable density and all they did was add a little bit more -- just little few more strips of green space and, then, they calculated it gross and they came out with a 6.1 density and that is not a true number for what will



happen in that community. Can you imagine 214 households -- individual households on 40 acres? Two hundred and fourteen. That's -- that's -- in my opinion gross. It is just too dense and it doesn't pattern this community. And the other thing I want to address is that originally the developer representative suggested that we were just upset about how many households were going to be there and how much traffic there was going to be and all these things, when, in fact, that wasn't our original concern. Our original concern was the overall impact of a development that dense in a community that is already overburdened in all of the aspects that we were told we could not discuss today.

Seal: Ma'am, you will need to wrap up real quick.

Prestwich: I will. I'm just about there. So, with regards to the 28.9 acres, the community requests that the -- the developer not be allowed to calculate common area, buffers, green space, et cetera, to be calculated in their gross density calculation. I don't think that developers should be allowed to do that. They should base their calculations on net density and that's the actual house on the actual lot and how that affects the overall plan. The community would rather the developer be able to -- to calculate the net density. We believe that if you did that, the calculations would provide a greater possibility for proposed development to conform with the surrounding subdivisions. The community respectfully requests the City Council to return this proposal back to the developer to further reduce the density of the 29.8 acres parcel to R-8 calculated at the net density calculation and I appreciate the time that you have given me and I thank you.

Seal: Okay. Thank you.

Weatherly: Mr. Chair, next we have James Phillips signed in as a representative of the Southern Rim Coalition.

Seal: Okay. Thank you. Good evening. We need your name and address for the record, please.

Phillips: My name is James Phillips. I live at 4140 East Rockhampton Street, Meridian, Idaho. 83642. And like was mentioned, I'm representing the Meridian Southern Rim Coalition. Just as a quick preamble, I can appreciate the passion and motion shown already today. There has been a lot of public anxiety, frustration, and concern, not to mention loss of sleep that could have been avoided had the currently revised preliminary plat as we see today had been the version first proposed. I feel that the public is still smarting a bit from the original plan and it actually hurts the public's ability to see and appreciate the revised version. Today I will be focusing in on a number of public concerns where the revised plan continues to fall short of Meridian's vision. This was mentioned before, the importance of having a FLUM and it's super important to underline that. The FLUM is -- is what's used to set general public expectations and we trust P&Z and the City Council to enforce this vision. The FLUM also is used by public entities, like ACHD, West Ada, COMPASS, for planning roadwork, updating school boundaries, projecting community growth that inform city strategic planning. The FLUM also is used by developers for making decisions of whether they should buy a land for development. It

informs them of the zoning, dwelling units, property types constraints -- constraints that developers are to respect. As you can see there is a large latitude at which development can operate. You can see that swing in number of units in the MUN. The swing in the number of units that are okay for the MDR. This is where P&Z and the City Council come into play. They have the responsibility to be good stewards of public trust by reconciling developer plans with suburban-urban planning development best practices, the expectation and needs of the public and the expectation and needs of the city. Developers are free to accept or reject P&Z recommendations, but City Council has the final say, particularly in cases of annexation and rezoning. Developers take a calculated risk when they purchase the land knowing full well that getting annexation and rezoning of their ideal liking is not a foregone conclusion. So, what are these public expectations being set by this FLUM, this nine acres of MUN, this 30 acre of MDR? These are some of the areas where -- where we still see the revised -- even the revised version falling short. This slide was taken out of the original slide deck. A few things to note. A number of concerns that break public trust had been reduced enough to actually now enumerate them here and you can see I have got a few bullet points around that. I will go into detail about that. But also a number of major red flags found in the agency comments that had been addressed by removing the three story apartment buildings, adding more commercial, adding an entryway into the commercial area. Not to say that there are any additional red flags still, but these red flags will be raised -- we can raised at the city and not necessary here at P&Z. So, let's look at this. This is, again, just outstanding concerns that we have around the MUN component, that nine acres there. In the revised we can see there is three things, actually. The fact that commercial lots are not fronting that East Amity Road is a concern for a few different reasons. One, it's vital for businesses to have patrons come in and when it -- when they are not located off of main transportation corridors they get less patrons. The other thing to note here is when you have it -- that commercial tucked in a little bit things like the public really wants, like a restaurant and cafes, they are likely not to risk their business in putting it in there. Also there is a missed opportunity of increasing some more commercial, reduce what's really needed in South Meridian, which is our employment-to-resident ratio. It's super super low. If you look at the COMPASS reports it's terrible. Absolutely terrible. We are in a restaurant desert in south Meridian. The other thing to note is around adequate parking. For the workers and the patrons of the businesses, guests and visitors of the four-plex, guests and visitors of the 40 townhomes. Possible solution there would be to actually look at Lot No. 52 and make that into a mailbox with -- with additional parking there. A possible solution. The other concern that the public has is a little bit of nuance here, but the awkward traffic flow for those townhome residents that live just south of that -- that would come out of that private alley, that Redding Lane, they can only turn one way. So, if they want to go -- lug some equipment to the park in their car, they can't turn left, they have to do a U'ee or go around. Have to keep an eye on both screens I guess. See if I can coordinate this. So, this guy right here. So, again, removing one of the four -- four-plexes for more commercial off Amity. Removing one of the lots for parking. And, then, address the awkward traffic flow. This is pretty bad to navigate. Okay. I won't get into -- I will just kind of skip this slide. Just note that -- that the ideas that we will propose in the next slide are based off of coming off the Comprehensive Plan and that's where the slide come from. You can revisit it if you have any questions, but -- so, one of the -- let's start with the most glaring

issue that I see and that has to do with the 39 attached townhomes that continue to extend into the MDR designated area. We ask that we swap those -- those attached townhomes for single family residents, again, to meet that expectation of medium density residential area. Next glaring concern is actually more going further south, is that those -- again, those 11 townhomes just south of West Lachlan Lane. Taking a step back you can see a plan -- you can see how there is a natural east-to-west density being transitioning until it hits up against Rockhampton neighborhood, which is great to see that. We don't get the same thing going north to south going into the Rockhampton and while Becky paints a picture that there is no need for that transitional density there, that simply is not the case. There is two considerations that have to be -- have to be made. One, the extreme difference in density between the townhome lots and the neighboring single family lots, one of which my home is. The other one is -- actually has to do with elevation. You can't really make it out, but the elevation on those is -- it's higher there and so having those two story attached to townhomes tower over the homes that are just adjacent across the street and over the entry is not appropriate. It's not cohesive with the surrounding neighborhood. So, the proposed solution would be make those single family -- single story family lots. Now, kind of putting it all together, there is a few things I would want to highlight. One is on the red. I will just walk through the different colors. On the red ones here in the comp plan talks about density transitions and where they should take place. Over alleyways or roads. Here they are taking place across back fences. This is problematic. This is -- does not meet expectations. And so the red actually puts it into alignment with the Comprehensive Plan by adjusting the lots to be aligned and density with their back neighbors. The purple, like I mentioned in the slide before, addresses the neighborhood compatibility issue and the surrounding areas to the south. The orange, again, to meet MDR expectations set by the FLUM we ask that these townhomes be replaced with single family residents. Lots for the green. This is to address walkability within the neighborhood. There are some good things of walkability east to west, but not going north to south, particularly as it goes to those neighbors walking to the main park there. And, finally, the last thing I want to highlight is actually the entire areas of blue. Propose that this should be R-8 zoning. Right now the smaller single -- the smaller lots you see in that area they are on average 3,500 square feet. By having an R-8 zoning it would require that to be a minimum of 4,000 square feet. And why is that? Why does that matter, just 500 square feet? Well, a couple different things. First, when it comes to real estate, just remember what they say, location, location, location. It's not lot size. Price is impacted more by surrounding neighborhoods, amenities, build cost, quality than would be by 500 square feet of lot size. The economic factors out -- there is economic factors outside the control of one builder in one preliminary plat that's going on in Meridian right now. The existing surrounding neighborhood -- exuberant home values have bigger impact on the prices of these homes than the square lot. So, why -- what is that difference? What does that 500 square for --

Seal: Sir, you will need to wrap up quickly.

Phillips: That 500 square feet lot will allow individuals to have -- to make their house a home. Front porches for neighborhoods. Patios for family to gather in. Additional living space to watch Boise State games, areas for a family getting started. Additional storage

so they can actually park in their garage. And so that's why I request that that be made R-8 zoning. Thank you.

Seal: Thank you. Madam Clerk, do we have any -- who else do we have signed up?

Weatherly: Mr. Chair, we had several people sign up in house. Only one indicating a wish to testify and that's Thomas Dayley.

Seal: Good evening. Please state your name and address for the record and --

Dayley: Thank you. Thomas Dayley. 4892 South Willandra Way, Boise. 83709. I guess I would -- first of all, I would like to thank the Commission for extending their time for consideration. We appreciate the fact that you have done that. You asked them significant questions in the August meeting. Some of those were addressed and I would like to talk about some of those as well and appreciate the developer as well trying to accommodate some of the issues that were brought forward by the Commission, as well as the community. However, I don't think all of those were addressed and that's where I would like to get to. I am a very supporter of private property rights. I think the developer has his property and he has a right to develop it. That's not what we are talking about here. It's how it's developed. By the same token, the people who own the homes adjacent to that property also have property rights and they are going to be impacted negatively by the proposed -- proposal as it's being developed and I think that's part of what the Commission needs to be considering as well. Not only the developer's property rights, but the land -- other landowners' property rights as well and try to -- try to accommodate both of those. We have had significant questions asked here by the -- by the people that have been brought forward and I think -- one of the questions I would like to ask to the Commission is do you feel that all of the questions have been appropriately answered as you consider approving this or not? And another question is are there other alternatives that a developer could use to reduce the density and one of the options that I would like you to consider is -- in my previous work I worked with the National Resource Conservation Service, which has what they call an urban farming program and that dedicates places within an urban environment where a developer or a landowner can actually get an easement -- paid money for an easement. That easement, then, dedicates property for urban farming for plots for -- for gardens -- urban gardens. Education. You have a school right next to part of the -- the plan there, as well as it's an educational purpose for kids in a school where they can see farming, how it's done, et cetera. So, there are lots of options like that a developer could have, which will reduce the density and also provide a very good use. And the developer gets paid for this. There is an easement and they get paid current land values for that property and I know this developer has owned this property for a long period of time and is now finally getting to develop it. So, I understand that. But for the last 20 years that they have owned it and haven't been able to develop, it -- it's increased in value. They haven't lost value and that's what this urban farming program would do as well, it would allow a time period and at the end of the 20, 30 years for the easement, they can still come back and develop it and it would actually do more in keeping with the Comprehensive Plan of transitional. Twenty years from now that portion of the City of Meridian will be much more attuned to the

development of commercial and the other things and this developer would still have the ability to retain it -- retain their value and also be able to have a transitional development process and it would also reduce the impact at this point in time with the adjacent landowners. So, I think -- I guess my request to the Commission is to -- there has been significant questions asked here that I still don't think have been addressed. Like the parking. The traffic flow. The commercial development where there is a warehouse. A warehouse does not fit in this community. But that's part of their commercial -- commercial proposal.

Seal: Sir, you will need to wrap up here real quick.

Dayley: So, just to wrap up, the townhouses to single family homes. That's a significant impact that I think that the Commission should deal with. Request for zoning. Parking. When they said -- at least my understanding is 219 homes and nine guest parking. That's why I just -- and maybe I misunderstood what she said, but that is not sufficient. There is some quite -- there is still unanswered questions I think that the Commission should be asking of the developer that we should walk through. Thank you.

Seal: Thank you.

Weatherly: Mr. Chair, that's all we have signed in indicating a wish to testify and I don't see any raised hands online at this time.

Seal: Anybody in Chamber, if you would like to testify, please, raise your hand. Okay. If there is nobody else online, would the applicant like to --

Dodson: Mr. Chair?

Seal: Oh. Go ahead, Joe.

Dodson: I would like to go first, if I don't -- if you don't mind. If the applicant doesn't mind. Just a couple things to clarify for the Commission. On the proposed flex space is not -- how do I put this? It cannot be all warehouse that's for sure. There are minimum requirements that are specific use standards that require a minimum of 30 percent office, no more than a certain amount of retail, but that does not mean that the remaining 70 percent is always warehouse. Largely these flex space units are a pretty even mix of kind of an office, warehouse type of deal that some small business uses to have a little bit of product, I guess, and, then, they have their offices there. I have seen this work really well throughout the city and throughout the valley. It's becoming more and more popular and they are generally low impact on both vehicle trips, as well as overall traffic. So, I do think that that's why the applicant chose that. If the Commission so desires additional -- like we discussed previously -- multi-tenant building for some kind of retail, commercial, restaurant, coffee shop kind of use, that will increase traffic compared to a flex space building for sure in the area. So, that kind of goes against some of the other issues that we have been discussing -- discussing. So, I do want to make that clear. And, then, the -- the density conversation has -- and the future land use map has come up repeatedly,

not just with this project. That's every project. I do want to be clear that the -- the area shown on the future land use map for the future land use designations is not parcel specific. So, it's very difficult to say that certain parcels should have certain future land use map on it or certain acreages and things like that. That's not how we do that. Secondly, to make this applicant utilize the net density versus gross density is completely against what we have in our Comprehensive Plan. Our Comprehensive Plan specifically designates that the density is based off of gross. That's every single project, including the existing that's already there. It's all based on gross density. This does happen to have a fair amount of area that's buffers and they have a large amount of open space. Regardless, they are absolutely meeting their density requirements. Commission and future hearings at the Council can disagree overall and that's fine, but minimally code and future land use they are complying with those density requirements. I just wanted to make that clear.

Seal: Okay. Thank you. Would the applicant like to come back up. Or did Joe steal all your thunder? I stole some of his tonight, so I'm feeling bad about that.

McKay: Thank you, Mr. Chair, Members of the Commission. Becky McKay. Engineering Solutions. As far as the density of this plan -- I mean we -- when -- after we heard the Commission's comments and the neighbors comments -- none of the comments were ignored. I mean we sat down and we spent a couple hours basically going through my detailed notes of not only your comments, but the neighboring comments. We reduced our density by 108 units. We have dropped our density 33 percent. At the same time we have increased our open space significantly and I'm not even counting the eight foot landscape buffer that's on my detached walks along my local streets, which you are allowed to count. I have excluded that. There was a comment about -- that we are embellishing our plan. I mean we have been working really really hard over the past couple months on this plan. We even sent some drafts to the staff to get feedback. We have provided 104 parking spaces. Staff said, hey, we want some parallel parking spaces. So, we -- we have them inset. They are not on the private drive or the alley, they are inset to the landscaping to give that more traditional neighborhood look, that more integrated look. The FLUM was brought up. The FLUM, the UDC, every other municipality in this state looks at density from a gross density standpoint. We provide the gross density calculation. We also provide the net density calculation. That R-8 zone allows three to eight dwelling units per acre or 3.45. The R-15 allows 15 dwelling units per acre and we are 7.44 and our overall density, excluding the commercial area -- so, all we are talking about is the residential zoned area, we are at 6.01 gross density, which is within that medium density designation. There was comments made about mixed use. Mixed use doesn't mean commercial. Mixed use doesn't mean townhomes. If you look at your Comprehensive Plan, your definitions within your ordinance, mixed use talks about townhomes. It talks about -- it talks about four-plexes. Detached single family dwellings. Attached single family dwellings. Neighborhood commercial. Flex space. Flex space is not warehouse. A flex -- I -- there is property on the northwest corner of Hill Road and Highway 55 that has sat vacant for -- it's pushing probably 15 years. Finally a use went on it and it's a mixture of some flex space, where it's a business, but they have -- they have material storage in their -- in their building and, then, next door to them is a

coffee shop. So, it's kind of integrated and I thought, you know, that's -- that's unique and the -- the elevations of the building meet all of the design guidelines for commercial. I mean we are trying to figure out -- one of the comments was the transportation. The lowest traffic generator is something like a combination flex space, maybe a little retail component and a daycare, so that we are not generating so much traffic. Absolute retail generates a significant amount of traffic. A comment was made why don't you have an approach out to Amity Road? Amity Road is a major artery -- or minor arterial. ACHD will not allow us to have any access to Amity. We did add another access to Hillsdale Avenue, which is a collector, to make our commercial component more viable and if you look at that site plan -- if Joe could bring it up -- you can see that it has -- the commercial node has its own access and that will be a full access. We only asked for a right-in, right-out. ACHD came back and said, no, that will be a full access, because it's a full access that you are aligning with on the west side at the Hillsdale commercial. So, you can see that we have added another access to make that commercial component viable and allow it to have transfer -- or access outside of the neighborhood and within the neighborhood. It was mentioned this plan falls short of the vision. This is a priority growth area that the city has spent a significant amount of money for the regional park. They wanted the South Meridian YMCA, elementary school. West Ada School District owns additional property north of Amity. There is a charter school that's going to come online next fall that will also serve the same area as Hillsdale Elementary and at the same time that we are being bashed, we are also going to have to install the signal at Hillsdale Avenue and Amity, which is going to benefit not only us, but everyone in this community and allow them to make left-hand turns more easily. We are also going to be widening all of our frontage along Amity. We are going to have a turn lane. We are not solely depending on Hillsdale Avenue, an intrusion into this neighborhood, and it's not intrusion, because that is a mid mile collector that was intended to handle a significant amount of traffic. But we also have our Amity Road approach. So, that gives us an opportunity for our residents to go eastbound and make a right-hand turn on Amity. We have connected to the stub streets. I have nine and ten thousand square foot lots all around my perimeter, matching them lot line for lot line. And, then, transitioning the lots across from those lots, so that we have different variety of lots. That is the whole objective of mixed use, that we provide a variety of home products, a variety of mixed uses. The traffic that we were initially going to generate was 2,600 vehicles per day. I have got that traffic down to about 2,025. That's at build out. That's over four phases, which will probably be built over a four year period. So, this -- this project will come online incrementally. My overall landscaping is seven acres and that seven acres -- I mean you got to remember the size of the property is 38 and I have 7.19 acres of common area. That's 18 and a half percent of this property is in landscapable area, with pathways and significant amenities for these residents and we -- we have done -- we have -- we have put plazas in. We have art. We have pickleball courts. We have a swimming pool. We have -- we have pathways. Picnic shelters. Multi-use pathways. Nature pathways. I mean for a piece of property that's this size, we have really worked to make sure that it incorporates the vision that's in your comp plan and we missed the mark with the first version. The density was too great. The three story was not appropriate. And I believe the Commission made the right decision to say, hey, Becky, take another look at this. Go back to your client, see what you can do. Come back with a good -- a better plan. A better plan that fits this area. This plan fits this area.

This plan complies with your Comprehensive Plan and to just say, hey, we got to all be single family, that -- that defeats the whole purpose of the land use map and what we are trying to create in Meridian in this particular area and if you can't get density, how do you build the signals? How do you afford to build all the amenities? How do you afford to put in the pedestrian signal to improve the safer route to schools? I mean we are doing everything -- everything we can to not only make our development the best it can be, but to improve this overall neighborhood and make it safer for everyone and I ask the Commission to support it and recognize the effort and the time that's been put into it and the recommendation of your staff. Thank you.

Seal: Thank you. Any final questions? If not I will ask that I get a motion to close the public hearing for Item No. H-2021-0046.

Grove: So moved.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to close the public hearing on Item No. H-2021-0046. All those in favor say aye. Opposed? So, motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: All right, Commissioners, who wants to go first?

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Where to start? The -- the applicant did make some significant improvements and the reduction -- I mean that's one of the biggest reductions that I have seen on a project this size for a continuance. Just kind of throwing that out there. So, the two years I have been here I haven't seen that big a reduction on a continuance before. So, kudos to your team for -- for doing that. I definitely see and have read and can feel the palpable emotions of the audience and the residents on this. So, I definitely understand, you know, what is being said and why it's being said. I -- I have some things that I like about it. I have some things that I don't like. I would say the likes that I have on this, with this revision, the second edition connection to Hillsdale to get that commercial, that definitely increases that -- the value for everybody just in terms of reducing traffic and making the commercial more accessible. I like that you have included the commercial. I think that having a better narrative on what that is in terms of -- I don't think most people will understand what flex space is, so as you go forward and making sure that that is better communicated as to the intentions, so that the current residents understand a little bit more of your intentions with that space, so that there isn't hesitancy and confusion and misunderstanding. I think anytime that misunderstandings can be cleared up it works in everybody's favor. This is not a process where we are going to get everything that everybody wants. It's a compromise and just because there is pieces that the developer



likes and the residents don't and vice-versa doesn't mean that the process is wrong. It means that it's a compromise. I like that you have improved the entrance. The amenities look great. I think that there is room for improvement on some of the -- as -- I think -- let me see if I had it right here. James mentioned some of the north-south connections. I don't know if there is any ability to squeeze those in to get additional north-south passages, but well -- well made point and think that's where I'm at for right now. But I'm sure I will come back on in a minute.

Seal: All right. Commissioner Wheeler, go ahead.

Wheeler: Thank you, Chairman. I'm -- I am, too, with Commissioner Grove on this, that -- that to go ahead and reduce your -- when a developer comes out to go ahead and purchase a piece of property, obviously, he is doing his proforma and he is trying to figure out, okay, how much can I make per acre and to go ahead and reduce that size -- or that amount by a third, that's -- that's significant and still want to move forward with the project. That's -- that's significant. I'm also seeing that a lot of the stuff that we talked about and suggested the developer did put into practice or into this -- into this plan here in order to -- so, it seems like he was responsive and wanting to listen to what was being shared from the Commission. The -- the flex spaces -- yeah, I -- as I look at this you are -- you are next to a daycare, you are going to be next to a school, you are next to the Y. There is no doubt in my mind there is going to be a coffee shop here. It just seems like this is just a perfect little spot for it, somewhere in here on this flex space. One of the things I was looking at, too, was just the traffic pattern, but -- and this is maybe where this might have some jurisdiction over on ACHD side of things, but coming in most likely they will be coming in off a Hillsdale, turning left into the full access that's at the most north -- yeah. Northwestern part of the project and, then, turning right. You got a daycare there. Right again. Right again. And a back. And that landscape buffer that comes in off of Park prohibits people from coming into the daycare with a left-hand turn, going ahead and jamming up traffic within the interior drive aisles and so there seems to have been some good thought on that, on even just the traffic flow pattern on that, so -- and the reduction in the height coming down from three stories down to two, it seems to have accommodated some of the concerns of the neighbors on this. I'm -- I like the adjustments that were done here. I like the way that there was a lot of thought put back into what was said from both the Commission and also written testimony. A lot of open space, comparatively speaking, to other projects of the same size and at the same time I'm with Commissioner Grove on this. There is some things maybe I would do different, but all in all all of this has been put together pretty well with a lot of willingness to listen to the input that was given.

Seal: All right. Commissioner Yearsley, you want to jump in on this?

Yearsley: Thank you very much. I might be the only one in the room, per se, saying I think Becky did a great job. This looks so much better than it did before. It just -- you know, to come in with that much of a reduction in home -- units is -- is amazing and I think she did a very good job laying it all out and making it look good. So, like I said, I think it looks good. I am one in full favor of property rights and -- and having the developer

develop as they would like within reasonable limits, with -- as set by the city and I think they have done that and I am in full support of this project.

Seal: Okay. Thank you. I'm kind of with Commissioner Yearsley, I think they have done a good job of listening to the concerns, reducing things overall. Like -- like Commissioner Grove said, this is one of the largest reductions I have seen. So, hopefully, a third is -- is enough. I mean if any one of you were asked to give up a third of anything that you have with potential, it's probably a hard pill to swallow. So, they have swallowed it and acted on it. So, if anybody has questions on flex space and what that might mean, you might want to stick around for the Red Aspen presentation we have next -- coming next as far as what a commercial space can do. Flex space can do. It will be enlightening for you. So, they are -- they are good for our communities. I guess one of the things I'm -- I still get a little discouraged about is there is a lot of talk about how, you know, everybody's -- nobody's against development, but they just don't want it in their area, so -- I mean, unfortunately, Meridian is -- it's a big area and it's growing. I mean we are the fastest growing city in the United States. So, it's -- it's coming, it's here, and we do have to manage it well. I applaud the applicant for listening and doing what was asked. I think to ask for more at this point in time is not appropriate, to be perfectly honest. So, with that I will -- oh, go ahead, Commissioner Wheeler.

Wheeler: I would like to go ahead make a motion.

Seal: Absolutely. Motions are always -- always admired here.

Wheeler: After considering all staff, applicant -- staff, applicant, and public testimony, I move that we recommend approval to the City Council of file number H-2021-0046, as presented in the staff report for the hearing date of October 21, 2021, with the --

Grove: With the -- with the changes in the staff memo; right?

Wheeler: Do we need to put that in there, too? Okay. And also with the changes per the staff memo.

Seal: Okay.

Yearsley: I will second that.

Seal: Do I have a second? Oh. Commissioner Yearsley, thank you. It's been moved and seconded to approve Item No. H-2021-0046 with -- with the modifications in the staff memo. All those in favor say aye. No opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**6. Public Hearing for Elsinore Daycare Facility (H-2021-0061) by 814 Development, LLC, Located at 4818 and 4858 N. Elsinore Ave.**

- A. Request: Conditional Use Permit request to construct a new 13,535 square foot, single-story daycare facility on approximately 1.3 acres of land on Lots 12 and 13 of the Paramount Square Subdivision in the C-G zoning district.

Seal: All right. Thank you everyone. With that we will move to open public hearing for Elsinore Daycare Facility, H-2021-0061.

Dodson: Thank you, Mr. Chair.

Seal: We will go ahead and give everybody a minute to clear out here. Sorry about that.

Dodson: No problem.

Seal: All right, Joe. Go ahead.

Dodson: Thank you, Mr. Seal. Onto the next one. And I have the one after this, so, sorry, you got to hear me more. The application before you tonight, Item No. 6, Elsinore Daycare Facility, which is for a conditional use permit. The site consists of 1.38 -- sorry -- 1.3 acres of land, currently zoned C-G, located at 4018 and 4858 North Elsinore. So, they are currently two properties. They have tentative approval for a property boundary adjustment to combine the properties into one for the proposed use. Brief overlay of what is surrounding this development. To the north is C-G zoning, with some commercial, which also does include an existing daycare, which is about two lots -- it's on this lot -- where is it? This lot right here. To the east is C-G zoning and some undeveloped commercial, as well as existing commercial. To the south is McMillan Road. South of that, obviously, is some medium density residential. To the west is R-40 and as you can see on the aerial -- so, higher density. Multi-family residential. The proposed use of a daycare, which has more than 12 children, daycare center, is a community serving commercial use that fits within the future land use designation of commercial. The proposed location is at the western edge of a commercial subdivision and directly across the street for multi-family residential, which functionally creates a mixed use development. The daycare use is needed -- is a needed use throughout the entire city and providing it at nearby higher density meets many of the city's desired outcomes for commercial development. A daycare center, again, which is more than 12 children, is listed in the UDC as a conditional use within the C-G zoning district. It is also subject to specific use standards. Discussions with the applicant have yielded that 165 children are proposed to be served by this daycare center, with approximately 10 to 12 staff members. The number of staff members will be determined by state required student-staff ratios. Staff has recommended a conditional use permit to limit the child capacity to 165 children. When a commercial district, as is the case here, directly abuts a residential zoning, which, again, is to the west, the C-G zoning district limits the hours of operation from 6:00 a.m. to 11:00 p.m. The applicant has stated that their intended hours of operation actually is 6:00 a.m. to 6:00 p.m., which is within this range. Staff did not specifically limit the hours of operation to the 6:00 to 6:00 as was proposed specifically, because we wanted to give them flexibility if they happened to want to do additional later hours, you know, 7:00, 8:00

for some of those workforce housing people who may not get off at 5:00 p.m. Direct lot access is proposed along the west boundary via a driveway connection to Elsinore, which is the public road here, and loops around to the north and east. An additional driveway connection is proposed to the north property boundary as shown. So, you have one access here, another access here. Because this is to a public road that has to meet offset requirements per ACHD, this is a shared drive aisle, so there are no such offset requirements. The shared drive aisle along the north is existing and goes through the entire commercial development. This creates cross-access and is already existing as noted. So, the entire commercial subdivision provides multiple points of access to Meridian Road and McMillan. As part of this application the applicant was required to perform a turn lane analysis by ACHD for the Elsinore and McMillan intersection, which would be right here. Sorry. I wanted to do this to obtain data on the existing traffic movements at this intersection and what the proposed use would incur to this intersection. ACHD reviewed this and staff agrees with its findings as well. The requirements are to construct a dedicated westbound right-turn lane. I said that wrong. A dedicated westbound left-turn lane from McMillan onto Elsinore and, then, eastbound -- I completely messed that up -- and eastbound right-turn lane from McMillan onto Elsinore. Staff is not sure if the right-turn lane will affect any dimensional aspect of the site, but anticipates that it will not. My only concern there is where the existing right of way is and, then, the existing landscape buffers. It's my understanding that the landscape buffer was already measured from the ultimate right of way and anticipated a right-hand turn lane, but per the submitted plans that has not been shown. That is the Joe's 90 percent probable on that one. The specific use standards require that onsite vehicle pick up or parking and turnaround area shall be provided to ensure safe discharge and pick up of clients -- or children in this case. Access to the building, again, is shown with a two way 25 foot wide driveway along the west side of the building, with parking on both sides that equals 36 total spaces. Code requires a minimum of 27 per the one per 500 ratio. There is not a specific additional ratio for daycares. The proposed building size is 13,500, which is how you get 27 spaces. The site plan does not show any dedicated pick up or drop-off location like a turnout or something like that, which is fairly common in other daycares, but not always a requirement. Staff has concerns that the proposed parking and drive aisle as noted could be overrun in the morning and afternoon peak hours with the current site design. Staff does recommend a reduction in the building size in order to scoot everything south -- everything by play area south and create additional parking as noted here. Basically, emulate this and put it here and you have at least approximately ten additional parking spaces that can be added in total 46 for the site would help with the concerns regarding any backing up of parents dropping and picking up their children. Staff -- with these changes staff does not anticipate reduction in the play area, but just the building. I do want to make that clear. I don't want to lose the outdoor play area for the children at this location. That was really the only issue that staff found, to be honest, and that's -- other than that I will say that the -- there is no written testimony and staff does recommend approval of the subject CUP, but with the conditions that are outline in the report, one of which being add this additional parking. I will stand for any questions.

Seal: At this time would the applicant like to come forward? Is the applicant online?

Kozlowski: I am here. Good evening. My name is Samantha Kozlowski. I'm here on behalf of 814 Development. We are a development company located at 1695 12 Mile Road, Suite 100, in Berkley, Michigan. 48072. Thank you, Joe, for taking the time to go through that presentation. I think that you have painted a really good picture of the development and what we are trying to accomplish here and all of the benefits that we will bring to the City of Meridian. I know in the staff report there were a couple of items that, unfortunately, we will not be able to abide by. The major one being the reduction in the building size that you had requested. We are working with a specific childcare tenant. This building, the 13,535 square feet, is their prototypical building that they use and they need it to operate functionally with the number of students, being the 165 students maximum, with the ten to 12 staff members. So, operationally, that is the building size that they have used in the past and that would be the prototype that they would be most comfortable moving forward with. A couple of other concerns. I know that you had recommended adding some additional parking. We see currently that we are meeting the parking requirements and, actually, exceeding the parking requirements with the 36 spaces, where the 27 are actually required by the zoning ordinance. We are -- we think that with the two drive aisles that there shouldn't be an issue with parking or any increase to traffic from this development. That just -- the reason why we think that goes along with the actual operation of the daycare facility -- so, parents or guardians actually are required to park and, then, drop off -- or, I'm sorry, to park and walk in the student to the school and actually sign them in at a front desk. So, we don't have your typical pick up, drop off area where the students can be waiting outside. The garden -- the guardian is actually going to have to escort them into the building and, then, when they want to pick them up at the end of the day they will have to go inside the building to retrieve the student as well. So, we kind of see that as mitigating some of the traffic concerns and just to go along that note, we are working with ACHD right now on a proposed plan for the turn lanes onto North Elsinore Road. So, we also think that if that development plan were to move forward and we are working on developing the plans right now, that that would help mitigate any traffic concerns as well and those really are the major things that I just kind of wanted to explain and give you a little bit more color into why they may not work for the tenant and just kind of wanted to give you their overall needs and wants for this project and just kind of explain that operationally a smaller building will not work for them. So, we would like to move forward with the 13,535 square foot building and maintain the existing parking layout that's shown on our concept plan, since it already meets the parking requirements in the zoning ordinance. We do feel that this is a need that is desired by the City of Meridian. We think that it would add a lot of benefit to the community, not only providing a place for parents and guardians to have their children in daycare, but also to provide a number of jobs to the local community as well. So, we know that Joe has expressed that this is an inherent need within the City of Meridian and we ask that the City of Meridian support our project going with our existing concept plan.

Seal: Is that everything?

Kozlowski: That is all I have at this time. If you have any other questions I'm more than happy to address them at this point.

Seal: Okay. Thank you very much. From our Commissioners are there any questions of staff or the applicant?

Grove: Mr. Chair?

Seal: Mr. Grove, go ahead.

Grove: Joe, real quick. You said there was another childcare facility fairly close. Is your parking concern based on concerns that we have had with that facility and do we have any numbers on what the parking is at that facility? I mean I know it might not match square footage wise, but it might give us some -- something to go off of. I have my own personal experience with it, so I have some thoughts on that later, but just wanted to know if there was any information that I'm not seeing.

Dodson: Commissioner Grove, great question. I do not know the specific counts for those. They have a different site design where they kind of put the building in the corner and, then, they have a one way drive aisle and angled parking and, then, a specific drop off location as well, so that -- that creates in and out very smoothly. This has a two way traffic, which with the multiple avenues in and out with the -- with the shared drive aisle, I did note that in my staff report. Some of those concerns are mitigated because of that. If we didn't have a shared drive aisle through the subdivision, the commercial subdivision, this would be a complete disaster. So, thankfully that's there. You and Mr. -- Commissioner Seal are on the same page there with having had other issues with this with daycares. It is my understanding that specifically we have not. We have had a lot more issues with drive-throughs, specifically coffee shops that shall remain unnamed, but not so much with daycares. The issue largely comes up when Fire and Police get involved and there are -- there are general life and safety concerns about just kids running across parking lots, the parking area is now becoming the drop off area, other than just a park and walk kind of thing. There is just kind of those concerns that we have. So, anytime we can add some additional parking to help mitigate some of those concerns staff is going to ask for that. I will say regarding the overall size of the building, it is unfortunate to hear that reducing the size might kill the overall project just -- just because the Commission has approved more children in a building less than half the size of this. So, that's not really saying business wise that makes sense, but it is possible to have this is -- this is literally twice as big as another CUP that we did for a daycare that had 20 additional children. So, there -- there is precedent here that a 13,500 square foot building is rather large for a daycare, especially for this number of children. That is also why we capped it at 165, with the understanding that if we don't there could be a potential to have vastly more children, which would be more cars and more traffic and further exacerbate the issue. Long winded. I apologize.

Seal: Joe, quick question. Is there parking allowed on Elsinore or on the street to the north?

Dodson: Commissioner Seal, I believe Elsinore is a local -- it is a local road. So, technically, yes, you could park -- as long as it's wide enough, which it's a public road, so

it's going to be wide enough to have parallel parking on both sides where there aren't any driveways. The shared drive aisle, no. That's just a drive aisle. Except for, as I have noted, where you put parking like this. But this is wide enough to have on-street parking.

Seal: Okay. Thank you.

Dodson: You are welcome.

Seal: Any other questions at this time? All right. At this time we will take public testimony. Madam Clerk, is there anyone signed up?

Weatherly: Mr. Chair, there is not.

Seal: All right. Anyone raising their hand online? Anybody in Chamber would like to testify? Just raise your hand. Okay. Seeing none --

Grove: Mr. Chair?

Seal: Oh. Commissioner Grove, go ahead.

Grove: Just say I move to close public testimony on File No. H --

Seal: We are close. You are ahead a little bit. Would the applicant like to come back? Is there -- is there anything that the applicant would like to add at this time before we do close the public hearing?

Kozlowski: This is Samantha with 814 Development. Again the applicant. Thank you again for your concerns and all the comments. I do understand the concern with the building size. However, as stated, this is the tenant's proposed and prototypical building type that they are used to using. So, I think that they favor a smaller number of children in classrooms, so that each child can get enough attention and time from the team members that are working within the facility. So, I think that that is really important to the tenant and, then, just, again, wanted to stress that there is no drop off and pick up area, so all the parents and guardians are actually going to be parked. So, there shouldn't really be an influx of a bunch of cars all at one time. There aren't any specified pick up and drop off times either, so parents and guardians are kind of coming throughout the morning. There are peak hours, but they aren't all flooding in at the exact same time. So, just wanted to stress that and, obviously, we are working with ACHD to try to mitigate any further traffic concerns and, again, we hope that you are in support of the project as the current site plan stands and thank you again for your time this evening.

Seal: Okay. Thank you. At this time can I get a motion to close public hearing?

Wheeler: So moved.

Grove: So moved.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0061 for Elsinore Daycare Facility. All those in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: Okay. Who wants to jump in first?

Grove: Mr. Chair?

Seal: Commissioner Grove.

Grove: All right. Back to the parking piece. Having to go to a childcare facility multiple times a week and do pick up, drop off, I'm very familiar with the in and out setup versus a drop off setup. I had an experience with that at another facility. But the in and out I think you are looking at -- let's say 12 staff. You have 36 parking spots. That means you have 24 spots for parents. Without specified pick up and drop off times at a childcare facility like this I don't see this being an issue. I have never seen 24 people come in to pick up and drop off. The only time this is going to be an issue is when the facility decides to have an event to have all of the parents come in at once for holiday singing or Father's Day, Mother's Day, those types of things. That is when that is going to be an issue and I think that having a good relationship with the surrounding businesses is going to be a key element for those times and that the applicant needs to take that into consideration. But for day-to-day operations I don't see the 36 parking spots being an issue. With that I would be in favor of not requiring additional parking and I think, you know, anything we can do to get more childcare facilities in I think we got to really push that. It's -- it's pretty tough out there.

Seal: Joe, just real quick, what -- what is the specific requirement number that's in the staff report for the parking?

Dodson: Commissioner Seal, do you mean the minimum code requirement?

Seal: No. Just the -- what number is it in the staff report?

Dodson: Oh. Condition you are talking about.

Seal: Condition. Sorry.

Dodson: I do not have that up. In a motion, if you guys want to remove my recommendations, I think there is multiple, so that I think a general motion of saying approve without staff's recommended conditions of site modification I can go through and handle that. That's specific enough for me.

Seal: Just in case. I want you to be ready. Mr. Wheeler? Mr. Yearsley? Either one.



Yearsley: You know, I will defer to Commissioner Grove on daycare. I have not had to take my kids to daycare, fortunately enough. But I like it. I think it's a good -- you know, it's a good facility. Looks -- in a good location and I would stand in support of it and also not requiring the additional parking.

Seal: Okay. I have got a little bit of mixed feelings on this. I do think the parking is adequate and when I say adequate I think it's just adequate at this point in time, so it does exceed the minimum parking requirements for a facility like -- or, sorry, I should say a building like this. That said, it's -- with the drop off and pick up, I have had experience where it can get crowded, it can be a problem, depending on how traffic does actually flow through there. So, I think the way that it's laid out and the way that traffic can flow through that it mitigates some of those issues. The fact that there can be on-street parking to handle the events, like Commissioner Grove talked about, because that was one of the things in my mind is you have the Christmas program and all the parents show up and, you know, grandparents and aunts and uncles and everything, then, it gets really crowded really fast and those -- those become an issue, so -- but I like the idea of this. I think it's a -- it's a good area to put it. I think, you know, they -- it looks like they have kind of a cookie cutter approach to it, so they know what they are doing as far as laying it out. That seems to work for their business. I could essentially go either way, basically, on the parking recommendation at this point. So, I think it's -- but I do think it's a good -- good proposal. Would be good for the area.

Dodson: Mr. Chair?

Seal: Joe, go ahead.

Dodson: Specifically the conditions that would be noted -- I do remember now that the applicant also wanted to strike an additional condition that she did not bring up, so I will do it for her. Regarding adding a pedestrian connection to McMillan. Their justification was they are proposing one here, which is fine. It was just me being picky. I'm okay with saying no or -- and striking that. So, it would be condition 6-A for the parking and 6-C for the sidewalk, if Commission is amenable to that.

Seal: Understood. And thank you for being picky. I, for one, appreciate that. With that if anybody has anymore to add or always looking for a motion.

Grove: Mr. Chair?

Seal: Commissioner Grove.

Grove: After considering all staff, applicant, and public testimony, I move to approve file number H-2021-0061 as presented in the staff report for the hearing date of October 21st, 2021, with the following modifications: That we strike conditions 6-A and 6-C.

Wheeler: Second.

Seal: It's been moved and seconded to approve Item No. H-2021-0061 for Elsinore Daycare Facility with the aforementioned modifications. All those in favor say aye. Any opposed? Okay. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**7. Public Hearing for Red Aspen (H-2021-0066) by KM Engineering, LLP, Located at the southeast corner of S. Linder Rd. and W. Overland Rd.**

- A. Request: Annexation and Zoning of 2.99 acres of land with a request for the C-G zoning district for the purpose of constructing an approximate 30,000-square-foot flex space building on 2.19 acres of land.

Seal: All right. We are coming up on 8:00 o'clock. Would anybody like a quick bio break before we press on? Okay. It looks like we are pressing. So, at this time we would like to open the public hearing for Red Aspen, H-2021-0066 and we will begin with the staff report.

Dodson: Thank you, Mr. Chair. This is my last one for the night and, then, I won't bug you for two weeks. So, we will hammer through this. The application before you tonight is for annexation and zoning of 2.99 acres of land. It's currently zoned RUT and it's located at the southeast corner of Linder and Overland. To the north Overland Road. How about that? North of that you have I-L zoning with Camping World RV service, storage, and I don't know what else is there. Sales I believe as well. To the east is R-8 zoning and the -- Meridian's newest fire station. To the south is R-15 zoning and existing multi-family residential and to the west is Linder Road and, then, west of that would be C-C zoning and some -- I believe there is one existing building and the other -- some of the other properties are currently under development. There is no history of applications with the city. The property does have two future land use designations. You can't really see it on this map, because of the lines, but there is a sliver of medium density along the south boundary and the rest is commercial. The annexation and zoning request of the nearly three acres is a request for the C-G zoning district for the purpose of constructing an approximate 30,000 square foot flex space building on 2.19 acres. So, as you can tell there is about -- I can't do math -- eight-tenths of an acre of land that's purely in -- the zoning this goes to the centerline of the roads. Despite two future land use designations, the city does anticipate commercial uses on this corner property, especially because it is adjacent to two heavily trafficked arterial roadways and near the future planned, hopefully coming soon, Linder Road overpass directly to the north. The proposed use of flex space is subject to specific use standards 11-43-18 and is proposed to serve as the core office and warehouse of a local business Red Aspen. It is a social selling, which is online, beauty company that aims to utilize this site as their brand new main hub for their growing business. Flex space is a principally permitted use in the requested C-G zoning district. Access to the site is proposed to be one connection to Linder and one connection to Overland, with both accesses being restricted to right-in, right-out per ACHD. The access to Overland is existing, whereas the access to Linder Road is an existing 25 foot wide

Item 1.

access that is projected to be widened to 40 feet and be shared with the residential property. In my staff report I noted that no agreement had been provided. Since my staff report I have been given that agreement and it has -- it is in place. Both proposed access points are as far away from the Linder and Overland Road intersection as physically possible. So, again, they -- they really can't move them over anymore to the east or to the south. The applicants propose to place the building near the hard corner and pull it away from the existing multi-family residential to the south. It's approximately 119 feet from the loading docks -- or I should say really the building wall to the south property line. This area that's 119 feet does include the required 25 foot land use buffer here. No buffer is required adjacent to the fire station, because it is not a residential use. As proposed the required five feet of landscaping per the parking lot standards -- parking lot landscaping standards. The applicant is also showing the required landscape buffers to the adjacent arterial streets Linder and Overland. The buffer adjacent to Overland is shown wider than the required 25 feet. Due to required right of way dedication and the larger landscape buffer, the proposed building is shown approximately 42 feet behind the existing sidewalk -- attached sidewalk along Overland. The -- it has the building being further south than staff did originally anticipate. In order to help the site gain back some of this usable area and create more space between the building, the proposed use and the existing residential to the south, staff is recommending the applicant reduce the landscape buffer to Overland by going through the alternative compliance process with future applications, which for the record, tonight just annexation and zoning, because the use is principally permitted. In this -- in the requested zone of C-G their next step would be administrative approvals, which would be certificate of zoning compliance and design review. Staff finds that the revision to the site of moving it further north had two positive outcomes. The building can be moved further north towards Overland to create a better presence and streetscape along this corridor and, secondly, moving the building further north creates further separation from the existing residential to the south, while at the same time allowing more area for truck turnaround in the south area of the site. The applicant has stated that the hour -- the planned hours of operation are Monday through Friday, 9:00 a.m. to 5:00 p.m., with occasional Saturday hours during peak holiday season, which would be about this time of year, October through December. Most importantly, the applicant has stated that any freight deliveries will only occur during normal business hours. Due to the proposed hours of operation staff does believe the proposed development agreement provisions, the screening method -- and the screening methods will be sufficient in mitigating any negative consequences of the proposed use. Staff did not include any specific provisions to limit the hours operation, because, again, it is adjacent to the residential district, so they are limited by code from 6:00 a.m. to 11:00 p.m. If Commission finds it needed to limit it further you have that purview. Designed floor plans do show compliance with all specific use standards for the proposed flex space as discussed with Centerville. That includes the percentage allowed to be warehouse and the percentage allowed to be office, retail -- well, office and, then, retail -- there is comments in there. The loading docks and -- oh, sorry. The applicant is proposing two loading docks and one roll-up door for the building. All three of those do face to the east and are located at the south end of the site. Code requires that they cannot face a residential use, so they are complying with that code section. In addition, I would like to note -- I did not put this in my outline, but the -- any kind of heavy truck traffic is not

anticipated. It is my understanding that they currently don't do business like that, but they are showing this for potential future growth. Most of their deliveries -- from what I heard 90 percent of them occur with the UPS, USPS kind of trucks. Smaller trucks that are not going to be nearly as loud as a 53 foot truck and trailer. Regardless, they are proposing loading docks for some future expansion or larger shipments that they may or may not have. Staff does recommend approval of the requested annexation and zoning due to the proposed use and site design. In addition, staff does find it very important to keep local businesses like Red Aspen within the city where they started. With that I will stand for any questions.

Seal: Turn on my mic now. Thank you. At this point would the applicant like come forward. State your name and address for the record and if anybody else wants to speak on behalf of this, please, have them do the same. Thank you.

Moore: Amanda Moore. 389 East Pisa Drive, Meridian. 83642.

Reese: Genie Reese. 1308 East Holly Street, Boise, Idaho. 83712.

McKinney: And Jesse McKinney and our business address here in Meridian is 989 South Industry Way, Unit 102, but we are very excited and hoping to be annexed in tonight.

Seal: Thank you. Go ahead.

McKinney: So, we are Red Aspen and we are a social selling beauty company based here in Meridian, Idaho. We just celebrated our fourth anniversary last week. Genie, Amanda and I founded Red Aspen. We -- we had just a little bit of money and we had a really big dream. We started out and we had pretty much nothing. We had barely two pennies to rub together and we are incredibly excited, because we are going to end the year at over 30 million dollars in revenue, which is really exciting for us. We support women. Our mission is to inspire women to stand up, stand out and stand together by uniting passion with purpose and we do that through our independent sales model where we utilize brand ambassadors, reps all over the country, of which we have about 10,000 nationwide to sell our beauty products, which Genie is going to talk just a little bit about right now.

Reese: Yes. So, we focus on what we like to call beauty solutions and I'm going to explain what that means to the lovely Planning and Zoning Committee here tonight. So, what is a beauty solution? It is a beauty product that saves time, it saves money, it's a salon replacement, so you don't have to go into the salon, you don't have to leave the house or get a babysitter. It's consumable and it's incredibly easy to demo on social media and online, where the majority of our sales reps, our brand ambassadors, do sell these products. So, we launched with six false lashes and since then we have expanded our product line to include pop-on nail dashes -- thank you, Amanda. At home tanning and clean color cosmetics. Today we have over 150 active views on our website and we custom formulation and development on every single one of these products, with some of our manufacturers even located here locally in Meridian, Idaho. So, our products are

small, but we have maxed out our current Meridian office space and we are excited about the potential to have space to grow.

Moore: So, Amanda, as our COO I am responsible for everything operations. I need to make sure we have a house for everything and that products get shipped out. We ship out roughly 3,000 orders a day from our Meridian warehouse here, but we are excited to have the opportunity to have everybody come together. We currently have two different addresses here in Meridian and we would love to combine into one. We were so happy and grateful for the growth that we have had and the fact that we could even have the possibility of staying in Meridian and not having to go outside is so exciting for us. We have over 60 people on staff right now all from throughout the valley and for us to keep a centralized location here in Meridian to support our team members that are in Boise, our team members that are in Nampa, we have so many jobs that we have been able to create to support even our local community here in Meridian, we are just so excited to be able to stay here with you guys. So, we hope you love our plan and our beautiful building and a little splash of pink out there.

Seal: All right. Thank you very much. Well, I was going to say at this point do you have any questions for the applicant or for staff? None? Commissioner Yearsley, anything? All right. So, at this time we will take public testimony and if anybody has signed up.

Weatherly: Mr. Chair, we have a few people signed up. I didn't catch everybody's name, so I want to make sure that I -- Amanda Moore. That was you; right? Genie Reese. Okay. And, then, Jesse McKinney. Okay. Perfect. Then Joshua Jantz.

Jantz: Good evening, Commissioners. My name is Josh Jantz with KM Engineering. Address 5725 North Discovery Way, Boise, Idaho. After the two pieces you have before you there is pretty much nothing else I can say. But I'm here to help answer any questions you have related to zoning or site plan specific. We also have Cornel, the architect, that helped out with the project here to answer any questions related to the building itself. Do you have any questions on it? Staff covered it pretty well, but --

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I guess the one question that I have is are you in agreement with the staff report?

Jantz: Yes. Yes, we are in agreement with the staff report.

Yearsley: Thank you.

Seal: Okay. Thank you very much, sir. Appreciate it.

Dodson: Mr. Chair?

Seal: Joe, go ahead.

Dodson: Sorry? The -- before we close up their public hearing, the one thing I did notice doing my outline, I missed a condition I should have added and I request that the Commission add that and that is that the applicants obtain a property boundary adjustment prior to building permit. That the applicants provide a -- or obtain approval for a property boundary adjustment prior to building permit. That's because there is three existing parcels and to do what they are asking they can't do that. So, I'm just wanting to clear that out. Whether that means they combine them into -- three into one, I don't really care. Or if they move the lines in order to accommodate that, that's fine, because it can be underneath parking areas, but we can't have a building -- the property line underneath or going through a building. And I apologize to the applicants for missing that. Hopefully that's okay.

Seal: Okay. If there is no questions, does the applicant have anything left to say? Oh. Sir, go ahead. Come on up. Need your name and address and the floor is all yours.

Larson: Good evening, Mr. Chairman. My name is Cornel Larson. I'm the architect on this project. Larson Architects. Address 210 Murray Street, Garden City. Is that better? I thought I would explain to you a little bit on the building. We have -- we have a little bit of concern about shifting it up too far to the north, because our client really likes to have and would like to see a decent amount of land. So, that it could be beneficial. They planned on some logos that promote their company and things to be integrated into the landscape. We do want to move a certain amount up there, because we would like to have a little more turnaround room for the trucks on the south side. So, we will probably make a shift and we will work through that with staff if that's okay. The other thing -- there was a condition on page 16 under item eight that noted a 40 foot height limitation and, then, prior to that there was a condition that noted a 50 foot height limitation. We would -- in the C-C zone. We would like to stay with a 50 foot limitation. We are right at 38 right now. If we needed a mechanical unit or something up there and we want to make sure we can screen those, especially if they do extend the Linder overpass. So, if we could stay with the height limit in the C-C zone and if staff would agree with that we would like to do that. The other item we had that was a little bit of a concern was the uses are fairly limited on page 16 and if the building were to need to -- or if the Red Aspen folks would need to downsize in the future, if the economy changes -- or upsize, it would be really -- be really nice if we could add a clause or something that allowed us to add an additional use to that site, maybe through a conditional use or some other application, as long as that use was within the C-G zone or was permitted in that zone. And, again, I haven't talked to staff about that at all at this point in time. So, I apologize to them for that. And, then, we would also like to thank staff for helping us get to this point. We have been about three and a half, four months. The first time I met Amanda Moore she had jingle nails on, which if -- so, that was their Christmas promotion. It was nails and had little Christmas balls on the end of them and so they were planning ahead for Christmas at that point in time. So, they are looking ahead at staying in Meridian and enjoying Meridian. I also need to thank our neighbor to the south, Steve Smith, who is very willing to help us with a shared access to the site through his property and that helped solidify

the site, so that it worked for the Red Aspen folks and it would become usable for maneuvering back out onto Linder and being able to hit a stoplight and go two directions on Overland Road. Would be happy to answer any questions about the building or the site that you might have.

Seal: Joe, I will -- I will just ask you the question, so -- for the C-C zoning is the height restriction 40 feet or 50 feet?

Dodson: Mr. Chair, so the -- the requested C-G, which has a height limit of 65 feet.

Seal: Oh. Okay. Even better.

Dodson: I wanted to -- I wanted to limit that only because of the existing development in the area, including the residential to the south. Having a 60 foot or even a 50 foot building right there might be quite a lot considering even the other warehouses that are on the north side are not that large either. They are probably 30 feet, give or take. I understand the concern with any mechanical equipment. That wouldn't be part of the height limit. It would be any kind of buildable area, building area, and not necessarily the screening materials. The discrepancy of 50 and 40 feet is probably me not being smart enough to go through my analysis again and change that and, then, I did change a condition to say 40 feet. I'm amenable to 50 feet, which does correlate to the C-C zoning. So, that's why -- I know that's a lot here. That's why I messed it up. That -- that's -- I'm amenable to that. I think that's acceptable, in case they need something and they maybe want to add a second story of actual area and -- for additional office or something. I understand that. The other points were the --

Seal: Additional -- additional use, if they needed an additional use they would just have to file for a CUP and come back; correct?

Dodson: It depends on the use, I guess. I guess, Cornel, what would you guys need?

Larson: The thought was, you know, there is a list of approved uses in the C-G zone.

Dodson: Right.

Larson: But in the staff report you listed some very specific uses.

Dodson: Correct.

Larson: If we had a use that was in the C-G zone, not necessarily specific to your list, if we could process a conditional use application or something to allow the city to look at it, that might help us if in the future we need to change something on that site. Especially, if we are going to limit the site with a DA. We were just looking for a little more flexibility.

Dodson: Okay.

Parsons: Joe, if I may chime in. So, Mr. Chair, if I can elaborate where our thinking was on this particular restriction on the uses. This site's very challenged with access. I mean, you know, a future overpass is going to happen. It's imminent. At some point it's going to get built. We have planned for it. It's in our Comprehensive Plan. How that gets funded we don't know yet, but we are working on it. So, what we wanted to make sure we did -- what we set up this property to do is develop with the uses that, one, not only integrate it with the surrounding residential to the south, but also made sure that they could be successful there and, again, I applaud the applicant for wanting to be -- come up with creative ideas, but I don't think we have to. This is simply an annexation. If you guys feel that we don't need to restrict the types of uses that go on this property, you could simply just strike -- strike that from the record. A CUP just -- is not going to get you what you want, because they could either modify the DA, too, in the future. So, either way it's a public hearing, either before you or before City Council. So, again, I don't know what that gains us. If we want some assurances for us the assurances are the requirements in the development agreement and that can be changed as well. So, again, if you guys feel comfortable that Red Aspen will continue to grow and reach that 50 foot height limit, we are happy with that and you can certainly strike any of those use restrictions on the property and just allow the C-G zone to control.

Seal: Okay.

Starman: Mr. Chairman?

Seal: Yes, sir.

Starman: I echo what Mr. Parsons said in the last minutes or so on that is that -- that that condition that we are talking about will become a portion or section of the development agreement and so to give the applicant some comfort and the Commissioners, the applicant can always ask later for a modification to the development agreement and expand the uses at that point. So, there is a mechanism to accomplish that. So, that -- I think that may provide some comfort to the applicants here is that there is an opportunity to ask for additional uses respectively if the need occurs.

Seal: Understood. I mean -- I can't speak on behalf of the entire city, but I think supporting a growing business is going to be something that we would want to do as a city in order to keep that business here. So --

Larson: Thank you.

Seal: Thank you.

Larson: Questions?

Seal: No, sir.

Larson: Thank you.



Seal: Thank you. Appreciate it. All right. If the applicant has nothing further to add, then, I will take a motion to close the public hearing.

Wheeler: So moved.

Grove: Second.

Seal: It's been moved and seconded to close the public hearing for H-2021-0066, Red Aspen. All those in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: All right. Commissioners, jump right in and let me know what you think.

Grove: Mr. Chair?

Seal: Mr. Grove, go right ahead.

Grove: I will just be first tonight.

Seal: Yeah.

Grove: Love that it's a Meridian company. Want to do whatever we can to get this forward. I like the project. It will be interesting to see how the overpass impacts this general area, but with this I think that that will be a good piece on that section. So, I'm in favor of this project.

Seal: Mr. Wheeler, go ahead.

Wheeler: Yes. Same here. I'm very much in favor of the project, especially since it's here in Meridian, wanting to stay in Meridian, want to help out with that. I felt like at your initial pitch I felt like I was on Shark Tank more than I was at, you know, the P&Z Commission here at Meridian. But I enjoyed the bravado and I enjoyed the enthusiasm. Just hopefully you can carry on and as you guys continue to grow and -- and expand. So thank you.

Seal: Commissioner Yearsley, you want to jump in?

Yearsley: I have nothing to add. I think it's a great project and I am glad that they are excited to stay in Meridian and we are glad to have them.

Seal: All right. I'm on the same line as that. It's nice to see a company grow and I have seen Ms. Moore in a previous life when we were both doing different things, so it's nice to see the success that's coming out of the company, both personally for people and for the company itself and the growth of Meridian. So, it's very nice to see that the need is there. With that, if anybody would like to take a crack at a motion, I am all ears.

Grove: Okay. Before I make a motion, Mr. Chair --

Seal: Go ahead.

Grove: Could I get some clarification on what we want to do with the -- that DA modification piece that you were talking about, Kurt?

Starman: It's the Commissioners' prerogative. If you want to eliminate that condition all together and rely upon the underlying -- or the zoning district itself, that's -- that's an option to you. I think my recommendation would be that -- there is some thought that went behind that condition, that my recommendation would be to include the condition, but with the understanding that things change, the applicant can come later to the City Council for a modification to the development agreement. I think the Council -- can't guarantee that, but I think it would be receptive to if the business is doing well and might need a modification, so -- but if you have any hesitancy about that I think you could eliminate the condition altogether and rely upon the zoning district to set the uses.

Grove: I got it.

Seal: You got it? Okay.

Wheeler: I did have a question of clarification if you are okay with that, Commissioner Grove. Joe, can you -- what were the limitations that were on that, if you can speak to those uses?

Dodson: Commissioner Wheeler, great question. Off the top of my head -- again I don't have my staff report in front of me. It was flex space, obviously. It was -- Bill is going to save my butt again. Thank you, sir.

Seal: Flex space we learned at the last one was just -- just a warehouse; right?

Dodson: Right.

Seal: Sorry. I couldn't resist. I just --

Dodson: I listed the -- allowed uses show flex space, a financial institution, healthcare, social services, information industry, personal and professional services, retail, including beer and wine sales. Restaurant. Research and development and vertically integrated residential. And I just noted that the applicant shall adhere to any applicable specific use standards for a future use for a proposed use. So, I thought that that was pretty exhaustive in the sense of what could potentially go here. The main point is a gas station would be a disaster. Restaurant probably wouldn't work financially anyways, because of the restricted access. Granted vertically integrated does allow that, but that's a whole separate discussion. And general warehouse, where it will be a hundred percent warehouse kind of thing, I believe that's already a conditional use within C-G anyways. So, we just wanted to eliminate that possibility, because we wouldn't just want a -- just a

warehouse here, you know, we would love the idea of -- of what they propose already with the flex space, with the office component for the business to continue growing there.

Wheeler: So, it would allow them to expand into more office space if need be, if they grow and hire and things of that nature.

Dodson: Absolutely. Absolutely.

Wheeler: That's my biggest concern on this one when they talked about some limitations, as Commissioner Grove.

Seal: And what was the condition for the 50 -- or the 40 foot height limitation? Do you know which one that was right off the top of your head?

Dodson: 8-A-B. Or 1-B. Sorry. 8-A-1B.

Seal: Okay. Just in case Mr. Grove wants to add that.

Grove: I wasn't planning on getting that specific, but -- after considering all staff, applicant, and public testimony I move to recommend approval to the City Council of file number H-2021-0066 as presented in the staff report for the hearing date of October 21, 2021, with the following modifications: That the applicant obtain property boundary adjustments prior to City Council and that the applicant works with staff to adjust the building location north to an agreed amount and that they address the height limit as presented in 8-A-1B.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to approve Item No. H-2021-0066, Red Aspen, with aforementioned modifications. All those in favor say aye. Any opposed? All right. Motion carries. Thank you.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**8. Public Hearing for Meridian South Fire Station & Police Substation (H-2021-0062) by City of Meridian, Located at 2385 E. Lake Hazel Rd.**

- A. Request: Conditional Use Permit to develop the property with two (2) public/quasi-public uses to include an 11,650 square-foot fire station and an 11,550 square-foot police station on 4 acres of land in the R-8 zoning district.

Seal: All right. With that we will go ahead and move on to the public hearing for Item No. H-2021-0062, for the Meridian South Fire Station and Police Substation. That was a mouthful.

Tiefenbach: Alan Tiefenbach, associate planner with the City of Meridian. I was kind of hoping my project would be a warm fuzzy, too, but I'm not sure. Certainly one everybody will like. This is a conditional use permit to develop a roughly 11,000 square foot fire station, 11,000 square foot police substation, with some change on approximately four acres of land. Let's see. The site consists of four acres. It is now zoned R-8 in the city, located at 2385 East Lake Hazel. You probably will remember in April this property was annexed and zoned for the purpose of having a police station and the substation. There is an interagency cooperative agreement. So, we are going to look at -- on the left is what the site plan was that you saw when it was annexed. On the right is the site plan that is being presented now. So, it's very similar to what was approved. One of the requirements -- one of the conditions of approval is regarding having to build a collector road along the east. There is a cooperative development agreement with Brighton Corporation for that area. Brighton owns a piece of property to the east that went into effect when all this was annexed. Brighton would have to build that collector road. Fire -- or city knows that. They would have to build that collector road along the eastern property line down to a cul-de-sac at the southern property line. There would also -- they know they also have to build the pathways, which would be a ten foot wide pathway along the north and the ten foot pathway along the east. They are over their parking they are required. They have provided 32 parking spaces over what's required and three parking spaces for the fire engines. One I guess correction is -- I noted previously that there was a condition to make sure all existing residential structures be removed. Stacy with the city was kind enough to let me know they were already removed, so that condition -- you could keep it, but it is not necessary. Really, the only issue -- and I'm not even sure if I would call this an issue -- is that there has been some changes in the elevations from what they were to what they are now. If you look at this, this is what was presented with the annexation and you can see they had some -- the -- the building materials showed CMU and it had some texturing to it and there was that -- the sloped roof with the exposed timber frame and some different accents. Not sure if it's a cost issue or not, but we have gotten to a much -- more of a basic design. I'm just raising this to let you know that they are going to still have to work with us -- we are going to have to work with us, basically, to make sure that we meet all of the requirements of the architectural standards manual or there will have to be a design exception. Again, I don't really want to get into the weeds to this, I'm just for the record noting that this may not meet all the architectural standards requirements. With that if you have any questions I would be certainly happy to entertain them.

Seal: All right. Thank you, sir. At this point would the applicant like to come forward? Is our applicant online? I didn't see anybody walking up.

Schubert: Sorry. I was muted. I'm online. Can you hear me now?

Seal: I think I hear barely --

Schubert: Can you hear -- boy. Can you hear me now? Sorry. I'm trying to talk as loudly as I can. Am I being heard? Is that better?

Seal: That's -- that's a little better. If you can turn things up on your end that might help.

Schubert: That's about as high as I can go right there. Hopefully that will work. So, I'm Mike Schubert. I'm with Rice-Fergus-Miller Architects. Our address is 275 5th Street, Suite 100, Bremerton, Washington. 98337. So, we just saw this as a -- the police and fire station that is proposed for -- next to Discovery Park to help expand the emergency services to this part of the city, as it is growing rapidly in this area. At the current time we have been -- the city has decided to no longer pursue the police station at this time. It will be -- the site -- they do plan on building a police station in this area, but at this time they don't have the funds to go forward. But the fire station, as originally put in our proposal, will continue. So, one thing I want to bring up is that we are slightly shifting our generator location to a central location within the site that is closer to the fire station, but will still allow for the same development to occur for the police station parking area. But, essentially, the fence line that divided the two apart is, essentially, where the property will not be developed at this time and the interim -- during this time the area will be filled with sod and it will actually be grassed and maintained by parks at this time. So, we have seen the staff report and are in total agreement with it. The -- the comments about the elevations -- we do apologize for the noncolored elevations. The -- the texturing that was going on is still occurring in the building. The -- the knee braces of the roof have been removed, but looking at the flat elevations do not look like the -- the three dimensional views that we see before, so -- but the coloration is very similar to this. It's actually -- they have gone to -- the fire department decided what they want is more of a beige and brown combination of block, as opposed to the gray colors. So, the colors are a little bit different. But the -- we will still have wood soffits that are underneath the eaves of the roof and the mechanical screening areas and at the -- the lower -- it's kind of shown at the lower right side is there is an additional screen that will be in a metal panel that -- those are in a -- what's called a brownish gray color. But we will be working with -- with the CDC to make sure that we -- we get all of that approved appropriately.

Seal: Okay. Thank you very much. Is there more you wanted to add?

Schubert: I guess that's kind of it, unless you guys got questions about it.

Seal: All right. Any -- any questions here for the applicant or staff? Commissioner Yearsley?

Yearsley: I have none.

Seal: All right. Okay. With that -- is there anybody signed up to give public testimony?

Weatherly: Mr. Chair, there is not.

Seal: Excellent. Thank you. Anybody here would like to come and testify on behalf? Please raise your hand or approach to microphone. None? Okay. If the applicant has anything -- do you have anything more to add?

Schubert: No, I don't.

Seal: Okay. If there is no questions, I will take a motion to close the public hearing.

Wheeler: So moved.

Grove: Second.

Seal: It's been moved and seconded to close the public hearing for H-2021-0062, Meridian South Fire Station and Police Substation. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: Okay. If you guys have anything more to add or I will take a motion at this point.

Wheeler: Take a motion. Yeah. You got the last one; right? Commissioner Grove. All right. I will take this one. Unless Commissioner Yearsley has anything to add.

Yearsley: Who doesn't love a fire station. So, I'm on board.

Wheeler: Alrighty, then. Here we go. After considering all staff, applicant, and public testimony, I move to approve File No. H-2021-0062, as presented in the staff report for the hearing date of October 21st, 2021, without any modifications.

Seal: It's been moved and seconded -- oh, do I have a second.

Grove: Second.

Seal: Sorry. I got ahead of myself. It's been moved and seconded to approve Item H-2021-0062 with no modifications. All in favor say aye. No opposed. The motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: All right. Thank you, everyone, on that. Okay. Does anybody want a bio break before we go on to the next one? Yes. All right. We will take a five minute break and we will be right back.

(Recess: 8:36 p.m. to 8:43 p.m.)

**9. Public Hearing for Village Apartments (MCU-2021-0008) by KM Engineering, LLP, Located at 2600 N. Eagle Rd.**

- A. Request: Modification to the Previously Approved Conditional Use Permit (CUP-15-019) to update the conceptual development plan and elevations and eliminate the requirement for pedestrian and vehicular connectivity/crossaccess to be provided to the residential development to the north

Seal: All right. It sounds like we are ready. So, at this time we would like to open the public hearing for Village Apartments, MCU-2021-0008, and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. I'm starting to get a complex. The room seems to clear out every time I have to present a project. I don't know if I should take that personally or not. But next application before you this evening is the Village Apartments. This is a conditional use modification. History on this property. It was before you in 2015 for a CUP for a multi-family development, consisting of 336 multi-family units contained within 11 structures and that was really probably -- this particular property that you see in front of you here. You can see the Comprehensive Plan has it as a mixed use regional. I would mention to the Commission that there is a commercial component that goes along with the multi-family, but it's not part of tonight's application. But it is tied to the overall project in a recorded development agreement that was approved in that same year. So, the site plan before you here is what was previously approved. As I mentioned, you can see how the -- the buildings were oriented on the site. Again, the applicant is here to discuss reorienting the site, changing the landscaping and open space and, then, also modifying conditions of approval that required cross-access -- pedestrian access and connect -- access to the property to the north here, which was the Veraso North project and because the way that site's designed out and there is an existing irrigation easement there, staff is amenable to removing that condition and not requiring any access with that northern piece. They do have access via Records Avenue through their own private street and, then, of course, with the commercial farther to the west, there is going to be cross-connection with that and, then, also with the multi-family development to the south they are tying into their parking lot as well. So, there is some additional accesses is being provided with the new site plan that I will show -- share with you shortly. So, here are the -- again, the -- the approved site plan and elevations. Typical garden style of what we see in Meridian. Again, mixed use regional designates 60 to -- six to 40 dwellings to the acre. So, the C-G zone requires a conditional use. So, they are just here, again, tonight to modify those items. So, here is the new plan that they are proposing. Now, you can see here they -- they maintain their existing access to Records Avenue and, then, you can see where they have oriented the buildings -- reduced the buildings, but increased the footprint. So, the unit count remains the same, but what's unique about the plan is they have more centralized open space. So, they have consolidated that. Provided more parking than what code requires. I would also mention to the Commission that this site is in close proximity to Kleiner. So, typically when we first analyzed this project back in 2015 we made the finding that it didn't necessarily need as much open space, because it had a regional park about 500 feet to its south. But the applicant, again, in this application, by reorienting the site and having larger buildings and a bigger footprint, has -- was able to get actually more open space than was previously approved. Again, staff is recommending approval of this site, because, one, it's oriented better and, two, it makes -- it's a higher quality development than the previous plan. I did receive written testimony from Derek, the applicant. He had some concerns about a condition of approval. If you can see my cursor here, around the -- the pool house are some covered structures and he was -- the way it's structured and the staff report Sonya had conditioned him to provide details for a gazebo. This isn't necessarily a gazebo, it's

just more of a covered shade structure. So, he's asked that we strike the word gazebo from condition 2-C. Staff is amenable to that as well. They will have to, obviously, go through certificate of zoning compliance and design review to work out those amenities as he goes through that staff level approval. In your hearing outline -- I'm not going to go through all of the amenities that the applicant is proposing, because it's in excess of UDC, but the code does allow you to determine whether or not they have adequate amenities for a development of this size. Again, as I mentioned to you, we have Kleiner Park directly to the south and, again, they are -- they are proposing a pretty great amenity package here, as you can see on the exhibit. So, with that one change that I just mentioned, staff is recommending approval and I will stand for any questions you may have.

Seal: All right. Thanks, Bill. Would the applicant might come forward. All right. Please state your name and address for the record and it's all yours.

Gasser: Good evening -- sorry. I will lean forward. Is that better?

Seal: That's -- that's perfect. Yes.

Gasser: Derek Gasser. 74 East 500 South, Suite 200, Bountiful, Utah. 84010. Good evening, Mr. Chairman and Commissioners. Thank you, Bill, for your presentation. We are here to request modification of the previously approved conditional use permit for the Village Apartments. As Bill mentioned in a little more detail on it, rather than doing 11 Garden style walk-up four story buildings, we would like to propose building six buildings, four story, with elevators. Those units would also have controlled access, which we feel is -- is a benefit. We feel this is a much nicer product. Like Bill mentioned with the location next to Kleiner, with what CenterCal has done with The Village, we feel like this type of product is -- it fits the land, the area or the location, better than your traditional garden style walk-up product. We -- Sonya put in -- or staff put in a condition for a play structure, a children's play structure, and we are -- we are agreeable to that. I think with that if -- if there is any questions we can answer.

Seal: Anybody have any questions for the applicant or staff?

Wheeler: I do.

Seal: Commissioner Wheeler, go ahead.

Wheeler: How many -- staff, how many -- or I guess the applicant can also answer this one, too. But has there been any increase or decrease with the number of units overall, even though that the buildings have changed? It's all the same?

Parsons: Yeah. Mr. Chair, Members of the Commission, unit count is exactly the same. 336-336. So, no change to that.

Wheeler: Okay.



Seal: Any other questions? Mr. Yearsley, do you have anything?

Yearsley: Not at this time.

Seal: Okay. Thank you. With that, if you want to take a seat or just see if we have anybody signed up for public testimony.

Yearsley: Sorry, Mr. Chair. We do not.

Seal: Okay. Anybody in the audience want to testify? You can raise your hand. All right. Seeing none, do you have anything else to add now would be the time.

Gasser: Mr. Chair, Commissioner, thank you for your time. We -- we do feel this is a superior product and we are excited to build it. Thank you.

Seal: Excellent. Thank you. We will take a motion to close the public hearing.

Wheeler: So moved.

Grove: Second.

Seal: It's been moved -- moved and seconded to close the public hearing for Village Apartments, MCU-2021-0008. And one point here is when you make your motion it is to approve or disapprove tonight, so -- or approve or deny. We are the deciding body, not the recommending body.

Wheeler: Mr. Chairman?

Seal: Go ahead.

Wheeler: For the commercial aspect; is that correct, staff? That -- aside from the commercial aspect? There is -- there is a commercial component that's not going to -- that we are not approving tonight; is that correct? As far as my understanding.

Parsons: Mr. Chair, Members of the Commission, that is -- that is correct. That -- my -- my point with the discussion tonight is this is a phased project and this is one part of that phase. So, the commercial -- the applicant's working with ITD and adjacent landowners for some cross-access and -- and doing their due diligence on that part. So, really, they want to get ahead and move forward on the residential portion of their property at this moment.

Seal: Mr. Grove? You were reaching for the mic.

Grove: I was just going to motion, unless anybody had anything that they wanted to interject.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: Bill, what is to the east? Is there -- is that residential? On the east side of that property.

Seal: Records, I believe.

Yearsley: I know, but on the other side of Records is that residential?

Parsons: Yes. Mr. Chairman, Members of the Commission, yes. That's -- I believe that's a county subdivision across the other side of Records.

Yearsley: Okay. And, then, nobody has -- you know, they have been noticed and nobody had issues with the -- the bigger block of apartments facing Records is my understanding.

Parsons: Yeah. Mr. Chair, Members of the Commission, I did look at the public record this evening and no other testimony has been provided on this application.

Yearsley: Okay. Then I'm good.

Seal: Yeah. The only thing I will add is that this is an interesting piece of land and the commercial development has other implications that are coming in the future, but I like the overall layout of this and the way that it was changed. I don't like that Records is -- it's my secret way to get into The Village and the secret is out, so -- but at this point I will entertain a motion if somebody wants to throw it out there.

Grove: All right. Mr. Chair, after considering all staff, applicant, and public testimony, I move to approve file number MCU-2021-0008 as presented in a staff report for the hearing date of October 21st, 2021, with the following modification: To strike the word gazebo from Condition 2-C.

Wheeler: I second.

Seal: It's been moved and seconded to approve Item No. MCU-2021-0008, for Village Apartments with the aforementioned modifications. All those in favor say aye. Any opposed? Okay. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**10. Public Hearing for Aviator Springs (H-2021-0065) by The Land Group, Inc., Located at 3235 N. McDermott Rd.**

- A. Request: Annexation of 40 acres of land with R-8 (31.59 acres), L-O (1.64 acres) and M-E (6.77 acres) zoning districts.

- B. Request: A Preliminary Plat containing a total of 112 lots consisting of (93) buildable lots and (13) common open space lots on 31.59 acres of land in the R-8 zoning district, (2) buildable lots on 1.64 acres of land in the L-O zoning district, (1) buildable lot on 6.77 acres of land in the M-E zoning district, and (3) future right-of-way lots on 40 acres of land.

Seal: With that we will open the public hearing for Item No. H-2021-0065, Aviator Springs, and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. Next item is Aviator Springs. The application before you is an annexation and preliminary plat. The site consists of 40 acres of land, zoned RUT in Ada county and physical address is located at 3235 North McDermott Road. There has been no history on this particular property as far as city goes and the current Comprehensive -- Comprehensive Plan designation is mixed use neighborhood. If you looked at the planned development map here, you can see how many other additional residential developments have occurred in this particular area. So, the applicant is here tonight to discuss with you annexation of 40 acres, again, with R-8, and which is approximately 31 acres of land, an L-O zone of 1.6 acres of land and an ME zone, which is 6.7 acres of land. They are also requesting to develop the site with 93 residential detached homes at a gross density of three dwelling units to the acre. To help kind of clarify density, if -- if the Commission -- may understand this, but typically in a mixed use neighborhood designation we anticipate densities between six and 12. So, this particular project tonight is under -- quite a bit under what we anticipate in this area and rightfully so. If you have had a chance to -- this particular project we spent quite a bit of time trying to analyze this for you as far as being consistent with the Comprehensive Plan. It's unique. It's -- it's different, because of the fact you have a school bounded by -- on its west -- western boundary -- boundary. You have an R-8 development already to the north of it that's developing with an existing street segment. You have a state highway that's going to be extended in bifurcating the property, which doesn't allow the project to really integrate as much as we anticipate in a mixed use neighborhood and, then, we also have property to the south that is a different, more intense land use designation. Although mixed use that hasn't come in yet. And so I can tell you in working on this particular property and also with the developer of the property on the southern boundary of this site, we were hoping they would all come in together, so that we could work out a lot of those things and make sure that we had a little bit better integrated project. But we are here this evening talking about this one. So, you can see here -- here is the pre-plat that the applicant is proposing. It's -- it's the same -- it's two phases. The first phase is the western half and, then, the second phase is the opposite side on the McDermott Road side of things and that's -- that's why we tried to present it to you in the staff report that it is -- it won't be integrated, because it's -- it's impossible. What the applicant's tried to do -- and they have done a great job and -- what we told them to do in order for them to garner our support, they really needed to justify it in their narrative when they submitted their application and I think they are doing the best that they can with -- with the limitations that they have on this site. But they are proposing two office lots, which are located along the western boundary here. One will be a future home

of an LDS seminary to go along with a high school. That's pretty typical here in Meridian. And, then, the southern lot they are hoping to deed this -- or dedicate it to Boys and Girls Club to have that other civic use here and, then, again, most of the residential type in here -- all of the residential lots in here are single family detached homes. So, typically in our mixed use zones -- or even in our comprehensive plans, we try to encourage a mix of residential types at a minimum. We try to have walkability. We try to have detached sidewalks and parkways. Providing some of those pedestrian scale elements and that's what the applicant's done with this application. So, you can see the walking path that runs along future Highway 16 and, then, also some additional walking paths through this MEW that ties into the commercial and ultimately gets to the high school to the west. So, as far as interconnectivity and trying to link all the uses together on the west side, staff felt that they have done a pretty decent job of doing that. Now, we did pose to you -- we have not recommended that they provide any additional residential types. That's something that certainly is within your purview if you think additional density is desired in this area. But I can tell you looking at the ACHD staff report, there are some access challenges for the Ada County Highway District as well. Not so much for the city. So, as this body knows when -- with the fire department you can have no more than 30 homes on a single access. But if you have secondary access, then, it's not really an issue and so down here in the southwest quadrant of the development the applicant was able to work with the school district and secure a secondary emergency access to allow them to move forward with their 93 homes. But if you have had a chance to look at the ACHD staff report, they have reached out to the city and -- me in particular, because I'm taking -- I'm covering this for Sonya this evening. But they are concerned with the number of homes taking access off of one entrance -- one public street access. So, their current policies say no more than a thousand vehicle trips on a local street access and because we don't have the property to the south coming in with the application, we only have a stub street, this -- this entire development really is stuck with one public street access that comes in north, runs east-west along the school site and, then, ties into this development and so they -- they have placed a condition on this development that they either can't develop anymore than 96 residential homes, which, again, this plat is 93, so I don't know where that 96 came from. Or they would not allow development on the Boys and Girls lot and develop -- or they restricted development to the Boys and Girls lot and, then, only allow up to 84 homes to be developed. So, I think this body -- at least the Commission should ask the applicant if they are amenable to ACHD's condition as one and, two, what are they willing to do to restrict further development from happening on this site, because, in my opinion, staff's opinion, they should probably adjust their phasing lines to make sure that they don't go beyond a certain threshold until such time as the property to the south develops. I think that's really really critical in this particular development, just because of all of the other constraints that we have going on here and it's something that we talked about, again, at all of the pre-app -- pre-application meetings. Is this the right time for this particular development given what's -- since we don't really have a lot of connectivity out here. So, again, the preliminary plat consists of 112 lots. Ninety-three of those are residential, two our office, and, then, there is that one ME lot over here that will develop. The residential portion is, again, 31 acres. L-O is 1.6 and the ME is 6.77. The applicant gave us a general concept for phase two, but nothing specific per se. So, we do have a recommended DA provision that they come back and modify that DA in the future when

they have actual development plan proposed for that future lot. They were amenable to that as well. As I mentioned to you, access -- this is the access here. You can see my cursor. This is the only public street access in here. Like -- I don't want to keep beating that drum, but it is something to be really cognizant of tonight is -- there is a lot of people that could potentially live out here with very limited access and I know that is a concern for our Fire Department, even though they do meet their requirements. So, I'm hoping this applicant can work with the property owner to the south and figure out an appropriate street segment in the future, some connectivity. We did receive written testimony from the developer of the southern property and he would like this stub street on this -- in the southeast corner to shift over a little bit farther to the east, so it aligns more with the development plan that they have -- or they want to bring forth to the city at some point. Applicant is required to provide ten percent qualified open space. The plan here, because of the abundance of open space that they are providing, they have 7.64 acres of open space, which is approximately 23.8 percent open space. So, a tremendous amount of open space for this particular development. If you also notice in the staff report to try to get some of those densities numbers up is we tried to make the justification that this really was a buffer to minimize the impact on the adjacent residential. So, we actually removed this buffer out of the requirement for the density and it did up the density slightly to 4.38. So, not a significant increase, but an increase nonetheless. And, then, there is also a minimum two qualified open spaces -- or qualifying amenities are required. So, the applicant is proposing a swimming pool, pedestrian pathways, an additional qualifying open space of 20,000 square feet and, then, also children's natural play area and they did give us some exhibits on how some of that would look and be developed along the state highway in that large green central open space area. Again, here is their -- their parking exhibit. I know that's pretty important to all of you, too, so they showed us how they could park all of these units. Again, you can see the circulation on the side and how it relates to Owhyee High School and, then, they also provided some proposed elevations. Again, because this is going to be visible from the state highway we are requiring that they get some level of review from planning prior to issuance of building permits. The other unique item associated with this is that staff is recommending a six foot berm with a six foot tall sound attenuation wall along the highway there and the reason why is because the project to the north, which is Chukar Ridge and, then, Gander Creek, which is farther north -- which is north of that development, the Commission was pretty consistent and they -- they wanted to see more sound -- sound attenuation along that state facility. So, staff felt that we should be consistent in those approvals, so we required the same thing of this proposed development. And, again, staff did receive concurrence from the applicant that they are in agreement with all conditions in the staff report. So, with that -- as I mentioned to you, Todd Tucker is here this evening to speak to you probably on the relocation of that stub street. But with that staff is -- is recommending approval of this application this evening and I will stand for any questions you may have.

Seal: All right. Thanks, Bill. Would the applicant like to come forward?

Adams: Good evening. This is Matthew Adams, 462 East Shore Drive, Eagle, Idaho. And I'm representing the applicant tonight. And I would like to share my screen. All right. Can everybody see my presentation up in blue?

Seal: Yes, sir. Thank you.

Adams: Excellent. All right. Thanks. I'm really happy to be here and very thankful that you allow for remote presentation. Appreciate that. It's been a long night, so let's think of this as a nice evening together discussing great community planning, rather than just a presentation. The Aviator Springs Subdivision -- I'm going to go over Comprehensive Plan alignment with you, the proposed project, why it's amazing. Community partners that it takes to put this project together. Then I would like to spend some time on the context and how it relates to the Fields Sub-Area Plan that you are actually going to hear next after my item. And, then, at the very end we do have some municipal code alignment items to share. Ultimately at the end of the day what we are requesting is approval of the annexation, rezone, the preliminary plat. So, I do want to say Aviator Springs is the right community at the right time in the right place and this is why. Really Aviator Springs embodies the 2019 Meridian comp plan. It is a premier community that is safe and secure, where people can live and possibly work, but at least easily get to work on the roadway network with Highway 16 and Ustick and thrive. We meet the evolving community goal of the comp plan, because we are adapting to change. This area was conceived as a neighborhood. The high school, the highway, various conditions have required that we adapt and present the best possible community we can in this area. Livability. We are promoting family friendly recreation for healthy living. We are focused on stewardship through natural systems. For stormwater, cooling of the air, and we are making a major focus in coordination with Fire and Police from Meridian city on promoting public safety through crime prevention environmental design standards. It's a vibrant community. We are maintaining the historic character of ag and the drain systems -- drain ditches in this area and we are also nearby creating good safe connections to vibrant activity centers that the school itself and the future park spaces in the sub area plan to the west and, finally, it's a connected community. It's safe. It's got efficient transportation. And we are working closely with ITD to ensure that Highway 16 to successfully move forward. So, as you can see we meet all of the intended goals of the Comprehensive Plan. So, let's talk land use for a minute. This is the 40 acre project and you are looking at it from the south. We are looking to the north and slightly to the east, with Highway 16 on the right side of the screen and, then, the high school would be on the left side and the residential project shown in yellow. This project is a mixed use neighborhood. We have got R-8 zoning. Residential. We have L-O zone for our civic uses of LDS seminary and the Boys and Girls Club, which we are very proud of. And we have ME zone proposed for the Acclima Research and Development facility on the east and we do provide the three unique zones that are required in the MUN land use designation. We are primarily a single family detached residential development, which is also MUN. The LDS seminary is more than just a place where some of the kids go during the school day, it really acts as a youth community center for many many children for a long long time and it is an anchor to the community. The Boys and Girls Club is very exciting as it's an opportunity for boys and girls to have some presence in the west end of the city, which they do not have right now, and it also creates a lot of great positive energy and positive interaction within this community and for -- you saw all the rooftops, the lots Bill showed on the image before. There are going to be hundreds of kids in this part of Meridian and a Boys and Girls Club is a great -- great opportunity for them. And, then, we have got Acclima as a

research and development center and an employment center, which is also exciting. It is impossible for us to provide a direct connection between the housing and that research and development and employment center. However, it does provide a really great buffer to the existing rural development and county sub that's on that side of the property and to the east of McDermott and when we had our neighborhood meeting the neighbors were quite excited about the arrangement of the uses on the site. And, then, I will point out you can see the little graduation cap. Of course we have the high school to the west. Now, we have got great pedestrian connectivity to that facility. Circulation is critical in communities. We have got the ten foot multi-use pathway that is on the east edge of the residential development within the buffer to the highway. We have got detached sidewalks, which allow you to have a great tree canopy and great walkability throughout the community and, then, again, we have the strong connection to the high school. We also have connectivity so you can get to the future elementary school, which is north of the high school. Again, as I said, we are partnering with ITD to ensure success of Highway 16. We have got roadway connectivity to the north and to the south. So, we are not land locking anybody. We are providing great connectivity. And, then, the last thing I want to say is there is a little purple kind of line in the bottom left. We have coordinated with Joe Bongiorno with Fire and we have recorded easements in place to provide fire access through the high school site to this property that will provide the secondary access until the public roadway system extends south to Ustick. We all wish we had access to south to Ustick, but this applicant does not control the property to the south and, therefore, we cannot dictate what happens there. And last let's talk amenities on this project. We have got pathways, which are safe and abundant in this property. We have got a pool and play field. The play field's clipped a little bit. You will see it more in future slides, but we have the pool itself with a lot of lawn space around it and a play field in that southwest corner. We have the high school itself and the elementary school. Those are amenities. Tennis courts at the high school. Large open grassy areas and the playground and open grass field with the elementary school as an amenity. And, then, we have this really great open space buffer on the east side of our project. Now, we are required to do a 35 foot landscape buffer between ITD's property and our homes. Well, I mean in reality that is not great, 35 feet from an expressway. What we have done is we have actually done a minimum of a hundred foot landscape buffer and, then, if you take from the nearest home to the actual pavement of the highway, we are at 200 feet. So, we have got a 200 foot buffer from the roadway itself. One hundred foot width of that is landscape and includes pathways, stormwater management and play features. Pathways. Really really great system throughout the park. These are some images of what these can look like, really, to demonstrate that we are servicing all segments of the community on the pathway system from young to old, families, kids, retired folks, et cetera. The pool. We are very excited about the pool. When you have kids between -- I guess four and 12, the pool is the prime spot and when you turn over houses and you keep little bubbles of kids moving in and growing up through communities, the pool stays active and it can be a great great amenity. We also have our playfield. There is extreme pressure on playfields throughout the Meridian community, for soccer, T-ball, flag football practices and we have got a nice large one acre spot for that kind of activity to occur. The open space on the east it will have some lawn or turf grass. Landscape. However, there is a large portion of it that is designed to handle stormwater and to be climate appropriate

and resilient, that we anticipate low water use or water wise, climate appropriate landscape. It will provide habitat, unique aesthetics, and it will minimize the maintenance. Important to us is the HOA inherits a landscape that is maintainable and that they can afford to maintain and intense areas of turf grass are not always affordable for a long time. This is also meant to really lock in or maintain the rural character that is slowly dissipating in this area. Play. We are really proud of the play features that we have come up with. Within that buffer we have created an unstructured play environment that is safe. So, the parents can send the kids out the front door, down to the end of the cul-de-sac and they can play in a space where there is no outlets, no street, and the parents don't have to worry about them. They can play in an unstructured way. They can climb on rocks. They can look for bugs. They can dig holes. This is free range kids in Meridian, Idaho. Very exciting. This is a view of what this play area could look like and you can see that the planting is not traditional mown grass, it's actually much better. It's an area where kids can find, again, bugs and butterflies and beetles and maybe even water snakes and everything else that it's fun to find when you are a kid. And we have got these great nontraditional features where the kids make up the game. The kids decide what they are doing. The kids decide what this means. They use their imagination and they can thrive here and stay healthy. All right. We do have some architectural character included. As Bill said, we need to follow the code, because we are visible from the highway. We do take that serious and we have got some different styles that we want to implement on this project. The one thing that I think can get lost in these projects is how many people it really takes to pull it off. It seriously takes time, effort, energy, investment and commitment from the City of Meridian, from West Ada School District, from ITD on this one in particular, from Ada County Highway District, from Nampa-Meridian Irrigation District, who we work with closely. From the LDS Church on this particular project. The Boys and Girls Club of Ada County. All of these groups have worked hard to bring this project to you tonight and I think that needs to be recognized. Also Lennar Homes. Jeff and Nick from Lennar. IAG capital. That would be Larry, Ryan, Wade and Brady. Those guys work hard and they let us kind of have free range with design, which we appreciate. And, then the Landreth team, Tyler, Chad, Jim, Kristin, Mike, Dan, Ben, Dustin, and Dylan, all have worked really hard to get this in front of you tonight. So, big big effort, big investment of energy and time. Context. The Fields Sub-Area Plan. We are going to -- in the following slide look down at this lower corner, which is Star Road on the left or west. McDermott on the right. McMillan on the north. Ustick on the south. We feel that we fit excellent -- or we integrate in an excellent way into The Fields Sub-Area Plan. That blue square is where our project sits. So, this is the land use plan. The star of The Fields Sub-Area Plan and that's where our projects sits and if you look at The Fields Sub-Area Plan, the higher density projects are appropriately placed near the center of the community, near the corner of the major transportation route. Higher density is not appropriate any longer in this location, because of the way the highway cuts through the project. This is the transportation graphic from the sub area plan and I should say thank you to the City of Meridian and Logan Simpson who helped us get these graphics together and let us use their graphics. We are connecting to all of the anticipated connectivity identified in that sub area. Economics. This is where they show kind of mixed use centers. Appropriately place that at signalized intersections, not backed up into the corner against the new state highway. Our project does provide economic activity and the high



school does and the Boys and Girls Club, but it would not be appropriate to have a major commercial development in this neighborhood. And, then, here is the park and pathways --

Seal: And in the interest of time we need to have your wrap up pretty quick. The timer is dinging over here.

Adams: You got it. This is the parks and pathways. We are connecting with multi-purpose pathways to all of the anticipated pathway system that goes to the west. All right. Really quick. Zoning. This is the zone. Bill showed you this. We are really proud that we are providing all three uses as required. We have got safe, efficient and connected circulation systems and we have paid a lot of attention to a great pedestrian connection to the high school. We can get a lot of kids walking. We are required to provide four stalls per housing units. That's in the garage and on the driveway. Not -- that's off street. That would be 372. This subdivision can park 400 -- 546. So, we are anticipating reality over the code regard parking. We are really excited that we have got 23.8 percent open space. Bill said ten percent required. I think the new code bumped that to 15. And, then, the amenity points in the new code we are required to have eight. We are providing 11. We have no objection to the ACHD staff report conditions. We have no objection to the Meridian Planning and Zoning conditions. And I will just finish by saying that this is really a partnership to bring 93 new homes to Meridian. It's fully integrated with the Comprehensive Plan and The Fields Sub-Area Plan. This is a premier community for a growing city. It's a family friendly community with great connectivity to activity centers. This is the right community, the right project, at the right time, in the right place. Thank you.

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

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I guess the first question is for Bill. What's their general guess for the highway extension? I know they have said, but do you have a crystal ball guess?

Parsons: Mr. Chairman, Members of the Commission, I haven't been part of those discussions at all, so I don't want to speculate what it is, but I know there is momentum there, obviously, and there is funding being set aside for it. And as part of this project we actually have applicants, when they come in and annex, we have them set aside that lot as a nonbuildable, so when the time is ready ITD can negotiate and purchase that lot, so they can extend the highway and that's what we have done pretty consistently along that corridor. This applicant is required to do that, just like every other one, and it's conditioned appropriately. But I don't have a timing -- a time frame for you as to when that's going to be constructed.

Grove: Thank you. And, then, Matthew, I had a question for you. Is there a connection

between the -- between the LDS and the Boys and Girls Club? It looks like there is a sidewalk. Does that -- are you planning to have that connect into the high school property or does that terminate before it gets there?

Adams: That's a great question. Thank you, Chairman and Commissioner. We have -- so, we have a nice oversized sidewalk that takes you from kind of the south end of the community to the north end and provides access to the pool area, Boys and Girls, and the LDS seminary and, then, we have a five foot sidewalk that takes you into the high school site and we have coordinated with West Ada to have an opening in the fence, so the kids can cut -- go straight through and, then, there is a safe sidewalk connection all the way to the building entry as well.

Seal: I have got a quick question for you here. It looked like on one of the slides he had that the -- the bike paths actually joined into other existing bike paths.

Adams: Yes. So, there is a requirement -- code requirement that along all state highways or expressways -- I don't know exactly how it reads -- that you have to do a multi-purpose pathway. So, Chukar Ridge has a multi-purpose pathway and we are connecting and extending that southward. And, then, it's our understanding that Gander Creek will also have some connectivity. So, you should be able to take pathway systems to the north and, then, we do connect to the west on our sidewalks system and get you out to Owyhee Storm, so you can get into the -- the heart The Fields Sub-Area Plan. So, as far as we know we are connecting everywhere we need to and we are compliant with the pathways master plan.

Seal: Okay. Quick question on -- there seems to be a glut of swimming pools. Would you be willing to consider something more of a water feature type park, instead of a pool? Those just seem to have a lot more longevity.

Adams: Yeah. I think -- I'm not the decision maker on that, but I can definitely take that back to the developer, the client, and see what they think on that.

Seal: Thank you. Mr. Yearsley, any questions?

Yearsley: I know Bill had brought up the activity -- the connectivity right now. ACHD has their condition that they would like. What is your plan for that -- meeting that condition? Are you going to build your 96 -- or 93 homes first or be less and do the Boys and Girls Club? What's -- what was your plan with that?

Adams: Thank you. Good question, Chairman and Commissioner Yearsley. What we -- right now we need to meet and talk with the Boys and Girls Club. So, we got the staff report on Tuesday and so we haven't had a chance to meet with everybody. But they need time -- they have accepted the donation, but they need time to fundraise and come up with a plan; right? So, it is likely -- most likely scenario that they won't be ready to construct until there is connectivity to the south. So, right now our plan would be to construct the 93 homes. To plat the lot for the Boys and Girls Club, but have that lot be

conditioned that you can't construct there until there is public roadway access to the south. We need to meet with them. If they are fast tracking and they got a huge donation tonight, because of this amazing presentation, then, we would -- we would consider and look at that and -- and what it sounds like is we need to be able to present at the Council level what that plan is. So, it can be in the DA and not be kind of vacillating around. It feels like it needs to be pinned down at the DA level.

Yearsley: I agree. And I have reservations of 96 lots dumping out into one street right now. So, I -- I think something needs to be looked at very closely on how best to work.

Seal: All right.

Grove: Sorry. I had one more question. Bill, I'm not real familiar with the ME. Is that something that we have a lot of or have some of in -- in Meridian and, if not, like can you give me like a 30 second rundown of what that means.

Parsons: Certainly. Happy to try to explain it to you, Mr. Chair, Members of the Commission. So, ME's -- there is some of it in the Ten Mile area and when you look at the broad definition of that -- it's a commercial zone and in that it's -- it's meant to be on collectors, arterials, great access for research, development, office type uses and that's why the applicant's requested that zone. And given the -- what he's -- what they have explained to us at the pre-apps -- pre-application meetings and everything, it seems like this -- this Acclima is -- it's just that, they actually test sprinkler systems and grow things and try to manage water conservation, if I'm not mistaken. Matt could probably give you more details on that. But to me it seems to kind of -- that's the one thing that I think intrigued staff, was that we are keeping with our heritage of having agriculture and keeping some of that out in this area I think makes a lot of sense, just given the fact that that's what everyone's asked in the Comprehensive Plan. How do we preserve open space and keep it going and this seems to be like a unique situation to do that and that's why we felt comfortable at least allowing ME to go, but we want to make sure -- like I said in my presentation, we wanted to make sure that we at least have the development team come back with a development agreement modification when they are ready to actually construct on the property, so it doesn't get sold or something else occurs and we end up not knowing what -- and we end up giving too much away. We want to make sure we have a detailed plan for that property before anything happens on it.

Grove: Thank you.

Seal: Mr. Wheeler, do you have questions?

Wheeler: I do. Thank you, Chairman. I'm with Commissioner Yearsley on this. Just wanted to see just some more thoughts out on the connection part of it, too. And, then, the other thing that kind of strikes me a little bit is the playground areas up against the buffer that acts -- as a buffer next to a major thoroughfare. I'm just kind of thinking of, you know, semi trailers, things like that, that are going to be going by, equipment, things of that nature or just a lot of traffic at that juncture. So, I'm just -- I'm trying to get my head

around that, but -- yeah, that's kind of where I'm at on it.

Seal: Question, Bill, for the -- well, I guess is for the applicant or Bill. Do we have a good graphic of where the -- essentially, the fire road comes in on the adjacent property and what that looks like? I haven't -- I mean we have got kind of this thing that shows a pencil drawing of it, but do we have something that's a little bit more representative of exactly what a fire truck would have to go through in order to get there?

Parsons: Mr. Chairman, Members of the Commission, we don't.

Seal: I mean this drawing right here shows that we are going to go out into a -- you know, a football field area or baseball field. So, I'm just -- I'm kind of scratching my head on how a fire truck gets in there.

Parsons: Certainly the -- the Fire Department has provided comments on it. They support the secondary access and Matt's very aware -- aware of the Fire Department's requirements. So, that road is 20 feet wide. It has -- has to be able to -- capable of supporting 80,000 pounds and so I know Chief Bongiorno has looked at it and signed off on it. I did the sign-off on the high school when they opened up, did the inspection out there, and it's -- it's more open back there than you think it is. The irrigation district, if I'm not mistaken, don't they have their pump house back there, Matt, are somewhere in there as well.

Adams: Correct. It -- can everybody see my cursor?

Seal: Yes.

Parsons: It comes through, yes.

Adams: Okay. So, from Owyhee Storm Ave there is a dedicated fire lane and driveway access that comes south of the high school building and, then, there is a dedicated -- it's actually an easement and a sewer maintenance road, as well as maintenance access that comes through and, then, there is -- there is two turns for the fire truck. So, they come straight in, two turns, and they are right into the neighborhood -- right into the community. And we -- Joe is great, because Joe makes himself available. We can run ideas back and forth. We can show him all this and he -- he is quick to say no if he's not okay with it and, then, he is -- he is also quick to say yes once we get him something he is satisfied with. So, from Owyhee Storm we have good, clear access through established fire lanes on the high school site and, then, we have this in here. We also have an easement agreement between the high school and the school district and this developer that runs with the land that protects and maintains that as an open route and it requires that it be maintained properly for the fire department to access through. So, we are really -- really confident that this does provide access. I want to say we are not going to be built out until 2026 on these homes and it would be great if some things could happen where we get public roadway access, but if that doesn't happen this does meet Fire Department requirements.

Seal: Okay. Thank you. All right. If there is no more questions, public testimony? I think we have one person signed up.

Weatherly: Mr. Chair, indeed we do. It's Todd Tucker.

Seal: Just need your name and address and --

Tucker: Good evening, Mr. Chairman, Members of the Commission. My name is Todd Tucker. I represent Boise Hunter Homes. Business address 729 South Bridgeway Place, Eagle, Idaho. 83616. So, we -- we are actually the landowner of the property directly to the south of this subdivision and we are in support of this application, actually, but we do have one -- one minor request that we wanted to get on the record. I did submit a letter last week, but just wanted to provide public testimony as well in the verbal form. So, we did submit a development application about a year ago for the property directly to the south of this and we are currently working on some revisions to that -- that -- that development plan. But in either scenario we provide, with our development -- or anticipate providing with our development a frontage road, we would call it, that actually runs parallel to State Highway 16. So, we -- we actually have some of the same concerns that, Commissioner Wheeler, you hinted at a little bit with -- with common area, play area next to a highway. We understand that that is -- that that's part of the -- the code and what's been required of the other developments. We have a little bit different feeling about how that should function. I have lived here for 15 years now. I have never seen one person ever walking on Eagle Road. Never once. And I have also never seen anyone walking on Highway 84 either. I-84. I have never seen anyone ever walking along that way. They do have sound walls. They do have developments on the backside. I did a quick search today, just to kind of look on I-84 to see if there is any pathways anywhere near I-84. I couldn't find one anywhere in the valley. So, we have a little bit different view. We think that it's a better design and safer to run the street and have the street function as the buffer along Highway 16 and that provides more developable space, more area for usable open space within the development. So, our -- our meager ask is really just that they -- they are providing a stub street to the south that would connect to our development, which is great. It's -- and it's almost in perfect alignment, but we just request that that be moved approximately 40 to 45 feet to the east, so that when we come in with our development proposal that those projects could align and we would have a better connection in that area. So, I will leave that with you. That's -- that's our testimony. I will keep it quick, because it's been a night -- long night for everyone. So, that concludes my testimony.

Grove: Mr. Chair, can I ask a question?

Seal: Absolutely.

Grove: Mr. Tucker, a question. I'm not great with geometry, but are the -- I mean it looks like there is room on your project and where they are proposing that they can somewhat align. It doesn't look like it's that far off. Is it -- is it possible to -- is there an agreement to come to or is it kind of a black or white scenario?

Tucker: No. Mr. Chairman, Commissioner Grove, I think we could work with the applicant to the north and come up with a solution. He actually reached out to me when I submitted the letter and -- and had some questions about the 35 foot buffer and he's like I don't want to -- really want to redesign this, unless the city is on board with your design and so you are right, I think with a little bit of a give on their part and a little bit of give on our part I think we can make it work pretty easily and not negatively affect either one of our developments.

Seal: I got a question real quick, so -- I had a question on the bike paths and everything connecting to the north. It looks like with this configuration the bike path is just going to end, so -- and I will let you know that's one of my pet peeves, because I live in an area that has some beautiful biking paths that go nowhere. So, this seems to be one of them. How -- how is that going to be -- it's not your project, but if they -- if the road does align the way that you want it to align, how is that bike path going to continue on through?

Tucker: Sure. Mr. Chairman, I think, you know, with -- with a public road we are going to be required to provide sidewalks. This is a situation where we could provide maybe a wider sidewalk that would accommodate pedestrians and bikes -- bicyclists. It is going to be a public road. But, like I said, I think we can make some flexibility and to move some stuff around, so that we would have that connectivity of bike lanes, pedestrian pathways and it would all work. It may transition from a pathway to a sidewalk, but still it would be a dedicated area for pedestrians and bicyclists.

Seal: Thank you. Anybody else? No one else signed up.

Weatherly: Not that I see, Mr. Chair.

Seal: Anybody else want to raise their hand and come forward on this one? No? All right. With that if the applicant would like to come back up -- come back on. Do you have any closing remarks?

Adams: I do. Can I share my screen again? And I will -- let me just start as if that's coming up, but -- so, the play -- the play area, it's not near the highway. It might seem that way. It is on the west side of a six foot berm, with a six foot solid wall, which that wall is over one hundred feet from the highway itself and there are neighborhoods all over Boise that are dramatically closer than that to I-84 and different highways. We have a great separation here. It's very safe and that east buffer is incredible. The play area is -- so, the top of the wall has to be 12 feet above the centerline of the road. That's our code. And so that's why you have a berm and a wall. And, then, our play area is kind of depressed down. So, the play area is down where you don't get the noise, you don't hear the sound, you don't hear through the wind. You can't -- there is no flying debris. We are safe and protected. The second thing is -- that I want to emphasize is 93 families can walk to elementary school, walk to parent-teacher conferences, walk to the special events. The field day at the end of the school year, which is awesome. You can walk to the football game, which would be awesome, too. So, that's -- as the way we all drive now, that's like 180 cars off the road, because every family needs at least two to get to a

football game. And, then, I do want to say on the south road alignment, Todd did send that letter. We responded back immediately. Absolutely. We can coordinate. I hate when the streets have little kinks in them or don't align. I am confused. I don't think you can do a six foot berm, wall, and a multi-use pathway, which is in the Meridian City Code and put the road up against ITD. However, if that all works out, we will shift and angle and align our road, so that we have connectivity between the two projects. We think that's just as important as the neighbor does. And I think that's -- that's about all I would like to cover. I can answer any other questions if you have any.

Seal: Okay. Thank you. Is there any additional questions for the applicant or staff? All right. With that, if anybody wants to motion close the public hearing.

Wheeler: So moved. Your turn, Nick.

Grove: Second.

Seal: All right. It's been moved and seconded to close the public hearing on Item No. H-2021-0065, Aviator Springs. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: Who would like to go first with comments or a motion?

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I really like a lot of the pieces of this project. Just kind of starting off, the -- the ME is something different. I think that's -- not a huge piece of what we talked about tonight, but just in general I like that. The play area was something that really stood out to me on this project. It is something completely different that we don't normally see. It's not just the standard, you know, green and blue metal tot lot and so I like the creative pieces to it. Also getting some of the other pieces in this with the L-O, you know, Boys and Girls Club and LDS seminary, but great additions to making this a mixed use area and providing some different community pieces there. And I like the -- the thought process behind integrating their design concepts to purposely tie into a larger area, especially in relation to some of the family design features that they are wanting to incorporate. It's really cool when somebody takes -- you know, they have 40 acres and they have donated some of the land. So, I think that's pretty cool. And I don't see a lot of issues with this, it's almost because of the site constraints this to me feels similar to some in-fill projects almost and so that's kind of how my head has been thinking about this as I go forward.

Seal: Commissioner Yearsley? Commissioner Wheeler?

Wheeler: Yes, Mr. Chairman.

Seal: Go ahead.

Wheeler: Yes. And I like the -- I like these tie-in projects next to schools a lot. I live somewhat near Mountain View and it is neat to see all of the attraction for residential mixed use development that starts to fill in all around it and how that becomes a fantastic place and actually kind of a hub for light office, commercial, like you say in walking distance, things like this, and taking more vehicles off the roads. That matters a lot, especially during those high commuter times when school starts and when they are traveling -- when they are traveling and so I -- this project to me -- I like that it's just -- it's different to see that playground area next to the Highway 16. I did think -- I saw that as creative for sure, but I'm kind of -- to me it's -- it's kind of unique to see it right next to a major arterial, with walkways and playground equipment close to it. It's just a little different. I'm not saying that it's wrong, not saying that it can't be done, it's just -- just my head goes sideways just a little bit to kind of look at it, but I like the creativeness of it. Thanks also for clarifying the fire access on that and to realize that that was just a couple turns and they can be there quickly. So, thank you.

Seal: Commissioner Yearsley, do you have anything to add?

Yearsley: You know, this is a tough site, even with the access to the south -- or to the south it still has very limited access and -- and -- but -- but, again, you are -- you are kind of constrained on two different sides to provide access. So, I am really concerned about access and about the -- you know, how it's all arranged. It -- to me it doesn't feel like it flows very well to get out of there and I think ultimately it's going to have traffic problems trying to get out, even with the south access. But I do like the open space. I do like the connectivity with it. I'm okay with the density. I don't think we want to -- especially in that area to try to make it a higher density back in there. I don't think it fits, but -- but with that I am in favor of the project.

Seal: Thank you. And I'm along the same lines there, so I'm a little concerned with the access, especially with the road being in a high school, because when I was in high school I never parked anywhere I shouldn't have, of course, like all high schoolers, but that is a little concerning for me that that's the secondary access in there, especially with a seminary and a Boys and Girls Club going in. So, I do like the layout and the concept of it. I like the fact that it has a lot of walking paths, open space, bike paths, that -- that's kind of unique. I'm glad to see that that's going in. I'm glad to see more of it happening in Meridian. The one concern I do have -- and I kind of wish this was coming in together with the southern property, especially if the southern property is a lot of multi-family, is there is going to be a lot of people in this subdivision that are not going to be happy about sharing all those things with multi-family establishment. So, we continually battle that. But that's probably for another day to come in here, so -- but that is a concern looking forward on this. But outside of that -- I mean I agree it kind of feels like in-fill where if this doesn't go in there what will. You know, I mean a business isn't going to survive back here. It's going to be residential. So, I think with the low density like this, with the open



space it has, is about the best fit we are going to have for it. With that I will entertain any motions anybody would like to make. Not all at once.

Parsons: Mr. Chair, I had one clarifying comment for you.

Seal: Go ahead, Bill.

Parsons: I did notice on the applicant's presentation that they were requesting to get one building permit for the seminary or -- so they can get that under construction and, again, it is something we have done with previous projects, so if that -- I know they are in a hurry. I have been working with the architect that's doing the seminary project and in a hurry to get that built, because of the high school and so staff is amenable to that condition, if you want to add that they are able to get under construction with the seminary prior to recording a plat would -- would appreciate it.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Bill, with that do then -- do we need to condition anything else with that, like roads or sidewalks or --

Parsons: Yeah. They -- they will have to bring all of that in as part of their development. So, absolutely. All of that access that you see from -- from here in will have to be completed to make that happen.

Grove: To make the seminary ready.

Parsons: Correct. Yeah. We want to get that connectivity and everything built out there.

Grove: Okay.

Seal: Commissioner Grove. Motion maker tonight.

Grove: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council a File No. H-2021-0065 as presented in the staff report for the hearing date of October 21st, 2021, with the following modification: That a building permit -- what Bill said is included and they are able to move forward with the seminary.

Yearsley: I will second that.

Seal: All right. It's been moved and seconded to approve Item No. H-2021-0065, Aviator Springs, with the aforementioned modifications. All in favor say aye. Any opposed? All right. Motion carries. Thank you very much.

**MOTION CARRIED: FOUR AYES. THREE ABSENT.**

Yearsley: Mr. Chair?

Seal: Yes.

Yearsley: I move -- I move we adjourn.

Seal: We are not quite done yet.

Yearsley: Oh, we -- we have one more? I thought this was the last one. My apologies.

Wheeler: We will let you do the last motion, since you haven't done any today.

Yearsley: All right. I was getting excited.

**11. Public Hearing Continued from September 16, 2021 for Fields Sub-Area Plan (H2021-0047) by City of Meridian, the Location Consisting of Approximately Four (4) Square Miles and Bounded by Chinden Blvd. on the North, McDermott Rd. on the East, McMillan Rd. on the South and Can-Ada Rd. on the West**

- A. Request: Comprehensive Plan Text Amendment to incorporate the Fields Sub-Area Plan.

Seal: All right. And we like to pick on Caleb, but I mean that -- that's just going too far. All right. We would like to -- at this time we will open up the public hearing for Item No. H-2021-0047, Fields Sub-Area Plan, which was continued from 9/16/2021 and we will start with staff report.

Hood: Thank you, Mr. Chair, Members of the Commission. If you don't mind I'm going to pull this down, so I can talk and a little bit easier to hear. So, I'm Caleb Hood. Brian McClure is here as well. We have 48 slides, but just because Commissioner Yearsley is in such a rush we will go ahead and, you know, make sure we run through each one of those, so don't worry, you don't have to listen to me the whole time, Brian's going to take about half of them, so -- no, we don't have 48 slides. So, as you -- as you mentioned, Mr. Chair, this has been continued from your September 16th agenda. You asked us to meet with the applicant, discuss some of the concerns they brought to your attention during that meeting and we have done so and I know there is a letter and we have members in the audience that will address you, so I won't go too much into the detail, but we have met with them and good -- good productive meeting and thanks to Brian and -- and the Mark Bottles team for -- for putting up with us as well. So, there is a -- there is a letter in your packet and Brian will touch on some of the details, but I do want to spend just a second setting the stage a little bit more. This project is something that the City Council did ask us to -- to take forward as a continuation of the Comprehensive Plan that was adopted in December of 2019. I need to stop calling it the new Comprehensive Plan, because it's almost two years old now, but it's still relatively new, but they did want us to put a finer point on some of the existing land uses that were adopted with that plan and

go through the specific area plan. So, we retained the services of Logan Simpson to help us craft the specific area plan that's before you this evening and the text of that plan was -- well, the plan itself will be adopted by reference in the text of the Comprehensive Plan. So, that really is the request we have for you tonight is to amend the text of the Comprehensive Plan. Brian's going to summarize a little bit more of what the plan is, but I want to just remind you what this isn't or doesn't do and they are on the slide there, but this is not a future land use map amendment. There was some conversation last month about that. We aren't proposing to change any of the map designations on the future land use map. Again, we are -- this -- the intent of this plan is to put a finer point on the existing map designations. And, then, we aren't proposing to annex any property with this. So, if you are eligible for annexation, this doesn't change that at all and, again, we are just trying to provide some of those details. So, again, without belaboring the point, we believe we have done what you have asked us to do. Brian's going to, again, summarize a little bit more, just because it has been a month, but we are asking for your support tonight and I will turn it over to Brian, unless you have any questions of me.

Seal: No, sir. Thank you very much.

McClure: Thank you, Caleb. Good evening. This slide here helps to provide some geographic context. I'm putting this up front this time. The image -- the image shows the region, the location of the Fields on the left and, then, the adopted 2019 future land uses on the right. As Caleb previously mentioned, the future land uses drive -- are driven by the Comprehensive Plan and these drive densities and more broadly the uses in the area and we are not touching those. As we discussed at the last hearing, the Intermountain Gas liquefied natural gas tank is a big deal. That's called out for reference and the Williams pipeline runs past it. Northwest and southeast through the city. The candy striped line on the -- on the east -- right side of the image there, is the future State Highway 16. You had a question for Bill earlier. The answer to that is next summer. So, they -- they are expecting to start construction on that soon. Now, there is three different -- three different phases of each -- of each project. They may start this -- the north part, the south part, or in combination, but they are going to move on it. That -- State Highway 16 will only have crossings Ustick, Chinden, McMillan, and Five Mile Creek within this area. As previously mentioned, they are moving forward. Star Road down the middle of the area has a river crossing and is planned for five lanes. ACHD is actually going to be making some bridge improvements to support that here in the upcoming years. They are working on the design right now. I probably neglected this area a little bit too much in the last meeting, so I will just try again here. The purpose of this plan is to ensure that the Fields area implements the vision of the Comprehensive Plan and is vibrant, self sufficient and distinctly Meridian. All the unique location, specific circumstances and challenges in this area are opportunities when consistently channeled and furthered within the context of the plan. Said another way, the sub area plan is about the relationship and integration of uses, with a key focus on central neighbor -- on a central neighborhood center, services and accessibility. Finally, a large part of this plan is just how we accomplish this and most of that comes down to money and partnerships. We have already had two discussions with the Council on that point. It was kind of a quick recap. Next up is a specific text amendment request and, then, some recommended changes to address the various

plans. A big request, as Caleb mentioned, for Commission tonight is to adopt the Fields Sub-Area Plan by reference into the Comprehensive Plan. This is what that looks like. It goes on page 3-3 of the -- of the beginning of that document. Along with a text amendment we have some recommended changes to the draft sub area plan. These are a result of discussions and comments with other agencies and stakeholders and specific to the sub plan -- the very plan itself. The first group of recommended changes were either included in the staff report or recommended at the September 16th hearing. Specifically we had a few changes to address some comments by COMPASS. We continue to recommend those. The second group of changes came as a result of Commission's requests to meet with the Mark Bottles team and after the last public hearing. Staff believes these changes address some of their biggest concerns by making it clear that the defined vision isn't tied to a specific solution. There is flexibility in how we reach the goal and, hopefully, these changes not only alleviate stakeholder concerns, but serve as a reminder for future entitlement and development decisions. All these changes, except those to address COMPASS comments, were included in the memo on 10/15 that we sent last week. We will step through these quickly in reverse order. This, again, is a new change. These were covered in the memo and, again, came as a result of working with the -- Mark -- Mark Bottles team. The block of text here shows and describes the wants and needs for the main street concept within the Star-McMillan center. The purpose of this section is to provide the vision and describe need, but not intended to be prescriptive. The only will statement included in the text was not brought up as a concern, but has been revised to help in consideration during future review by others. There are many ways to approach these concepts and ideas. There are many ways to respond to the needs and goals. Nevertheless, staff believes that the strength in the underlying text address stakeholder concern, clarify that they aren't explicit or prescriptive in all conditions and does so without undermining the need for a clear vision with appropriate context. We still want the main street. We still want to make use of the pathway integration and we still need an intensity of uses that provide for the geographic consolidation that many of the services that the existing and future stakeholders will need and want. This slide here was not an original stakeholder request. The recommendation by staff came about in discussions with the Mark Bottles team about the types and balances of uses. This small area of the yellow product identified as housing, it's highlighted in pink, now shown as purple, near the central commons. That could have just as easily been purple, which is why we are revising it. The mixed use allows for housing. Simply stated, the reason we changed it is because we want to continue to convey that there is flexibility. Showing specific buildings of similar sizes and specific color sort of lends itself to -- well, that we were being specific and we really weren't. The graphic shown here has been revised since the original was presented to Planning and Zoning Commission as part of the September 16 public testimony. After several iterations by the Bottles team, staff is recommending the concept shown as an additional exhibit in this draft Fields Sub-Area Plan. The balances of use -- the balance of uses, which is very important, is generally supported in more detailed concept by the project consultant, but also conveying to future decision makers that there is flexibility in the final design. A future development application would still need to be considered as a plan text. Elements such as integration with linear open space, authentic pedestrian experience, and so on. Basically a main street. The October 15 memo goes into this first bullet point quite a bit,

but, stated simply, this wording does not disallow any materials. That was the original primary concern in public testimony. The next step would be to better define this and related policies for the Fields area. Many of the materials listed on page 420 in those action items of the sub area plan can be really cool. Unfortunately, they are also frequently abused when you consider our administrative design review process. It provides a fast lane for review that meets minimum level of effort and, then, if you want to be innovated you go through more traditional design and discretionary review process. For the second revised action item, 411, the one on the bottom there, staff and the project consultant are fine with removing that one. The future land use map already does this. If you don't want to meet the density -- the plan density ranges you can apply for a map amendment. These changes are not addressed in the staff report. So, these are the older ones by COMPASS and I neglected include those in the memo last week. But we continue to recommend those, so if you make a motion to recommend the approval of this, please, consider the slide here. And these are all just clarifying comments to address the COMPASS comments. This screen and the next are both in the staff report and the memo sent last week as part of the staff recommendation. I won't linger here. This language is all intended to provide more context on why some of the information is there and why it's important. This page is more of the same. This, again, was all in a staff report and in the memo. So, that's the abbreviated presentation. Staff recommendation is to consider all the changes outlined as presented and included -- includes the original request in the staff report, the changes to this COMPASS comments and additional changes in the 10/15 memo. We are happy to revisit context and slides from the previous meeting or to respond to any questions.

Seal: Thanks very much. Do we have any immediate questions? Mr. Wheeler, go ahead.

Wheeler: Thank you, Chairman. I'm sorry, I missed your first name. I apologize. Brad? Is it Brad?

McClure: Brian.

Wheeler: Brian. I'm sorry. Brian. I'm still learning things here. So, thank you very much. So, Brian, on the -- on the map amendments -- or not the map amendments, but all the verbiage and things like that, you said that there was like a letter that was attached to it; correct? That's going to be added in on it; is that correct?

McClure: I'm not sure I understand that. I apologize.

Wheeler: Is there -- that was -- that was added to it; right?

Seal: Right. Essentially that's -- everything that he's come through tonight is addressed, essentially, in the letter that -- that was submitted, with the exception of what he has listed here as the post 19/16 -- or 9/16 memo.

McClure: So, Commissioner Wheeler, yes. So, there was a memo sent last week on the 15th that identified all the changes that we just showed you, except for the ones from

COMPASS, which I added to the slides here tonight.

Wheeler: Okay. So, that was the one that was saying that's going to be part -- okay.

McClure: But those ones were from the previous public hearing as well. So, they have been reviewed by -- before. Or considered anyways.

Wheeler: Okay. I guess I had a couple questions about some -- some of the changes on there. Like one of them had to do with -- yeah, you can -- if we can keep on going back a little bit to one of the further slides, because I kind of took a look at this, too. Yeah. Go -- we can start right there. And just kind of thought through it. One of them was -- I remember one of the comments that was made was right here, which you guys struck here was the two to three story mixed use buildings. That was something that they -- that -- that some of the stakeholders were like, hey, this is something that might hurt development or something along those lines. I'm trying to envision myself going through some of the other developments around, like even in Meridian, and thinking about going through -- like even The Village and thinking of walking in and seeing single story, you know, just brings kind of a different aura to it and so -- but seeing something that's larger that has kind of that facade stone on it just kind of gives it a different kind of a feel and so I'm kind of curious on what was the -- what was kind of the thought on why we -- why we don't want to have two to three story mixed use buildings in that pathway or that driving path there.

McClure: Commissioner, thank you for the question. So, the intention is to still have some of that. The original language -- the stakeholders felt that it implied that in all conditions that would be there and that was not our intent. It still needed to -- to -- some of it still needed to generate the intensity of uses and the opportunities for all the services we are looking to support, but it doesn't necessarily need to be there all the time either and so the way that's captured now is down below where it basically says -- I lost it. Authentic opportunities for retail or office on the ground floor and residential and/or office uses above. So, we are still encouraging that, we are just not requiring it at all conditions, which was never the point in the first place.

Wheeler: Okay. All right. That sounds good then. And, then, we can go ahead and bump forward just a little bit here. I'm just trying to make sure that I'm understanding some of it. Go ahead and go forward again, if you don't mind. I'm -- one of the graphics there. Yeah. I think this was something that some of the other testimony kind of spoke -- spoke about was some of the -- just really high density dwellings or zoning in this mile by mile block in this area specifically, that it didn't kind of phase down to single family dwellings, that it didn't phase into something different than just exclusively apartment style or very dense residential zonings and I understand that the stakeholders have interest on that, too, but what about the -- you know, some of the other testimony that was given on that about, hey, can we try to spread out some of the density that's in these areas and things?

McClure: Commissioner Wheeler, again, thank you for the question. So, as we said

before the land uses here are adopted as they are, they do have a range they are seeking. Part of that is very purposeful, because through -- part of the analysis that the consultant did was to understand what sort of rooftops we needed to support the center that we were looking for. It is envisioned that we have some medium high density residential out here, including multi-family. However, those plans did not depict those in all areas or -- and did not indicate that they weren't transitioning. You can have a variety of product types in the medium density residential, including things like patio homes or townhomes or row homes. There is an opportunity for a lot of diversity in housing out here. It doesn't have to be multi-family. I think you would expect to see more of that in the urban housing or close to the road, but we are not setting that right now. We have concepts and things could happen that way, but we still have the policies in the Comprehensive Plan that fall back on to -- which say things like transition.

Hood: If I can just build on that for one second. I want to go just back -- put that in context a little bit more, because this was also I think something -- the scale of that last graphic kind of gets lost a little bit when we are zooming into that area so much and I want to just put that, again, in context a little bit. It doesn't look like this mouse can do it. But, Brian, if you can kind of just highlight what was just on the screen, when you are talking here, it is just, basically, that brown area right there. So, we are talking four square miles. This is that much of one of them. So, there is density here, but when you look at it overall, the vast majority of it is still medium and low density residential. So, I just want to put that scale back into context for you that we are not talking, you know, a huge community or a square mile of higher density, we are talking about the neighborhood center and the scale of that here in that area.

Wheeler: Okay. Okay. That helps me out on that, too, then. Thank you very much. But is there going to -- so, they can, obviously, have some of the high density apartments there and, then, they can transition that out, like we have seen a couple times tonight, even with like the patio or row homes, is that -- as it goes down further into the mile block, so to speak?

McClure: Commissioner Wheeler, there is lots of ways to transition with roads and landscape buffers and creeks and pathways, than just having different size homes next to each other. The comp plan certainly speaks to having a transition of uses, though, and the land use plan requires a transition of uses just by having them stagger like that. So, it doesn't concern me at all, but --

Wheeler: Okay. And, then, yeah, go forward if you don't mind, please, again. Okay. So, I -- that makes sense, then, on that other one there with the limited single family development on that. That sounds good. Is there a reason -- but it also let me speak to the other thing that's crossed off there on the very top there -- or composition siding into commercial structures. Was there a reason why composition siding was something that didn't want to be used in this?

McClure: I'm not trying to blame the consultant, but I'm not really sure. It's -- it's -- it's a pretty common material and it's probably overused and I think the desire was to have

something elevated and more distinct and not just have a primary material be that. The only way to require that as is, though, would be to specifically put that into a development agreement, because you get to our administrative design review process, is not one of the disallowed materials. So, it's sort of a -- it doesn't do a lot, unless -- unless the Commission and Council want to get really specific.

Wheeler: Good. Good. Okay. And, then, just if you don't mind moving it forward again, please. That's fine there. And, then, just one more time, please. Yeah. I think those were my -- really just my biggest questions that I had in that use there. So, thank you.

Seal: Commissioner Grove, do you have something?

Grove: Yeah. I was just going to provide Commissioner Wheeler with a little more context for the -- some of the planning that went in three, four years ago or whenever it was. But looking at this four square mile area, the comprehensive planning committee spent a lot of time on this -- these -- this section in looking at how to make sure that there was high density areas close to the expressway and being able to also tie into the school system with the high school and the elementary and keeping it close to that area and making sure that it didn't end up, you know, just a sea of single family housing and so that was a big piece that came up multiple weeks during that two year process.

Wheeler: Thank you. Then -- yeah. And that was, I guess, some of my leaning in to try to understand this. We did get the paperwork to take it home, took a look at it, you know, to try and understand it and a lot of it for me was just to make sure that that intent that was originally done there isn't getting, you know, pushed out or getting moved to where all of a sudden, as something has a first splash in this area, that that's going to set a tone and, then, it's going to be the tone that we are all going to want to -- hey, kids, look over there instead when you are driving by it or it's just not going to give the feel that we wanted in this area and so that was some of my -- more my questions were at was just making sure we weren't getting off too much -- or at least from my perspective getting off too much of where the initial intent was and what the vision was that -- when everybody was going through that, so --

Seal: Commissioner Yearsley, do you have anything?

Yearsley: Nope. I'm good.

Seal: Do we have anybody signed up for public testimony?

Weatherly: Mr. Chair, we do not.

Seal: Anybody in the audience would like to come up? No? With that, Caleb, do you want to close or -- all good? All in all good? Excellent. At this time can I get a motion to close the public hearing.

Wheeler: So moved.



Grove: Is this a public hearing that we need to close? Okay. Second.

Seal: Okay. It's been moved and seconded to close the public hearing for Item No. H-2021-0047, Fields Sub-Area Plan. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: Anybody have any additional comments or motions? Mr. Yearsley, you can throw one out there.

Yearsley: Are we approving this or recommending --

Seal: Then you can get onto your next one. I know you are in a hurry for that, so --

Yearsley: Are we approving this or recommending approval to City Council?

Seal: I think we recommend approval to City Council on this and the graphic that's on the screen will be helpful in making a motion.

Yearsley: Hold on. I'm trying to juggle screens.

Seal: That's okay.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend File No. H-2021-0047 as presented in the staff report to City Council -- recommend approval to City Council for the hearing date of today with the following modifications: To include the original staff report changes. Add COMPASS changes and the post 9/16 memo changes.

Wheeler: Aye.

Grove: Second.

Seal: Okay. It's been moved -- moved and seconded to approve Item No. H-2021-0047 Fields Sub-Area Plan with the aforementioned modifications. All in favor say aye. Any opposed? Okay. motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: Commissioner Yearsley, I just want to say thank you very much for stepping back in tonight and helping us make quorum. We really appreciate you doing that.

Yearsley: My pleasure.

Wheeler: I second that.

Seal: And -- and with that if you would like to make a -- make a motion.

Yearsley: Mr. Chair, I move we adjourn.

Grove: Second.

Seal: It's been motion and seconded to adjourn. All those in favor say aye. Opposed?  
All right. Motion carries. Thank you all.

Yearsley: Thank you.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

MEETING ADJOURNED AT 10:20 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
RHONDA MCCARVEL - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK



## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for Elsinore Daycare Facility (H-2021-0061) by 814 Development, LLC, Located at 4818 and 4858 N. Elsinore Ave.

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



**In the Matter of the Request for Conditional Use Permit request to construct a new 13,535 square foot, single-story daycare facility on approximately 1.3 acres of land on Lots 12 & 13 of the Paramount Square Subdivision in the C-G zoning district for Elsinore Child Care Facility, Located at 4818 & 4858 N. Elsinore Avenue, by 814 Development, LLC.**

**Case No(s). H-2021-0061**

**For the Planning & Zoning Commission Hearing Date of: October 21, 2021 (Findings on November 4, 2021)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 21, 2021, 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 Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 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 Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of October 21, 2021, 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 Planning & Zoning Commission'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 Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of October 21, 2021, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

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

1. **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 October 21, 2021.

By action of the Planning & Zoning Commission at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER NATE WHEELER VOTED \_\_\_\_\_

COMMISSIONER STEVEN YEARSLEY VOTED \_\_\_\_\_

COMMISSIONER WILLIAM CASSINELLI VOTED \_\_\_\_\_

COMMISSIONER NICK GROVE VOTED \_\_\_\_\_

COMMISSIONER MARIA LORCHER VOTED \_\_\_\_\_

\_\_\_\_\_  
Rhonda McCarvel, Chairman

Attest:

\_\_\_\_\_  
Chris Johnson, City Clerk

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

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office

EXHIBIT A

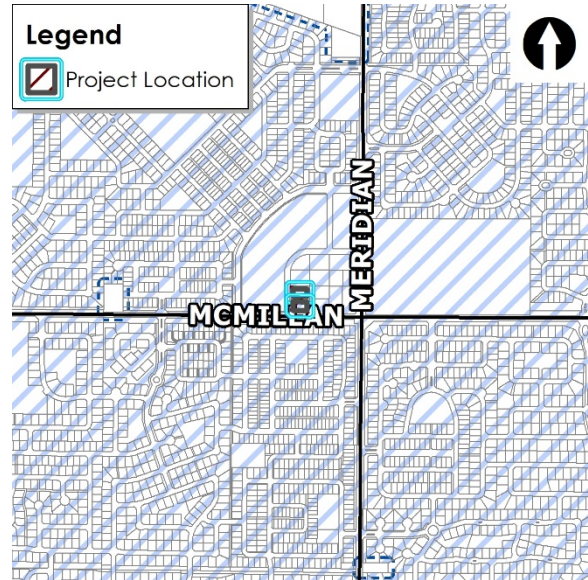
STAFF REPORT  
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/21/2021  
TO: Planning & Zoning Commission  
FROM: Joe Dodson, Associate Planner  
208-884-5533

SUBJECT: H-2021-0061  
Elsinore Child Care Facility

LOCATION: 4818 & 4858 N. Elsinore Avenue,  
generally located at the northwest corner  
of Meridian Road and McMillan Road.



I. PROJECT DESCRIPTION

Conditional Use Permit request to construct a new 13,535 square foot, single-story daycare facility on approximately 1.3 acres of land on Lots 12 & 13 of the Paramount Square Subdivision in the C-G zoning district, by 814 Development, LLC.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.3 acres	
Future Land Use Designation	Commercial	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Commercial – Daycare Center	
Lots (# and type; bldg./common)	Two (2) existing building lots (tentative approval for a Property Boundary Adjustment to consolidate lots)	
Neighborhood meeting date; # of attendees:	August 12, 2021; no attendees	
History (previous approvals)	MDA-13-010 (DA Inst.# 113083665); RZ-15-001; PP-15-002; FP-15-020; PBA-2021-0015	

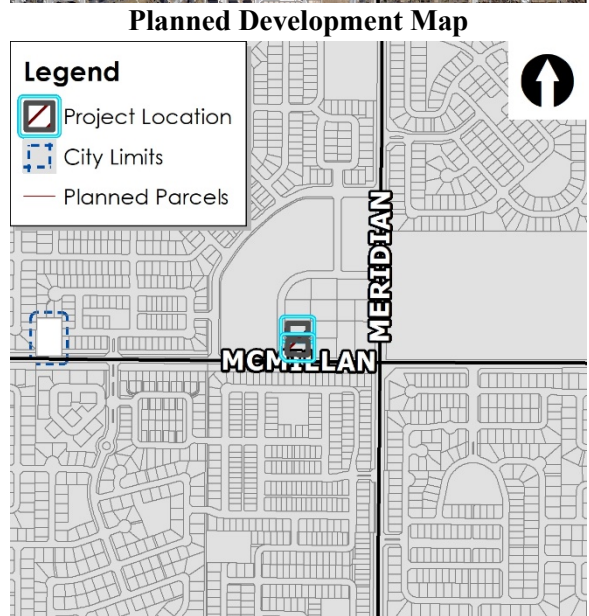
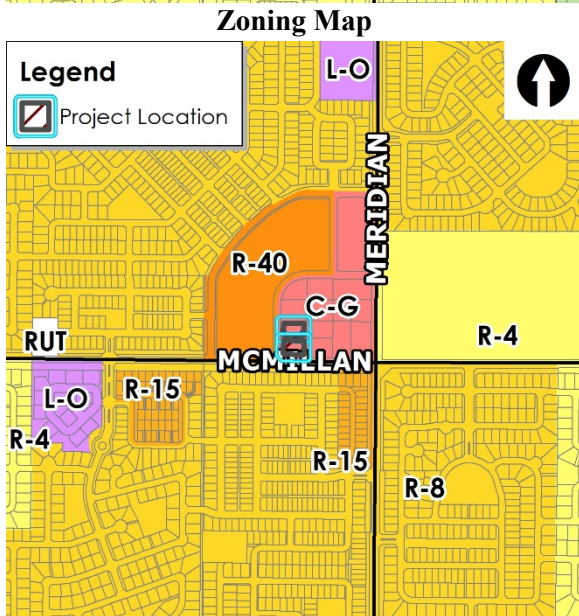
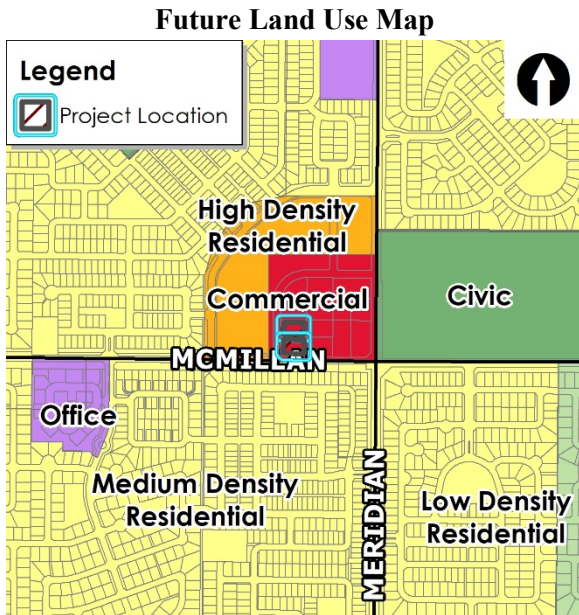
B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	

Description	Details	Page
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access to N. Elsinore Avenue along west boundary via a new driveway connection; additional access to shared drive aisle along north boundary via new driveway connection. Elsinore Avenue and shared drive aisle are existing facilities.	
Stub Street/Interconnectivity/Cross Access	Cross-access to adjacent parcels is already in place with the commercial subdivision via the shared drive aisles.	
Existing Road Network	Yes	
<b>Fire Service</b>		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	0.6 miles from Fire Station #4	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	Within 5-minute response time goal	



C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Samantha Kozlowski, 814 Development, LLC – 1695 Twelve Mile Road, Ste. 100, Berkley, MI 48072

B. Owner:

Brighton Development Inc. – 2929 W. Navigator Drive, Ste. 400, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	10/5/2021
Radius notification mailed to properties within 500 feet	10/5/2021
Site Posting Date	10/6/2021
NextDoor posting	10/5/2021

V. STAFF ANALYSIS

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

The future land use designation for this property is Commercial – This designation will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in some cases, but should be careful to promote a high quality of life through thoughtful site design, connectivity, and amenities. Sample zoning include: C-N, C-C, and C-G.

*The proposed use of a Daycare Center (more than 12 children) is a community-serving commercial use that fits within the future land use designation of Commercial. The proposed use can serve both the immediate area the nearby community at-large. The proposed location is at the western edge of a commercial subdivision and directly across the street from multi-family residential which functionally creates a mixed-use development despite the future land use designation not being such. The daycare use is a needed use throughout the City and providing it nearby higher density residential meets many of the City’s desired outcomes for commercial development. **Specific policies are noted and analyzed below but Staff finds the proposed use to be consistent with the Commercial future land use designation. In addition, Staff’s transportation analysis is below in section V.E & V.G.***

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

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability” (3.06.02B). *As noted, the subject area is not part of a mixed-use designation on our future land use map but this area has developed as a mixed-use area with high-density multi-family residential adjacent to a commercial subdivision with ample pedestrian connectivity. Staff finds adding a daycare use in this location introduces an additional use to immediate area and a use that is commonly used by those who reside within multi-family. In addition, this property has easy pedestrian access to the adjacent apartment complex to the west, therefore promoting overall sustainability and the benefits of having a supportive commercial use nearby high-density residential.*
- “Encourage the development of supportive commercial near employment areas” (3.06.02C). *The proposed daycare is not near an employment center but is part of a medium-sized commercial subdivision and nearby several schools. Furthermore, the remaining undeveloped properties within this commercial subdivision should contain additional employment opportunities making the location of this daycare to those future employers equally important.*

- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B). *The subject use is proposed adjacent to commercial and higher density residential. This property has pedestrian access to the apartment complex to its west via existing facilities that should help reduce vehicle trips and provide convenient access overall. In addition, the Applicant is not proposing any direct access to the adjacent arterial street, McMillan Road and is instead proposing internal access from existing facilities.*
- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). *With the landscaping and landscape buffers to McMillan and Elsinore Avenue being existing, the proposed use should be both buffered and integrated into the existing neighborhoods.*

C. Existing Structures/Site Improvements:

The subject site has some partial improvements from its original approvals in 2015 including a drive aisle along the northern project boundary that connects to Elsinore Avenue, the public road directly to the west of the site to accommodate existing cross-access agreements. There are no other existing structures or site improvements on this site.

D. Proposed Use Analysis:

A Daycare Center (more than 12 children) is listed in UDC Table 11-2A-2 as a conditional use in the C-G zoning district, subject to the specific use standards noted below. *See narrative included in the application for more specific details on the proposed use from the Applicant’s perspective. Staff’s specific analysis is in the next section.*

E. Specific Use Standards (UDC [11-4-3](#)):

A. General standards for all child daycare and adult care uses, including the classifications of daycare center; daycare, family; and daycare, group:

1. In determining the type of daycare facility, the total number of children at the facility at one time, including the operator's children, is the determining factor. *Discussion with the Applicant have yielded that 165 children are proposed to be served by this daycare center with approximately 10-12 staff members; the number of staff members will be determined by state required student/staff ratios. Therefore, the type of daycare facility proposed is a Daycare Center because it is providing care to more than 12 children (UDC 11-1A-1).*
2. On site vehicle pick up, parking and turnaround areas shall be provided to ensure safe discharge and pick up of clients.

*The submitted site plan shows a two-way, 25-foot wide drive aisle along the west side of the building with parking on both sides to equal 36 total parking spaces. The building is shown as approximately 13,500 square feet requiring a minimum of 27 parking spaces per code requirements for nonresidential uses (1 space/500 square feet). Therefore, the Applicant is proposing parking in excess of code requirements. However, the site plan does not show any dedicated pick-up/drop-off location other than the parking spaces. The Applicant is proposing two points of ingress/egress for the subject site; one access to Elsinore Avenue to the west and one access to the north to the existing shared drive aisle that runs east-west through the commercial development. The inclusion of two access points for the parking area provides more than one avenue for parents to access the site.*

*In addition, ACHD is requiring a dedicated westbound right-turn lane and a dedicated eastbound left-turn lane to Elsinore Avenue from McMillan Road. With these dedicated turn lanes and multiple ways to access the subject site, some of Staff's concerns regarding access are mitigated. However, Staff does have concerns the proposed parking drive aisle could be overrun at peak pick-up/drop-off hours in the morning and afternoon with the current site design. During discussions with the Applicant, it has been noted the daycare operator prefers parents to park to discharge and pick-up their children instead of simply a quick stop-and-go drop-off. To help mitigate this concern, Staff recommends a reduction in building size to allow for additional parking along the north end of the site, similar to what exists within this commercial development to the east. See below:*



*If a similar sized parking area is included on this site, approximately an additional 10 parking spaces should be able to be added to the site to total 46 with this recommendation. Staff does not anticipate the play area along the north boundary being reduced with the inclusion of additional parking because the building itself should be reduced in size, nothing else. Staff has recommended a condition of approval commensurate with this option.*

*Despite recommending a change in the size of the building, Staff believes the maximum number of children discussed below is still relevant and should not be reduced. With Staff's recommendation to add parking, Staff finds the proposed use and site design shall provide for safe discharge and pick-up of children.*

3. The decision making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval. *The submitted narrative states the daycare will serve children from as young as 6 weeks in age to as old as 12 years of age. The building will have multiple rooms for different age groups. As noted, the Applicant has stated to Staff an anticipated number of children being cared for at this site to be 165 children. Staff recommends a condition of approval that a maximum of 165 children shall be allowed at any one time within the proposed building because of the proposed business operations and the fact there is no dedicated pick-up and drop-off location beyond that of the drive aisle and parking spaces for the building. Staff has written a condition of approval commensurate with this recommendation.*
4. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code. Said proof shall be provided prior

to issuance of certificate of occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities. *The Applicant shall comply with this requirement.*

5. In residential districts or uses adjoining an adjacent residence, the hours of operation shall be between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. This standard may be modified through approval of a conditional use permit. *The subject property is zoned C-G and is not directly adjacent to a residence. However, the only separation between the subject property and existing multi-family residential and residential zoning is a commercial local street, Elsinore Avenue. Therefore, the hours of operation shall be limited to 6am to 11pm per zoning district standards in UDC 11-2B-3B. The Applicant has stated in their narrative that they intend to operate from 6am to 6pm; this lies within the allowed hours and the Applicant is not seeking to go outside of the allowed hours of operation with this CUP. **Staff does not recommend the inclusion of a specific provision limiting hours of operation due to the existing limitation of code for the C-G zoning district adjacent to a residential district.** Staff finds it prudent to allow the daycare operator flexibility in future hours of operation should they decide to operate later in the evening for residents who do not work standard business hours (8am-5pm).*
6. Prior to submittal of an application for an accessory daycare facility in a residential district, the applicant or owner shall hold a neighborhood meeting in accord with subsection 11-5A-4B of this title. Notice of the neighborhood meeting shall be provided to all property owners of record within one hundred feet (100') of the exterior boundary of the subject property. *This standard is not applicable to this project.*

B. Additional standards for daycare facilities that serve children:

1. All outdoor play areas shall be completely enclosed by minimum six foot (6') non-scalable fences to secure against exit/entry by small children and to screen abutting properties. *The submitted landscape plans show a 6' vinyl coated chainlink fence along the perimeter of the play areas which surround the building on the north, east, and south sides. Chainlink fencing does not qualify as non-scalable fencing so the Applicant is required to revise the fencing material. Staff is recommending a condition of approval to provide fencing consistent with code requirements (i.e. wrought iron fencing or vertical steel tube fencing).*  
*The outdoor play area may be reduced in size as a secondary consequence of requiring more parking or a discharge/pick-up area along the north boundary of the site. However, Staff is also recommending the building size be reduced which should not inherently require the outdoor play areas also be reduced.*
2. Outdoor play equipment over six feet (6') high shall not be located in a front yard or within any required yard. *The play equipment specifications being proposed are not known at this time; Applicant will comply with this requirement with future applications.*
3. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk. *Not applicable, C-G zoning district.*

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

The daycare center will be in a new building that requires Certificate of Zoning Compliance (CZC) and Design Review approval prior to building permit submittal. All UDC dimensional standards appear to be met with the submitted site plan but the Applicant shall comply with the required dimensional standards at the time of CZC submittal.

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

Direct lot access is proposed along the west boundary via a driveway connection to N. Elsinore Avenue, an existing local street that separates this commercial area from the apartment development to the west. An additional driveway connection is proposed to the north property boundary where an existing shared drive aisle exists. Therefore, cross-access is provided to the east and north through the rest of the commercial subdivision which provides multiple accesses to Meridian Road and McMillan Road. Because the shared drive aisle is not public and connects to a local street, the access to N. Elsinore Avenue meets ACHD policy.

As part of this application, the Applicant performed a turn lane analysis for the Elsinore and McMillan intersection to obtain data on existing traffic movements at this location for the purpose of determining if any turn lanes are warranted. ACHD reviewed this analysis and agrees with its findings – two dedicated turn lanes onto Elsinore Avenue are warranted with construction of this development. According to the turn lane analysis and ACHD, the Applicant should construct a dedicated westbound right-turn lane on McMillan and an eastbound center left-turn lane on McMillan as well. Staff recommends the Applicant adhere to all ACHD conditions of approval but is also including a specific condition of approval for this to ensure appropriate timing.

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

The proposed building is shown as 13,535 square feet, requiring a minimum of 27 parking stalls. 36 parking stalls are proposed to meet this requirement. In the specific use standards section above, Staff has discussed adding two additional spaces at the south end of the parking area and potentially adding more along the north while reducing the overall building size. Staff intends to increase the availability of parking regardless of the proposed building size so Staff's recommendations of reducing the building size should not be reflected in a change in the number of parking spaces provided. Please see that section for those specific recommendations (Section V.E). All parking and parking lot landscaping appears to meet minimum UDC standards.

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

There is an existing five-foot (5) detached sidewalk along the south boundary adjacent to McMillan Road and along the west boundary adjacent to Elsinore Avenue; no additional sidewalk is required along the adjacent public roads. There is no existing sidewalk along the shared drive aisle at the north boundary nor is there any along this drive aisle further to the east with already developed parcels. The sidewalk along Elsinore and McMillan create a loop around the commercial development which provides safe pedestrian access from the perimeter to the commercial lots.

UDC requires that new commercial buildings provide 5-foot wide sidewalks from all public entrances to the arterial sidewalks. The submitted plans show one such connection via striping across the drive aisle and a small segment of sidewalk to the sidewalk along Elsinore; no other sidewalk connections to the existing sidewalk network are proposed. Per [UDC 11-3A-19B.4b](#), pedestrian facilities that traverse vehicle use areas (including drive aisles and parking lots) shall be constructed in a material different from the driving surface to clearly separate the pedestrian facility from the driving surface—painted striping does not satisfy this requirement. Therefore, Staff is recommending a condition of approval to revise the site plan to show any pedestrian facility that crosses a driving surface be constructed with stamped or colored concrete, brick pavers, or similar to meet this code requirement.

Code requires an additional connection to the sidewalk along McMillan Road, an arterial street, and the most logical and feasible place for this to occur is by continuing the sidewalk south along the front of the building and connect to the McMillan sidewalk within the existing landscape buffer. In addition, with Staff's recommended changes to the north end of the site to add parking

or create a pick-up/drop-off area, additional 5-foot sidewalk should be added adjacent to the new vehicle use area to connect to the sidewalk at the front of the building for safe access to the building.

Staff is recommending the site plan and landscape plan are corrected at the time of CZC submittal to show the required sidewalk connections and any revisions to the site plan.

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

The project requires a 25-foot landscape buffer to McMillan Road, an arterial street, and a 10-foot buffer to Elsinore Avenue, a local street, per C-G dimensional standards in UDC Table 11-2B-3. Both of these required buffers are already existing and contain the detached sidewalk. However, the submitted landscape plans do not show the existing buffers and landscaping and this should be corrected with future plan revisions to ensure the adequate buffer width is maintained. Staff's recommendations to revise the site plan to accommodate more parking should not alter any landscaping requirements. In addition, the requirement to construct a right turn lane onto Elsinore Avenue should also not affect the existing buffer because there is adequate space for this. Should this not be true, the Applicant is required to maintain the minimum 25-foot buffer width. All other landscaping proposed is for the parking lot landscaping and appears to meet UDC standards.

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

Fencing is discussed in Section V.E with the specific use standards.

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

All new non-residential buildings require Administrative Design Review (DES) approval prior to submitting for building permit. The Applicant has submitted conceptual elevations but did not submit for concurrent design review; the design review will be completed and reviewed with the CZC application. However, initial review of the submitted elevations show they do not appear to meet all applicable architectural standards. The southwest corner of the building is shown with a beautiful spire and architectural element that makes the entrance look like an old schoolhouse but beyond that element, there is no other roof variation. Additional fenestration and wall modulation should also occur, especially on the south and west elevations facing public streets to create additional visual interest and pedestrian focus. Staff will analyze the elevations in more detail with the future required DES submittal.

## VI. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions in Section VIII per the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard this item on October 21, 2021. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

a. In favor: Samantha Kozlowski, Applicant Representative

b. In opposition: None

c. Commenting: Samantha Kozlowski.

d. Written testimony: None

e. Staff presenting application: Joseph Dodson, Associate Planner

f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

a. None

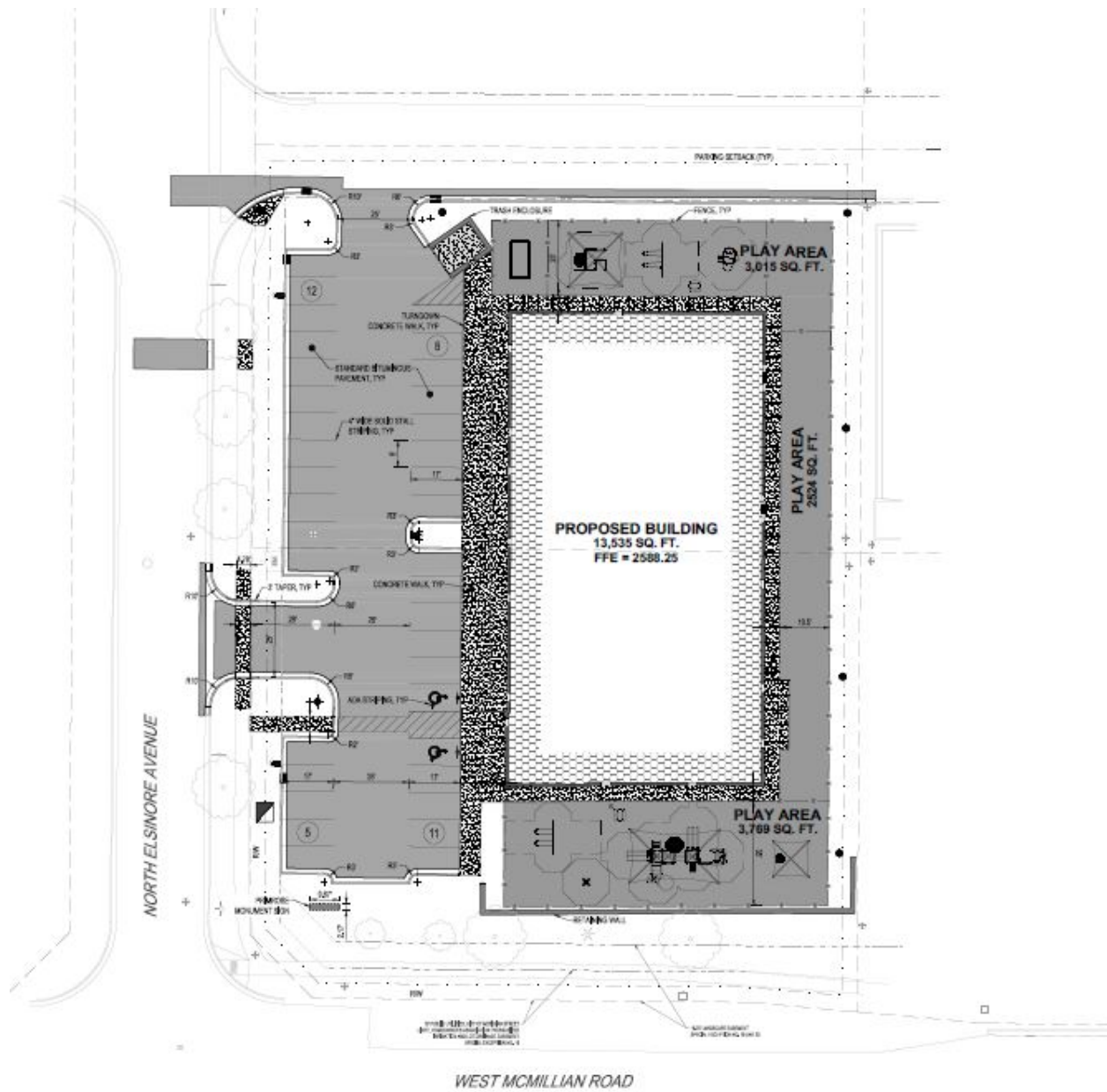
3. Key issue(s) of discussion by Commission:

- a. Why Staff is recommending the site plan changes for additional parking;
  - b. Any examples in the City where lack of parking has been an issue for Daycare facilities and is there any additional parking available around this site;
4. Commission change(s) to Staff recommendation:
- a. Per the Applicant's testimony and request, conditions 6.a and 6.c were stricken.

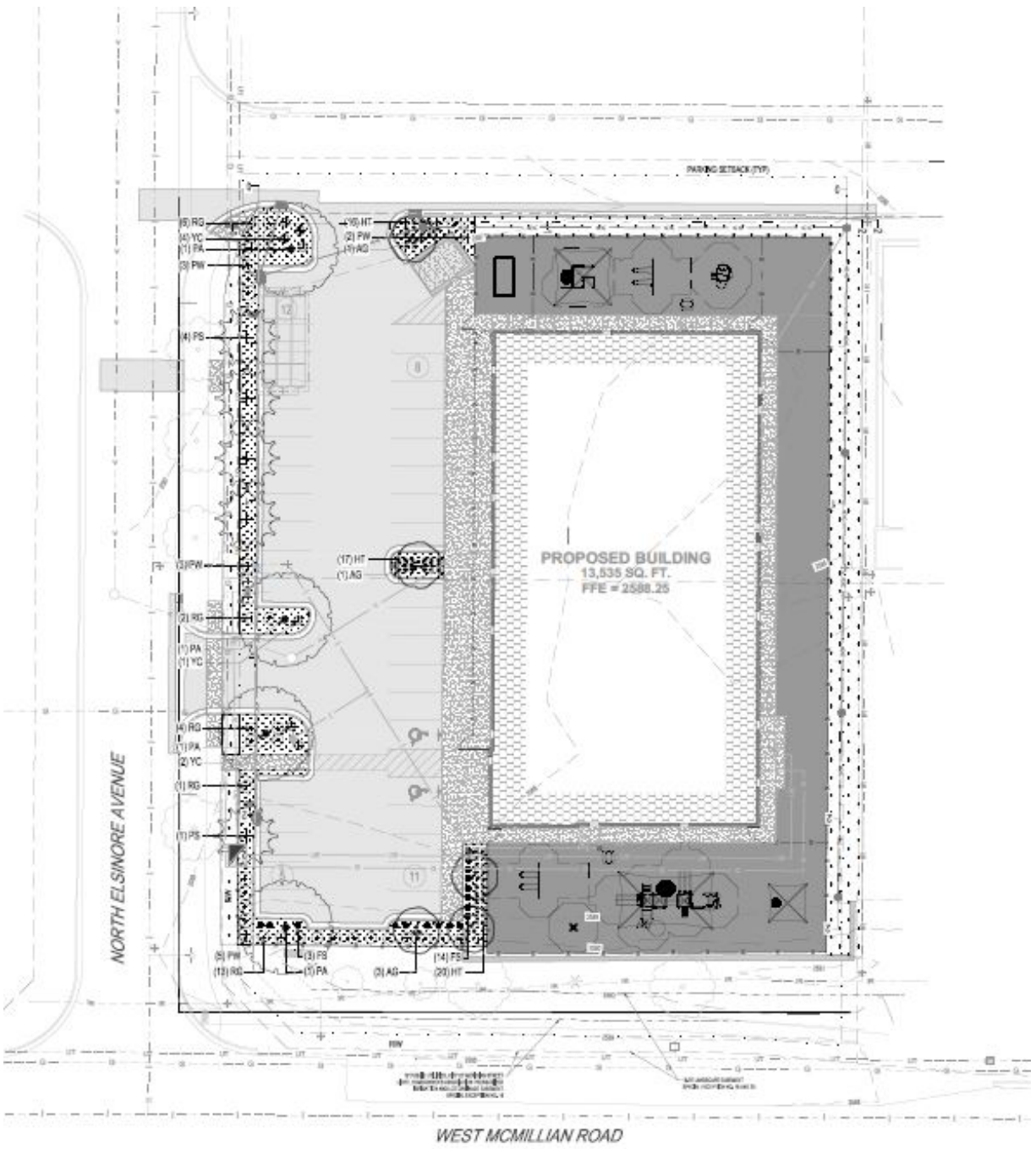


**VII. EXHIBITS**

**A. Site Plan (no date) NOT APPROVED**



B. Landscape Plan (no date) **NOT APPROVED**





## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

1. The Applicant shall comply with all existing conditions of approval and Development Agreement provisions including but not limited to: MDA-13-010 (DA Inst.# 113083665); RZ-15-001; PP-15-002; FP-15-020; PBA-2021-0015.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-9 for Daycare Facilities.
3. The maximum number of allowable clients (children) at the facility at *one time* shall be limited to one hundred and sixty-five (165) unless building/fire code limits this further; the more restrictive number shall apply.
4. The daycare/pre-school shall operate between the hours of 6:00 am and 11:00 pm, per C-G zoning district regulations outlined in UDC 11-2B-3.
5. The Applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code prior to issuance of Certificate of Occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.
6. The site plan and landscape plan shall be revised as follows prior to the Commission Hearing:
  - a. ~~Revise the site plan to show a reduced building size to accommodate additional parking at the north boundary of the site adjacent to the shared drive aisle similar to what exists to the east.~~
  - b. In accord with UDC 11-3A-19B.4, show any pedestrian facility that crosses a driving surface be constructed with stamped or colored concrete, brick pavers, or similar;
  - c. ~~Add a sidewalk connection from the site to the existing sidewalk along W. McMillan Road in accord with UDC 11-3A-19B.4;~~
  - d. Revise the type of fencing proposed around the perimeter of all play areas to be non-scalable per the specific use standards listed in UDC 11-4-3-9 (*i.e. wrought iron fencing or vertical steel tube fencing*);
  - e. Show the existing and required street buffers along N. Elsinore and W. McMillan. The existing landscaping shall be protected during construction in accord with UDC 11-3B-10;
  - f. Include the turn lanes required by ACHD from W. McMillan Road to N. Elsinore Avenue—an eastbound center left turn lane and a westbound right turn lane; prior to Certificate of Occupancy for the building, the Applicant shall provide proof to the Planning Division that these turn lanes have been constructed per ACHD requirements.
7. The Applicant or owner shall comply with all ACHD conditions of approval.
8. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review approval from the Planning Department.
9. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district.
10. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.

11. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
12. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

#### B. Public Works Division

1. This project has two existing sewer services, one of which does not appear to be used. Any unused services must be abandoned at the main that is to remain in service.
2. A 20 foot wide easement is required for all water main and up to all fire hydrants with a 5 foot radius easement around the hydrant. No permanent structures can be within this main including but not limited to buildings, car ports, trash enclosures, trees, bushes, infiltration trenches, light poles, etc.
3. Minimum separation between the water main and building must be 10 feet, which is currently not met on the south end of the building.
4. Maintain a minimum of 4 feet separation from water main lines from the UE line.
5. On site water main should be minimized.
6. A street light plan will need to be included in the building permit 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](http://www.meridiancity.org/public_works.aspx?id=272)

#### C. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237614&dbid=0&repo=MeridianCity&cr=1>

#### D. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237904&dbid=0&repo=MeridianCity>

#### E. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239713&dbid=0&repo=MeridianCity>

### IX. FINDINGS

#### A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

*The site appears to meet all the dimensional and development regulations in the C-G zoning district for the proposed use and will be verified upon CZC submittal. ~~With the recommended revisions to the site plan,~~ Commission finds the site is large enough to accommodate the proposed use.*

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

*Commission finds the proposed daycare center will be harmonious with the Comprehensive Plan in that it will provide a much needed service for area residents with easy access to and from the site.*

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

*Commission finds the operation of the proposed daycare should be compatible with the residential and commercial uses in the close vicinity and the existing and intended character of this mixed-use area.*

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

*If the proposed daycare complies with the conditions of approval in Section VII as required, Commission finds the proposed use should not adversely affect other properties in the vicinity.*

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

*Because the site is already annexed into the City and these services are already being provided to the surrounding buildings, Commission finds the proposed use will be served adequately by all public facilities and services.*

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

*Commission finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.*

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*Although traffic may increase in this area due to the proposed use and clients dropping off and picking up children, Staff finds the conditions of approval of the City and ACHD mitigate negative outcomes from the proposed use; therefore, Commission finds the proposed daycare should not be detrimental to the general welfare.*

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*Commission is unaware of any natural, scenic or historic features in this area and finds the proposed use should not result in damage of any such features.*



## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for Meridian South Fire Station & Police Substation (H-2021-0062) by City of Meridian, Located at 2385 E. Lake Hazel Rd.

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



**In the Matter of the Request for a Conditional Use Permit for the Meridian South Fire Station and Police Substation Located at 2385 E. Lake Hazel Rd on 4-Acres in the R-8 Zoning District, by the City of Meridian.**

**Case No(s). H-2021-0062**

**For the Planning & Zoning Commission Hearing Date of: October 21, 2021 (Findings on November 4, 2021)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 21, 2021, 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 Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 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 Chairman of the Commission and City Clerk and then a copy served by the Clerk



upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of October 21, 2021, 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 Planning & Zoning Commission'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 Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of October 21, 2021, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

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

1. **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 October 21, 2021

By action of the Planning & Zoning Commission at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, [year].

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER NATE WHEELER VOTED \_\_\_\_\_

COMMISSIONER STEVEN YEARSLEY VOTED \_\_\_\_\_

COMMISSIONER WILLIAM CASSINELLI VOTED \_\_\_\_\_

COMMISSIONER NICK GROVE VOTED \_\_\_\_\_

COMMISSIONER MARIA LORCHER VOTED \_\_\_\_\_

\_\_\_\_\_  
Rhonda McCarvel, Chairman

Attest:

\_\_\_\_\_  
Chris Johnson, City Clerk

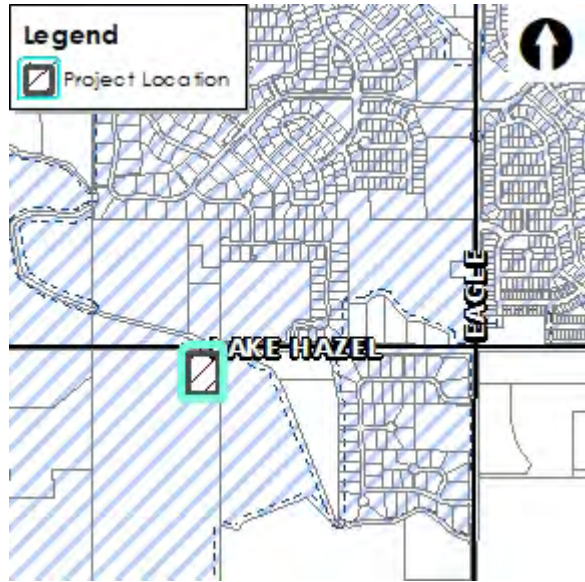
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 10/21/2021  
TO: Planning & Zoning Commission  
FROM: Alan Tiefenbach, Associate Planner  
208-884-5533  
Bruce Freckleton, Development Services Manager  
208-887-2211  
SUBJECT: H-2021-0062  
Meridian South Fire Station & Police Substation Conditional Use Permit  
LOCATION: 2385 E. Lake Hazel Rd  
South side of E. Lake Hazel Rd, between S. Locust Grove Rd. and S. Eagle Rd.



**I. PROJECT DESCRIPTION**

Conditional Use Permit to develop a 11,637 sq. ft. fire station and 11,560 sq. ft. police substation building (public or quasi-public use) on approximately 4 acres of land in the R-8 zoning district.

**II. SUMMARY OF REPORT**

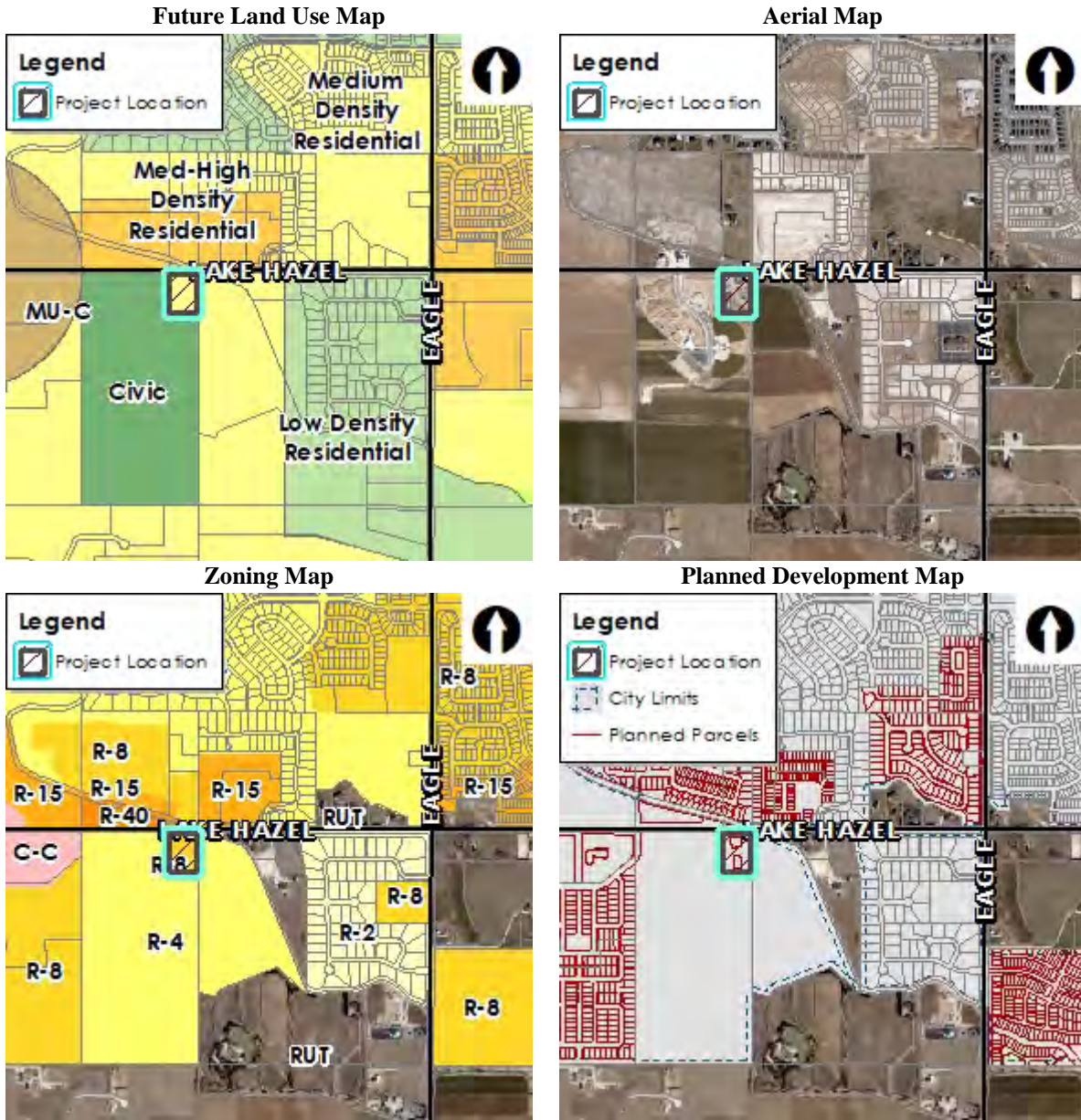
A. Project Summary

Description	Details	Page
Acreage	4 acres	
Future Land Use Designation	Medium Density Residential	
Existing Land Use(s)	Residential / Rural	
Proposed Land Use(s)	Public or quasi-public use (Fire Station and Police Substation)	
Lots (# and type; bldg./common)	1	
Phasing Plan (# of phases)	2, with the fire station proposed for development first.	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	June 16, 2021, no attendees	
History (previous approvals)	This property was annexed and zoned in April of 2021 (H-2021-0008)	

## B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Staff report was completed with the annexation / rezoning	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	E. Lake Hazel Rd / New N/S collector that is planned for construction at the east of the property.	
Stub Street/Interconnectivity/Cross Access	An Interagency Cooperation Development Agreement exists between ACHD, the City and Brighton Development (who owns the adjacent property to the east). Brighton Development is required to build all pathways bordering the site as well as the collector road along the east which will stub at the south adjacent to the southern property line.	
Existing Road Network	E. Lake Hazel Rd.	
Existing Arterial Sidewalks / Buffers	None along property. There is an existing 10' pathway along the Discovery Park frontage to the west.	
Proposed Road Improvements	Brighton Development is required to construct 10' pathway along E. Lake Hazel Rd and will construct the new north/south collector roadway at the site's east property line to stub to the site's south property line as well as 10' pathway along this frontage as well.	
Distance to nearest City Park (+ size)	Discovery Park (South Meridian Regional Park) directly adjacent to the west and south.	
Fire Service		
	This proposal is for a fire station.	
Police Service		
	This proposal is for a police sub-station.	
Wastewater		
• Distance to Sewer Services	N/A	
•		
• Sewer Shed	South Black Cat Trunkshed	
• Estimated Project Sewer ERU's	See Application	
• WRRF Declining Balance	14.08	
• Project Consistent with WW Master Plan/Facility Plan	Sewer will come from Discovery Park, which is currently not constructed.	
Water		
• Distance to Water Services	0	
• Pressure Zone	5	
• Estimated Project Water ERU's	See Application	
• Water Quality	No concerns	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	Water will come from E. Lake Hazel Rd.	

C. Project Area Maps



III. CITY INFORMATION

- A. City / Representative: Stacy Redman, City of Meridian  
33 E. Broadway Ave, Meridian, ID 83642
- B. Owner: City of Meridian  
33 E. Broadway Ave, Meridian, ID 83642

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/5/2021	
Radius notification mailed to properties within 300 feet	10/5/2021	
Sign Posting	10/4/2021	
Nextdoor posting	10/5/2021	

**V. STAFF ANALYSIS**

The property is 4 acres, zoned R-8 and is directly east of Discovery Park. The applicant is the City of Meridian. The property was annexed specifically for this purpose in April of 2021 (H-2021-0008). Plans are to develop the fire station and the police substation separately, with the fire station construction planned for 2022.

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

The property is designated for medium density residential (MDR). This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The FLUM shows a fire and police station symbol in the general vicinity (north side of E. Lake Hazel Rd). The purpose of this designation is to preserve and protect existing and planned fire and police station locations throughout the Area of City Impact which provide efficient emergency response. The proposed fire and police station in this location would be consistent with the recommendations of the FLUM.

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

- Develop and implement master plans for all public facilities, services, and safety to guide the growth of the City. (3.02.01).

*The subject property is shown to be within an area designated as a fire / police station on the Future Land Use Map.*

- Support the appropriate expansion of City facilities, services, staff, and other resources to keep up with demand and established levels of service. (3.02.01D)
- Ensure that quality fire protection, rescue and emergency medical services are provided within Meridian. (4.11.03)
- Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks. (3.02.01G)

*A significant amount of land has been annexed in the surrounding area. This includes the Impressive East Ridge, Bicentennial Farms, Apex and Apex Southeast, Lavender Heights, Sky Mesa, Pura Vida and The Keep subdivisions. Much of this area is not within the City’s preferred 5-minute response time, and this future fire station and police sub-station were anticipated during the analysis of these projects’ analysis. This conditional use would support appropriate expansion and maintenance of services and would ensure quality fire and emergency services and would significantly improve the emergency response times.*

- Ensure that new development and subdivisions connect to the pathway system. (4.04.01A)

*The Pathways Master Plan shows a future 10' wide pathway along E. Lake Hazel Rd. as well as a 10' pathway along the eastern portion of the property (in the area of the future collector road). The 10' pathway already exists along the northern perimeter of Discovery Park; Brighton Development is required to complete this pathway along the north and eastern property lines.*

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

*The property presently takes access from two driveways off E. Lake Hazel Rd. However, a future collector is shown at the east side of the property. This collector is intended to serve the subject property as well as provide access to Discovery Park. Brighton Development will build this collector road from E. Lake Hazel Rd to the southern property line. As is required by UDC 11-3A-3, both driveways accessing E. Lake Hazel Rd will be closed.*

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

*The site plan shows landscape buffers along E. Lake Rd and the future collector street. Landscape screening is reflected on the plan to screen the site from Discovery Park at the west and south.*

#### C. Existing Structures/Site Improvements:

There is an existing residence and agricultural buildings on the site which were constructed in 1940. All buildings should be removed with development of the site.

#### D. Proposed Use Analysis:

UDC defines fire station and police stations as a “public or quasi-public use.” This use is allowed in the R-8 zone district as a conditional use, subject to the specific use stated below.

#### E. Specific Use Standards (*UDC 11-4-3*):

UDC 11-4-3-30 states public or quasi-public uses shall meet the standards for office use in accord with the district in which the use is located.

#### F. Dimensional Standards (*UDC 11-2*):

This is a conditional use to allow public or quasi-public uses in the R-8 zone district. Dimensional standards in the R-8 zone district include a minimum lot size of 4,000 sq. ft., front setbacks of 25' from a collector street, rear setback of 12' and 10' side setback. Building height is limited to 35'. A 25' buffer is required along arterial roads and 20' along collector roads. The concept plan as submitted appears to meet the minimum dimensional standards.

#### G. Access (*UDC 11-3A-3, 11-3H-4*):

Lake Hazel Road is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Lake Hazel Road. Lake Hazel Road is planned to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2036 and 2040.

ACHD is requiring dedication of right-of-way along Lake Hazel Road abutting the site. ACHD has mentioned a minimum of 5-foot wide detached concrete sidewalk should be constructed, but

as already mentioned, the Parks Dept is requiring construction of a 10' detached pathway along E. Lake Hazel to connect to the pathway to the west.

Per an Interagency Cooperative Development Agreement, Brighton Development will be required to construct a new north/south collector roadway along the site's east property line from the south property line to Lake Hazel Road. They will also be required to install a temporary turnaround at the terminus of the stub street since it will be longer than 150-feet. Although ACHD is requesting 5' wide sidewalk along this collector, per the Parks Department, 10' wide detached pathway will be constructed along this section. This E. Lake Hazel Rd / Collector Road intersection is planned for signalization.

The City has proposed to construct 2 driveways from the site to the new collector roadway; one for the police station and a wider driveway for the fire station. The 2 existing driveways from the site onto Lake Hazel Road will be closed. Direct access is prohibited to Lake Hazel Road in accord with UDC 11-3A-3.

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

UDC 11-3C-5 requires one (1) space for every five hundred (500) square feet of gross floor area. With 22,710 sq. ft. between the first station and the police sub-station, 46 parking spaces are required. The concept plan indicates 53 parking spaces for the police substation, and 25 parking spaces for the fire station. 12 of the parking spaces would be covered and would be for the use of the police vehicles only. The concept plan shows at least 3 additional spaces for fire apparatus at the east side of the fire station.

The parking plan appear to meet most of the landscaping requirements of UDC 11-3B-8 except there are several landscape islands which do not reflect trees as required by UDC 11-3B-8. Also, pedestrian crossings across the drive aisles are striped whereas UDC 11-3A-19 requires the internal pedestrian walkway to be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks. This should be addressed at the time of CZC submittal.

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

The Pathways Master Plan shows a future 10' wide pathway along E. Lake Hazel Rd. as well as a 10' pathway along the eastern portion of the property (in the area of the future collector road). The 10' pathway already exists along the northern perimeter of Discovery Park; the landscape plan reflects a continuation of the 10 ft. wide pathway along the north and a new 10 ft. wide detached pathway along the eastern property line.

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

See analysis above.

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

UDC 11-2A-5 requires a 25' wide buffer along arterial roads and 20' along collector roads. These buffers must be landscaped at one (1) tree per thirty-five (35) linear feet. If there is any surplus right-of-way, and the unimproved street right-of-way is ten (10) feet or greater from the edge of pavement to edge of sidewalk or property line, the developer shall maintain a ten-foot compacted shoulder meeting the construction standards of the transportation authority and landscape the remainder with lawn or other vegetative ground cover.

Parking lot landscaping is required around the perimeter of the parking lot, and no linear grouping



of parking spaces shall exceed twelve (12) in a row, without an internal planter island. Parking islands are also required at the ends of all parking rows.

The landscape plan indicates a buffer of at least 40 ft. in width from the property line along W. Lake Hazel Rd. (the pathway is included in this buffer) and 20 ft. wide from the property line along the collector to the east (although the 10 ft. wide pathway is outside of the property line. As mentioned above in the parking analysis, there are several internal landscape islands without trees which must be landscaped in accord with UDC standards set forth in UDC 11-3B-8C.

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

No waterways are associated with this development.

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

Wrought-iron security fencing of up to 8’ in height is shown on the site plan. Staff notes fencing height is limited to 6’ in height in the R-8 zone district. The City should apply for alternative compliance concurrently with the CZC.

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

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. The submitted Water Main & Service Sizing Plan indicates 8” water and sewer lines serving the property. Water would be provided from a main in E. Lake Hazel Rd. Sewer would be provided from a main at Discovery Park.

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

The City has submitted colored elevations for both buildings. Architecture consists of sloped roof buildings with CMU and wood grain metal panel as the primary field materials.

Staff is not certain the building elevations as submitted meet the minimum requirements of the ASM for commercial buildings. The only field materials indicated on the elevations are smooth face CMU and horizontal metal panel whereas 5.1B requires at least two distinct field materials (material of more than 20% of the façade) and only allows metal panel and untextured concrete as a field material if there are at least two other qualifying field materials. At least 30% of the façade must use a combination of concrete, masonry, stone or unique variation in color around the base of the building, whereas it does not appear there are any distinct materials along the base. It does not appear there is at least 30% fenestration or a fenestration alternative as required per ASM 3.3E on the facades of the buildings. Finally, the elevations that were approved as part of the annexation indicated timber frame accents and overhangs over entrances, whereas it appears these elements have been removed from the updated drawings. At the time of Certificate of Zoning Compliance (CZC) and Design Review (DE) the standards of the ASM must be met, or design exceptions may be granted.

**VI. DECISION**

A. Staff:

Staff recommends approval of the proposed conditional use permit per the provisions and comments included in Section VII in accord with the Findings in Section VIII.

B. The Meridian Planning & Zoning Commission heard this item on October 21, 2021. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

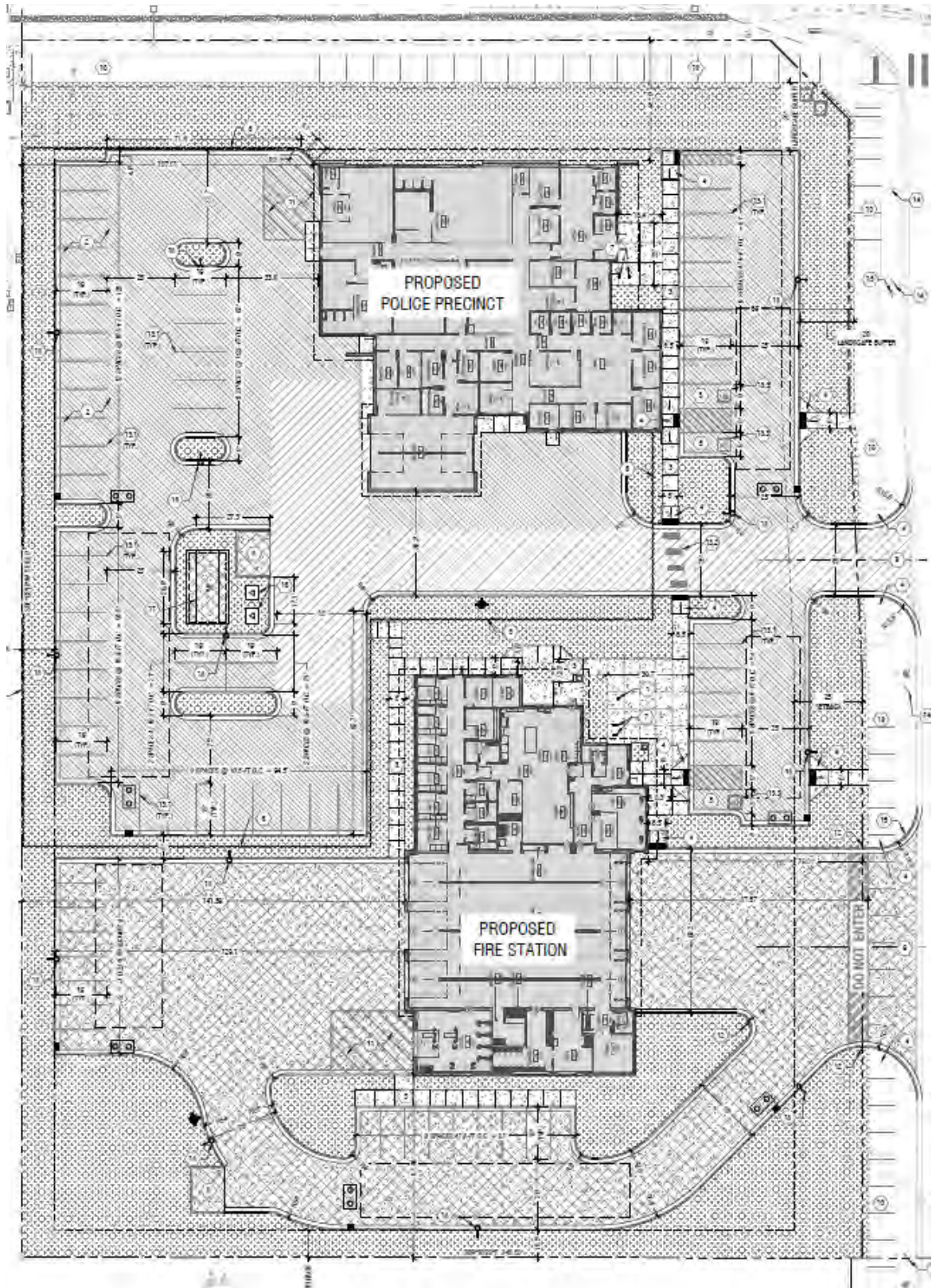
1. Summary of the Commission public hearing:

- a. In favor: Gunnar Gladics and Mike Schubert
- b. In opposition: None

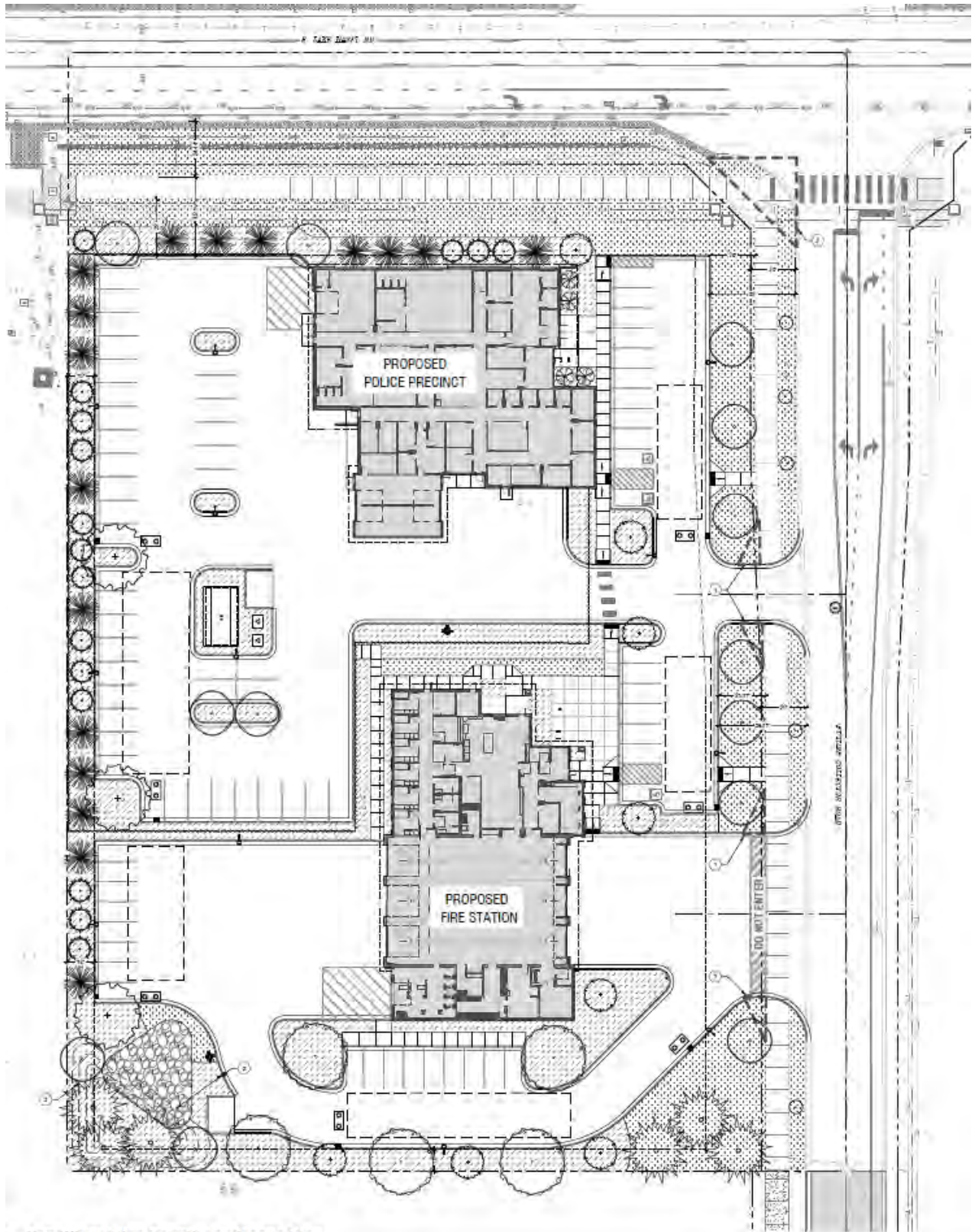
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Alan Tiefenbach
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
  - a. None
- 3. Key issue(s) of discussion by Commission:
  - a. None
- 4. Commission change(s) to Staff recommendation:
  - a. None

**VII. EXHIBITS**

**A. Site Plan (date: 8/26/2021)**



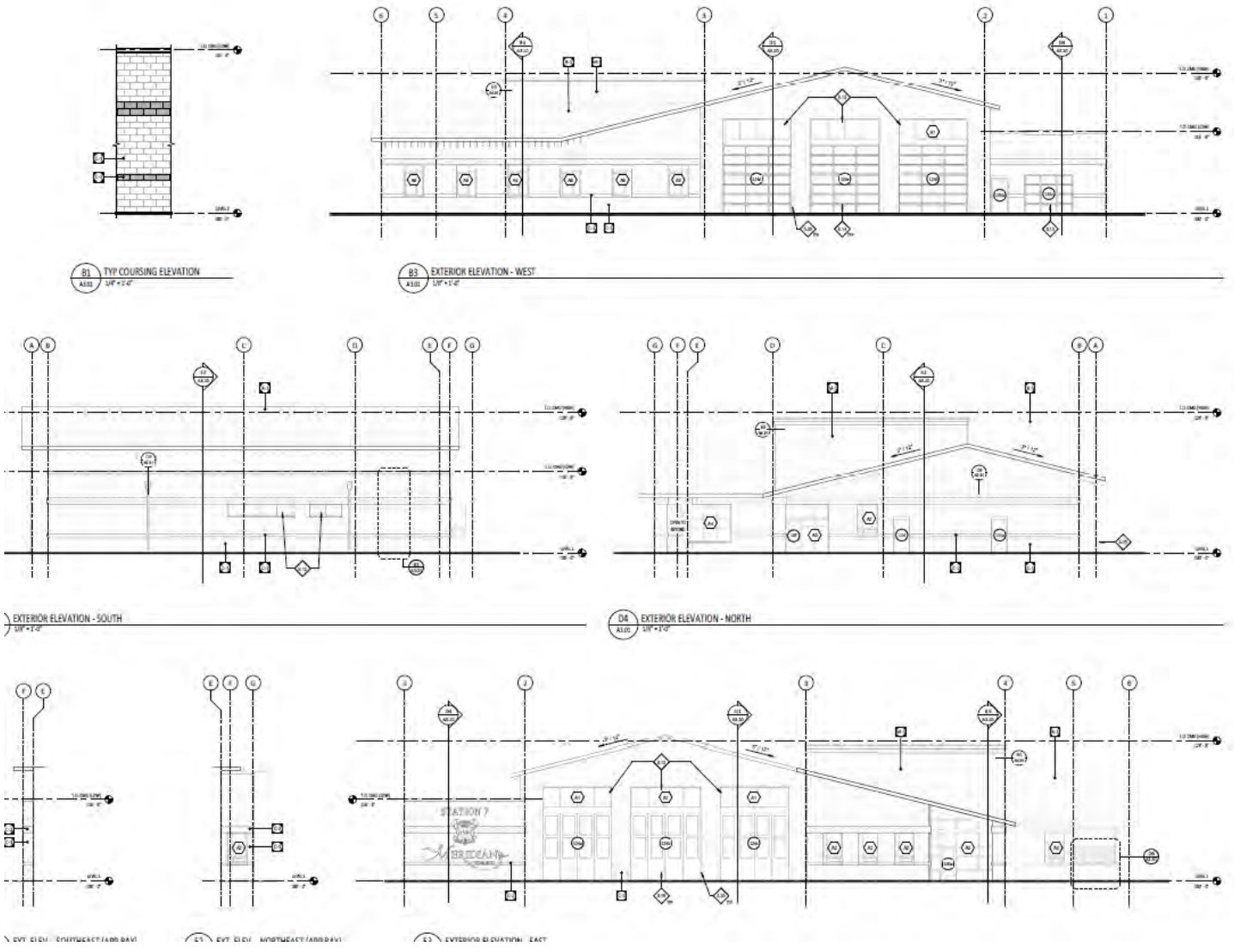
B. Landscape Plan (date: 8/26/2021)



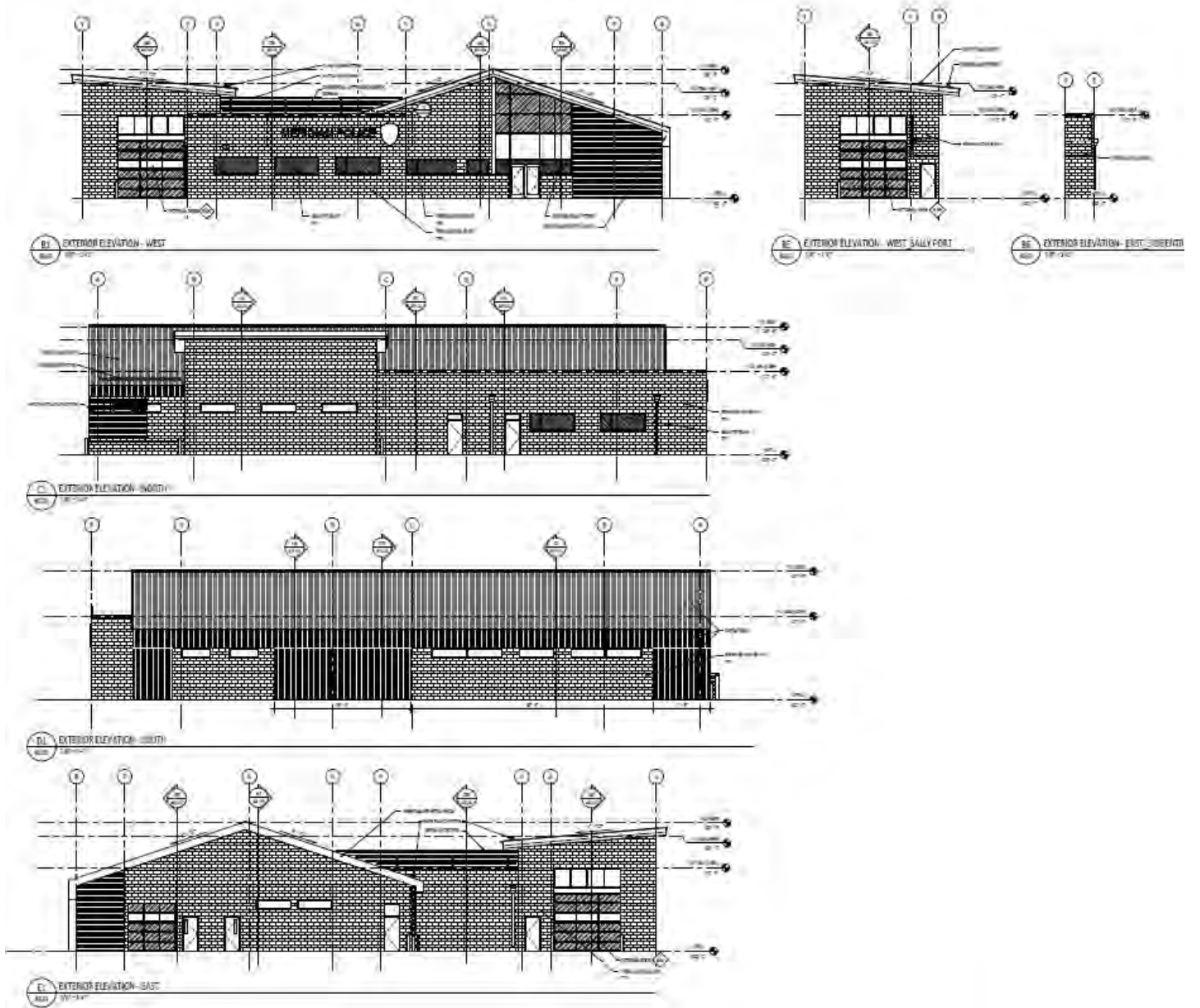
Conditional Use Permit-Landscape Plan

C. Fire Station Elevations (date: 8/27/2021)

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500



D. Police Station Elevations (date 8/26/2021)



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. A Certificate of Zoning Compliance and administrative design review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications. The buildings shall either meet all architectural requirements of the Architectural Standards Manual (ASM) or there should be a request for a design exception as part of the CZC submittal.
2. Future development of this site shall be generally consistent with the site plan, landscape plan, building elevations, and the provisions contained herein.
3. Any existing residential structures shall be removed prior to certificate of occupancy.
4. 10' wide detached pathway will be constructed along E. Lake Hazel Rd and the eastern property line as indicated on the landscape plan prior to certificate of occupancy.
5. All structures shall comply with the design standards listed in the Architectural Standards Manual and the design standards listed in UDC 11-3A-19. An application for Design Review shall be submitted concurrently with the Certificate of Zoning Compliance application and approved prior to submittal of building permit applications.
6. The project is subject to all current City of Meridian ordinances and previous conditions of approval associated with this site (AZ H-2021-0008).
7. A segment of the City's 10-foot multi-use pathway along E. Lake Hazel Rd, the section along the east property line, and the new collector street planned along the east boundary of the property shall be constructed prior to certificate of occupancy.
8. Multi-use pathways shall be constructed consistent with the location and specifications set forth in Chapter 3 of the Meridian Pathways Master Plan unless otherwise approved by the Parks and Recreation Director.
9. Direct access to E. Lake Hazel Rd is prohibited in accord with UDC 11-3A-3.
10. The required landscape buffers along streets shall be constructed consistent with the standards as set forth in UDC 11-3B-7C in accord with the installation schedule in UDC 11-3B-14.
11. All ACHD conditions of approval shall be complied with.
12. All parking lots shall meet the standards as required per UDC 11-3B-8C.
13. All proposed fencing and/or any fencing shall be constructed as required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable, or developer shall submit a concurrent alternative compliance to increase the fence height.
14. Outdoor lighting provisions as set forth in UDC 11-3A-11 shall be complied with.
15. Ordinances in effect at the time of application submittal shall be complied with.
16. Tree preservation mitigation standards shall be complied with per UDC 11-3B-10.

### B. PUBLIC WORKS DIVISION

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide

service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. 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.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
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. 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 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.
15. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
16. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
17. A streetlight plan will need to be included in the civil construction plans. Streetlight plan requirements are listed in section 6-5 of the Improvement Standards for Streetlighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272)

## IX. FINDINGS

### A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

*The site meets all dimensional and development regulations of the R-8 zoning district. The site will provide the required landscape buffers, parking is adequate, and except for the islands mentioned in the landscaping section the parking area will be landscaped as required by UDC 11-3B-8. Commission finds the site is large enough to accommodate the proposed use.*

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this title.

*Commission finds the proposed fire station and police sub-station will be harmonious with the Comprehensive Plan per the analysis in Section V of this staff report.*

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

*The subject site is directly adjacent to Discovery Park to the west, and will be located on the corner of an arterial and collector street. The property on the other side of the future collector street (to the east) is presently vacant. As mentioned in the Comprehensive Plan analysis, the subject property is specifically within an area designated for a fire and police station. The required landscape buffers will be installed, all landscape requirements for a parking lot will be*

*met, and architecture will be required to meet the standards of the ASM for commercial architecture. The proposed use should not change the character nature of the area.*

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

*Commission finds the proposed use should not adversely affect other properties in the vicinity.*

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

*The proposed use will be served adequately by all services and is a public facility.*

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

*Commission finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.*

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*This proposal is for a fire station and police station. There could be sirens associated with emergency events. However, this is a critically-needed facility in this location to serve the South Meridian area.*

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*Commission is unaware of any natural, scenic, or historic features on this site; thus, Commission finds the proposed use should not result in damage of any such features.*



## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for Village Apartments (MCU-2021-0008) by KM Engineering, LLP, Located at 2600 N. Eagle Rd.

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



**In the Matter of the Request for a Modification to the Conditional Use Permit for Village Apartments, a 336-Unit Multi-Family Development, Located at 2600 N. Eagle Rd. on 11.38 Acres of Land in the C-G Zoning District, by KM Engineering, LLP.**

**Case No(s). MCU-2021-0008**

**For the Planning & Zoning Commission Hearing Date of: October 21, 2021 (Findings on November 4, 2021)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of October 21, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 21, 2021, 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 Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 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 Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of October 21, 2021, 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 Planning & Zoning Commission'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 conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of October 21, 2021, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

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

1. **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 October 21, 2021

By action of the Planning & Zoning Commission at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER NATE WHEELER VOTED \_\_\_\_\_

COMMISSIONER STEVEN YEARSLEY VOTED \_\_\_\_\_

COMMISSIONER WILLIAM CASSINELLI VOTED \_\_\_\_\_

COMMISSIONER NICK GROVE VOTED \_\_\_\_\_

COMMISSIONER MARIA LORCHER VOTED \_\_\_\_\_

\_\_\_\_\_  
Rhonda McCarvel, Chairman

Attest:

\_\_\_\_\_  
Chris Johnson, City Clerk

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

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office

# EXHIBIT A



## STAFF REPORT

### COMMUNITY DEVELOPMENT DEPARTMENT

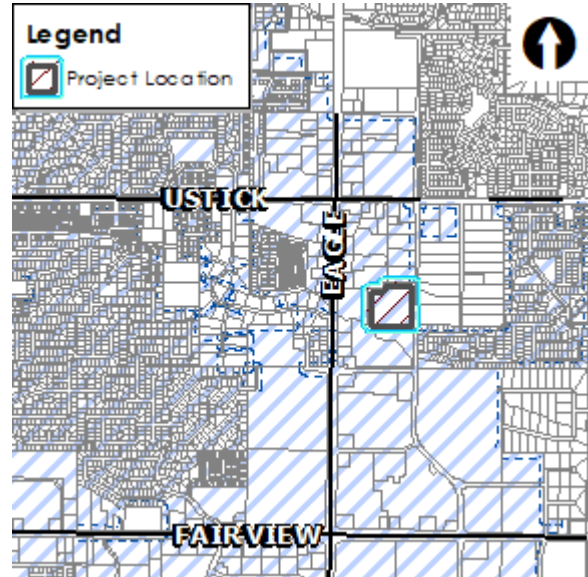
HEARING DATE: 10/21/2021

TO: Planning & Zoning Commission

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

SUBJECT: MCU-2021-0008  
Village Apartments

LOCATION: 2600 N. Eagle Rd., in the NW ¼ of Section 4, T.3N., R.1E. (Parcel #S1104233730)



### I. PROJECT DESCRIPTION

Modification to the previously approved conditional use permit (CUP-15-019) to update the conceptual development plan and building elevations and eliminate the requirement for pedestrian & vehicular connectivity/cross-access to be provided to the residential development to the north

### II. SUMMARY OF REPORT

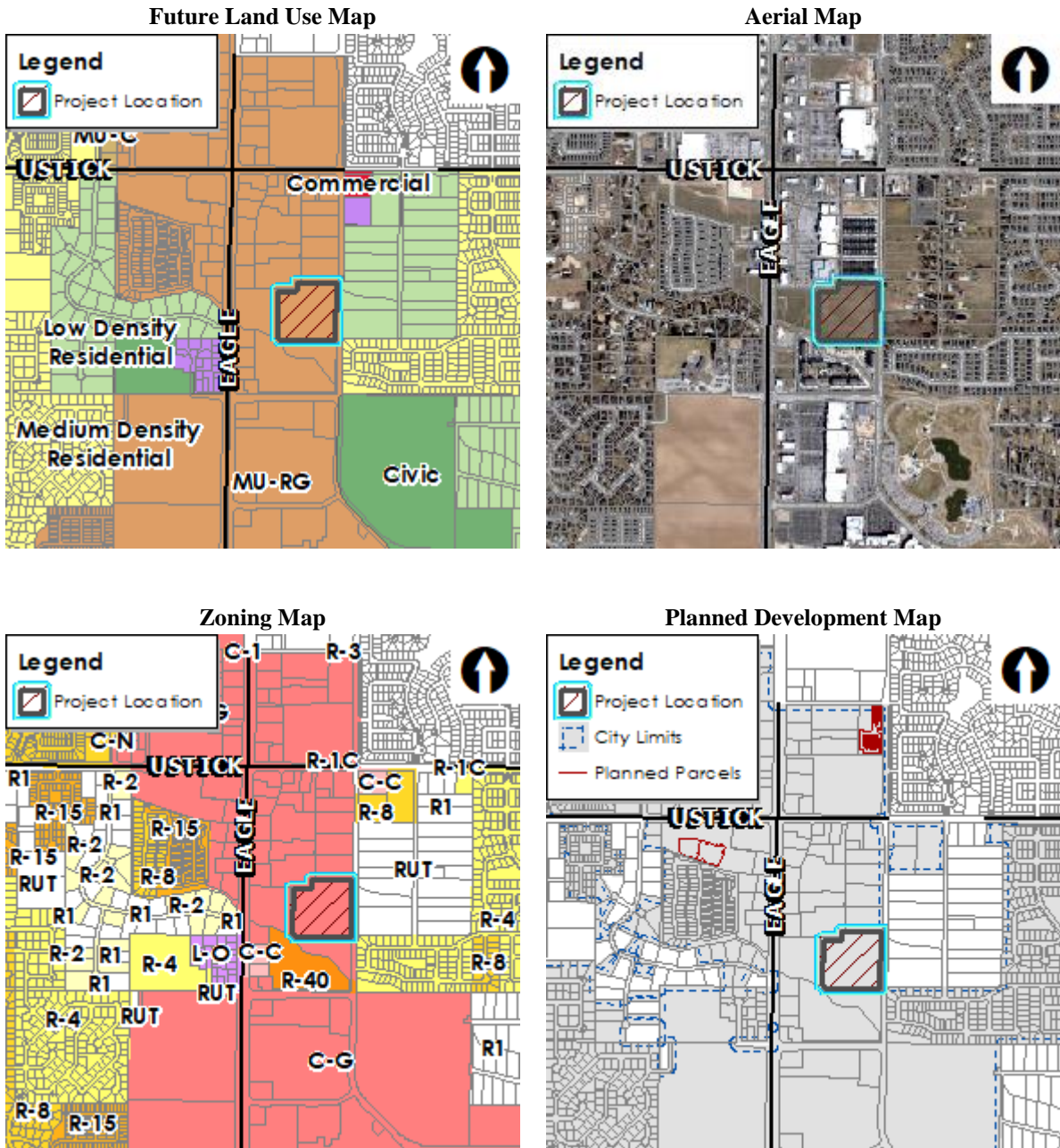
#### A. Project Summary

Description	Details	Page
Acreage	11.38 acres	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use	Vacant/undeveloped land approved for a multi-family development (apartments)	
Proposed Land Use(s)	Multi-family residential	
Current Zoning	C-G (General Retail & Service Commercial District)	
Physical Features (waterways, hazards, flood plain, hillside)	The Milk Lateral runs across the northeast corner of the site within a 50’ NMID easement and the Finch Lateral runs along the southwest boundary of the site within an 80’ wide easement that partially encroaches on this site.	
Neighborhood meeting date; # of attendees:	8/11/21 & 8/12/21; 1 attendee (Henry Duskett)	
History (previous approvals)	AZ-03-021 (DA Inst. #104129529); PBA-14-005; MDA-15-012 [DA Inst. # <a href="#">2017-121321</a> ] (removed subject property from previous DA)]; A-2017-0277 (CUP time extension);	

# EXHIBIT A

H-2019-0144 (CUP time extension – to expire on 12/15/21); A-2020-0115 (PBA ROS #12423)

## A. Project Area Maps



### III. APPLICANT INFORMATION

#### A. Applicant:

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



# EXHIBIT A

B. Owner:

Derek Gasser, GFI – Meridian Investments, LLC – 74 East 500 South, Ste. 200, Bountiful, UT 84010

C. Representative:

Same as Applicant

## IV. NOTICING

	<b>Planning &amp; Zoning Posting Date</b>
Newspaper Notification	10/5/2021
Radius notification mailed to properties within 300 feet	10/5/2021
Site Posting Date	10/7/2021
Next Door posting	10/5/2021

## V. STAFF ANALYSIS

The existing Conditional Use Permit (CUP-15-019) approved for the subject property is for a 336-unit multi-family development on 11.38-acres of land in the C-G zoning district with a gross density of 29.5 units per acre. Eleven (11) 4-story walk-up garden style structures [(10) 32-plexes and (1) 16-plex] containing a mix of 1- (136) and 2-bedroom (200) units and a 4,389 square foot clubhouse containing a business center, leasing office, exercise room, great room, a pool room and bike storage with a covered patio was proposed (see site plan & elevations in Section VII.A).

This application proposes to modify the site layout and building elevations and eliminate the requirement for pedestrian & vehicular connectivity/cross-access to be provided to the residential development to the north.

The same number of dwelling units (i.e. 336) are proposed among six (6) 4-story buildings, each containing 56 units, with elevators and internal access for security. A mix of 1-bedroom (200), 2-bedroom (120) and 3-bedroom (16) units are proposed. The two (2) residential buildings previously shown in the center of the development adjacent to the clubhouse and common area were removed and common open space with amenities and a clubhouse are now solely proposed in this area with multi-family structures around the perimeter. This change allows for a larger central open space area.

**Note: Because the proposed use, number of multi-family units and height/number of stories of the structures isn't proposed to change, Staff deems the proposed development plan to be generally consistent with the site development plan included in the Development Agreement as required.**

**Specific Use Standards:** The proposed multi-family development is subject to the specific use standards listed in UDC [11-4-3-27](#), Multi-Family Development. Plans submitted with the Certificate of Zoning Compliance application should demonstrate compliance with these standards.

**Access:** One (1) access is proposed via N. Records Ave., a collector street, at the east boundary of the site. A driveway connection is proposed at the southwest corner of the site to the multi-family development (Regency at River Valley) to the south and two (2) driveway connections are proposed to the west to the future commercial development for interconnectivity. **Staff recommends cross-access/ingress-egress easements are recorded granting access to these properties.**

## EXHIBIT A

Staff is amenable to the request to remove the requirement for pedestrian and vehicular connectivity/cross-access to be provided to the residential development to the north as there is a sidewalk along Records Ave. that will provide pedestrian connectivity and UDC 11-3A-3A doesn't require vehicular cross-access/ingress-egress easements to be provided between residential properties.

**Common Open Space:** Based on the square footage of the living area of the proposed dwelling units [320 between 500-1,200 square feet (s.f.); and 16 over 1,200 square feet], a minimum of 85,600 s.f. (or 1.97 acres) of common open space that meets the standards in UDC [11-4-3-27C](#) is required. A total of 88,591 s.f. (or 2.03 acres) is proposed, which is 2,991 s.f. (0.07 of an acre) more than the minimum required in accord with UDC standards. The site is also within close proximity to Kleiner Park, a 60-acre public park, that is 600'+/- to the southeast of this property.

**Amenities:** For multi-family developments with 75 units or more, four (4) amenities are required with at least one (1) from each category (i.e. quality of life, open space and recreation); for developments with more than 100 units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.

Site amenities are proposed from each of the required categories as follows: a clubhouse with a fitness center, dog washing station and bike repair station, a swimming pool with a spa/hot tub, a 50' x 100' open space area, gazebos, and a dog park in the central common area; linear open space areas in various locations; and walking paths. **Staff recommends children's play equipment is also provided; a detail of the equipment should be submitted with the Certificate of Zoning Compliance application.**

**Off-Street Vehicle & Bicycle Parking:** Off-street parking is required per the standards listed in UDC Table [11-3C-6](#) for multi-family developments. Based on (200) 1-bedroom, (120) 2-bedroom and (16) 3-bedroom units, a minimum of 572 spaces are required with 336 of those being in a covered carport or garage. A total of 582 spaces are proposed in excess of the minimum standards, including 12 ADA spaces, with 336 of those being covered – 7 garages buildings are proposed along with carports.

Based on 582 vehicle parking spaces, a minimum of 23 bicycle parking spaces are required that comply with the standards listed in UDC [11-3C-5C](#). A total of 25 spaces are proposed in excess of the minimum standards; four (4) bicycle racks are proposed at various locations for each building.

**Landscaping:** Landscaping should be provided in street buffers in accord with the standards listed in UDC [11-3B-7C](#). Internal common open space areas are required to be landscaped in accord with the standards listed in UDC [11-3G-3E](#). Parking lot and perimeter landscaping is required per the standards listed in UDC [11-3B-8C](#). Landscaping is required along all pathways in accord with the standards listed in UDC [11-3B-12C](#). **A landscape plan that complies with these standards is required to be submitted with the Certificate of Zoning Compliance application.**

**Pathways:** Pathways are proposed throughout the site through the central common area and between buildings. No multi-use pathways are depicted on the Pathways Master Plan on this site.

**Waterways:** The Milk Lateral crosses the northeast corner of the site and lies within a 50-foot wide NMID easement; the Finch Lateral runs along the southwest boundary of the site within an 80-foot wide easement which partially encroaches on this site. The existing Development Agreement (Inst. #[2017-121321](#)) requires the Milk Lateral to be piped in accord with UDC 11-3A-6A. If not already piped, the Finch Lateral where it lies on this site should be piped in accord with UDC [11-3A-6](#) unless used as a water amenity or linear open space as defined in UDC 11-1A-1.

**Fencing:** Any proposed fencing is required to comply with the standards listed in UDC [11-3A-7](#).

**Stormwater:** An adequate storm drainage system shall be required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow

# EXHIBIT A

Best Management Practice as adopted by the City. **Storm drainage facilities should be depicted on the site/landscape plan.**

**Building Elevations:** A conceptual building elevation for the 4-story multi-family structures was submitted as shown in Section VII.D. Final design is required to comply with the design standards in the Architectural Standards Manual.

**Wayfinding signage and clear addressing should be provided on buildings for emergency responders; coordinate with Joe Bongiorno, Fire Dept. and Terri Ricks, Land Development. The Applicant should coordinate with the Police Dept. on emergency access for the secured buildings.**

**Certificate of Zoning Compliance/Design Review:** A Certificate of Zoning Compliance and Design Review application(s) is required to be submitted for the proposed use prior to submittal of building permit applications to ensure consistency with the provisions in the development agreement, conditions in Section VIII, UDC standards and design standards in the Architectural Standards Manual.

## VI. DECISION

### A. Staff:

Staff finds the proposed changes result in more diversity in rental options with the addition of 3-bedroom units, a larger central common open space area and in general, a higher quality of development. Therefore, Staff recommends approval of the proposed conditional use permit modification with the conditions included in Section VIII per the Findings in Section IX.

### B. The Meridian Planning & Zoning Commission heard this item on October 21, 2021. At the public hearing, the Commission moved to approve the subject MCU request.

1. Summary of the Commission public hearing:
  - a. In favor: Derek Gasser
  - b. In opposition: None
  - c. Commenting: None
  - d. Written testimony: None
  - e. Staff presenting application: Bill Parsons
  - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
  - a. None
3. Key issue(s) of discussion by Commission:
  - a. None
4. Commission change(s) to Staff recommendation:
  - a. Modify condition #2c to not require a detail for the gazebos.

Item 4.

124

# EXHIBIT A

## VII. EXHIBITS

### A. Previously Approved Site Plan & Building Elevations (CUP-15-019)

0,000sf  
Retail

## THE VILLAGE APARTMENTS

EAGLE ROAD MERIDIAN, IDAHO

**OVERALL GENERAL SITE NOTES**  
 SCALE: ..... 1"=40'-0"  
 ZONING: ..... C-6  
 TOTAL AREA: ..... 11.38 ACRES  
 DENSITY PROPOSED: ..... 29.5 D.U./ACRE

**SITE NOTES:**  
 NUMBER OF APARTMENT BUILDINGS: ..... 11  
 NUMBER OF GARAGE BUILDINGS: ..... 14  
 NUMBER OF DWELLING UNITS: ..... 336  
 TOTAL PARKING REQUIRED/PROPOSED: ..... 630/645  
 OPEN SPACES/2% HC: ..... 296/6  
 COVERED SPACES REQUIRED/PROPOSED: ..... 336/336  
 GARAGE SPACES/2% HC: ..... 128/3  
 CARPORT SPACES/2% HC: ..... 208/4

**BICYCLE PARKING SPACES PROPOSED (1:25):** ..... 90  
**COMMON OPEN SPACE REQUIRED:** ..... 84,000 S.F.  
 336 D.U. x 250 S.F./D.U.= 84,000 S.F.  
**COMMON OPEN SPACE PROPOSED:** ..... 84,097 S.F.

**MAX. BLD. HT PROPOSED** ..... 45'-6"  
 (MID POINT OF SLOPED ROOF)

**SITE DEVELOPMENT AMENITIES PROPOSED:**  
 A. CLUBHOUSE  
 B. FITNESS CENTER (WITHIN CLUBHOUSE)  
 C. CHILDREN'S PLAY STRUCTURE  
 D. SWIMMING POOL  
 E. ENCLOSED BIKE STORAGE (WITHIN CLUBHOUSE)  
 F. BIKE REPAIR STATION  
 G. ON SITE STORAGE

**DEVELOPER:** DevCo, LLC  
 4824 W. FAIRVIEW  
 BOISE, IDAHO 83706  
 (208) 336-5355

**LANDSCAPE:** TO ENGINEERS  
 9777 CHINDEN BLVD.  
 BOISE, IDAHO 83714  
 (208) 323-2288

**CIVIL ENGINEER/** CIVIL INNOVATIONS, LLC.  
 PO BOX 170811  
 BOISE, IDAHO 83717  
 (208) 884-8181

**ARCHITECT/PLANNER:** 400 MAIN STREET  
 BOISE, IDAHO 83702  
 P (208) 343-2003  
 F (208) 343-1300  
 WWW.TAOIDHO.COM

**PROJECT**  
**VILLAGE APARTMENTS**  
 EAGLE ROAD  
 MERIDIAN, IDAHO

**SCALE**  
  
 1" = 40'-0"  
 1/4" = 10'-0"  
 1/8" = 5'-0"  
 1/16" = 2'-6"  
 1/32" = 1'-3"

**FILE**  
 JULY 30, 2015  
 15-E11 AT 0  
 DAVID RUBY, AIA

**SHEET**  
**CZC1.0**  
 ARCHITECTURAL SITE PLAN

Page 6

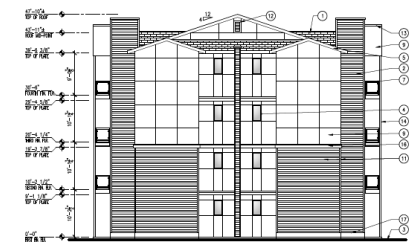
# EXHIBIT A



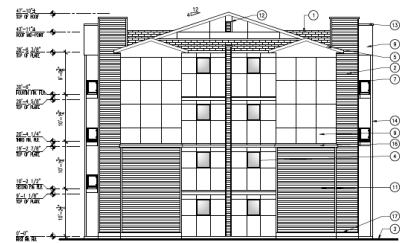
1 FRONT ELEVATION - BUILDING TYPE 2



2 REAR ELEVATION - BUILDING TYPE 2



3 LEFT ELEVATION - BUILDING TYPE 2



4 RIGHT ELEVATION - BUILDING TYPE 2

- KEYNOTES**
1. ARCHITECTURAL FINISHES FINISHED KEY SYMBOLS
  2. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE
  3. DIMENSIONS, UNLESS NOTED OTHERWISE, ARE IN INCHES. SEE DRAWING FOR UNIT CONVERSIONS
  4. DIMENSIONS UNLESS NOTED OTHERWISE
  5. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE
  6. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE
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  20. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE
  21. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE
  22. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE
  23. FINISHES TO BE USED THROUGHOUT UNLESS SPECIFIED OTHERWISE



**VILLAGE APARTMENTS**  
EAGLE ROAD  
MERRIDEN, ILLINOIS

DATE: JUNE 23, 2015  
DRAWN BY: DAVID RILEY  
CHECKED BY: DAVID RILEY  
PROJECT: VILLAGE APARTMENTS  
SHEET: A5.0  
BUILDING EXTERIOR ELEVATIONS

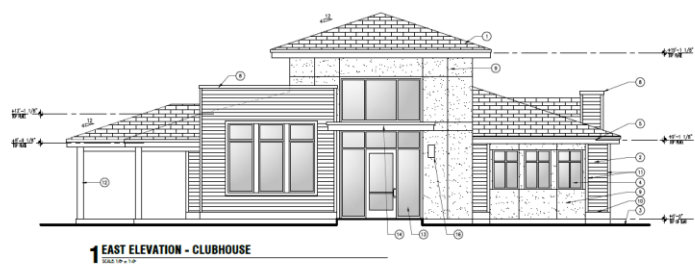
## TYPICAL RESIDENCE



# EXHIBIT A



Building Elevation Rendering



- KEYNOTES**
1. HORIZONTAL SHIMMED INTERIOR KEY FINISH
  2. FINEST GRADE INTERIOR, UPPER LEVEL, F. EXPOSURE, PAINT
  3. FINEST GRADE, LOWER LEVEL, F. EXPOSURE, PAINT
  4. EXPOSED BRICK, EXTERIOR, TYPICAL, 8" MIN. SEE DRAWING FOR DETAILS
  5. EXPOSED BRICK, EXTERIOR, TYPICAL, 8" MIN. SEE DRAWING FOR DETAILS
  6. THE FINISHED FLOOR FINISH SHALL BE TO THE FINISH FLOOR FINISH
  7. SEE NOTES
  8. THE FINISHED FLOOR FINISH SHALL BE TO THE FINISH FLOOR FINISH
  9. FINISHES TO BE DETERMINED
  10. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  11. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  12. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  13. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  14. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  15. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  16. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  17. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  18. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH
  19. 1/2" DIA. RIBBON ROOF LINE WITH 1/2" DIA. FINISH



PROJECT  
**VILLAGE APARTMENTS**  
EAGLE ROAD  
MERIDIAN, IDAHO



DATE: AUGUST 21, 2019  
BY: JACOB J. ANDERSON  
JOB: VILLAGE APARTMENTS  
PROJECT: VILLAGE APARTMENTS

**AC5.0**  
CLUBHOUSE  
EXTERIOR ELEVATIONS

# EXHIBIT A



1 WEST ELEVATION - CLUBHOUSE

### KEYNOTES

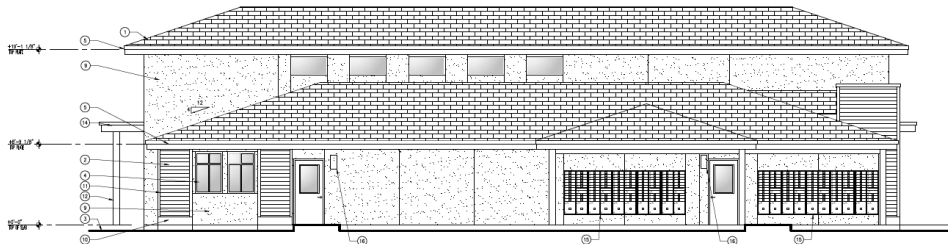
1. ARCHITECTURAL CHANGES PERMITTED: STEEP BRICKS.
2. FINEST GRADE: ANCHORS LAPPED: 6" OFFSET. PAINT: PAIR OF COATS.
3. FLOOR FINISH: SLIP-RESISTANT POLISHED CONCRETE AT 20 MM. SEE DRAWING PLAN BY OTHERS.
4. EXTERIOR GRADE: ALUMINUM THERMOPLAST WINDOW.
5. INTERIOR GRADE: 1/2" POLISHED CONCRETE. SEE PLAN BY OTHERS.
6. INTERIOR GRADE: 1/2" POLISHED CONCRETE. SEE PLAN BY OTHERS.
7. FINEST GRADE.
8. INTERIOR GRADE: POLISHED CONCRETE.
9. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
10. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
11. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
12. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
13. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
14. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
15. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.
16. INTERIOR GRADE: POLISHED CONCRETE. SEE PLAN BY OTHERS.



PROJECT  
**VILLAGE APARTMENTS**  
 EAGLE ROAD  
 MERIDIAN, IDAHO

DATE  
 AUGUST 31, 2015  
 DRAWN BY  
 JOHN PRICE

SHEET  
**AC5.1**  
 CLUBHOUSE  
 EXTERIOR ELEVATIONS



2 SOUTH ELEVATION - CLUBHOUSE

## CLUBHOUSE



LEFT



RIGHT



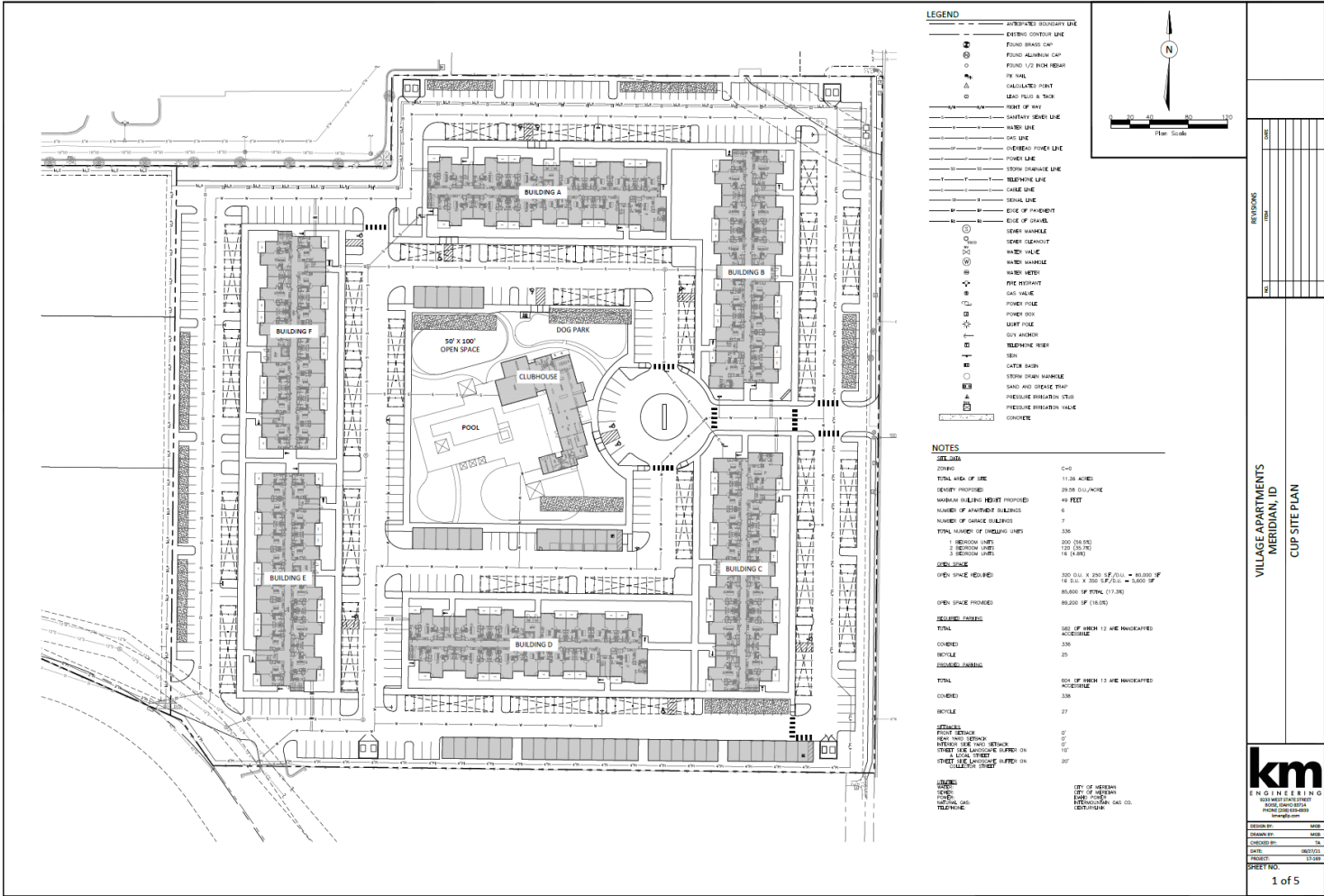
FRONT



REAR

# EXHIBIT A

## B. Proposed Site Plan (dated: 8/27/2021)



**LEGEND**

- ADJUSTED BOUNDARY LINE
- EXISTING CONTOUR LINE
- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 1/2 INCH REBAR
- 1/2 INCH
- CALCULATED POINT
- LEAD PILE & TACK
- FRONT OF RAY
- SANITARY SEWER LINE
- WATER LINE
- GAS LINE
- OVERHEAD POWER LINE
- POWER LINE
- STORM DRAINAGE LINE
- TELEPHONE LINE
- GRADE LINE
- DRIVE LINE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- SEWER MANHOLE
- SEWER CLEANOUT
- WATER VALVE
- WATER MANHOLE
- FIVE W/FRONT
- GAS VALVE
- POWER POLE
- POWER BOX
- MOUNT POLE
- CITY ARCHER
- TELEPHONE REEL
- SIGN
- CATCH BASIN
- STORM DRAIN MANHOLE
- SAND AND GRAVEL TRAP
- PRESSURE IRRIGATION TAP
- PRESSURE IRRIGATION VALVE
- CONCRETE

**NOTES**

**LEGEND**

2000 0+0

**TOTAL AREA OF SITE** 11.28 ACRES

**SEWER PROVIDED** 2638 D.I./MILE

**MINIMUM BUILDING HEIGHT PROPOSED** 48 FEET

**NUMBER OF APARTMENT BUILDINGS** 6

**NUMBER OF GARAGE BUILDINGS** 7

**TOTAL NUMBER OF DWELLING UNITS** 336

1 BEDROOM UNITS 200 (59.5%)

2 BEDROOM UNITS 136 (40.5%)

**OVERALL USE**

**OPEN SPACE PROVIDED** 339 D.I. X 200 SF/D.I. = 67,800 SF

16 D.I. X 350 SF/D.I. = 5,600 SF

68,400 SF TOTAL (7.3%)

**OPEN SPACE PROVIDED** 68,400 SF (7.6%)

**VEHICLE SPACES**

**TOTAL** 543 OF WHICH 12 ARE INDICATED ALTERNATE

**CONCRETE** 336

**RECYCLE** 25

**INDICATED SPACES**

**TOTAL** 504 OF WHICH 12 ARE INDICATED ALTERNATE

**CONCRETE** 336

**RECYCLE** 27

**UTILITIES**

**SEWER SERVICE** 0'

**SEWER TANK SERVICE** 0'

**SEWER LINE TANK SERVICE** 10'

**STREET LIGHT SERVICE** 10'

**STREET LIGHT SERVICE** 10'

**STREET LIGHT SERVICE** 10'

REVISIONS  
 NO. DATE DESCRIPTION  
 1 08/27/21 100%

VILLAGE APARTMENTS  
 MERIDIAN, ID  
 CUP SITE PLAN

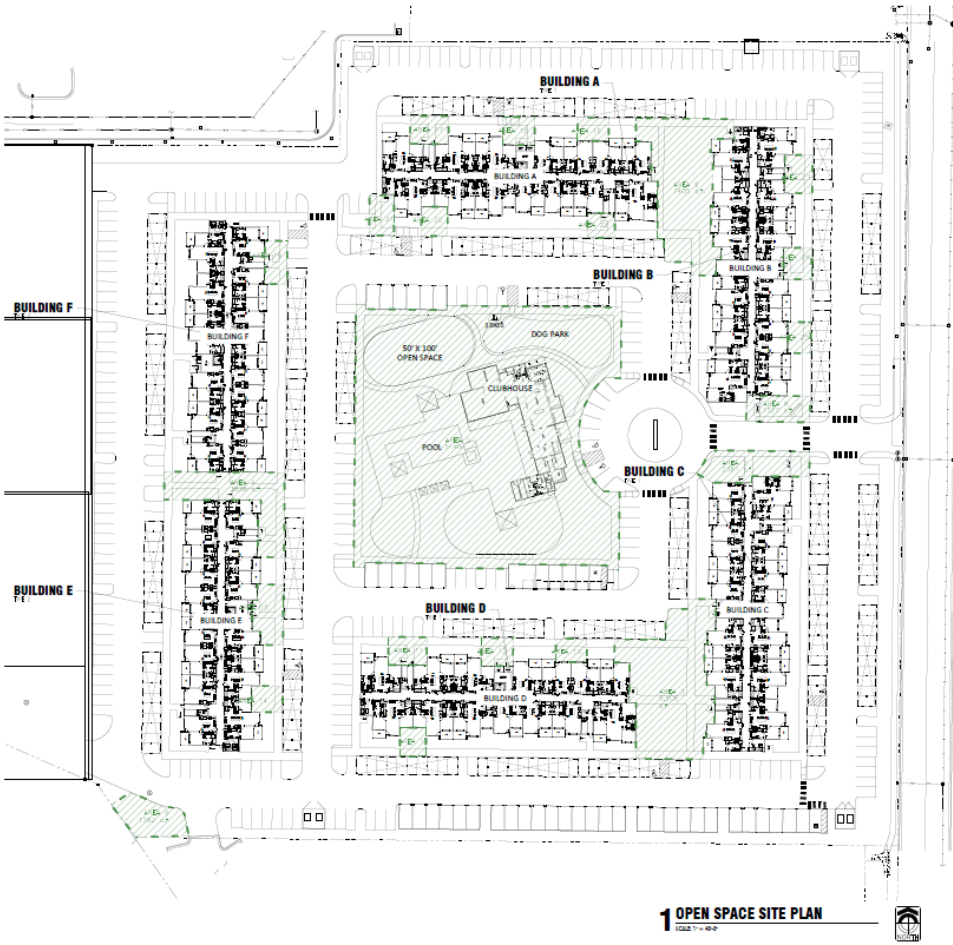
**km**  
 KIMBERLY M. KIMMEL, INC.  
 800 WEST STATE STREET  
 SUITE 200-1000  
 MERIDIAN, ID 83402  
 PHONE 208-261-4488  
 WWW.KMID.COM

DESIGN BY: KMM  
 CHECKED BY: KMM  
 DATE: 08/27/21  
 PROJECT: 21-001  
 SHEET NO. 1 of 5



# EXHIBIT A

## C. Open Space Exhibit (dated: 10/15/2021)



1 OPEN SPACE SITE PLAN

### OPEN SPACE EAGLE ROAD

MERIDIAN, IDAHO



OPEN SPACE PROVIDED

NET USE	NET SQUARE FEET	OPEN SPACE REQD (SQ FT)
AREA REQD	< 3000	0
3000 - 4000	100	100
4000 - 5000	100	200
5000 - 6000	100	300
6000 - 7000	100	400
7000 - 8000	100	500
8000 - 9000	100	600
9000 - 10000	100	700
10000 - 11000	100	800
11000 - 12000	100	900
12000 - 13000	100	1000
13000 - 14000	100	1100
14000 - 15000	100	1200
15000 - 16000	100	1300
16000 - 17000	100	1400
17000 - 18000	100	1500
18000 - 19000	100	1600
19000 - 20000	100	1700
20000 - 21000	100	1800
21000 - 22000	100	1900
22000 - 23000	100	2000
23000 - 24000	100	2100
24000 - 25000	100	2200
25000 - 26000	100	2300
26000 - 27000	100	2400
27000 - 28000	100	2500
28000 - 29000	100	2600
29000 - 30000	100	2700
30000 - 31000	100	2800
31000 - 32000	100	2900
32000 - 33000	100	3000
33000 - 34000	100	3100
34000 - 35000	100	3200
35000 - 36000	100	3300
36000 - 37000	100	3400
37000 - 38000	100	3500
38000 - 39000	100	3600
39000 - 40000	100	3700
40000 - 41000	100	3800
41000 - 42000	100	3900
42000 - 43000	100	4000
43000 - 44000	100	4100
44000 - 45000	100	4200
45000 - 46000	100	4300
46000 - 47000	100	4400
47000 - 48000	100	4500
48000 - 49000	100	4600
49000 - 50000	100	4700
50000 - 51000	100	4800
51000 - 52000	100	4900
52000 - 53000	100	5000
53000 - 54000	100	5100
54000 - 55000	100	5200
55000 - 56000	100	5300
56000 - 57000	100	5400
57000 - 58000	100	5500
58000 - 59000	100	5600
59000 - 60000	100	5700
60000 - 61000	100	5800
61000 - 62000	100	5900
62000 - 63000	100	6000
63000 - 64000	100	6100
64000 - 65000	100	6200
65000 - 66000	100	6300
66000 - 67000	100	6400
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69000 - 70000	100	6700
70000 - 71000	100	6800
71000 - 72000	100	6900
72000 - 73000	100	7000
73000 - 74000	100	7100
74000 - 75000	100	7200
75000 - 76000	100	7300
76000 - 77000	100	7400
77000 - 78000	100	7500
78000 - 79000	100	7600
79000 - 80000	100	7700
80000 - 81000	100	7800
81000 - 82000	100	7900
82000 - 83000	100	8000
83000 - 84000	100	8100
84000 - 85000	100	8200
85000 - 86000	100	8300
86000 - 87000	100	8400
87000 - 88000	100	8500
88000 - 89000	100	8600
89000 - 90000	100	8700
90000 - 91000	100	8800
91000 - 92000	100	8900
92000 - 93000	100	9000
93000 - 94000	100	9100
94000 - 95000	100	9200
95000 - 96000	100	9300
96000 - 97000	100	9400
97000 - 98000	100	9500
98000 - 99000	100	9600
99000 - 100000	100	9700
TOTAL		60,000

OPEN SPACE PROVIDED

AREA 1:	84
AREA 2:	8400 SF
AREA 3:	2500 SF
AREA 4:	51465 SF
AREA 5:	1100 SF
AREA 6:	2381 SF
AREA 7:	1100 SF
AREA 8:	7400 SF
AREA 9:	2400 SF
AREA 10:	800 SF
AREA 11:	700 SF
AREA 12:	800 SF
AREA 13:	600 SF
AREA 14:	1100 SF
AREA 15:	700 SF
AREA 16:	800 SF
AREA 17:	800 SF
AREA 18:	800 SF
AREA 19:	800 SF
AREA 20:	800 SF
AREA 21:	800 SF
AREA 22:	800 SF
AREA 23:	800 SF
AREA 24:	800 SF
AREA 25:	800 SF
TOTAL	84,001 SF (LARGEST OF MORE THAN REQUIRED)

TOTAL: 84,001 SF (LARGEST OF MORE THAN REQUIRED)  
 TOTAL SPACE AS A PERCENTAGE OF TOTAL SITE: 18%  
 NOTE: ALL OPEN SPACES ARE GREATER THAN 400 SF, AND HAVE MINIMUM LENGTHS AND WIDTHS OF 20 FEET.

PROJECT  
**VILLAGE APARTMENTS**  
 EAGLE ROAD  
 MERIDIAN, IDAHO

DATE: 10/15/21  
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 DATE: OCTOBER 15, 2021  
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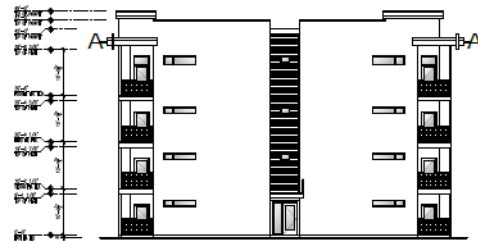
**A1.0**  
 OPEN SPACE EXHIBIT

# EXHIBIT A

## D. Proposed Conceptual Building Elevation



**TYPICAL SIDE ELEVATION**  
SCALE 3/32" = 1'-0"



**TYPICAL END ELEVATION**  
SCALE 3/32" = 1'-0"



PROJECT  
**VILLAGE APARTMENTS**  
 EAGLE ROAD  
 MERIDIAN, IDAHO

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SHEET  
**A5.0**  
 EXTERIOR ELEVATIONS

## EXHIBIT A

### VIII. CITY/AGENCY COMMENTS & CONDITIONS

#### A. PLANNING

1. All future development shall comply with the provisions in the existing Development Agreement (MDA-15-012 [DA Inst. #[2017-121321](#)]) and the site plan, open space exhibit, amenities, submitted with this application and with the associated conditions of approval contained herein.
2. The site/landscape plan submitted with the Certificate of Zoning Compliance application shall include the following:
  - a. Demonstrate compliance with the specific use standards listed in UDC [11-4-3-27](#) Multi-Family Development, including but not limited to the following:
    - (1) All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be depicted on the plan and be located in areas not visible from a public street, or shall be fully screened from view from a public street as set forth in UDC 11-4-3-27B.2.
    - (2) Depict the location of the property management office, maintenance storage area, a central mailbox location (including provisions for parcel mail) that provide safe pedestrian and/or vehicle access, and a directory and map of the development at an entrance or convenient location for those entering the development.
    - (3) Depict landscaping along the foundations of all street facing elevations as set forth in UDC 11-4-3-27E.2, as follows: the landscaped area shall be at least 3-foot wide and have an evergreen shrub with a minimum mature height of 24 inches for every 3 linear feet of foundation. The remainder of the area shall be landscaped with ground cover plants.
  - b. Depict children's play equipment in the central common area.
  - c. Include a details for the children's play equipment ~~and gazebos~~.
  - d. Depict a 20-foot wide street buffer along N. Records Ave., measured from the back of curb, landscaped per the standards listed in UDC [11-3B-7C](#).
  - e. Depict all proposed storm drainage facilities; landscaping shall comply with the standards listed in UDC [11-3B-11C](#).
  - f. Include a calculations table that demonstrates compliance with the landscape standards listed in UDC [11-3B-7C](#) (street buffer), [11-3B-8C](#) (parking lot), [11-3B-12C](#) (pathway), and [11-3G-3E](#) (common open space).
3. Submit floor plans for the units with the Certificate of Zoning Compliance application that demonstrate compliance with the private usable open space requirements in UDC 11-4-3-27B.3 (a minimum of 80 square feet is required for each unit).
4. The Milk Lateral shall be piped as set forth in the existing Development Agreement (Inst. #[2017-121321](#)) in accord with UDC 11-3A-6B. If not already piped, if the Finch Lateral lies on this site it shall also be piped in accord with UDC [11-3A-6B](#) unless used as a water amenity or linear open space as defined in UDC 11-1A-1.
5. The development is required to record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in

## EXHIBIT A

UDC 11-4-3-27F; submit a copy of this recorded document to the Planning Division with the first Certificate of Zoning Compliance application.

6. A cross-access/ingress-egress easement shall be granted to the properties to the west (Parcel #S1104233650) and to the south (Parcel #R0748300210) in the locations where driveways are depicted on the site plan; a recorded copy of these easements shall be submitted with the Certificate of Zoning Compliance application for this development.
7. Wayfinding signage and clear addressing shall be provided on buildings for emergency responders. Coordinate with Joe Bongiorno, Fire Dept. and Terri Ricks, Land Development.
8. Coordinate with the Police Dept. on emergency access to the secured buildings.
9. A Certificate of Zoning Compliance (CZC) application shall be submitted and approved for the proposed use prior to submittal of a building permit application. An Administrative Design Review application shall be submitted concurrently with the CZC application to ensure consistency with the standards in the Architectural Standards Manual.

### B. PUBLIC WORKS

#### SITE SPECIFIC CONDITIONS

1. No water or sewer infrastructure was shown with this record. Any new water or sewer infrastructure must be reviewed by Public Works.
2. Water must be connected to North Records Ave to the east.

#### GENERAL CONDITIONS

3. 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.
4. 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.
5. 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. 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.
6. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
7. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.

## EXHIBIT A

8. 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.
9. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
10. 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.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. 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.

## EXHIBIT A

### IX. FINDINGS

#### Conditional Use (UDC 11-5B-6)

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

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

*The Commission finds the site is large enough to accommodate the proposed development and meet all dimensional and development regulations of the C-G zoning district.*

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

*The Commission finds the proposed use will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.*

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

*The Commission finds the design, construction, operation and maintenance of the proposed use should be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the area.*

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

*The Commission finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII of this report.*

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

*The Commission finds the proposed use will be served by essential public facilities and services as required.*

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

*The Commission finds the proposed use will not create additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.*

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*The Commission finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.*

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*The Commission finds the proposed use will not result in the destruction, loss or damage of any such features.*

9. Additional findings for the alteration or extension of a nonconforming use:

**EXHIBIT A**

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

*This finding is not applicable.*

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

*This finding is not applicable.*



## AGENDA ITEM

**ITEM TOPIC:** Resolution No. PZ-21-07: A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the Urban Renewal Plan for the Linder District Urban Renewal Project with the City of Meridian's Comprehensive Plan





## City Council Members:

Treg Bernt  
Joe Borton  
Luke Cavener

Brad Hoaglun  
Jessica Perreault  
Liz Strader

October 26, 2021

### MEMORANDUM

**TO:** Mayor Robert Simison  
Meridian City Council  
Meridian Planning & Zoning Commission

**CC:** David Miles, Chief of Staff  
Cameron Arial, Community Development Director  
Victoria Cleary, Economic Development Administrator  
Caleb Hood, Planning Division Manager

**FROM:** Brian McClure, Comprehensive Associate Planner

**RE:** Urban Renewal Plan for the Linder District Urban Renewal Project

---

This memo is intended to provide Comprehensive Plan related analysis for the proposed Urban Renewal Plan for the Linder District Urban Renewal Project (Linder District). The Linder District operates within the framework provided by State statute related to general Urban Renewal, and is intended to spur private investment and development enabling further implementation of the City's adopted Comprehensive Plan and Ten Mile Interchange Specific Area Plan (Ten Mile SAP).

The implementation strategies and goals of the Linder District, which are well defined, describe projects and activities aimed to "eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, to increase connectivity and transit options, and to grow the economy and employment opportunities in the Project Area, while recognizing the importance of high design as set forth in the Ten Mile SAP." The three primary projects described include: support developing the Linder Overpass Project; support developing the Local Road Project; and support developing the Sewer Main Project. The Linder District also includes several other activities, some of which include: support developing other infrastructure, such as stormwater; supporting

public-private-partnerships; site demolition and cleanup including addressing environmental quality; and other financial assistance for business.

**All of the described projects are intended to directly implement the Ten Mile SAP. None of the other listed activities are inconsistent with the Comprehensive Plan,** and all of them may help to achieve the desired vision with future activities and development within the district boundaries.

## Recommendation

Based on the outlined activities in the Linder District, Staff believes establishing an Urban Renewal District Plan in this area of town may be an effective tool in implementing the City of Meridian Comprehensive Plan and Ten Mile Interchange SAP. **Accordingly, Staff recommends that the Commission move to approve the associated Resolution identifying the proposed Linder District as conforming to the City of Meridian's Comprehensive Plan.**

## General Comprehensive Plan Analysis

While the Linder District is limited in scope outside of the three projects, the following text describes general applicable policies that should be considered with future activities and development of the urban renewal district area. This analysis is in consideration of future needs, concerns, and activities, and how the Linder District may fit within this context, but not of the proposed plan itself. Application of the City's Comprehensive Plan (Comp Plan) to the proposed district area (see Attachment A) is very relevant. Most every major theme (chapter) in the Comp Plan ranging from economic development and land use to transportation contain policies that are directly applicable. Additionally, the Comp Plan adopts other documents by reference, for inclusion in consideration of land use decisions and to direct staff activities.

The future land use designations, policies, and Ten Mile SAP adopted by reference in the Comprehensive Plan, should be considered with all future Urban Renewal Agency, City of Meridian, and private development activity whenever applicable. The following analysis describes the associated text, policies, and referenced plans.

*Note: The Ten Mile SAP has its own future land use designations; see the General Ten Mile Interchange Analysis section for those descriptions.*

## Plan Text

### *General Compliance:*

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With the Linder District entirely integrated within the existing boundaries of a specific area plan, expectations are clearly described. Aside from being listed as adopted by reference in the beginning of the Comprehensive Plan, the primary text referencing the Ten Mile SAP is in the Evolving section (Chapter 3). This section of text states,

*The City developed a specific plan for approximately 2,800 acres bordered (roughly) by Linder Road to the east; McDermott Road to the west; the Union Pacific Railroad line to the north and ½ mile south of Overland Road on the south. The specific area plan is an*

*addendum to this Comprehensive Plan and places an emphasis on a mix of uses, both residential and commercial; new employment areas; higher density residential; a planned collector road network and design guidelines.*

The Linder District indicates a strong correlation to the Ten Mile SAP in the Introduction section, and which states,

*In this case, pursuant to the Ten Mile SAP, and the City's Future Land Use Map, development within the Project Area will be focused on a diverse employment center, including office, research facilities and light industrial opportunities, which can include start-ups to regional/national enterprises. A portion of the Project Area contemplates mixed-use commercial, which focuses on increased commercial and employment, and some residential uses. All intended development scenarios will focus on transportation connectivity for all types of users (vehicle traffic, pedestrian and bicycle uses), as well as ensuring open space amenities, such as pathways, plazas, and other urban amenities that will fit into the overall area designs and support a strong employment base.*

### Plan Policies

The following text relates to the policies found throughout the major themes in the Comprehensive Plan (Chapters 2 through 6). Additional context for these policies can be found in the Related Policies section (see Attachment B), which includes parent Goals and Objectives, for the referenced policies. The first number of a policy ID references the Chapter.

- 2.06.02B, Pursue public-private partnerships and economic development grants that bring additional job opportunities to the community.

*The Linder District will provide an additional funding mechanism which may be used in public-private partnerships, and for the specific purpose of furthering the Ten Mile SAP vision. Not just development that increases the tax levy, but local jobs paying family-wages that further the local economy long-after entitlements are gained and a new building is constructed.*

- 2.09.03B, Promote Ten Mile, Downtown, and The Village as centers of activity and growth.

*The Linder District seeks to encourage development of the Ten Mile area by addressing infrastructure deficiencies in support of employment opportunities needed for the local and citywide job base.*

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

*The City has land use authority over the project area and urban infrastructure will be required with all redevelopment. Further, the Linder District calls out specific implementation projects to support new development with local and regional improvements that are needed to support community benefit. An overpass will enhance life-safety through improved emergency response efficiencies, and greatly improve stakeholder access to*

*services and jobs. Local roadway and utility infrastructure improvements will increase opportunities for new jobs and services.*

- 4.05.01E, Assess environmental impact of potential new development, infill, and redevelopment.

*The Linder District includes addressing environmental quality and remediation as participating activities. Outside of floodplain impacts however, which do not exist in the project area, the City does not have much in the way of requirements towards this end.*

- 6.01.02D, Consider needed sidewalk, pathway, landscaping, and lighting improvements with all land use decisions.

*The City has land use authority over the project area and redevelopment will be required to provide infrastructure. The Linder District specifically references all of these elements as projects for implementation.*

### Referenced Plans

The following plans are adopted by reference in the City of Meridian Comprehensive Plan, and are relevant material to the proposed Gateway Plan.

- Ten Mile Interchange Specific Area Plan

*This was the City's first and only specific area plan. Where Destination Downtown and other subarea plans have stayed within the realm of vision, or worked exclusively within the realm of existing land uses and other citywide standards, the Ten Mile SAP addresses local context both through land use and transportation. The plan has a number of vision and goal statements, but what perhaps describes the reason for the plan, is its statement on The Use of a Limited Resource. This states,*

*...the Ten Mile Interchange Area has a number of unique and highly desirable attributes that make the land in the area a key resource for the City of Meridian's future. **Meridian has one area left within its Area of Impact with the access and visibility this area offers. The area is a key to Meridian's long term prosperity.** Meridian is the next community in the Treasure Valley to run out of land for future development. Hemmed in by Boise and Garden City to the east and northeast, Eagle to the north, Nampa to the west, and Kuna to the south, Meridian has a limited land base with which to secure its future.*

*Another guiding element of the Ten Mile SAP, the mission, provides the following context,*

*In the Ten Mile Interchange Area, the mission is to create a place that will add to the long-term economic stability of the City of Meridian, not just respond to immediate market forces and trends. To achieve the economic development vision for Meridian as a place that is "Built for Business and Designed for Living," the Ten Mile Interchange Specific Area Plan promotes a complete and integrated mix of uses that will create a place where people can live, work and raise a family.*

*The Ten Mile SAP represents the integration of transportation and land use through a framework defined by location. Freeway visibility creates new opportunities for long-term economic resiliency through a diversity of employment opportunities, and that is purposefully*

*considerate of jobs-housing, accessibility, and the intentional buildout of commensurate land uses.*

- **Ada County Highway District Master Street Map**

*The ACHD Master Street Map (MSM) is a key element of implementing the Ten Mile SAP. This MSM is part of a broader Transportation and Land Use Integration Plan, and which succinctly summarizes a core tenant of the Ten Mile SAP. Jobs and housing balance, mix, transition, and access are critical in preserving quality of life and ensuring opportunities for economic development. The wrong use or the right use in the wrong location could undermine this effort. The MSM has been updated to include all arterial and collector roadways shown in the Ten Mile SAP, including references and support for identified cross-section and intersection treatments.*

All of these plans are available on the City's Comprehensive Plan website at: <https://meridiancity.org/planning/compplan/resources>.

## General Ten Mile Interchange SAP Analysis

### Future Land Use

#### *Mixed Employment, which states:*

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*The purpose of the Mixed Employment areas is to encourage a diversity of compatible land uses that may include a mixture of office, research and specialized employment areas, light industrial including manufacturing and assembly, and other miscellaneous uses. These areas generally do not include retail and consumer service uses serving the wider community. However, a small amount of retail and service establishments, primarily serving employees and users of the Mixed Employment areas or nearby industrial areas, are allowed. Such retail would be the exception and not the rule.*

*Mixed Employment areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises. Mixed Employment areas should be designed to encourage multimodal travel and convenient circulation to supporting uses located within the area. This would include multiple access points to help disperse traffic, and a complete system of streets, sidewalks and pedestrian and bicycle paths*

*to provide circulation within the area and connections to the surrounding roadway, pedestrian and trail systems.*

*Mixed Employment areas should be designed as lower density suburban-style developments. Design and development standards are recommended that would help to make developments more attractive, engaging and accessible places.*

*While there are no fixed limits on size of establishment or development intensity in Mixed Employment areas, it is anticipated that buildings will range in height from 1-4 stories, have total floor areas of 10,000-1,000,000 square feet, and that FAR will exceed .75.*

#### ***Land Use Types in Mixed Employment Areas***

- *Corporate and business offices*
- *Research facilities and laboratories*
- *Light Industrial uses including manufacturing and assembly*
- *Occasional, complementary uses which focus on serving area employees and users, such as business services, child care, and convenience retail*

The bulk of the future land use designation for the Linder District is Mixed Employment. This is a hybrid designation intended primarily to support the local job base. The designation usually functions as a transitional land use nearer to residential, and separating other more intense employment areas that are incompatible with local residential uses. The local roadway network is essential in distributing traffic away from arterial roadways.

In the context of the Linder District, uses should seek to maximize freeway visibility by realizing increased FAR and higher job to acre ratios. The purpose is in providing for employment opportunities near to significant residential developments, and to limit trip generation and distance. The employment focus is on the creation of goods and ideas, and those jobs that pay a higher wage to more people.

#### ***Mixed Use Commercial, which states:***

---

*The purpose of the Mixed Use Commercial designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multifamily or single family attached residential uses. While the focus of these areas is on commercial and employment uses, the horizontal and vertical integration of residential uses is essential to securing entitlements. As with all mixed use areas, this designation requires developments to integrate the three major use categories—residential, commercial, and employment. In Mixed Use Commercial areas three or more significant uses also tend to be larger scale projects. This designation is intended to provide flexibility and encourage developers to build innovative projects.*

*Traditional neighborhood design concepts with a strong pedestrian-oriented focus are essential. The goal in these areas is to achieve a FAR of 1.00- 1.25 or more. Development within these areas exhibit quality building and site design and an attractive pedestrian environment with a strong street character. The mix of residential uses may be achieved vertically within buildings; however, some horizontal mixes may be allowed. Where existing parcel sizes are small, development plans should be prepared in collaboration with the adjacent property owners in order to establish an integrated mixed use project across*

*several parcels. This land use designation calls for an overall target density of 8-12 dwelling units per acre, with higher densities allowed on individual projects. No more than 30 percent of the ground level development within the Mixed Use Commercial designation should be used for residences.*

There is very little mixed use commercial within the project area. Most of this designation within the Ten Mile SAP falls to the south, or north across I-84 and Ten Mile Road. As stated, the focus of Mixed Use Commercial is commercial and employment uses, but some supporting residential is allowed. The previously entitled land (application H-2021-0014) within the Linder District, on the north-west corner of Linder and Overland, includes an employment area with supporting commercial uses. This project incorporates a north-south public street connection across Overland at Spanish Sun Way, and then heading west which will eventually connect into Tasa Drive.

### Transportation

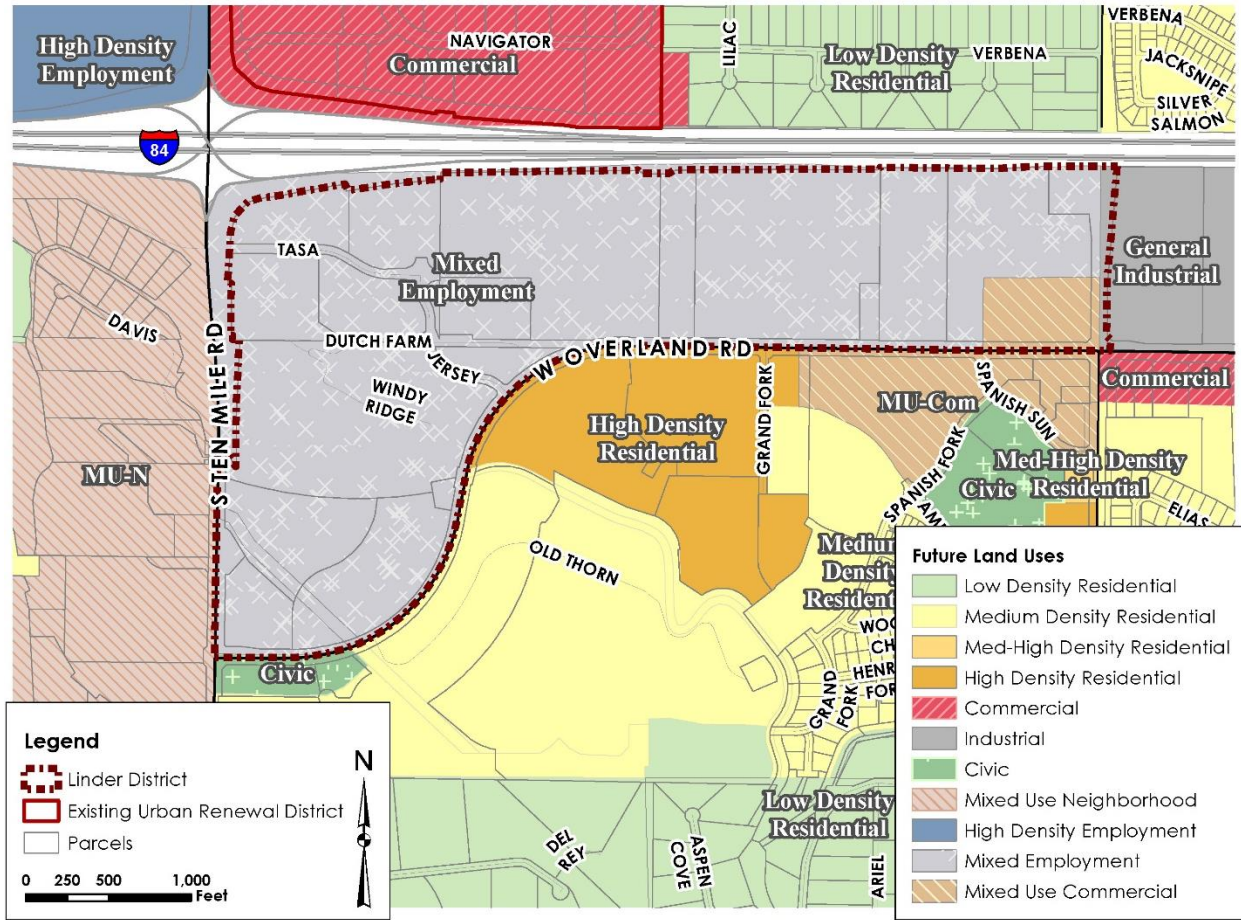
The transportation element of the Ten Mile SAP is essential. The interconnectivity and balance of residential and employment uses is critical to the proposed street network presented. Within the Linder District, Tasa Drive is expected to be connected on the west near the roundabout at Jersey Way, and east towards a planned northward extension of Spanish Sun Way (see Attachment C). This will limit impacts to Overland Road, by providing safe and consistent access to future development in the area. The exact alignment of this road may vary, but the beginning and ending points have already been set. The Linder District identifies this local roadway as a project that tax increment financing could support.

Complete streets are also important to the Ten Mile SAP, with sidewalk, bike lanes (or equivalent), refuge medians, and other landscape and street furnishings being required.

### Building Form and Character

The Ten Mile SAP identifies what is the equivalent of a blend between traditional zoning and form based code, as the basis for development and building development. The City's Architectural Standards Manual is the presiding document for design review, but entitlements should consider and set the stage for future design review activities within development agreements. Consideration for floor area ratio (FAR), building form, and described design principles such as "Base, Body, and Top" should not be forgotten.

# Attachment A: Linder District (Urban Renewal District)



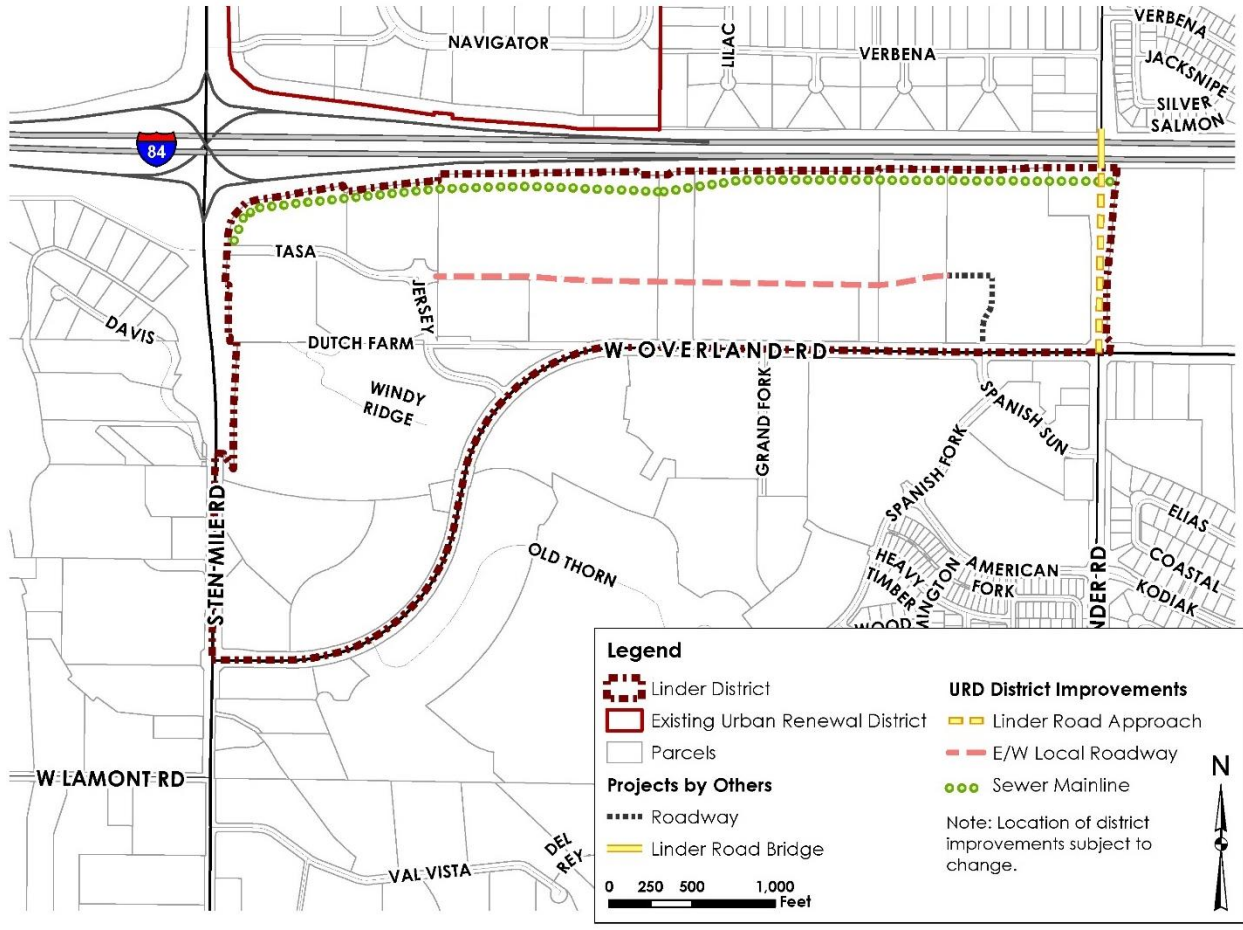


## Attachment B: Related Policies

The policies below are from the City of Meridian Comprehensive Plan. For policy type: G = Goal; O = Objective, and A = Action. Goals and Objectives are shown with referenced actions for additional context, along with a referenced section.

ID	Policy Type	Policy	Section
<b>2.06.00</b>	<b>G</b>	<b>Enhance Meridian's economic vitality and position in the local and regional economy.</b>	<b>Economic Excellence</b>
2.06.02	O	Support economic opportunities for a community with diverse income levels.	Economic Excellence
2.06.02B	A	Pursue public-private partnerships and economic development grants that bring additional job opportunities to the community.	Economic Excellence
<b>2.09.00</b>	<b>G</b>	<b>Create positive, vibrant, and accessible commercial activity centers within the community.</b>	<b>Economic Excellence</b>
2.09.03	O	<i>Cultivate unique and diverse destination-type activities within Meridian's centers.</i>	<i>Economic Excellence</i>
2.09.03B	A	<i>Promote Ten Mile, Downtown, and The Village as centers of activity and growth.</i>	<i>Economic Excellence</i>
3.03.00	G	<i>Direct and prioritize development in strategic areas and in accordance with corridor and special area plans.</i>	<i>Growth and Population</i>
3.03.01	O	<i>Plan for an appropriate land use mix, recreational and civic facilities, and phased service extension within specific area plans and urban renewal districts.</i>	<i>Growth and Population</i>
3.03.03G	A	<i>Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.</i>	<i>Growth and Population</i>
<b>4.05.00</b>	<b>G</b>	<b>Preserve, protect, enhance, and wisely use natural resources.</b>	<b>Stewardship</b>
4.05.01	O	Protect and enhance existing waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.	Stewardship
4.05.01E	A	<i>Assess environmental impact of potential new development, infill, and redevelopment.</i>	<i>Stewardship</i>
<b>6.01.00</b>	<b>G</b>	<b>Facilitate the efficient movement of people and products to and from the City.</b>	<b>Transportation and Streets</b>
6.01.02	O	Enhance existing transportation systems.	Transportation and Streets
6.01.02D	A	<i>Consider needed sidewalk, pathway, landscaping, and lighting improvements with all land use decisions.</i>	<i>Transportation and Streets</i>

# Attachment C: Urban Renewal District Projects



**CITY OF MERIDIAN****BY THE PLANNING AND  
ZONING COMMISSION****A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY  
OF MERIDIAN, IDAHO, VALIDATING CONFORMITY OF THE URBAN RENEWAL  
PLAN FOR THE LINDER DISTRICT URBAN RENEWAL PROJECT WITH THE  
CITY OF MERIDIAN'S COMPREHENSIVE PLAN**

WHEREAS, the Urban Renewal Agency of the City of Meridian (the "City"), Idaho, also known as Meridian Development Corporation (hereinafter "MDC"), the duly constituted and authorized urban renewal agency of the City, has submitted the proposed Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to the City; and

WHEREAS, the Mayor and Meridian City Council referred the Linder District Plan to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said Linder District Plan with the City's Comprehensive Plan, as amended (the "Comprehensive Plan"); and

WHEREAS, on November 4, 2021, the City Planning and Zoning Commission met to consider whether the Linder District Plan conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said Linder District Plan in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Linder District Plan is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF MERIDIAN, IDAHO:

Section 1. That the Linder District Plan, submitted by MDC and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That Exhibit A, the memorandum from Brian McClure, Comprehensive Associate Planner dated October 26, 2021, outlining the analysis supporting the determination that the Linder District Plan is in conformity with the City's Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the City Clerk is hereby authorized and directed to provide the Mayor and Meridian City Council with a signed copy of this Resolution relating to said Linder District Plan.

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

**ADOPTED** by the Planning and Zoning Commission of the City of Meridian, Idaho, this 4th day of November 2021.

<b>APPROVED:</b>  _____ Chair, Planning and Zoning Commission	<b>ATTEST:</b>  _____ City Clerk
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**URBAN RENEWAL PLAN FOR THE  
LINDER DISTRICT URBAN RENEWAL PROJECT**

**MERIDIAN URBAN RENEWAL AGENCY  
(also known as Meridian Development Corporation)**

**CITY OF MERIDIAN, IDAHO**

**Ordinance No. \_\_\_\_\_  
Adopted \_\_\_\_\_  
Effective \_\_\_\_\_**

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**Attachments**

- Attachment 1      Boundary Map of Linder District Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2      Legal Description of Linder District Urban Renewal Project Area and Revenue Allocation Area
- Attachment 3      Private Properties Which May be Acquired by the Agency
- Attachment 4      Map Depicting Expected Land Use and Current Zoning Map of the Project Area
- Attachment 5      Economic Feasibility Study
- Attachment 6      Agricultural Operation Consents
- Attachment 7      Ada County Board of County Commissioners Resolution No. 2676 (eligibility)
- Attachment 8      Ada County Board of County Commissioners Ordinance No. \_\_\_\_\_ (Intergovernmental Agreement and Transfer of Powers Ordinance)
- Attachment 9      City Council Resolution No. \_\_\_\_\_ (Intergovernmental Agreement)



## 100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Linder District Urban Renewal Project (the “Project”) in the City of Meridian (the “City”), county of Ada, state of Idaho. Attachments 1 through 9 attached hereto (collectively, the “Plan Attachments”) are incorporated herein and shall be considered a part of this Plan.

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code Sections 50-2018(10) and 50-2903(13) for the various activities contemplated by the term “Project.” Such activities include both private and public development of property within the urban renewal area. The Linder District Project Area is also referred to as the “Project Area” or the “Revenue Allocation Area.”

This Plan was prepared by the Board of Commissioners (the “Agency Board”) of the Meridian Urban Renewal Agency, also known as Meridian Development Corporation (the “Agency” or “MDC”), consultants, and staff, and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable local laws and ordinances.

Idaho Code Section 50-2905 identifies what information the Plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
- (3) An economic feasibility study;
- (4) A detailed list of estimated project costs;
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
- (7) A termination date for the plan and the revenue allocation area as provided for in Section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar

year following the last year of the revenue allocation provision described in the urban renewal plan; and

- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.

This Plan includes the above information with specificity.

The Project Area includes parcels within the City limits, as well as parcels outside of the City limits and within unincorporated Ada County. Pursuant to Idaho Code Sections 50-2018(18) and 50-2906(1), the Ada County Board of County Commissioners has deemed the Project Area eligible for an urban renewal project (Attachment 7). Further, for purposes of implementing this Plan, the Ada County Board of County Commissioners entered into an intergovernmental agreement and adopted a transfer of powers ordinance (Attachment 8). The City and County intend for the Project Area to be fully annexed into the City prior to or simultaneous with development of the Project Area.

The proposed development and redevelopment of the Project Area as described in this Plan conforms to the City of Meridian Comprehensive Plan (the “Comprehensive Plan”), adopted by the Meridian City Council (the “City Council”) on December 17, 2019, by Resolution No. 19-2179. The Agency intends to rely heavily on any applicable City zoning and design standards.<sup>1</sup> This Plan also conforms to and supports the design and planning goals set forth in the Ten Mile Interchange Specific Area Plan: A Strategy to Enhance Meridian’s Prosperity, adopted June 2007 (the “Ten Mile SAP”), which is a vision plan for the long-term future of the development of the area in and around the Ten Mile Interchange, which seeks to become a mixed-use employment and commercial center. As one of the last open land areas to support the development goals of the City, particular attention will be paid to proposed developments within the Project Area to confirm such projects are meeting the City’s overall goals set forth in the Ten Mile SAP.

**This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code Section 50-2903A. Subject to limited exceptions as set forth in Idaho Code Section 50-2903A, if this Plan is modified by City Council ordinance, then the base value for the year immediately following the year in which modification occurs shall include the current year’s equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency’s revenue stream.**

**A modification shall not be deemed to occur when “[t]here is a plan amendment to make technical or ministerial changes to a plan that does not involve an increase in the use of revenues allocated to the agency.” Idaho Code § 50-2903A(1)(a)(i). Annual adjustments**

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<sup>1</sup> As the Project Area will ultimately be annexed into the City prior to development, the City’s Comprehensive Plan will guide development as addressed in the intergovernmental agreement between the City and the County.

**as more specifically set forth in the Agency's annual budget will be required to account for more/less estimated revenue and project timing, including prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not modifications under Idaho Code Section 50-2903A.**

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the development, redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. This Plan presents a process and a basic framework within which plan implementation, including contracts, agreements and ancillary documents will be presented and by which tools are provided to the Agency to fashion, develop, and proceed with plan implementation. The Plan has balanced the need for flexibility over the twenty (20)-year timeframe of the Plan to implement the improvements identified in Attachment 5, with the need for specificity as required by Idaho Code Section 50-2905. The Plan narrative addresses the required elements of a plan set forth in Idaho Code Section 50-2905(1), (2), (5), (7) and (8). Attachment 5, together with the Plan narrative, meet the specificity requirement for the required plan elements set forth in Idaho Code Section 50-2905(2)-(6), recognizing that actual Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful development and redevelopment of the Project Area. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment. In this case, pursuant to the Ten Mile SAP, and the City's Future Land Use Map, development within the Project Area will be focused on a diverse employment center, including office, research facilities and light industrial opportunities, which can include start-ups to regional/national enterprises. A portion of the Project Area contemplates mixed-use commercial, which focuses on increased commercial and employment, and some residential uses. All intended development scenarios will focus on transportation connectivity for all types of users (vehicle traffic, pedestrian and bicycle uses), as well as ensuring open space amenities, such as pathways, plazas, and other urban amenities that will fit into the overall area designs and support a strong employment base.

The purpose of the Law and Act will be attained through the implementation of the Plan. The master goals of this Plan are:

- a. To support the planning, design, and construction of a new Linder overpass site, focusing on the funding participation with the Ada County Highway District and others on the southern approach to the overpass bridge;
- b. The installation and construction of a new local roadway to provide additional east-west connectivity north of Overland Road, which would minimize impacts to Overland Road between S. Linder Road and S. Ten Mile Road, and related intersection improvements, including the installation of traffic control measures,

including traffic signals; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term “streetscapes” includes sidewalks, lighting, landscaping, benches, bike racks, wayfinding, public art and similar amenities between the curb and right of way line; and installation of storm drainage facilities;

- c. The installation and construction of a new sewer main extension proposed to be located south of and parallel to Interstate 84, which is necessary to serve more than sixty (60%) percent of the Project Area. Installation of this public infrastructure would allow the Project Area to develop consistent with the Ten Mile SAP and the Future Land Use Map;
- d. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, and other site conditions to incent new mixed-use employment and commercial centers as identified in the Ten Mile SAP and the Future Land Use Map;
- e. The strengthening of the economic base of the Project Area and the community by the installation of needed public improvements to stimulate new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities;
- f. The provision of adequate land for open space, plazas, and pedestrian rights-of-way, to promote the goals set forth in the Ten Mile SAP;
- g. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including achieving high standards of development, and leveraging such development to achieve public objectives as set forth in the Ten Mile SAP and efficient use of scarce resources;
- h. The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Project Area as a whole and benefiting the various taxing districts in which the urban renewal area is located;
- i. The acquisition of real property as may be necessary consistent with the Law and Act to support right-of-way and utility improvements, particularly, the southern approach to the proposed Linder overpass bridge; and
- j. The funding of necessary public infrastructure to accommodate both public and private development.

**101 General Procedures of the Agency**

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. Under the Law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-1076, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency.

Subject to limited exceptions, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision.

The Agency may adopt separate policy statements. Any modification to any policy statement is a technical or ministerial adjustment and is not a modification to this Plan under Idaho Code § 50-2903A.

**102 Procedures Necessary to Meet State and Local Requirements: Conformance with Idaho Code Sections 50-2008 and 50-2906**

Idaho law requires that the City Council, by resolution, must determine a geographic area be a deteriorated area or a deteriorating area, or a combination thereof, and designate such area as appropriate for an urban renewal project prior to preparation of an urban renewal plan. A consultant was retained to study a proposed project area (the “Study Area”) and prepare an eligibility report. The Study Area included parcels located within the City limits as well as outside the boundaries of the City and within unincorporated Ada County. The Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Report”), was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. 21-024 on May 26, 2021, and thereafter submitted the Report to the Ada County Board of County Commissioners and the City Council for their consideration.

As properties within the Study Area included parcels that were within the City limits as well as outside the boundaries of the City and within unincorporated Ada County, and in accordance with Idaho Code § 50-2018(18), the Ada County Board of County Commissioners considered adoption of a resolution finding the Study Area to be a deteriorated area and/or deteriorating area and finding a need for the urban renewal plan. On June 14, 2021, representatives of the City and the Agency presented the Report to the Ada County Board of County Commissioners. The Commissioners did not take action at that time, and the Agency was directed to obtain the agricultural operation consents from the property owners located within unincorporated Ada County prior to the Commissioners considering the adoption of a resolution.

Under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in

section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years.

Following transmittal of the Report to the Ada County Board of County Commissioners and the presentation of the Report, and based on ongoing discussions, it was determined the proposed Project Area would be smaller than the Study Area. Specifically, the parcels located north of Interstate 84 and west of Linder Road included within the Study Area boundary would not ultimately be included in any proposed urban renewal plan or project area boundary.

The necessary agricultural operation consents (attached hereto as Attachment 6), together with additional information concerning any proposed future project area boundary adjustments, was transmitted to the Ada County Board of County Commissioners to support consideration of the necessary resolution pursuant to Idaho Code § 50-2018(18). The Ada County Board of County Commissioners adopted the Agency’s findings concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021. A copy of Resolution No. 2676 is attached hereto as Attachment 7.

Thereafter, the Study Area was deemed by the City Council to be a deteriorating area and/or a deteriorated area and therefore eligible for an urban renewal project by adoption of Resolution No. 21-2289 on October 5, 2021. With the adoption of Resolution No. 21-2289, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed Linder District project area, and directed the Agency to commence preparation of an urban renewal plan.

In addition to the discussions occurring at several Ada County Board of County Commissioners, Ada County Highway District, City Council and Agency Board meetings in 2021, and the establishment of the Linder overpass task force, City staff met with property owners, taxing districts and other stakeholders regularly in an effort to provide an opportunity for all to weigh in on the scope of the Plan and Project Area.

The Plan was prepared and submitted to the Agency for its review and approval. The Agency approved the Plan by the adoption of Agency Resolution No. \_\_\_\_\_, on \_\_\_\_\_, and submitted the Plan to the Board of County Commissioners and the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City.<sup>2</sup> After consideration of the Plan, the Commission reported to the City Council that this Plan is in conformity with the City’s Comprehensive Plan.

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<sup>2</sup> It is anticipated the parcels currently located within the boundaries of unincorporated Ada County will be annexed into the City prior to development occurring on those parcels.

In accordance with the Law and the Act, the City Council and Ada County Board of County Commissioners entered into an intergovernmental agreement concerning the administration and implementation of the Plan and the Ada County Board of County Commissioners adopted a transfer of powers ordinance on \_\_\_\_\_, 2021, by Ordinance No. \_\_\_\_ (Attachment 8).

Pursuant to the Law and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in the *Idaho Press*, a newspaper having general circulation in the City. The City Council adopted this Plan on \_\_\_\_\_, \_\_\_\_\_, by Ordinance No. \_\_\_\_\_.

**103 History and Current Conditions of the Area**

This Project Area includes an estimated 171 acres (including right-of-way), and is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east. The Project Area includes parcels within the City limits, as well as parcels outside the City limits, within unincorporated Ada County. The Project Area is, or will be upon annexation into the City be, zoned for primarily commercial, industrial, and residential uses. The Project Area is fully within the boundaries of the Ten Mile SAP.

The Project Area represents an area of transition from historical agricultural uses to a proposed mix of residential, commercial, and industrial uses. The Ten Mile SAP refers to the current Future Land Use Map to support the desired development goals to support Mixed Employment and Mixed-Use Commercial Uses. A significant impediment to development is the extent of infrastructure necessary to develop the Project Area. The Report cites a number of deteriorating conditions existing within the Project Area, including age or obsolescence; predominance of defective or inadequate street layout; and faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting. Current infrastructure within the Project Area is not of a nature to support the high-density mixed-uses identified in the Ten Mile SAP. As a result, development potential within the Project Area is currently restricted. The impact of the lack of necessary capital facilities on growth in this area is evidenced by the significant growth occurring north of the Ten Mile Interchange, which has not yet been able to spur development south of Interstate 84. The majority of the Project Area lacks an internal street network to serve interior development creating connectivity issues. Further, existing parcel sizes appropriate for historic agricultural uses are not properly configured for the development patterns envisioned in the Ten Mile SAP. Extension of a sewer main is necessary in order to develop 60% of the Project Area consistent with uses contemplated in the Ten Mile SAP. In order to implement a broader transportation plan for the Project Area, an east-west local road is necessary to relieve some of the traffic burden from Overland Road in this area. Finally, for long-range planning in this area and to relieve congestion at the Ten Mile Interchange, a Linder Overpass is critical from a land use and transportation planning perspective. At this time, the Project Area lacks the public infrastructure necessary to properly serve economic development as contemplated by the City’s Comprehensive Plan and the Ten Mile SAP.

The Plan is limited in scope and proposes three (3) public infrastructure improvements within the Project Area to encourage development in this area to support Mixed Employment and Mixed-Use Commercial Uses: 1) to participate in the funding of a portion of the Linder Overpass, in partnership with the City, the Ada County Highway District and the Idaho Transportation Department, which participation would be limited to the southern approach to the overpass bridge and related real property acquisition (the “Linder Overpass Project”). The Linder Overpass Project is a priority; 2) the installation of a new sewer main extension south of and parallel to Interstate 84, and related real property acquisition (the “Sewer Main Project”); and 3) the design and construction of an east-west local road (including streetscape improvements and any traffic control measures) to aid in the overall transportation plan for the Project Area and related real property acquisition (the “Local Road Project”). These projects will aid in removing the development impediments in this Project Area and will create additional opportunities to work with private property owners and developers to develop this area in a way that is supportive of the goals set forth in the Ten Mile SAP, including any related design and/or zoning overlays for this Project Area.

A significant portion of the Project Area is underdeveloped and/or vacant and is not being used to its highest and best use due to the deteriorating conditions present within the Project Area. As noted above, these conditions have arrested or impaired growth in the Project Area.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure, transportation/connectivity, and development impediment issues in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance these needed public improvements and facilities. Finally, a significant goal of the new developments within the Project Area is to support growth in employment opportunities, from start-ups to regional/national enterprises and planned designs that support the land use and transportation planning goals set forth in the Ten Mile SAP. This includes office and commercial spaces, which may be mixed with research and light industrial uses. A portion of the Project Area also contemplates mixed residential, employment and commercial uses, with a design supportive of increased pedestrian activity.

It is unlikely individual developers will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation funds to help offset at least some of these costs. But for urban renewal and revenue allocation financing, the proposed public improvements to support development of the Project Area into a thriving mixed-use commercial, industrial and employment center would not occur.

#### **104 Purpose of Activities**

Attachment 5 includes the public improvements lists identifying with specificity the proposed public improvements and projects contemplated in the Project Area. The description of activities, public improvements, and the estimated costs of those items are intended to create an



outside limit of the Agency's activity. Due to the inherent difficulty in projecting future levy rates, future taxable value, and the future costs of construction, the Agency reserves the right to:

- a. Change funding amounts from one Project to another.
- b. Re-prioritize the Projects described in this Plan and the Plan Attachments.
- c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.
- d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.
- e. Alter the location of proposed improvements set forth in Attachment 5 to support development when it occurs. The information included in Attachment 5 presents a realistic siting of improvements recognizing it is difficult to project with any certainty where the improvements will be sited until any future projects submit plans to the City for design review and permitting.

**The Agency intends to discuss and negotiate with any owner or developer of the parcels within the Project Area seeking Agency assistance related to the Linder Overpass Project, the Sewer Main Project, and the Local Road Project during the duration of the Plan and Project Area.** During such negotiation, the Agency will determine the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish, by way of policy, its funding percentage or participation, which would apply to all developers and owners and may prioritize the projects as development occurs.

Throughout this Plan, there are references to Agency activities, Agency funding, and the development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. The activities listed in Attachment 5 will be determined or prioritized as the overall Project Area develops and through the annual budget setting process.

The activities listed in Attachment 5 are prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more important activities, achievement of higher objectives, long term goals, and commitments. Successful completion of the Linder Overpass Project is the first priority; however, it is recognized the Sewer Main Project and/or the Local Road Project timing will depend on how development occurs within the Project Area. It is possible the Sewer Main Project and/or the Local Road Project could occur prior to the Linder Overpass Project. As required by the Law and Act, the

Agency will adopt more specific budgets annually. The projected timing of funding is primarily a function of the availability of market conditions and financial resources but is also strategic, considering the timing of private development partnership opportunities and the ability of certain strategic activities to stimulate development at given points in time within the planned 20-year period of the urban renewal district and revenue allocation area.

The Study (Attachment 5) has described a list of prioritized public improvements and other related activities with an estimated cost in 2021 dollars of approximately \$7,000,000. This amount does not take into account inflationary factors, such as increasing construction costs, which would increase that figure depending on when the owner, developer and/or Agency is able to develop, construct or initiate those activities. The Study has concluded the capacity of revenue allocation funds through the term of the Plan based on the assumed development projects and assessed value increases will likely generate an estimated \$11,314,976 in revenue allocation proceeds. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified.

### **105 Open Land Criteria**

This Plan contemplates Agency acquisition of property within the Project Area, in part, to support the Linder Overpass Project, the Sewer Main Project and the Local Road Project. The Project Area includes open land requiring the area meet the conditions set forth in Idaho Code § 50-2008(d). These conditions include defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the definitions of deteriorated area or deteriorating area set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8). The issues listed only in Idaho Code § 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and “the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.”

Open land areas qualify for Agency acquisition and development for primarily nonresidential uses if acquisition is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives if any of the deteriorating area conditions set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in Idaho Code § 50-2008(d)(4)(2) apply. The age or obsolescence of existing uses, a predominance of defective or inadequate street layout and faulty lot layout in relation to size, adequacy, accessibility or usefulness/obsolete platting, and economic disuse, are all conditions which delay or impair development of the open land areas and satisfy the open land conditions as more fully supported by the Report, which was prepared by Kushlan | Associates.

This Plan does anticipate Agency acquisition of property within the Project Area; however, the acquisition of specific parcels is unknown at this time, but is anticipated to be related to the Linder Overpass Project, the Sewer Main Project, and the Local Road Project. Should the Agency determine the need to acquire property as further set forth in Attachment 3, then the open land areas qualify for Agency acquisition and development.

## **200 DESCRIPTION OF PROJECT AREA**

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Boundary Map of Linder District Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 1, and incorporated herein by reference, and are described in the Legal Description of Linder District Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 2, and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated.

## **300 PROPOSED REDEVELOPMENT ACTIONS**

### **301 General**

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, to increase connectivity and transit options, and to grow the economy and employment opportunities in the Project Area, while recognizing the importance of high design as set forth in the Ten Mile SAP. Implementation of the strategy includes, but is not limited to the following actions:

- a. The engineering, design, installation, construction, and/or reconstruction of the southern approach to the Linder Overpass bridge, including related streetscapes, which for purposes of this Plan, the term streetscapes include sidewalks, lighting, landscaping, benches, signage, wayfinding, bike racks, public art, and similar amenities between the curb and right-of-way line, and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- b. The engineering, design, installation, construction, and/or reconstruction of the Local Road Project, including related streetscapes (defined above) and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- c. The engineering, design, installation, construction, and/or reconstruction of the Sewer Main Project, including but not limited to lift station and/or other such improvements related to the Sewer Main Project;

- d. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state, and local regulations for storm water discharge related to the Projects;
- e. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan and the Ten Mile SAP;
- f. The acquisition of real property for public right-of-way improvements and underground utilities to encourage development opportunities consistent with the Ten Mile SAP;
- g. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape (as defined above) improvements, pedestrian facilities, utility undergrounding extension and upgrades to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- h. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan and the Ten Mile SAP;
- i. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- j. The provision of financial and other assistance to encourage greater residential and/or employment density as contemplated by the Ten Mile SAP;
- k. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and establish standards and guidelines for the design of the Mixed Employment and Mixed-Use Commercial uses as contemplated in the Ten Mile SAP as needed to support implementation of this Plan;
- l. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area as contemplated by the Ten Mile SAP, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- m. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;

- n. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;
- o. Other related improvements to those set forth above as further set forth in Attachment 5.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by Law and Act.

### **302 Urban Renewal Plan Objectives**

Urban renewal activity is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions. As set forth in greater detail in Section 103, the Project Area has a history of stagnant growth and development compared to other areas of the City based on deteriorated or deteriorating conditions that have arrested or impaired growth in the Project Area primarily attributed to: age or obsolescence; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting; and inadequate utility infrastructure needed for larger residential, commercial and industrial developments. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301 and in Attachment 5.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

**It is recognized that the Ada County Highway District has exclusive jurisdiction over all public street rights-of-way within the Project Area, except for state highways. Nothing in this Plan shall be construed to alter the powers of the Ada County Highway District pursuant to Title 40, Idaho Code.**

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

- a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new public or private development, the

Agency plays a key role in creating the necessary momentum to get and keep things going.

- b. Support development opportunities consistent with the Ten Mile SAP, and to encourage development projects that support the goals of developing vibrant Mixed Employment and Mixed-Use Commercial areas consistent with the plan set forth in the Ten Mile SAP.
- c. Support development that includes public open space amenities.
- d. Initiate projects designed to increase mixed density employment opportunities, mixed income and mixed density residential projects, commercial projects, and to encourage transportation planning to support connectivity and efficient circulation of all transportation means.

Without direct public intervention, much of the Project Area could conceivably remain unchanged and in a deteriorated and/or deteriorating condition for the next twenty (20) years. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area may be modified to the extent that underutilized, underdeveloped, deteriorated, deteriorating and vacant land and land now devoted to uses inconsistent with the future land uses of the area will be converted to commercial, industrial, and employment uses consistent with the Ten Mile SAP. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate open space, park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of residents in the general vicinity of the Project Area covered by the Plan, recognizing, however, the primary purpose of this Plan and Project Area is to support new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities and to establish a thriving commercial and industrial area.

### **303 Participation Opportunities and Agreement**

#### **303.1 Participation Agreements**

The Agency shall enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner seeks and/or receives assistance from the Agency in the development and/or redevelopment of the property. The term "owner participation agreement," "participation agreement," or "development agreement" are intended to include all participation agreements with a property owner, including reimbursement agreements, grant agreements or other forms of participation agreements. In that event, the Agency may allow for an existing or future owner of property to remove the property and/or structure from future Agency acquisition subject to entering into an owner participation

agreement. The Agency may also enter into owner participation agreements with other future owners and developers within the Project Area throughout the duration of this Plan in order to implement the infrastructure improvements set forth in this Plan.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed pursuant to the requirements of the Law and Act, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and complies with the applicable provisions of this Plan, local codes and ordinances and the Idaho Code. Additional conditions described below:

- a. Any such property within the Project Area shall be required to conform to applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, the Ten Mile SAP, and applicable zoning ordinances and other requirements deemed appropriate and necessary by the Agency. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. Any owner shall give due consideration to the provision of adequate open space and pathways.
- c. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.
- d. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as to all applicable codes and ordinances of the City.

**All owner participation agreements will address development timing, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan, December 31, 2041. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.**

In all participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation

agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant under a participation agreement fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

- a. Encouraging property owners to revitalize and/or remediate deteriorated areas or deteriorating areas of their parcels to accelerate development in the Project Area consistent with the Ten Mile SAP.
- b. Subject to the limitations of the Law and the Act, providing incentives to property owners to encourage utilization and expansion of existing permitted uses during the transition period to prevent a decline in the employment base and a proliferation of vacant and deteriorated parcels in the Project Area during the extended redevelopment of the Project Area.
- c. To accommodate improvements and expansions allowed by City regulations and generally consistent with this Plan for the Project Area.
- d. Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan and the Ten Mile SAP to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan.
- e. Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development and related to the construction of certain public improvements. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of, the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development.

### **304 Cooperation with Public Bodies**

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.



The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan; provided, however, the Ada County Highway District has exclusive jurisdiction over Ada County Highway District streets. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area as allowed by the Law and Act.

The Agency intends to cooperate to the extent allowable with the City and the Ada County Highway District (or the Idaho Transportation Department), as the case may be, for the engineering, design, installation, construction, and/or reconstruction of public infrastructure improvements, including, but not limited to those improvements set forth in Section 301 and in Attachment 5. The Agency shall also cooperate with the City and the Ada County Highway District (or the Idaho Transportation Department) on various relocation, screening, or undergrounding projects and the providing of fiber optic capability. To the extent any public entity, including the City and/or the Ada County Highway District, has funded certain improvements following adoption of this Plan, the Agency may reimburse those entities for those expenses. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 303.1 of this Plan.

This Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any owner participation agreement and in the annual budget adopted by the Agency Board.

### **305 Property Acquisition**

#### **305.1 Real Property**

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements,

required to eliminate or mitigate the deteriorated or deteriorating conditions, to facilitate economic development, including acquisition of real property intended for disposition to qualified developers through a competitive process, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized by Idaho law and provided herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan anticipates the Agency's use of its resources for property acquisition.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property either through a voluntary acquisition or the public entity's invoking of its eminent domain authority as limited by Idaho Code Section 7-701A.

The Agency is authorized by this Plan to acquire the properties for the uses identified in Attachment 3 hereto, including but not limited to property to be acquired for the extension or expansion of certain rights-of-way or to accommodate underground public facilities.

The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to those identified in Section 301 of the Plan, Attachment 5, and the Linder Overpass Project, the Sewer Main Project, and the Local Road Project. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of mixed-use, residential, commercial, industrial and employment centers. The public improvements are intended to be dedicated to the City, the Ada County Highway District and/or other appropriate public entity, as the case may be, upon completion. The Agency reserves the right to determine which properties identified, if any, should be acquired. The open land areas qualify for Agency acquisition as further set forth in Section 105 of this Plan.

It is in the public interest and may be necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be

employed by the Agency, or by the City with the Agency acting in an advisory capacity,<sup>3</sup> to acquire real property in the Project Area for the public improvements identified in this Plan, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

Under the provisions of the Act, the urban renewal plan “shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area.” Idaho Code § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties, if any, should be acquired.

**305.2 Personal Property**

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain as limited by Idaho Code Section 7-701A for the purpose of developing the public improvements described in section 305.1.

**306 Property Management**

During the time real property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for development and/or redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

**307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project**

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation and the Ada County Highway District. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump-sum per case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally assisted projects and

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<sup>3</sup> House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency’s ability to exercise eminent domain.

which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance as may be warranted.

In the event the Agency's activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits and shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

### **308 Demolition, Clearance and Site Preparation**

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

Further, the Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency including site preparation and/or environmental remediation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, pedestrian walkways, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

### **309 Property Disposition and Development**

#### **309.1 Disposition by the Agency**

For the purposes of this Plan, the Agency is authorized to sell, lease, lease/purchase, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho law, including Idaho Code § 50-2011 and pursuant to any disposition policies adopted by the Agency. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

Air rights and subterranean rights may be disposed of for any permitted use within the Project Area boundaries.

### 309.2 Disposition and Development Agreements

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as the Agency deems may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, lease/purchases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Ada County, Idaho.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a disposition and development agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the disposition and development agreement.

That the developers, their successors, and assigns agree:

- a. That a detailed scope and schedule for the proposed development shall be submitted to and agreed upon by the Agency.
- b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).
- d. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan and to support the planning, design and transportation goals set forth in the Ten Mile SAP.

- e. All new construction shall have a minimum estimated life of no less than twenty (20) years.
- f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.
- i. All disposition and development documents shall be governed by the provisions of Section 409 of this Plan.
- j. All other requirements and obligations as may be set forth in any participation policy established and/or amended by the Agency.

**The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land beyond the termination date of this Plan, shall terminate no later than December 31, 2041. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any disposition and development agreement.**

### 309.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct public improvements within the Project Area for itself or for any public body or entity, which public improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the public improvements authorized under Idaho Code §§ 50-2007, 50-2018(10) and (13), and 50-2903(9), (13), and (14), and as otherwise identified in Attachment 5, attached hereto, and incorporated herein by reference, and this Plan, and may acquire or pay for the land required, therefore.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City, the Ada County Highway District or other public body or private entity pursuant to this section, and the

obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### **310 Development Plans**

All development plans (whether public or private) prepared pursuant to an owner participation or disposition and development agreement, shall be submitted to the Agency Board for approval and architectural review. All development in the Project Area must conform to those standards specified in Section 409. Additionally, development must be consistent with all City ordinances, design overlays and be supportive of the goals set forth in the Ten Mile SAP.

### **311 Participation with Others**

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program (“CDBG”), the Economic Development Administration, the Small Business Administration, or other federal agencies. In order to enhance such grants, the Agency’s use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce, or other State or federal agencies, for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, the Ada County Highway District, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### **312 Conforming Owners**

The Agency may, at the Agency's sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

## **400 USES PERMITTED IN THE PROJECT AREA**

### **401 Designated Land Uses**

The Agency intends to rely upon the overall land use designations and zoning classifications of the City, as may be amended, and as depicted on Attachment 4 and as set forth in the City's Comprehensive Plan, the Ten Mile SAP, and within the City zoning ordinance and requirements, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area includes a mix of uses including mixed-use residential, commercial, industrial and employment areas. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

### **402 [Reserved]**

### **403 Public Rights-of-Way**

The Project Area contains existing maintained public rights-of-way included within the boundaries, as set forth on Attachment 1. Any new roadways, including the Linder Overpass Project and the Local Road Project to be engineered, designed, installed, and constructed in the Project Area, will be constructed in conjunction with any applicable policies and design standards of the City or Ada County Highway District (and State and Federal standards, as the case may be) regarding dedicated rights-of-way. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, and other potential roadways generally shown in Attachment 5.

Additional improvements to existing streets, alleys and easements may be created, improved, or extended in the Project Area as needed for development. Existing dirt roadways, streets, easements, and irrigation or drainage laterals or ditches may be abandoned, closed, or modified as necessary for proper development of the Project Area, in accordance with any applicable policies and standards of the Idaho Transportation Department, the City or Ada County Highway District regarding changes to dedicated rights-of-way, and appropriate irrigation or drainage districts regarding changes to laterals or ditches.

Any development, maintenance, and future changes in the interior or exterior street layout shall be in accordance with the objectives of this Plan and the design standards of the City, Ada County Highway District, or the Idaho Department of Transportation as may be



applicable; and shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access (including cars, trucks, bicycles, etc.), vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder, together with the design, planning and transportation goals set forth in the Ten Mile SAP;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

**404 Interim Uses**

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code or Ada County Code.

**405 Development in the Project Area Subject to the Plan**

All real property in the Project Area, under the provisions of either a disposition and development agreement or an owner participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, redeveloped, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

**406 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards**

All construction in the Project Area shall comply with all applicable state laws, the Meridian City Code, as may be amended from time to time, and any applicable City Council ordinances pending codification, including but not limited to, regulations concerning the type, size, density and height of buildings; open space, landscaping, light, air, and privacy; the

undergrounding of utilities; limitation or prohibition of development that is incompatible with the surrounding area by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors; parcel subdivision; off-street loading and off-street parking requirements.

In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of a disposition and development agreement or owner participation agreement.

**407 [Reserved]**

**408 Nonconforming Uses**

This Section applies to property owners seeking assistance from the Agency regarding their property. The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the City codes and ordinances.

**409 Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement**

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, density, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area to support the goals set forth in the Ten Mile SAP. Any development must also comply with the City’s zoning ordinance regarding heights, setbacks, density, and other like standards.

In the case of property which is the subject of a disposition and development agreement or owner participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under a disposition and development agreement or owner participation agreement, the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor

variations under this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. The Agency shall find that any approved plans do comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc basis through the approval process of the disposition and development agreement or owner participation agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

## **500 METHODS OF FINANCING THE PROJECT**

### **501 General Description of the Proposed Financing Method**

The Agency is authorized to finance this Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, public parking revenue, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer from other urban renewal project areas. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities. The City or any other public agency, as properly budgeted, may expend money to assist the Agency in carrying out this Project.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

## 502 Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2021. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area shown and described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project.

The Agency, acting by one or more resolutions adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys advance-funded by developers or property owners, borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects.

The Agency may consider a note or line of credit issued by a bank or lending institution premised upon revenue allocation funds generated by a substantial private development contemplated by the Study, as defined in Section 502.1, which would allow the Agency to more quickly fund the public improvements contemplated by this Plan. Likewise, a developer/owner advanced funding of certain eligible public infrastructure improvements to be reimbursed pursuant to an owner participation agreement could achieve the same purpose.

Upon enactment of a City Council ordinance finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, a schedule of improvements, the location of proposed public infrastructure improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachment 5 to this Plan. This statement necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Agency is hereby authorized to adjust the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs to effectuate the general objections of the Plan in order to account for revenue inconsistencies, market adjustments, future priorities, developers/owners seeking Agency assistance pursuant to an owner participation agreement, and unknown future costs. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in the annual budget.

The Agency may appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency may also obtain advances or loans from the City or Agency, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Developer advanced funding of public improvements could also achieve the same purpose. The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, including reimbursement to any owner/developer or public entity for the cost of eligible public improvements pursuant to a participation agreement.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachment 5 incorporates estimates and projections based on the Agency's and its consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds from another source.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project. The Agency reserves the right to either pay for Project Costs from available revenue (pay-as-you-go basis) or borrow funds by incurring debt through notes or other obligations.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

### **502.1 Economic Feasibility Study**

Attachment 5 constitutes the Economic Feasibility Study (the "Study"), prepared by Kushlan | Associates. The Study constitutes the financial analysis required by the Act and is based upon existing information from property owners, developers, the Agency, the City, and others.

### **502.2 Assumptions and Conditions/Economic Feasibility Statement**

The information contained in Attachment 5 assumes certain completed and projected actions. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of indebtedness (and all other loans or indebtedness), developer reimbursement and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should the proposed development take place as projected, the project indebtedness could be extinguished earlier, dependent upon the bond sale documents or other

legal obligations. Should private development take longer to materialize, or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and the Plan Attachments incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Plan proposes certain public improvements as set forth in Attachment 5, which will facilitate mixed-use commercial, residential, industrial developments and employment opportunities in the Revenue Allocation Area as more fully guided by the design, planning and transportation goals set forth in the Ten Mile SAP.

The assumptions set forth in the Study are based upon the best information available to the Agency and its consultants through public sources or discussions with property owners, developers, overlapping taxing districts, the City, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay-as-you-go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The list of public improvements, or activities within Attachment 5 are prioritized by way of feasibility based on estimated revenues to be received, amounts funded, and by year of funding. The projected timing of funding is primarily a function of the availability of financial resources and market conditions but is also strategic, considering the timing of anticipated or projected private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given point in time within the duration of the Plan and Project Area.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated or projected new developments, assessed value increases, and assumed tax levy rates as more specifically set forth in Attachment 5. Further, the financial analysis set forth in Attachment 5 has taken into account and excluded levies that do not flow to the Agency consistent with Idaho Code § 50-2908. In projecting new construction, the Study considered parcels identified as expected to develop over the life of the Project Area, communications with potential developers and City staff, and historical market absorption rates for commercial, and residential improvements.

The types of new construction expected in the Project Area are mixed-use residential (mixed income and mixed density); industrial; and commercial. The Project Area has potential for a significant increase in residential, commercial, and industrial growth due to the location of the Project Area, and in realization of the goals set forth in the Ten Mile SAP. However, without a method to construct the identified public improvements: the Linder Overpass Project, the

Sewer Main Project and the Local Road Project development is unlikely to occur in much of the Project Area.

It is understood that application of certain exemptions, including the homeowner’s exemption and Idaho Code § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

**502.3 Ten Percent Limitation**

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Ada County Assessor, the assessed taxable value for the City as of January 1, 2020,<sup>4</sup> less homeowners’ exemptions, is \$10,375,837,804. Therefore, the 10% limit is \$1,037,583,780.

The adjusted base assessed value of each of the existing revenue allocation areas as of January 1, 2020, is as follows:

Downtown District <sup>5</sup>	\$146,334,050
Ten Mile District	\$39,539,125
Union District	\$2,144,360
Proposed Northern Gateway District	\$68,832,974
Proposed Linder District	\$11,978,500
Proposed Union District Addition	\$3,414,100

The adjusted base values for the combined existing and proposed revenue allocation areas and the estimated base value for the proposed Project Area, less homeowners’ exemptions, is \$272,243,109, which is less than 10% of the City’s 2020 taxable value.

**502.4 Financial Limitation**

The Study identifies several capital improvement projects. Use of any particular funding source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, by contract, or by other federal regulations. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary

<sup>4</sup> Due to the timing of the assessment process and creation of this Plan, the 2020 certified values have been used to establish compliance with the 10% limitation. Using the 2020 values, the total adjusted base value of the existing and proposed revenue allocation areas combined with the value of this Project Area are less than 2.62% of the total taxable value of the City. Even assuming an increase in values for 2021, the combined adjusted base values of the revenue allocation areas would not exceed 10% of the current assessed taxable value for the entire City.

<sup>5</sup> Less area deannexed by the First Amendment to the Meridian Revitalization Plan Urban Renewal Project, and the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project.

increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including annual revenue allocations, developer contributions, city, or other public entity contributions, interfund loan, federal funding, grants, property disposition and other financing sources as permitted by law. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred.<sup>6</sup> Based on these funding sources, the conclusion is that the Project is feasible.

The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts projected in the Study for the purpose of funding the additional identified projects and improvements. The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the additional activities and projects identified in this Plan. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to owner participation agreements and disposition and development agreements. The Agency may also re-prioritize projects pursuant to market conditions, project timing, funding availability, etc., as more specifically detailed in the annual budget.

The proposed timing for the public improvements may have to be adjusted depending upon the availability of some of the funds and the Agency's ability to finance any portion of the Project. **Any adjustment to Project timing or funding is technical or ministerial in nature and shall not be considered a modification of the Plan pursuant to Idaho Code § 50-2903A.**

Attachment 5 lists those public improvements the Agency intends to construct or fund through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and/or public entity and Agency. The listing of public improvements does not commit the Agency, City, or other public entity, to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate the terms of any reimbursement with the developer and/or the public entities. This Plan does not financially bind or obligate the Agency, City or other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. The City and Ada County Highway District have not committed to fund any public infrastructure

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<sup>6</sup> See Idaho Code § 50-2905.



improvements within the Project Area. Such decisions concerning capital improvement projects and/or other expenditures are made by the City (or the Ada County Highway District) annually pursuant to this budget and appropriates process. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any participation agreement and in the annual budget adopted by the Agency Board. The proposed location and siting of the proposed public infrastructure and other improvement projects in the Project Area are generally shown in Attachment 5 recognizing that the specific location of the projects will depend on the type and timing of development. The change in the location of the improvements shown in Attachment 5 does not constitute a modification to the Plan.

The Agency reserves its discretion and flexibility in deciding which improvements are more critical for development or redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. Where applicable, the Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in Attachment 5 first, in conjunction with private development within the Project Area generating the increment as identified in Attachment 5.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

#### **502.5 [Reserved]**

#### **502.6 Participation with Local Improvement Districts and/or Business Improvement Districts**

Under the Idaho Local Improvement District ("LID") Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

### **502.7 Issuance of Debt and Debt Limitation**

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenue identified in the debt resolution or revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

### **502.8 Impact on Other Taxing Districts and Levy Rate**

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections set forth in Attachment 5.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis.<sup>7</sup> Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, then the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. The Study's analysis is premised upon the fact the proposed development would not occur but for the ability to use revenue allocation funds to fund certain significant public infrastructure improvements.

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<sup>7</sup> House Bill 389 passed during the 2021 Legislative Session, effective in significant part as of January 1, 2021, further limits a taxing entity's ability to increase the property tax portion of its budget. The Study has considered the impact of House Bill 389 on the Project's overall feasibility.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity’s jurisdiction.<sup>8</sup> From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan or Project Area or deannexation of area, the taxing entities will be able to include a percentage<sup>9</sup> of the accumulated new construction roll value in setting the following year’s budget and revenue pursuant to Idaho Code Sections 63-802 and 63-301A.

As the 2021 certified levy rates will not be determined until October/early November 2021, the 2020 certified levy rates have been used in the Study for purposes of the analysis.<sup>10</sup> For Tax Year 2020, those taxing districts and rates for the parcels located within the City are as follows:<sup>11</sup>

<u>Taxing Districts:</u>	<u>Levy Rates:</u>
The City of Meridian	.002230856
The West Ada School District (School District No. 2)	.000014472
Ada County	.002149935
Emergency Medical District/Ada County Ambulance	.000118422
Mosquito Abatement District	.000021106
The Ada County Highway District	.000701539
Meridian Library District	.000430489
Meridian Cemetery District	.000048343
Western Ada Recreation District	.000037736
College of Western Idaho	.000124266
<b>TOTAL<sup>12</sup></b>	<b>.005877164</b>

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<sup>8</sup> House Bill 389 amended Idaho Code Sections 63-802 and 63-301A limiting the value placed on the new construction roll and available to a taxing district for a budget capacity increase. This could result in lower levy rates over time.

<sup>9</sup> Pursuant to House Bill 389, 80% of the total eligible increment value is added to the new construction roll.

<sup>10</sup> Due to the timing of the taxing districts’ budget and levy setting process, certification of the 2021 levy rates did not occur until this Plan had been prepared. In order to provide a basis to analyze the impact on the taxing entities, the 2020 levy rates are used. Use of the 2020 levy rates provides a more accurate base than estimating the 2021 levy rates.

<sup>11</sup> It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

<sup>12</sup> Net of voter approved bonds and levies.

For Tax Year 2020,<sup>13</sup> those taxing districts and rates for the parcels located within the unincorporated County are as follows:<sup>14</sup>

<u>Taxing Districts:</u>	<u>Levy Rates:</u>
The West Ada School District (School District No. 2)	.000014472
Ada County	.002149935
Emergency Medical District/Ada County Ambulance	.000118422
Mosquito Abatement District	.000021106
The Ada County Highway District	.000701539
Meridian Library District	.000430489
Meridian Cemetery District	.000048343
Western Ada Recreation District	.000037736
College of Western Idaho	.000124266
Pest Extermination	.000098171
Meridian Fire	.001017848
<b>TOTAL<sup>15</sup></b>	<b>0.004762327</b>

House Bill 587, as amended in the Senate, effective July 1, 2020, amends Idaho Code Section 50-2908 altering the allocation of revenue allocation funds to the Agency from the Ada County Highway District levy. This amendment will apply to this Project Area and provides: “[i]n the case of a revenue allocation area first formed or expanded to include the property on or after July 1, 2020, all taxes levied by any highway district, unless the local governing body that created the revenue allocation area has responsibility for the maintenance of roads or highways” will be allocated to the applicable highway district, which in this case is the Ada County Highway District.

However, amended Idaho Code Section 50-2908 further provides the highway district and Agency may enter into an agreement for a different allocation. A copy of any agreement is required to be submitted to the Idaho State Tax Commission and to the Ada County Clerk by the Ada County Highway District as soon as practicable after the parties have entered into the agreement and by no later than September 1 of the year in which the agreement takes effect. The Plan includes significant transportation elements, and the Agency intends to work with the Ada County Highway District to enter into an agreement allowing the Agency to retain the revenues from the highway district levies.

The Study has made certain assumptions concerning the levy rate. It is anticipated the parcels currently located outside the City limits and within unincorporated Ada County will be

<sup>13</sup> Due to the timing of the taxing districts’ budget and levy setting process, certification of the 2021 levy rates did not occur until this Plan had been prepared. In order to provide a basis to analyze the impact on the taxing entities, the 2020 levy rates are used. Use of the 2020 levy rates provides a more accurate base than estimating the 2021 levy rates.

<sup>14</sup> It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

<sup>15</sup> Net of voter approved bonds and levies.

annexed into the City. As a result, the levy rate applied to parcels within the City has been used to estimate revenue generation over the life of the Project Area. Second, the levy rate is estimated to be 10% lower than the combined 2020 certified levy rates for the City to adjust for the impact of House Bill 389, as well as considering the rapidly increasing property values. The levy rate is anticipated to remain level for the life of the Project Area. As the actual impact of the property value fluctuations on the levy rate is unknown, the Study has assumed a combined conservative levy rate of .0053. Land values are estimated to inflate at 8%/year for five (5) years and then inflate at a rate of 4%/year for the remaining duration of the Project Area. Improvement values are estimated to inflate at a rate of 10%/year for five (5) years, and thereafter are estimated to inflate at a rate of 5%/year for the duration of the Project Area. If the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account.

### **503 Phasing and Other Fund Sources**

The Agency anticipates funding only a portion of the entire cost of the public improvements shown on Attachment 5. Other sources of funds shall include City, other public entity partners, and owner/developer participation. It is important to note this Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition. Agency and/or other public entity participation in any project shall be determined by the amount of revenue allocation funds generated and pursuant to the annual budgeting process.

### **504 Lease Revenue and Bonds**

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds,

but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

### **505 Membership Dues and Support of Community Economic Development**

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The District Operating Expenses identified in the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

### **600 ACTIONS BY THE CITY AND OTHER PUBLIC ENTITIES**

The City shall aid and cooperate with the Agency in carrying out this Plan in support of the design, planning and transportation goals set forth in the Ten Mile SAP, and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing deterioration. Actions by the City, or other public entities, may include, but not be limited to, the following:

- a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
- b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- c. Imposition, wherever necessary, of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- e. Building Code enforcement.
- f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the development and/or

redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

- g. Institution and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code, or a business improvement district.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant funds that may be made available for this Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. Joint funding of certain public improvements, including but not limited to those identified in this Plan and Attachment 5 to the Plan.
- l. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.
- m. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

**The foregoing actions, if taken by the City and/or the Ada County Highway District, do not constitute any commitment for financial outlays by the City or the Ada County Highway District.**

In addition to the above, other public entities may aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan. Actions by the County may include, but not be limited to, entering into an agreement with the Agency and/or the City as may be necessary to make improvements to the portion of the Project Area located within the boundaries of the County and to coordinate with the City on annexation proceedings. The foregoing actions, if taken by the County, do not constitute any commitment for financial outlays by the County.

#### **601 Maintenance of Public Improvements**

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement. The Agency expects to dedicate public improvements to the City or the Ada County Highway District, as the case may be.

## **700 ENFORCEMENT**

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

## **800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW**

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to extensions set forth in Idaho Code § 50-2904. The revenue allocation authority will expire on December 31, 2041, except for any revenue allocation proceeds received in calendar year 2042, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2042 to complete the projects set forth herein. As stated in the Plan, any owner participation agreement or disposition and development agreement obligations will cease as of December 31, 2041.

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2042, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.
- b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.



- c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City or the Ada County Highway District, depending on the nature of the asset.

## **900 PROCEDURE FOR AMENDMENT OR MODIFICATION**

To the extent there are any outstanding loans or obligations, this Plan shall not be modified pursuant to the provisions set forth in Idaho Code § 50-2903A. Modification of this Plan results in a reset of the base value for the year immediately following the year in which the modification occurred to include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream as more fully set forth in Idaho Code § 50-2903A subject to certain limited exceptions contained therein. As more specifically identified above, the Agency's projections are based on estimated values, estimated levy rates, estimated future development, and estimated costs of future construction/improvements. Annual adjustments, as more specifically set forth in the Agency's annual budget, will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not deemed a modification under Idaho Code § 50-2903A(1)(a)(i).

## **1000 SEVERABILITY**

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

## **1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS**

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include the financial data and audit reports required under sections 67-1075 and 67-1076, Idaho Code. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code § 67-1076, Idaho Code § 50-2913, the tax commission plan repository, and Idaho Code § 50-2903A, the tax commission's plan modification annual attestation. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Ada County Board of County Commissioners.

## **1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES**

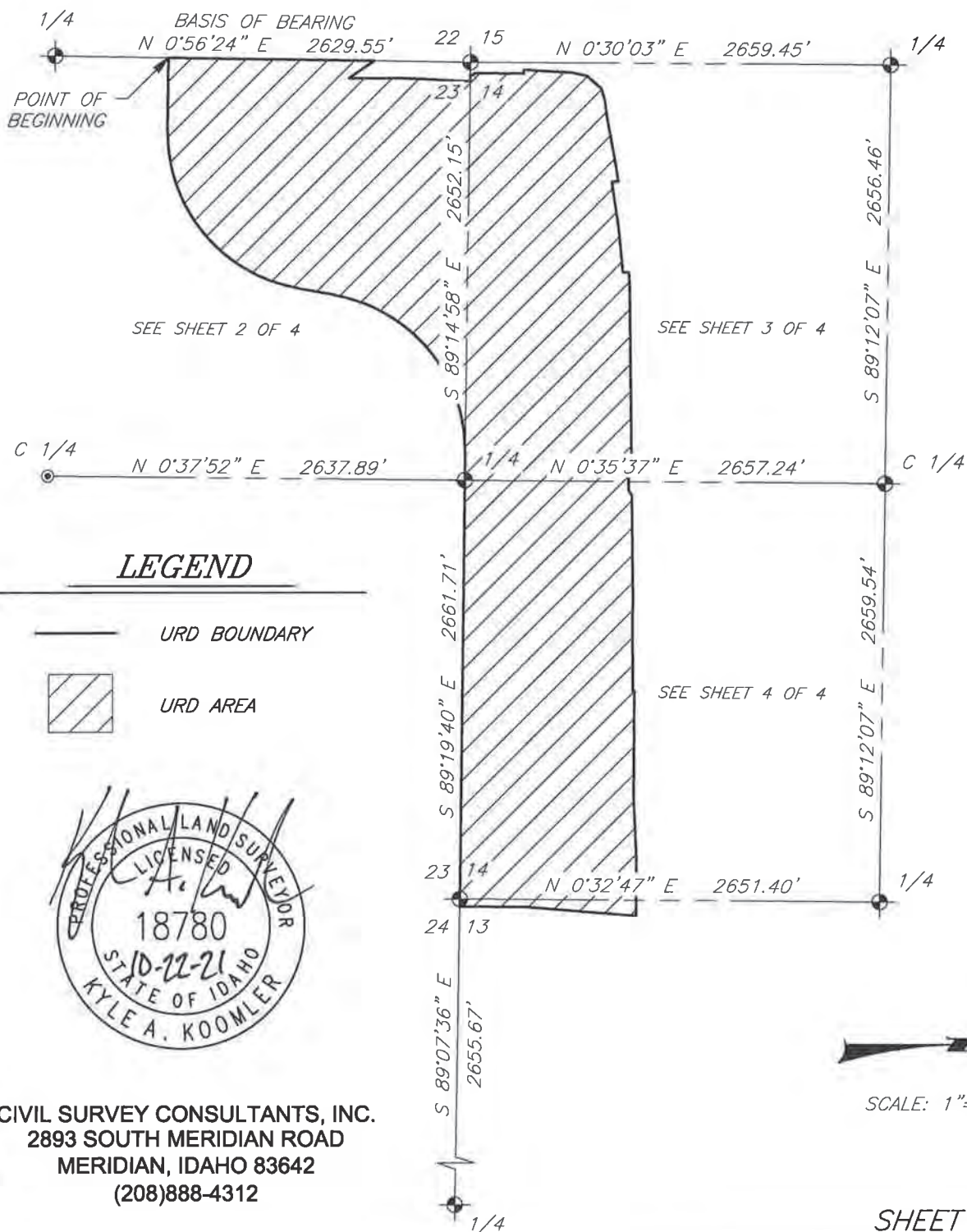
All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

Boundary Map of Linder District Urban Renewal Project Area and Revenue Allocation Area

### EXHIBIT B

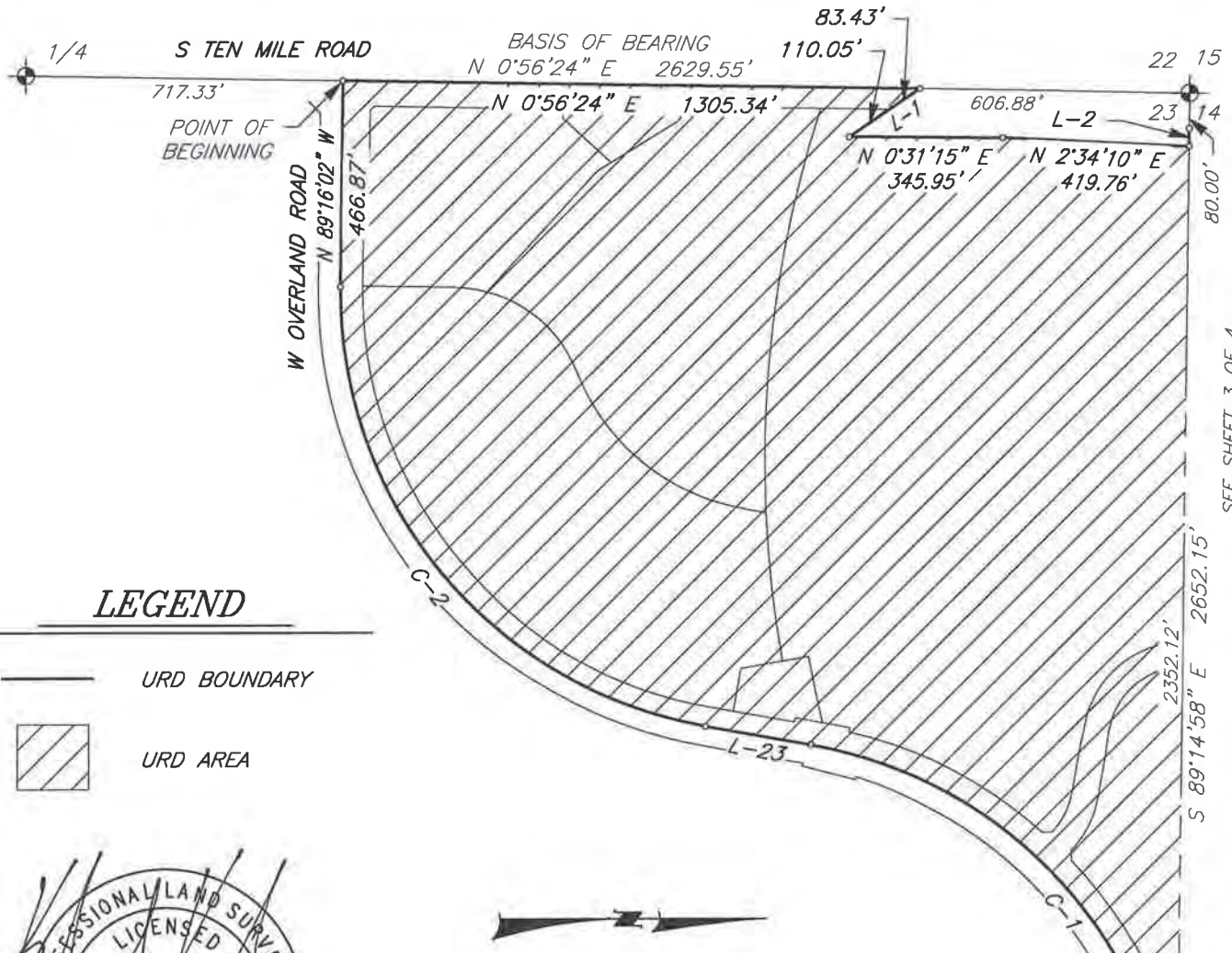
SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



CIVIL SURVEY CONSULTANTS, INC.  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312

EXHIBIT B

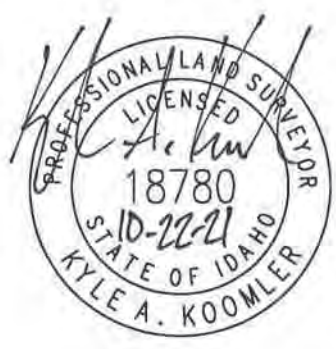
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SEE SHEET 3 OF 4

LEGEND

- URD BOUNDARY
- ▨ URD AREA



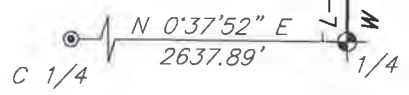
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MERIDIAN, IDAHO 83642  
(208)888-4312

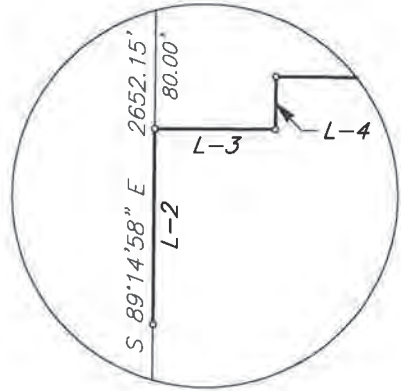
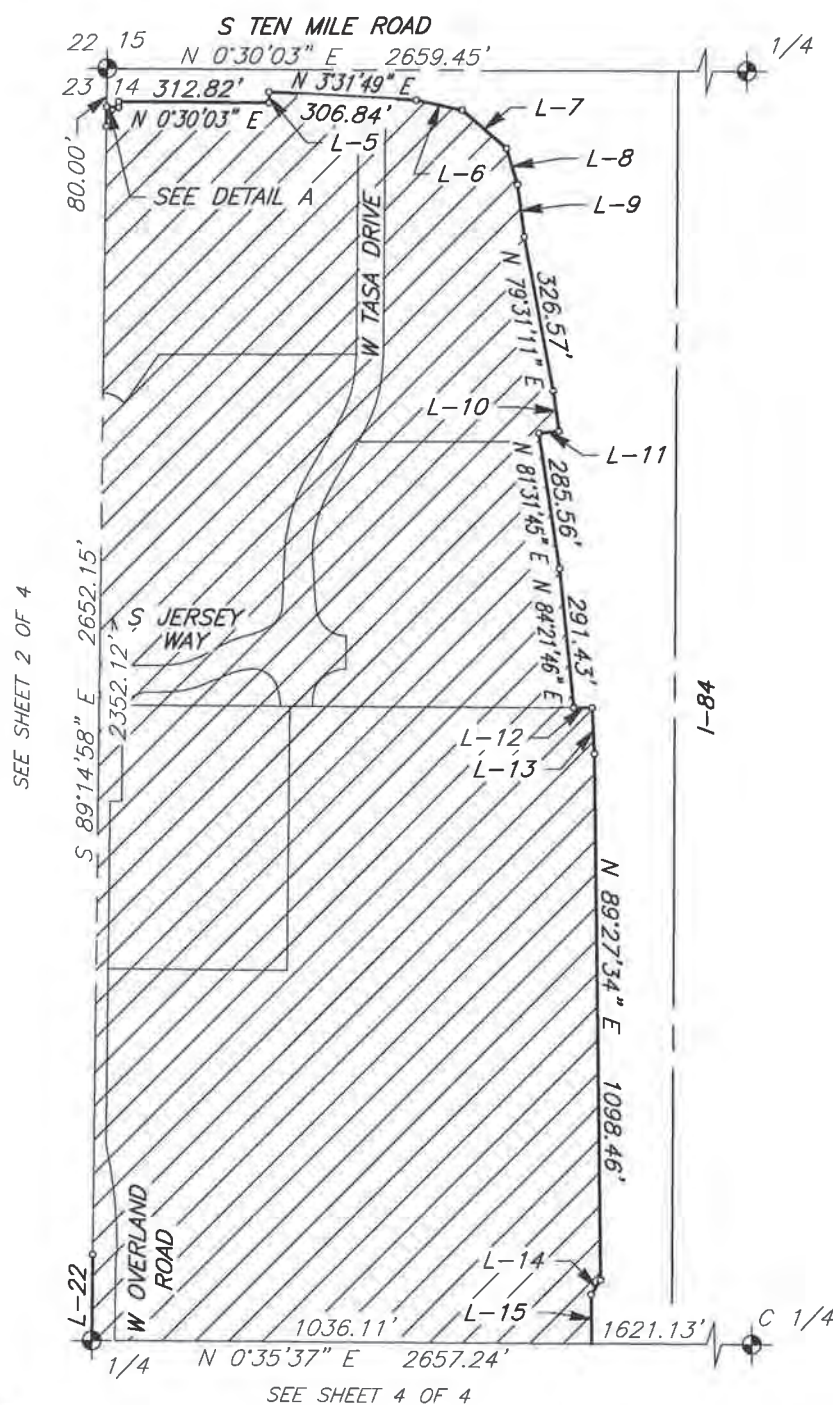
LINE DATA		
LINE	BEARING	DISTANCE
L-1	S 34°10'57" E	193.48'
L-2	N 89°14'58" W	40.72'
L-22	N 89°14'58" W	179.31'
L-23	S 10°08'16" W	241.51'

CURVE DATA						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BRNG.
C-1	80°36'46"	1000.00	1406.96	848.25	1293.75	S 50°26'39" W
C-2	80°35'42"	1000.00	1406.65	847.99	1293.51	S 50°26'07" W



### EXHIBIT B

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



DETAIL A  
NOT TO SCALE



### LEGEND

- URD BOUNDARY
- URD AREA

LINE DATA		
LINE	BEARING	DISTANCE
L-2	N 89°14'58" W	40.72'
L-3	N 0°30'03" E	25.00'
L-4	N 89°14'58" W	10.99'
L-5	N 89°29'57" W	22.30'
L-6	N 12°12'51" E	97.93'
L-7	N 41°11'00" E	121.02'
L-8	N 73°28'13" E	79.08'
L-9	N 82°32'26" E	110.11'
L-10	N 81°59'42" E	85.13'
L-11	S 4°51'25" E	41.68'
L-12	N 0°32'50" E	38.29'
L-13	N 87°22'04" E	95.86'
L-14	S 56°41'50" E	36.06'
L-15	N 89°36'46" E	160.00'
L-22	N 89°14'58" W	179.31'

**CIVIL SURVEY CONSULTANTS, INC.**  
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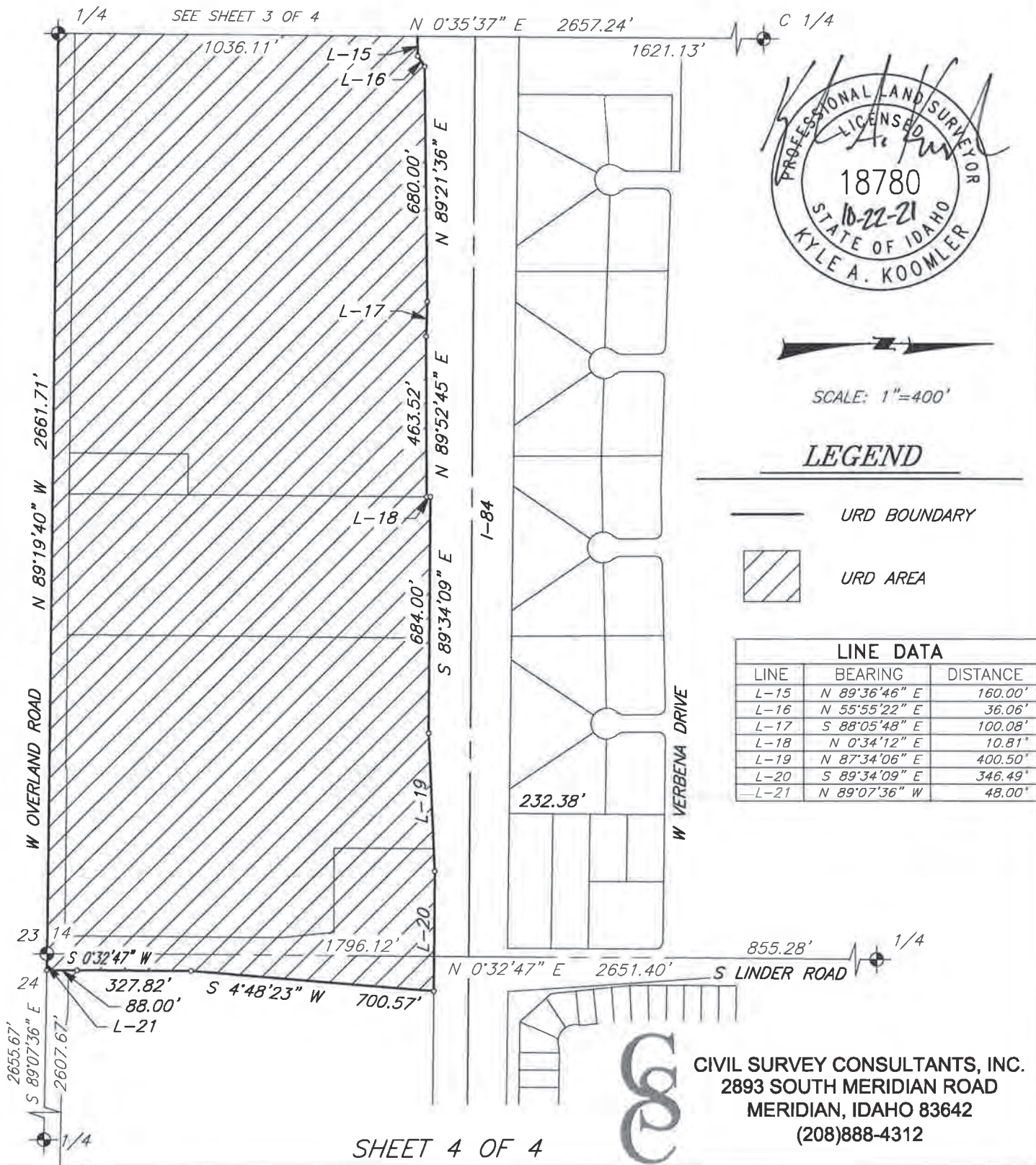


SCALE: 1"=400'



### EXHIBIT B

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



Attachment 2

Legal Description of Linder District Urban Renewal Project Area and Revenue Allocation Area



**EXHIBIT A**  
**URBAN RENEWAL DISTRICT BOUNDARY DESCRIPTION**  
**FOR**  
**MERIDIAN DEVELOPMENT CORPORATION**

A description for Urban Renewal District purposes located in the SW 1/4 of Section 13, and in the S 1/2 of Section 14, and in the NW 1/4 of Section 23, all in Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southwesterly corner of said NW 1/4 of Section 23, from which an aluminum cap marking the northwesterly corner of said Section 23 bears N 0°56'24" E a distance of 2629.55 feet;

Thence N 0°56'24" E along the westerly boundary of said NW 1/4 of Section 23 a distance of 717.33 feet to the POINT OF BEGINNING;

Thence continuing N 0°56'24" E a distance of 1305.34 feet to a point;

Thence leaving said westerly boundary S 34°10'57" E a distance of 83.43 feet to a point on the westerly boundary of *PARCEL 8* as described in Warranty Deed Inst. No. 110000589;

Thence along the westerly boundary of said *PARCEL 8* the following described courses:

Thence continuing S 34°10'57" E a distance of 110.05 feet to a point;

Thence N 0°31'15" E a distance of 345.95 feet to a point;

Thence N 2°34'10" E a distance of 419.76 feet to a point marking the northwesterly corner of said *PARCEL 8*, said point being on the southerly boundary of said S 1/2 of Section 14;

Thence leaving said westerly boundary N 89°14'58" W along said southerly boundary a distance of 40.72 feet to a point on the easterly right-of-way of S. Ten Mile Road;

Thence leaving said southerly boundary and along said easterly right-of-way the following described courses:

Thence N 0°30'03" E a distance of 25.00 feet to a point;

Thence N 89°14'58" W a distance of 10.99 feet to a point;

Thence N 0°30'03" E a distance of 312.82 feet to a point;

Thence N 89°29'57" W a distance of 22.30 feet to a point;

Thence N 3°31'49" E a distance of 306.84 feet to a point;

Thence N 12°12'51" E a distance of 97.93 feet to a point;

Thence N 41°11'00" E a distance of 121.02 feet to a point on the southerly right-of-way of Interstate I-84;

Thence leaving said easterly right-of-way and along said southerly right-of-way the following described courses:

Thence N 73°28'13" E a distance of 79.08 feet to a point;

Thence N 82°32'26" E a distance of 110.11 feet to a point;

Thence N 79°31'11" E a distance of 326.57 feet to a point;

Thence N 81°59'42" E a distance of 85.13 feet to a point;

Thence S 4°51'25" E a distance of 41.68 feet to a point;

Thence N 81°31'45" E a distance of 285.56 feet to a point;

Thence N 84°21'46" E a distance of 291.43 feet to a point on the easterly boundary of the SW 1/4 of the SW 1/4 of said Section 14;

Thence N 0°32'50" E along said easterly boundary a distance of 38.29 feet to a point;

Thence leaving said easterly boundary N 87°22'04" E a distance of 95.86 feet to a point;

Thence N 89°27'34" E a distance of 1098.46 feet to a point;

Thence S 56°41'50" E a distance of 36.06 feet to a point;

Thence N 89°36'46" E a distance of 160.00 feet to a point;

Thence N 55°55'22" E a distance of 36.06 feet to a point;

Thence N 89°21'36" E a distance of 680.00 feet to a point;

Thence S 88°05'48" E a distance of 100.08 feet to a point;

Thence N 89°52'45" E a distance of 463.52 feet to a point on the easterly boundary of the SW 1/4 of the SE 1/4 of said Section 14;

Thence N 0°34'12" E along said easterly boundary a distance of 10.81 feet to a point;

Thence leaving said easterly boundary S 89°34'09" E a distance of 684.00 feet to a point;

Thence N 87°34'06" E a distance of 400.50 feet to a point;

Thence S 89°34'09" E a distance of 346.49 feet to a point marking northwesterly corner of *PARCEL A* as shown on Record of Survey No. 8165, Inst. No. 107167073;

Thence leaving said southerly right-of-way and along the westerly boundary of said *PARCEL A* the following described courses:

Thence S 4°48'23" W a distance of 700.57 feet to a point;

Thence S 0°32'47" W a distance of 327.82 feet to a point;

Thence leaving said westerly boundary and continuing S 0°32'47" W on an extension of said westerly boundary a distance of 88.00 feet to a point on the southerly boundary of said SW 1/4 of Section 13;

Thence leaving said extended boundary N 89°07'36" W along said southerly boundary a distance of 48.00 feet to the southeasterly corner of said Section 14;

Thence N 89°19'40" W along the southerly boundary of said S 1/2 of Section 14 a distance of 2661.71 feet to the southeasterly corner of the SW 1/4 of said Section 14;

Thence N 89°14'58" W along the southerly boundary of said SW 1/4 of said Section 14 a distance of 179.31 feet to a point marking the intersection of said southerly boundary and the centerline of W. Overland Road;

Thence leaving said southerly boundary and along said centerline the following described courses:

Thence a distance of 1406.96 feet along the arc of a 1000.00 foot radius curve left, said curve having a central angle of 80°36'46" and a long chord bearing S 50°26'39" W a distance of 1293.75 feet to a point;

Thence S 10°08'16" W a distance of 241.51 feet to a point;

Thence a distance of 1406.65 feet along the arc of a 1000.00 foot radius curve right, said curve having a central angle of 80°35'42" and a long chord bearing S 50°26'07" W a distance of 1293.51 feet to a point;

Thence N 89°16'02" W a distance of 466.87 feet to the POINT OF BEGINNING.

This parcel contains approximately 188.6 acres.

NOTE: This description was prepared using record information including Record of Surveys, Subdivision Plats and Deeds acquired from the Ada County Recorder's office. No field survey has been performed.

Prepared by: Kyle A. Koomler, PLS  
Civil Survey Consultants, Incorporated  
October 22, 2021



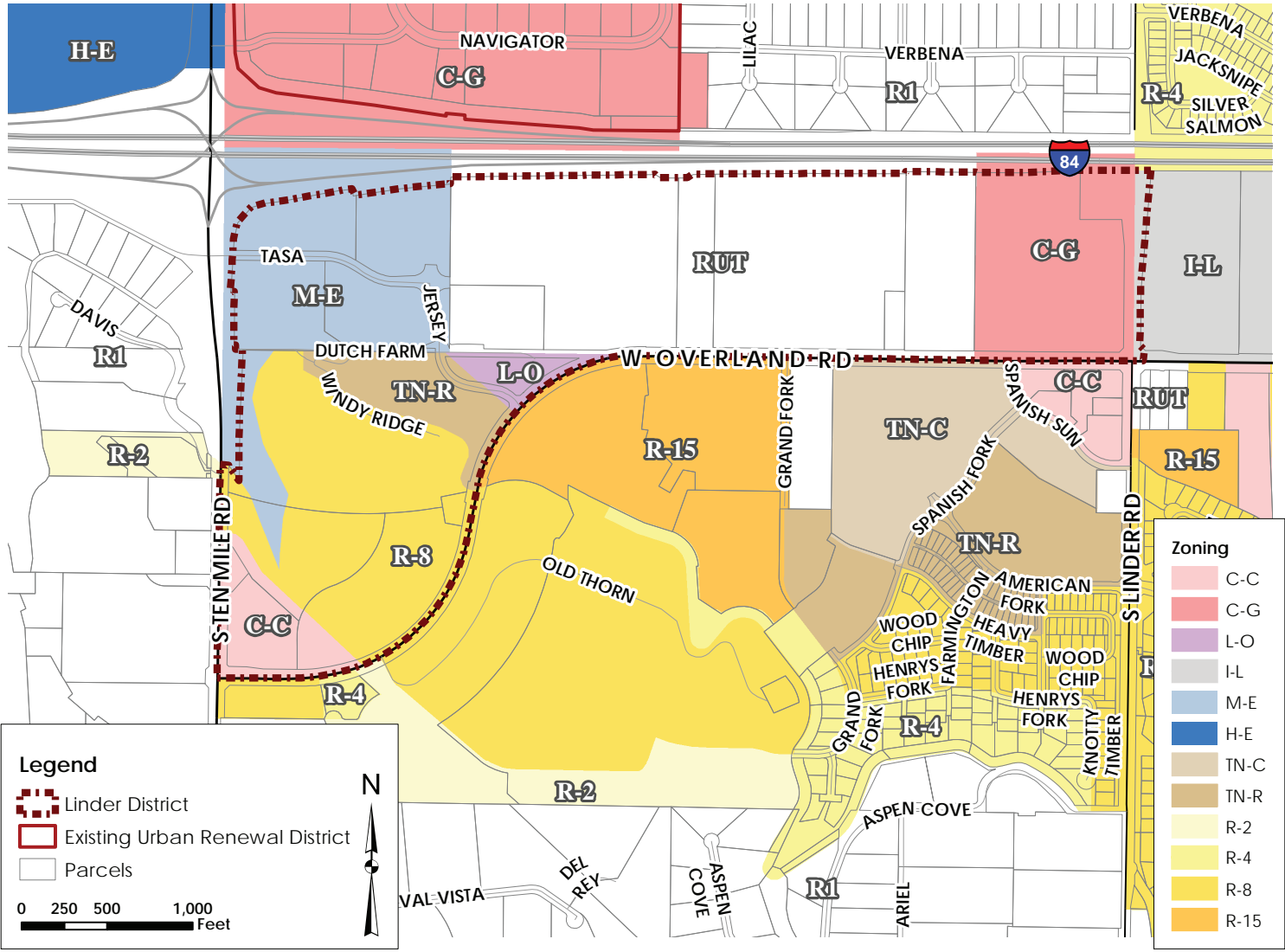
### Attachment 3

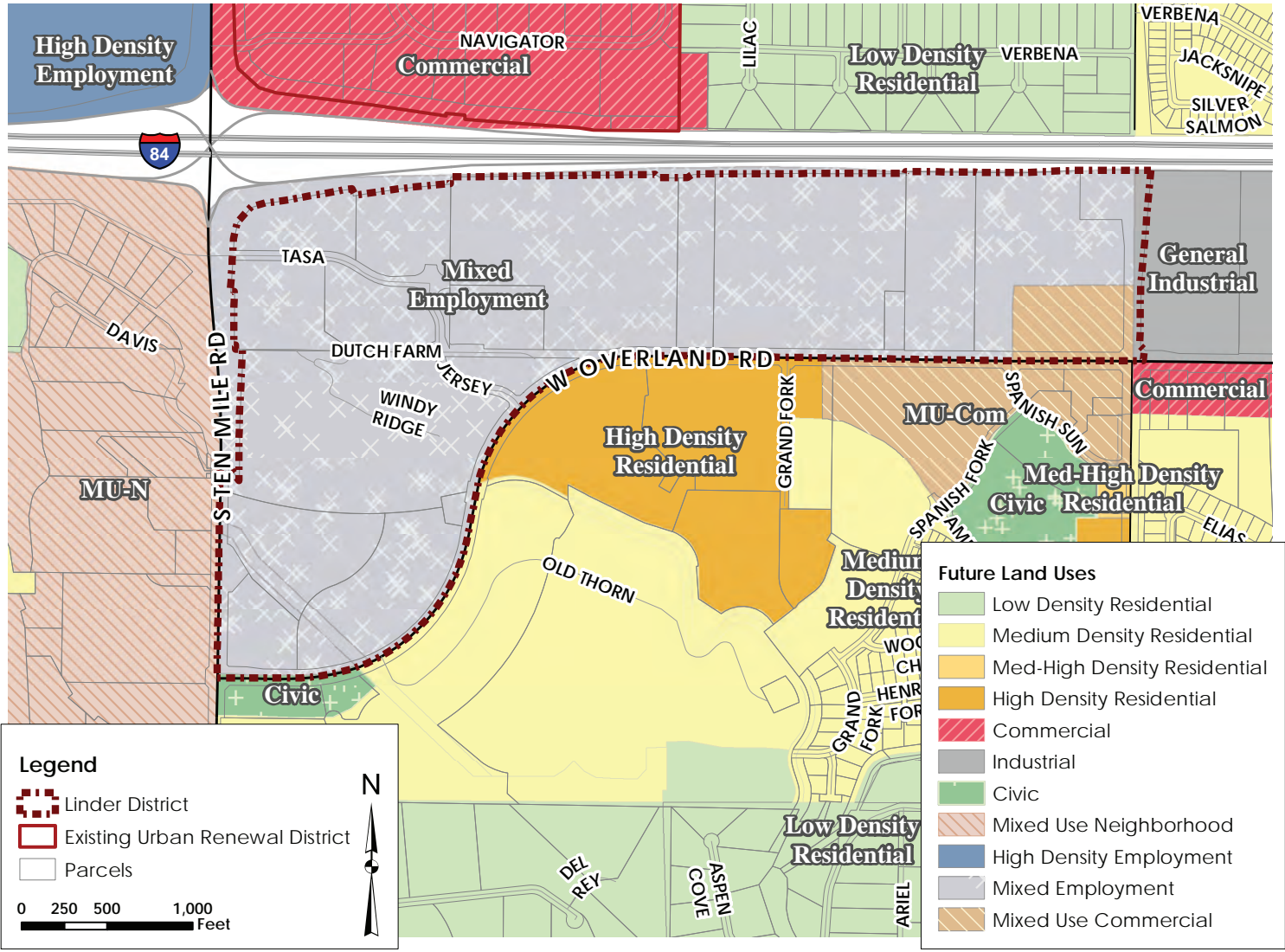
#### Private Properties Which May Be Acquired by the Agency

1. The Agency has not identified any particular parcel for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition include parcels to:
  - a) assemble with adjacent parcels to facilitate development and/or redevelopment;
  - b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for development and/or redevelopment;
  - c) reconfigure sites for development and possible extension of streets or pathways;
  - d) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental and floodplain remediation/site preparation, public parking, community facilities, pedestrian/bike paths and trails, recreation access points, and other public facilities.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined), including the Linder Overpass Project, the Sewer Main Project, and the Local Road Project.
4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.

Attachment 4

Map Depicting Expected Land Uses and Current Zoning Map  
of the Project Area







Attachment 5  
Economic Feasibility Study

## ATTACHMENT 5.1

### Public Improvements within the Revenue Allocation Area

This Attachment includes a projected list of proposed public works or improvements within the Linder District Project Area (the “Project Area”). The proposed improvements within the Project Area include improvements to streets, utilities, and other public rights-of-way amenities as well as partial participation in the development of the Linder Road Overpass, which may include property acquisition costs.

The Linder District Improvement List set forth below identifies needed investments to support private investment in capital facilities. Capital facilities generally have long useful lives and significant costs. The overall project and the infrastructure to support it are all consistent with the vision articulated in the City of Meridian Comprehensive Plan, The Ten Mile Interchange Specific Area Plan, the future land use map and as required in City development regulations. The cost estimates provided by the City are based upon prices for similar construction in the area and by the Ada County Highway District (ACHD) for the Linder Road overpass.

Estimated costs expected to be incurred in implementing the urban renewal plan are as follows:

#### Linder District Improvement List

Linder Overpass Project- Southern Approach (including real property acquisition)	\$1,500,000
Sewer Main Project (including real property acquisition)	\$3,500,000
Local Road Project – East-West Connection Between S. Linder Road and S. Ten Mile Road (including real property acquisition)	\$2,000,000
Grand Total	\$7,000,000

The projects and estimated costs have been derived from the City of Meridian, the Meridian Development Corporation (MDC) and the Ada County Highway District, in part, based upon similar works being carried out in the broader community. The costs are estimated in 2021 dollars and are not inflated. Costs will likely vary from the costs detailed here, as they will be subject to inflation and further project refinement and timing. The cost estimates used in this analysis are considered estimates for the purpose of financial planning.

The Project Area is estimated to generate \$11,314,976<sup>1</sup> in tax increment revenue between 2022 and 2041<sup>2</sup> in addition to the initial \$50,000 loan from MDC to activate the program.

The total from both sources is estimated to be \$11,364,976. There are presently \$7,000,000 of project costs identified in the Linder District Improvement List. It is generally understood that the Sewer Main and Local Roadway Projects will be funded through an owner/developer advanced funding of projects, which eligible costs would then be reimbursed through an Owner Participation Agreement (OPA), or other similar agreement, from resources derived from the Project Area. Funding for the Agency's anticipated participation in the Linder Overpass Project is through funding a reserve account over twelve (12) years. Funding for the Linder Overpass Project could be advanced by ACHD and the Idaho Transportation Department, which eligible costs for the southern approach would be reimbursed to ACHD through a reimbursement agreement, or other similar agreement.

Administrative costs over the 20-year life of the district are estimated at \$975,000 or approximately 8.6% of total estimated revenue. The initial inter-district loan to support startup costs is assumed to be repaid at 5% simple interest for a total obligation of \$52,500.

The total estimated expenditures equal \$9,577,500, leaving a \$1,787,476 positive program balance of at the end of the 20-year term. See attached cash flow analysis for detailed estimates.

The Urban Renewal Plan for the Linder District Urban Renewal Project (the "Plan") provides for the Plan and Project Area to extend through its maximum term of 20 years. The substantial fund balance at the end of the 20-year term may allow for early termination of the District if projects are realized as projected and costs do not substantially exceed forecasted estimates.

### Project Funding

Secure funding includes revenue allocation funds and is money MDC is highly likely to receive. The funds may not be in MDC's possession at the beginning of the Plan period, but it is virtually certain that MDC will receive the funds. MDC may need to take specific actions to generate the funding, but those actions are within its powers. Despite the high probability of secure funding, no project can proceed until a specific, enforceable funding plan is in place.

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<sup>1</sup> The difference in the revenue model is due to rounding.

<sup>2</sup> As the Idaho property tax system provides for taxes being paid in arrears, revenue allocation funds will be received in FY 2042. However, the final year of income has not been considered in determining the economic feasibility of the District.

Potential funding is money that might be received by MDC. In every case MDC is eligible for the funding, and the source of funding exists under current law. However, each potential funding source requires one or more additional steps or decisions before MDC can obtain the resources, and the ultimate decision is outside of MDC's independent control. The City's capital contributions or Community Development Block Grant funding are examples of potential funding. Thus, potential funding is not assumed in determining financial feasibility.

Unfunded projects, or portions of projects lack secure or potential funding. At this time, all projects are anticipated to be funded.

The amount of tax increment contributed to the project may vary depending upon the actual cost of infrastructure.

The Plan proposes certain public improvements that will facilitate development in the Project Area. The overall investment package will be funded from a variety of financing methods and sources. The primary method of financing MDC's obligation will be through the use of tax increment revenue (i.e., incremental property taxes from the revenue allocation area). This Plan anticipates that at least a portion of the tax increment revenue will be used to reimburse an owner/developer and/or a public entity through a negotiated agreement for some or all of the eligible improvement costs. The issuance of bonds is not anticipated in this analysis of financial feasibility.

Other sources of funding for project may include, but are not limited to:

- Local Improvement District (LID)
- Business Improvement District (BID)
- Development Impact Fees
- Franchise Fees
- Grants from federal, state, local, regional agencies and/or private entities
- Other bonds, notes and/or loans
- Improvements and/or payments by developers

The total project costs and the amount of tax increment are estimates. The estimated project costs and revenues are based on MDC's present knowledge and expectations supported by detailed information from property owners, City and MDC staff, and the Ada County Highway District based in part upon current construction projects in the broader community.

### Map of Proposed Linder Road District



### Summary of Projects

Based on the Linder District Improvement List set forth above, the estimated total costs for the public improvements are \$7,000,000. Financing costs through an OPA bring the total Project costs to \$9,577,500

**Cost of Operations and Improvements by Year (2021-2041)**

Year	Secure Funding (TIF & MDC Loan)	Potential Funding	District Operating Expenses	Overpass Reserve Contribution	Infrastructure & Loan Debt Service	Total Project Liabilities
2021	\$50,000	\$0	\$0	\$0	\$0	\$0
2022	\$9,743	\$0	\$25,000	\$0	\$0	\$25,000
2023	\$82,313	\$0	\$50,000	\$0	\$25,000	\$75,000
2024	\$99,932	\$0	\$50,000	\$25,000	\$25,000	\$100,000
2025	\$118,885	\$0	\$50,000	\$25,000	\$42,500	\$117,500
2026	\$139,277	\$0	\$50,000	\$50,000	\$40,000	\$140,000
2027	\$269,959	\$0	\$50,000	\$50,000	\$165,000	\$265,000
2028	\$289,081	\$0	\$50,000	\$100,000	\$140,000	\$290,000
2029	\$309,070	\$0	\$50,000	\$100,000	\$150,000	\$300,000
2030	\$447,964	\$0	\$50,000	\$150,000	\$250,000	\$450,000
2031	\$475,703	\$0	\$50,000	\$175,000	\$250,000	\$475,000
2032	\$504,727	\$0	\$50,000	\$200,000	\$250,000	\$500,000
2033	\$653,094	\$0	\$50,000	\$200,000	\$400,000	\$650,000
2034	\$690,769	\$0	\$50,000	\$200,000	\$450,000	\$700,000

2035	\$730,211	\$0	\$50,000	\$225,000	\$460,000	\$735,000
2036	\$889,505	\$0	\$50,000	\$0	\$840,000	\$890,000
2037	\$938,638	\$0	\$50,000	\$0	\$890,000	\$940,000
2038	\$990,098	\$0	\$50,000	\$0	\$940,000	\$990,000
2039	\$1,161,995	\$0	\$50,000	\$0	\$1,100,000	\$1,150,000
2040	\$1,224,346	\$0	\$50,000	\$0	\$685,000	\$735,000
2041	\$1,289,669	\$0	\$50,000	\$0	\$0	\$50,000
2042	\$0	\$0	0	\$0	\$0	\$0
<b>Total</b>	<b>\$11,364,976</b>	<b>\$0</b>	<b>\$975,000</b>	<b>\$1,500,000</b>	<b>\$7,102,500</b>	<b>\$9,577,500</b>

Note: This analysis anticipates a positive fund balance of \$1,787,476 the end of the project.

## ATTACHMENT 5.2

### Economic Feasibility Study

The Plan, as currently envisioned, is economically feasible because the proposed development is sufficient to fully cover the anticipated cost of redevelopment program.

The economic feasibility of the Plan is based on the following factors:

- The amount of development anticipated in the Project Area
- The timing of the proposed taxable development
- The nature of the proposed development
- The amount of tax revenue to be generated by the proposed development
- The cost of public improvement projects
- If revenue equals or exceeds project costs, the Plan is economically feasible.

The following is a summary of the analysis and estimates of the factors used to determine the economic feasibility of the Plan.

#### The Economic Feasibility Analysis

##### Summary:

Over the course of the Plan and the Linder District, \$11,314,976 of Tax Increment Revenue will be generated using the development scenarios proposed by the City and MDC, in consultation with property owners within the Linder District, as well as information from ACHD. The Economic Feasibility Study assumes a minimum of 10% annual revenue allocation area proceeds, or TIF revenue, in the amount of \$25,000 in year 2022, and thereafter at \$50,000/year, will be used for administration of the Linder District, supplemented by inter-district loan proceeds in the early years of the term. That amount of District Operating Expenses is capped at \$50,000 per year, for a total of \$975,000 for administration costs over the 20-year lifespan of the District.

The attached spreadsheets entitled “Linder District TIF Projections” and “Linder District Cash Flow Analysis” gives a more detailed outlook on the revenues and expenses of the development scenario.

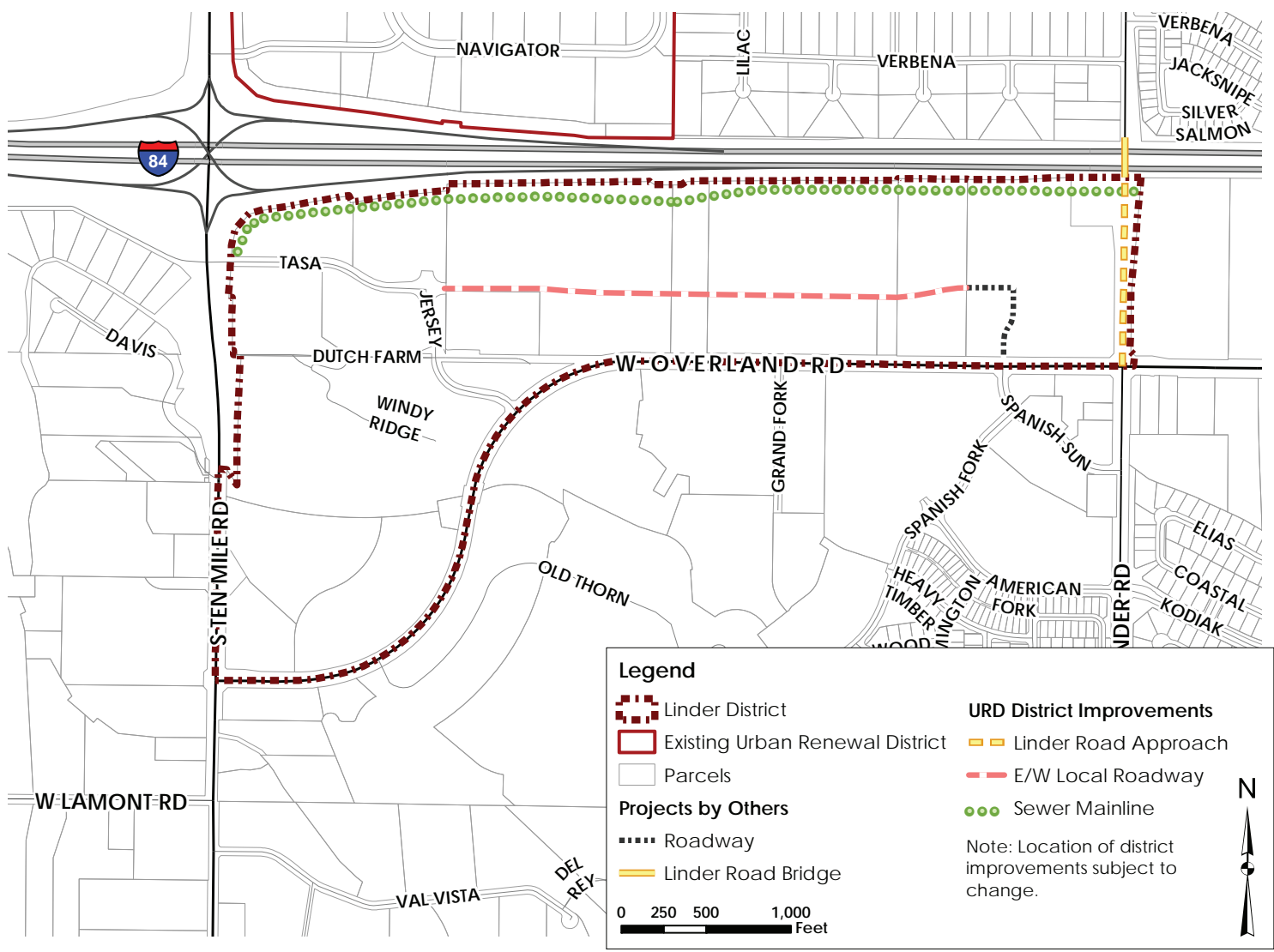
The following assumptions were made in the formulation of the Financial Feasibility Analysis:

- The land currently located within unincorporated Ada County will be annexed into the City prior to development occurring.

- Land Value Increase @ 8% /Year for 5 years, then 4% /year for the balance of the term.
- Improvement Value Increase @ 10% / Year for 5 years, then 5% / year for the balance of the term.
- Tax Rate is reduced 10% and held constant through the life of the Plan
- Total Capital Cost of Improvements over the life of the project:  
\$7,000,000 (City and consultants' estimates, including ACHD estimates related to the southern approach to the Linder District Overpass)
- Interest costs to support the anticipated Owner Participation Agreements related to the Sewer Main and Local Roadway Projects
- \$1,500,000 reserve to fund the southern approach to the Linder Overpass Project
- Tax rate does not include levies excluded pursuant to Idaho Code 50-2908, such as voter approved bonds/levies after 2007, judgment levies or the School District Plant or supplemental levies excluded by law.

The Economic Feasibility Analysis shows that the project will generate adequate funds within the Project Area to fund the necessary capital improvements.





Linder District TIF Projections												
Year	In-City Land Value (+8% for 5 yrs then 4%)	Initial Improvement Value (+ 10% for 5 yrs then 5%)	Total Assessed Value w/o ag values	Annual New Const. Value	Cumulative Construction Value inflated at 5%	Homeowners' Exemption	Taxable Value	Increment Value (I - Base)	Levy Rate (10%)	Tax Increment Yield	Admin Cost Support (10%) of TIF *	Funding for Capital Projects / Debt Service
2021	\$ 25,383,880	\$ 971,700	\$ 26,355,580	\$ -	\$ -	\$ -	\$ 26,355,580	\$ -	0.0053			
2022	\$ 27,414,590	\$ 1,068,870	\$ 28,483,460	\$ -	\$ -	\$ -	\$ 28,483,460	\$ 1,651,380	0.0053	\$ 9,743	\$ 974	\$ 8,769
2023	\$ 29,607,758	\$ 1,175,757	\$ 30,783,515	\$ 10,000,000	\$ 10,000,000	\$ -	\$ 40,783,515	\$ 13,951,435	0.0053	\$ 82,313	\$ 8,231	\$ 74,082
2024	\$ 31,976,378	\$ 1,293,333	\$ 33,269,711	\$ -	\$ 10,500,000	\$ -	\$ 43,769,711	\$ 16,937,631	0.0053	\$ 99,932	\$ 9,993	\$ 89,939
2025	\$ 34,534,489	\$ 1,422,666	\$ 35,957,154	\$ -	\$ 11,025,000	\$ -	\$ 46,982,154	\$ 20,150,074	0.0053	\$ 118,885	\$ 11,889	\$ 106,997
2026	\$ 37,297,248	\$ 1,564,933	\$ 38,862,180	\$ -	\$ 11,576,250	\$ -	\$ 50,438,430	\$ 23,606,350	0.0053	\$ 139,277	\$ 13,928	\$ 125,350
2027	\$ 38,789,137	\$ 1,643,179	\$ 40,432,317	\$ 20,000,000	\$ 32,155,063	\$ -	\$ 72,587,379	\$ 45,755,299	0.0053	\$ 269,956	\$ 26,996	\$ 242,961
2028	\$ 40,340,703	\$ 1,725,338	\$ 42,066,041	\$ -	\$ 33,762,816	\$ -	\$ 75,828,857	\$ 48,996,777	0.0053	\$ 289,081	\$ 28,908	\$ 260,173
2029	\$ 41,954,331	\$ 1,811,605	\$ 43,765,936	\$ -	\$ 35,450,956	\$ -	\$ 79,216,893	\$ 52,384,813	0.0053	\$ 309,070	\$ 30,907	\$ 278,163
2030	\$ 43,632,504	\$ 1,902,185	\$ 45,534,690	\$ 20,000,000	\$ 57,223,504	\$ -	\$ 102,758,194	\$ 75,926,114	0.0053	\$ 447,964	\$ 44,796	\$ 403,168
2031	\$ 45,377,805	\$ 1,997,295	\$ 47,375,099	\$ -	\$ 60,084,679	\$ -	\$ 107,459,779	\$ 80,627,699	0.0053	\$ 475,703	\$ 47,570	\$ 428,133
2032	\$ 47,192,917	\$ 2,097,159	\$ 49,290,076	\$ -	\$ 63,088,913	\$ -	\$ 112,378,989	\$ 85,546,909	0.0053	\$ 504,727	\$ 50,000	\$ 454,727
2033	\$ 49,080,633	\$ 2,202,017	\$ 51,282,651	\$ 20,000,000	\$ 86,243,359	\$ -	\$ 137,526,010	\$ 110,693,930	0.0053	\$ 653,094	\$ 50,000	\$ 603,094
2034	\$ 51,043,859	\$ 2,312,118	\$ 53,355,977	\$ -	\$ 90,555,527	\$ -	\$ 143,911,504	\$ 117,079,424	0.0053	\$ 690,769	\$ 50,000	\$ 640,769
2035	\$ 53,085,613	\$ 2,427,724	\$ 55,513,337	\$ -	\$ 95,083,303	\$ -	\$ 150,596,640	\$ 123,764,560	0.0053	\$ 730,211	\$ 50,000	\$ 680,211
2036	\$ 55,209,038	\$ 2,549,110	\$ 57,758,148	\$ 20,000,000	\$ 119,837,469	\$ -	\$ 177,595,616	\$ 150,763,536	0.0053	\$ 889,505	\$ 50,000	\$ 839,505
2037	\$ 57,417,399	\$ 2,676,566	\$ 60,093,965	\$ -	\$ 125,829,342	\$ -	\$ 185,923,307	\$ 159,091,227	0.0053	\$ 938,638	\$ 50,000	\$ 888,638
2038	\$ 59,714,095	\$ 2,810,394	\$ 62,524,489	\$ -	\$ 132,120,809	\$ -	\$ 194,645,298	\$ 167,813,218	0.0053	\$ 990,098	\$ 50,000	\$ 940,098
2039	\$ 62,102,659	\$ 2,950,914	\$ 65,053,573	\$ 20,000,000	\$ 158,726,850	\$ -	\$ 223,780,422	\$ 196,948,342	0.0053	\$ 1,161,995	\$ 50,000	\$ 1,111,995
2040	\$ 64,586,765	\$ 3,098,459	\$ 67,685,225	\$ -	\$ 166,663,192	\$ -	\$ 234,348,417	\$ 207,516,337	0.0053	\$ 1,224,346	\$ 50,000	\$ 1,174,346
2041	\$ 67,170,236	\$ 3,253,382	\$ 70,423,618	\$ -	\$ 174,996,352	\$ -	\$ 245,419,970	\$ 218,587,890	0.0053	\$ 1,289,669	\$ 50,000	\$ 1,239,669
				\$ 110,000,000						\$ 11,314,978	\$ 724,193	\$ 10,590,786

**Assumptions:**

Land Values inflate at 8% per year for 5 years then at 4% for remainder of the term

Improvement Values inflate at 10% per year for 5 years then 5% for remainder of the term

Property tax income available in year following Certificate of Occupancy

Tax rate reduced by 10% then held constant

Administrative costs capped at \$50,000 per year

\* 10% of TIF Yield dedicated to Administrative expenses, supplemented by inter-district loan in early years of term

### Linder District Cash Flow Analysis

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
<b>Beginning Balance</b>	\$ -	\$ 50,000	\$ 34,743	\$ 42,056	\$ 41,988	\$ 43,373	\$ 42,650	\$ 47,606	\$ 46,687	\$ 55,757	\$ 53,721
<b>Source of Funds</b>											
<b>Total Revenue Allocation</b>	\$ -	\$ 9,743	\$ 82,313	\$ 99,932	\$ 118,885	\$ 139,277	\$ 269,956	\$ 289,081	\$ 309,070	\$ 447,964	\$ 475,703
<b>MDC Inter-District Loan *</b>	\$ 50,000		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Funds Available</b>	\$ 50,000	\$ 59,743	\$ 117,056	\$ 141,988	\$ 160,873	\$ 182,650	\$ 312,606	\$ 336,687	\$ 355,757	\$ 503,721	\$ 529,424
<b>Use of Funds</b>											
<b>District Operating Expenses</b>	\$ -	\$ 25,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
<b>Repay Inter-District Loan @ 5%</b>	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Reserve for Linder Overpass</b>				\$ 25,000	\$ 25,000	\$ 50,000	\$ 50,000	\$ 100,000	\$ 100,000	\$ 150,000	\$ 175,000
<b>OPA Debt Service on \$5,500,000</b>		\$ -	\$ -	\$ -	\$ 40,000	\$ 40,000	\$ 165,000	\$ 140,000	\$ 150,000	\$ 250,000	\$ 250,000
<b>Total Use of Funds</b>	\$ -	\$ 25,000	\$ 75,000	\$ 100,000	\$ 117,500	\$ 140,000	\$ 265,000	\$ 290,000	\$ 300,000	\$ 450,000	\$ 475,000
<b>Ending Balance</b>	\$ 50,000	\$ 34,743	\$ 42,056	\$ 41,988	\$ 43,373	\$ 42,650	\$ 47,606	\$ 46,687	\$ 55,757	\$ 53,721	\$ 54,424
	<b>2032</b>	<b>2033</b>	<b>2034</b>	<b>2035</b>	<b>2036</b>	<b>2037</b>	<b>2038</b>	<b>2039</b>	<b>2040</b>	<b>2041</b>	<b>Total</b>
<b>Beginning Balance</b>	\$ 54,424	\$ 59,151	\$ 62,245	\$ 53,014	\$ 48,225	\$ 47,730	\$ 46,368	\$ 46,466	\$ 58,461	\$ 547,807	
<b>Source of Funds</b>											
<b>Total Revenue Allocation</b>	\$ 504,727	\$ 653,094	\$ 690,769	\$ 730,211	\$ 889,505	\$ 938,638	\$ 990,098	\$ 1,161,995	\$ 1,224,346	\$ 1,289,669	\$ 11,314,976
<b>MDC Inter-District Loan</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000
<b>Total Funds Available</b>	\$ 559,151	\$ 712,245	\$ 753,014	\$ 783,225	\$ 937,730	\$ 986,368	\$ 1,036,466	\$ 1,208,461	\$ 1,282,807	\$ 1,837,476	\$ 11,364,976
<b>Use of Funds</b>											
<b>District Operating Expenses</b>	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 975,000
<b>Repay Inter-district Loan @ 5%</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 52,500
<b>Reserve for Linder Overpass</b>	\$ 200,000	\$ 200,000	\$ 200,000	\$ 225,000							\$ 1,500,000
<b>OPA Principal</b>	\$ 250,000	\$ 400,000	\$ 450,000	\$ 460,000	\$ 840,000	\$ 890,000	\$ 940,000	\$ 1,100,000	\$ 685,000	\$ -	\$ 7,050,000
<b>Total Use of Funds</b>	\$ 500,000	\$ 650,000	\$ 700,000	\$ 735,000	\$ 890,000	\$ 940,000	\$ 990,000	\$ 1,150,000	\$ 735,000	\$ 50,000	\$ 9,577,500
<b>Ending Balance</b>	\$ 59,151	\$ 62,245	\$ 53,014	\$ 48,225	\$ 47,730	\$ 46,368	\$ 46,466	\$ 58,461	\$ 547,807	\$ 1,787,476	

### Linder District Cash Flow Analysis

<u>Assumptions</u>	
Initial District Start-up costs supported by MDC Inter-district Loan of \$50,000 to be repaid at 5% Simple Interest	
District operating Expenses, capped at \$50,000, Yr.	
Land Values will increase at an average of 8% annually for 5 years then at 4% over the remaining life of the District	
Improvement Values will increase at a rate of 10% for 5 years then at 5% over the remaining life of the District	
\$1,500,000 reserve for Linder Overpass Contribution accrued over 12 years	
Debt Service for \$5,500,000 infrastructure investment reimbursed through an Owner Participation Agreement (OPA) over 16 years	
\$1,787,476 Fund Balance at end of term - possible accelerated OPA Reimbursement or early District termination	

Attachment 6

Agricultural Operation Consents

**[Exhibits B and C Were Originally Attached to Each Consent; To Avoid Duplication and to Reduce Document Size Exhibits B and C Are Attached One Time to the Last Consent]**

### AGRICULTURAL OPERATION CONSENT FORM

COMES NOW David E. Blewett, Manager of Kendall Development Group LLC, an Oregon limited liability company, as Manager of Idaho Auto Mall LLC, an Oregon limited liability company ("Owner"), owns that certain property generally described as Parcel Identification Number S1214449107 the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

- (1) that the Property has been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated April 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, David E. Blewett, Manager of Kendall Development Group LLC, as Manager of Idaho Auto Mall LLC, hereby provides his consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 27<sup>th</sup> day of August, 2021.

IDAHO AUTO MALL LLC

By: Kendall Development Group LLC  
Its: Manager

  
Name: David E. Blewett  
Title: Manager

STATE OF IDAHO        )  
                                   ) ss  
 COUNTY OF ADA        )

On this 27<sup>TH</sup> day of August, 2021, before me, a notary public, personally appeared David E. Blewett, known to me or proved on the basis of satisfactory evidence to be the person(s) whose name is subscribed to this document, and acknowledged he executed the same as Manager of Kendall Development Group LLC, the Manager of Idaho Auto Mall LLC.

Witness my hand and official seal.

*Joanna Harbeston*



NOTARY PUBLIC in and for said County and State



EXHIBIT A

**PARCEL NUMBER:** S1214449107

**ADDRESS:** 1690 W. Overland Rd

EXHIBIT A  
**LEGAL DESCRIPTION**

Legal Description  
Kendall – Overland and Linder Property

A parcel being a portion of the SE ¼ of the SE ¼ of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southeast corner of said Section 14, from which an Aluminum Cap monument marking the southwest corner of the SE ¼ of said Section 14 bears N 89°19'41" W a distance of 2661.68 feet;

Thence along the southerly boundary of said SE ¼ of the SE ¼ N 89°19'41" W a distance of 76.61 feet to a point;

Thence leaving said southerly boundary N 0°40'19" E a distance of 51.00 feet to a 5/8 inch diameter rebar on the northerly right-of-way of W. Overland Road as shown in Warranty Deed Instrument No. 106137107, records of Ada County, Idaho, and the **POINT OF BEGINNING**;

Thence along said northerly right-of-way N 89°19'41" W along a line being parallel to and 51.00 feet northerly of the southerly boundary of said SE ¼ of the SE ¼ a distance of 458.45 feet to a 5/8 inch diameter rebar;

Thence continuing along said right-of-way S 0°40'19" W a distance of 3.00 feet to a 5/8 inch diameter rebar on the northerly right-of-way of W. Overland Road as shown in Warranty Deed Instrument No. 110022694, records of Ada County, Idaho;

Thence along said northerly right-of-way N 89°19'41" W along a line being parallel to and 48.00 feet northerly of the southerly boundary of said SE ¼ of the SE ¼ a distance of 388.83 feet to a 5/8 inch diameter rebar;

Thence leaving said northerly right-of-way N 0°40'19" E a distance of 1041.05 feet to a ½ inch diameter rebar on the southerly right-of-way of Interstate 84 as shown in Deed Instrument Nos. 570841 and 663257, records of Ada County, Idaho;

Thence along said southerly right-of-way S 89°36'31" E a distance of 275.30 feet to a Brass Cap monument;

Thence continuing along said southerly right-of-way N 87°30'50" E a distance of 335.13 feet to a point on the westerly boundary of that parcel as described on Page 2 of 3 of Exhibit A of Warranty Deed Instrument Nos. 106056918 and 106070020, records of Ada County, Idaho;

Thence along said westerly boundary S 0°32'59" W a distance of 286.05 feet to a ½ inch rebar;

Thence S 89°57'34" E a distance of 243.86 feet to an Aluminum Cap monument on the westerly right-of-way of S. Linder Road as shown on Page 1 of 3 of Exhibit A of said Warranty Deed Instrument Nos. 106056918 and 106070020;

Thence along said westerly right-of-way S 5°44'46" E a distance of 152.76 feet to a ½ inch diameter rebar marking an angle point in said westerly right-of-way as shown in said Warranty Deed Instrument No. 106137107;

Thence continuing along said westerly right-of-way S 0°32'59" W along a line being parallel to and 51.00 feet westerly of the easterly boundary of said SE ¼ of the SE ¼ a distance of 598.69 feet to a 5/8 inch diameter rebar;

Thence continuing along said right-of-way S 47°20'54" W a distance of 34.98 feet to the **POINT OF BEGINNING.**

This parcel contains 19.26 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS  
Land Solutions, PC  
September 3, 2019



### AGRICULTURAL OPERATION CONSENT FORM


COMES NOW Soo W. Lee, an Individual, and states that Individual, owns that certain property generally described as Parcel Identification Number S1214346705 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated April 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Soo W. Lee, an Individual, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.


DATED this 10 day of August, 2021.

  
\_\_\_\_\_  
Soo W. Lee  
An Individual

STATE OF IDAHO            )  
  ) ss:  
County of Ada             )

On this 10th day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Soo W. Lee, known or identified to me to be the person who executed this instrument.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires on 10/22/24

### EXHIBIT A

### PARCEL NUMBER

S1214346705

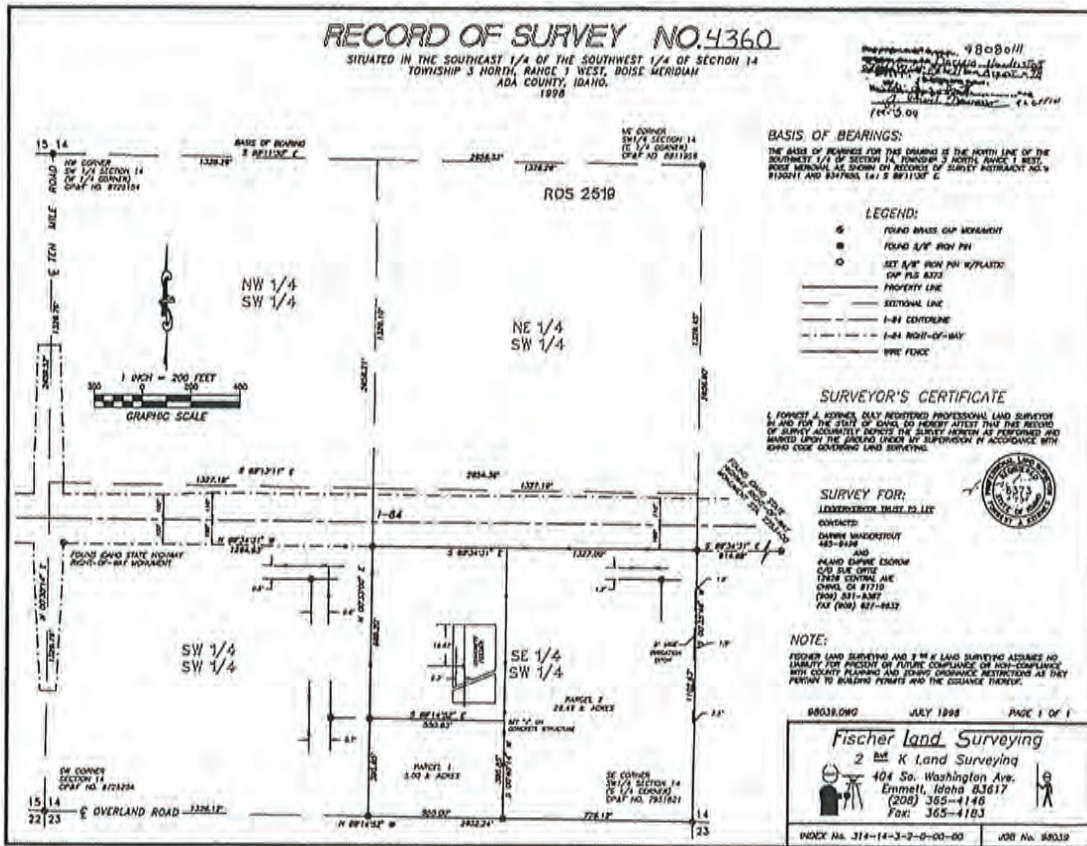
### ADDRESS

West Overland Road, Meridian, Idaho

### DESCRIPTION

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

### SURVEY RECORD



**AGRICULTURAL OPERATION CONSENT FORM**

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438600 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 20<sup>th</sup> day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager

\_\_\_\_\_  
Michael S. Adler  
President

STATE OF IDAHO                    )  
   ) ss:  
 County of Ada                        )

This record was acknowledged before me on August 20, 2021 (date) by Michael S. Adler (Signer), known or identified to me to be the President of Adler Industrial, LLC (Constituent Entity), the Manager of Adler AB Owner I, LLC (Maker), who subscribed said Maker Entity's name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said Constituent Entity, and that such Constituent Entity executed the same in the name of said Maker Entity.

(stamp)



Martha Parker  
 Notary Public  
 My Commission Expires on 04/08/2027



**EXHIBIT A**

**PARCEL NUMBER**

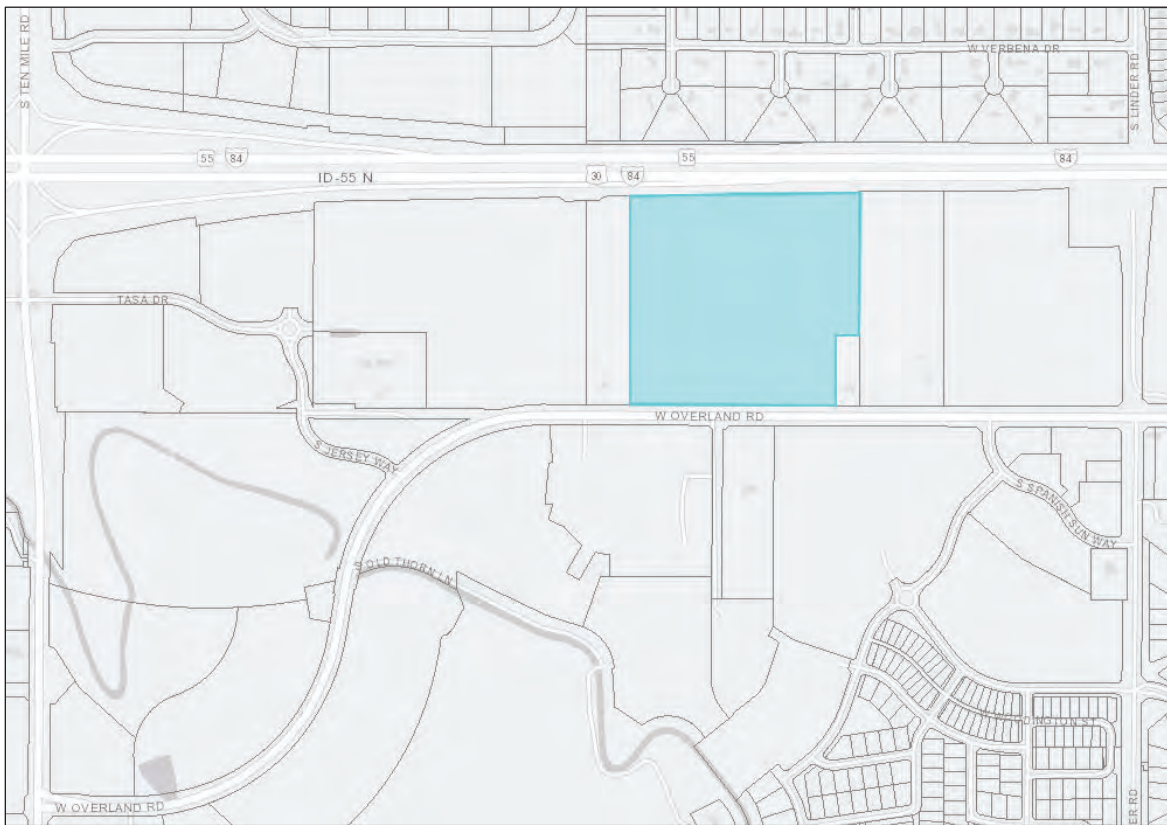
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B



### AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438420 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

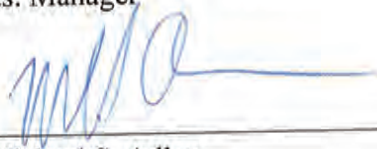
(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager

  
\_\_\_\_\_  
Michael S. Adler  
President

### CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

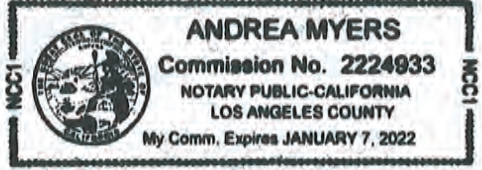
State of California  
County of Los Angeles)

On August 23, 2021 before me, Andrea Myers, Notary Public  
(insert name and title of the officer)

personally appeared Michael S. Adler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Andrea Myers*

(Seal)

# EXHIBIT A

## PARCEL NUMBER

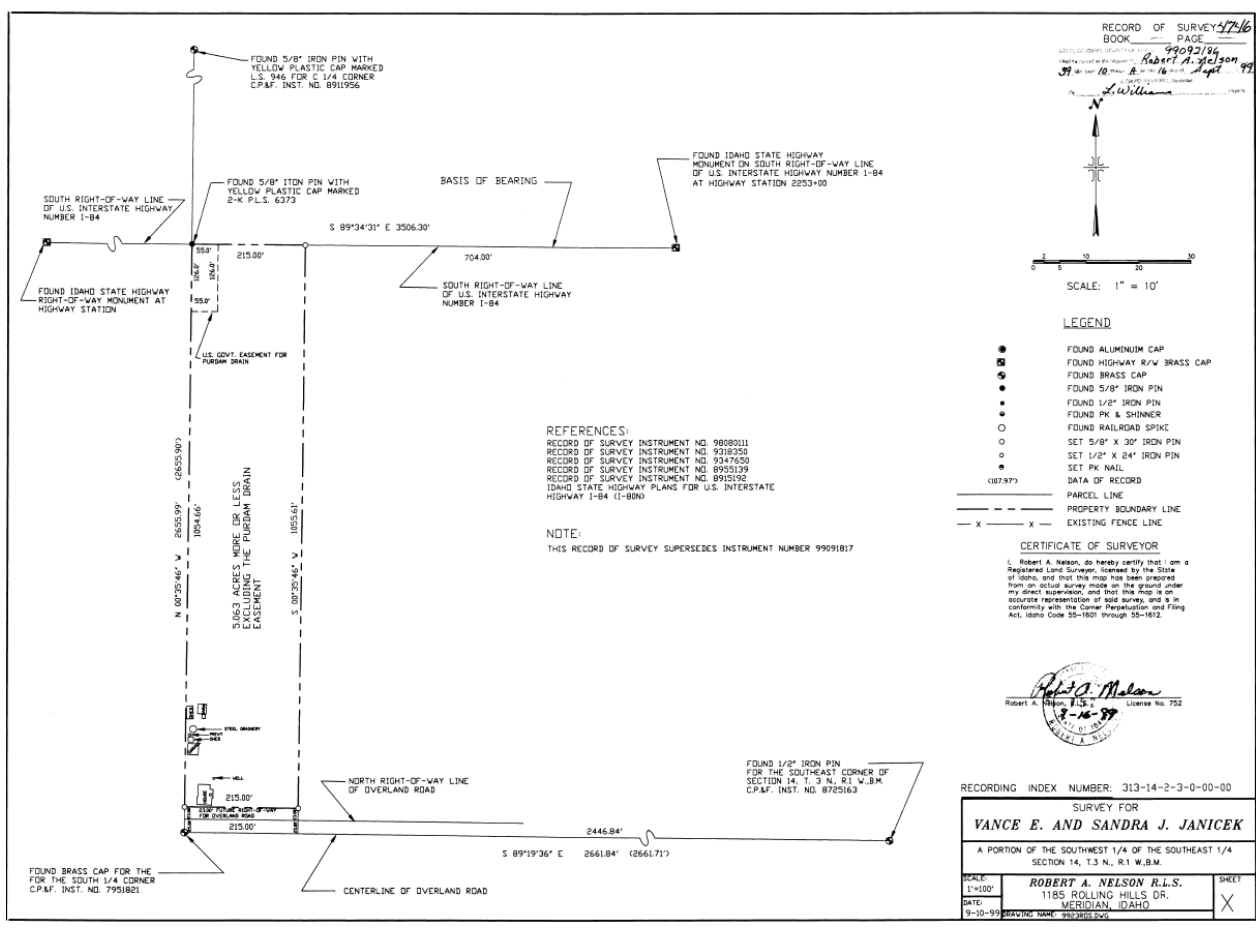
S1214438420

## ADDRESS

2390 West Overland Road, Meridian, Idaho

## DESCRIPTION

PAR #4200 @ W SIDE SW4SE4  
SEC 14 3N 1W  
R/S 4746  
#8416-B



### AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002 and states that the Paul R. Blomberg Revocable Trust 9-3-2003 owns that certain property generally described as Parcel Identification Number S1214449021 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Paul R. Blomberg  
Paul R. Blomberg  
Trustee

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

On this 23<sup>rd</sup> day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Paul R. Blomberg, known or identified to me to be the Manager of the Paul R. Blomberg Revocable Trust 9-3-2002, who executed this instrument in his capacity as Trustee.



Joshua Iverson  
Notary Public  
My Commission Expires on 10/22/24

### EXHIBIT A

### PARCEL NUMBER

S1214449021

### ADDRESS

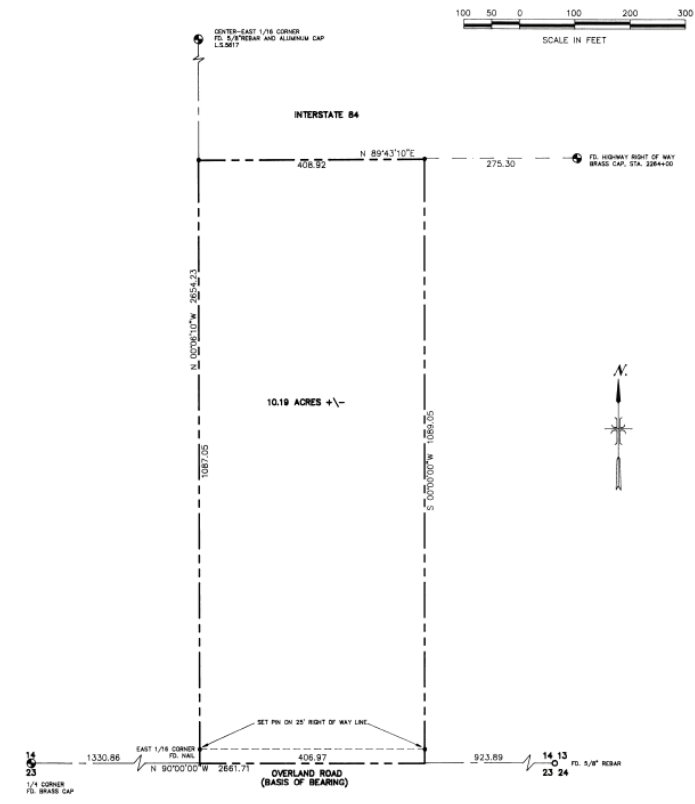
1940 West Overland Road, Meridian, Idaho

### DESCRIPTION

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

### SURVEY RECORD

RECORD OF SURVEY NO. 2412



**LEGEND**

- Found Brass Cap
- Set 5/8" x 30" Rebar With Plastic Cap
- Set 1/2" x 24" Rebar
- Found 5/8" x 30" Rebar
- Found 1/2" x 24" Rebar
- Boundary Line
- - - Section Line
- - - - - Easement Line

#### CERTIFICATE OF SURVEYOR

I, Michael E. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys.

Michael E. Marks, L.S. License No. 4998

#### STATE OF IDAHO, COUNTY OF ADA, SS

INSTRUMENT NO. 9318350  
 FILED FOR RECORD AT THE REQUEST OF MICHAEL MARKS  
 OF MARCH MIN. PAST 3 O'CLOCK P.M. THIS 12th DAY  
 OF MARCH, 1993.  
 J. DAVID NAVARRO, RECORDER  
 BY: Michael DEPUTY  
500

RECORDING INDEX NO. 314-14-2-2-0-00-00

SURVEY FOR <b>ELMO POWELL</b>			MARKS SURVEYING		
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T.3N., R.1W., B.M. ADA COUNTY, IDAHO			(208)338-8508 1008 FOREST STREET, BOISE, IDAHO 83708		
DESIGN:	DRAFT:	CHECK:	SCALE: 1" = 100'	DATE: MARCH, 1993	DRAWING NO.: 93-003

### AGRICULTURAL OPERATION CONSENT FORM

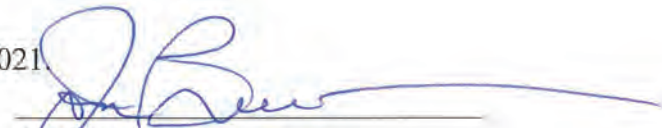
COMES NOW Jon Brennan, Manager of 5B1031 LLC, an Idaho Limited Liability Company, and states that 5B1031 LLC owns that certain property generally described as Parcel Identification Number S1214346905 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has NOT been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

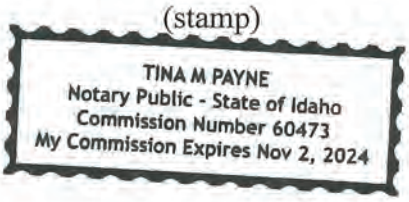
Further, Jon Brennan, Manager of 5B1031 LLC, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.


DATED this 20th day of August, 2021

  
\_\_\_\_\_  
Jon Brennan  
Manager

STATE OF IDAHO                    )  
  ) ss:  
County of ~~Ada~~ Elmore            )

This record was acknowledged before me on August 20, 2021 (date) by Jon Brennan on behalf of 5B1031 LLC in his capacity as its Manager.



  
\_\_\_\_\_  
Tina M Payne  
Notary Public  
My Commission Expires on 11-02-2021

### EXHIBIT A

### PARCEL NUMBER

S1214346905

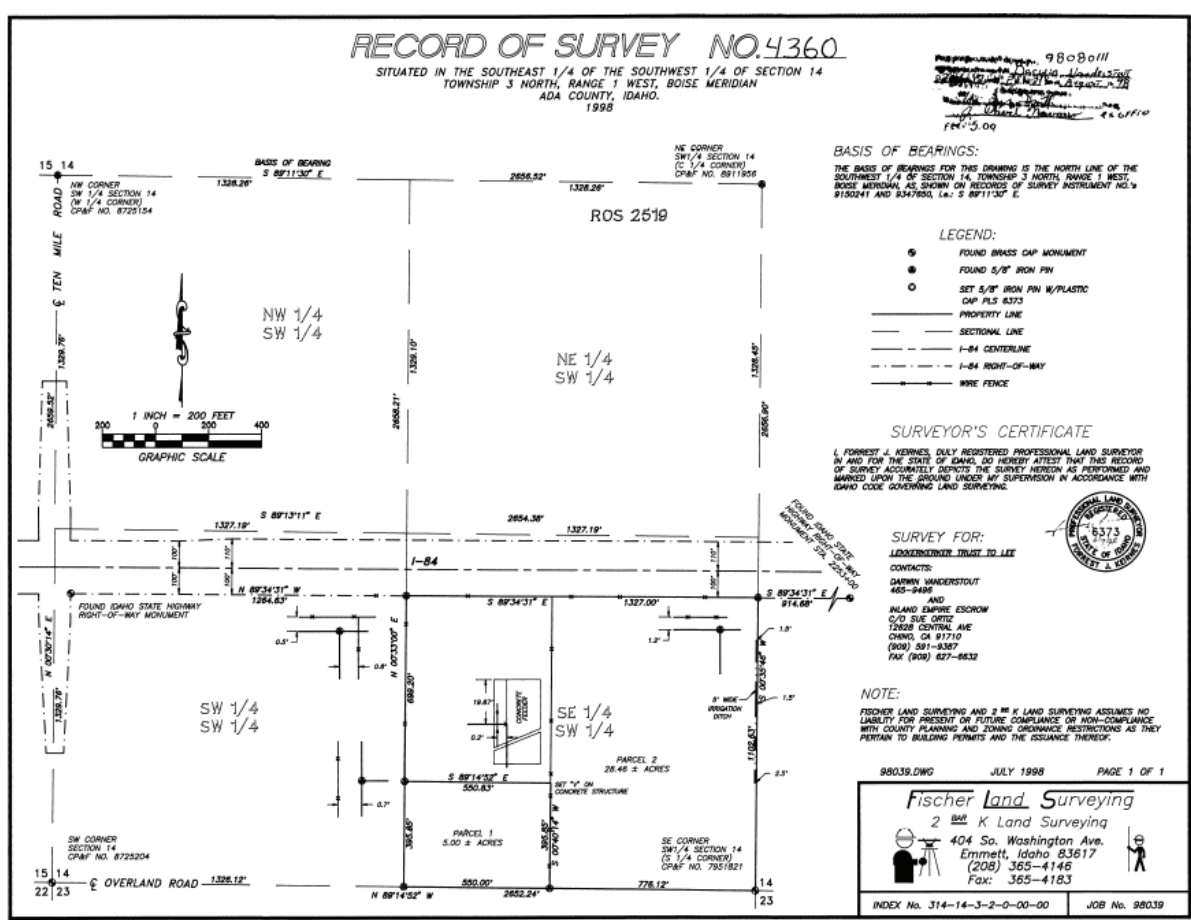
### ADDRESS

2960 West Dutch Farm Road, Meridian, Idaho

### DESCRIPTION

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

### SURVEY RECORD





**EXHIBIT B****EXCERPTS OF STATUTES****IDAHO CODE §§ 50-2018(8) AND (9)**

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

**IDAHO CODE § 50-2008**

50-2008. PREPARATION AND APPROVAL OF PLAN FOR URBAN RENEWAL PROJECT. (a) An urban renewal project for an urban renewal area shall not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or a deteriorating area or a combination thereof and designated such area as appropriate for an urban renewal project.

(b) An urban renewal agency may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to an urban renewal agency. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as

a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

(e) An urban renewal plan may be modified at any time: Provided that if modified after the lease or sale by the urban renewal agency of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the urban renewal agency may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the local governing body of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area, and the urban renewal agency may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this act, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the governor of the state has certified the need for disaster assistance under 42 U.S.C. section 5121, or other federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan for the municipality and a public hearing on the urban renewal project.

(h) Any urban renewal plan containing a revenue allocation financing provision shall include the information set forth in section 50-2905, Idaho Code.

**IDAHO CODE §50-2903(8)**

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

(c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.

(d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.

(e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

EXHIBIT C



Linder  
Urban Renewal District  
(Proposed)

Eligibility Report

Prepared for

The City of Meridian  
and  
The Meridian Development Corporation  
May 2021



Kushlan | Associates  
Boise, Idaho

**Introduction:** Kushlan | Associates was retained by the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (the “MDC”) and the City of Meridian (the “City”) to assist in their consideration of establishing a new urban renewal district<sup>1</sup> in the City of Meridian, Idaho, and its area of operation.

Elected Officials serving the City of Meridian are:

Mayor:	Robert Simison
Council President:	Treg Bernt
Council Vice President:	Brad Hoaglun
Council Members:	Joe Borton
	Luke Cavener
	Liz Strader
	Jessica Perreault

City Staff

Community Development Director:	Cameron Arial
---------------------------------	---------------

Idaho Code § 50-2006 states: “URBAN RENEWAL AGENCY. (a) There is hereby created in each municipality an independent public body corporate and politic to be known as the "urban renewal agency" that was created by resolution as provided in section 50-2005, Idaho Code, before July 1, 2011, for the municipality...” to carry out the powers enumerated in the statutes. The Meridian City Council adopted Resolution 01-397 on July 24, 2001 bringing forth those powers within the City of Meridian.

The Mayor, with the confirmation of the City Council, has appointed nine members to the MDC Board of Commissioners (the “MDC Board”). The MDC Board currently oversees the implementation of three urban renewal districts. Two are focused on the revitalization of downtown Meridian. The first, the Meridian Revitalization Plan Urban Renewal Project (the “Downtown District”) was established by the City Council’s adoption of Ordinance No. 02-987 on December 3, 2002. The second district, the Urban Renewal Plan for the Union District Urban Renewal Project (the “Union District”) was established with the adoption of Ordinance No. 20-1882 on June 9, 2020. Both the Downtown District and the Union District are focused on redevelopment activities in and around the City’s downtown core. The third district, the Urban Renewal Plan for the Ten Mile Road- A Urban Renewal Project (the “Ten Mile District”) was established by Ordinance No. 16-1695 adopted on June 21, 2016, and is focused on economic development outside of the City’s core to support implementation of the Ten Mile Interchange Specific Area Plan.

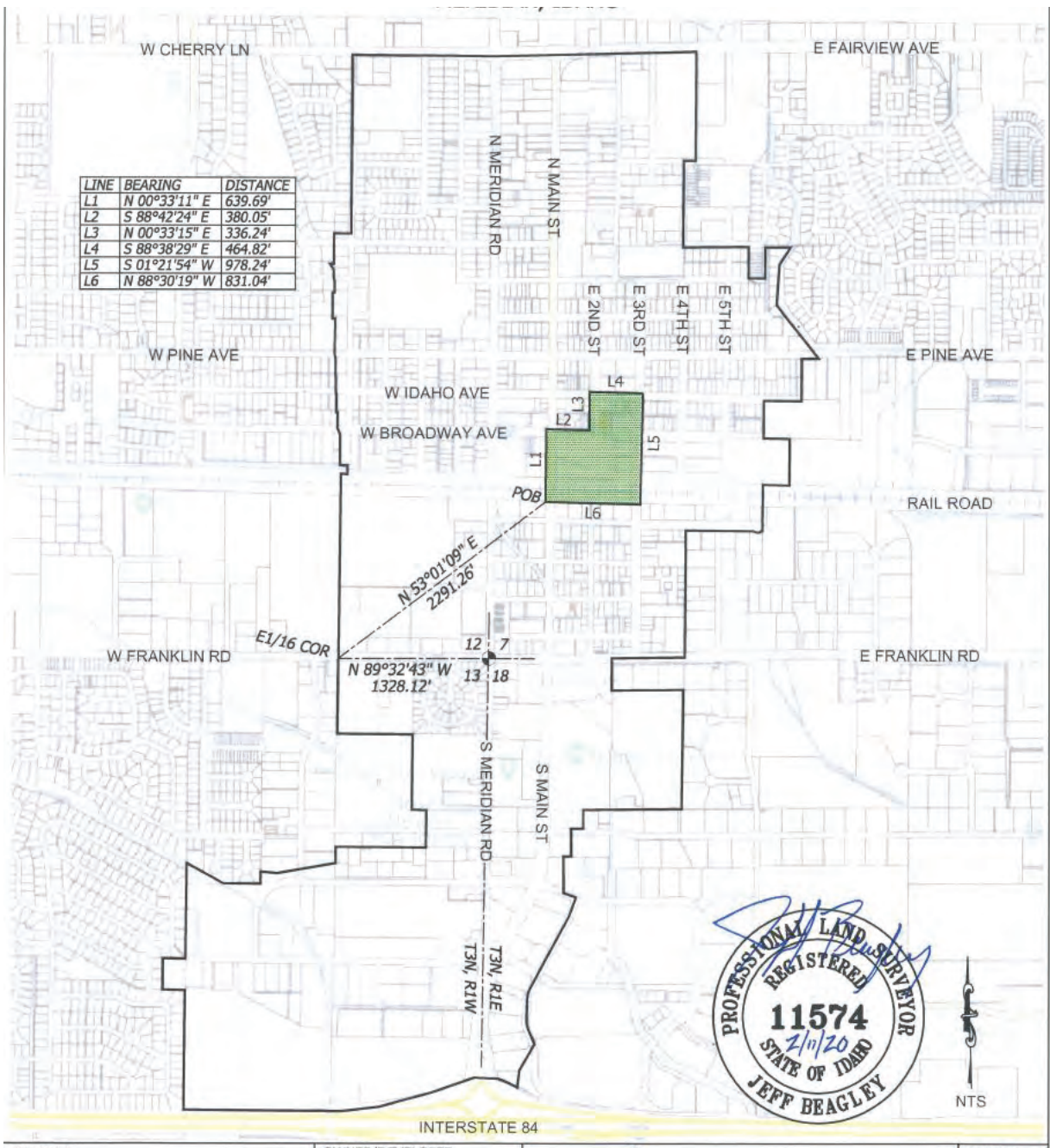
The current membership of the Commission is as follows:

Chair:	David Winder
Vice Chairman	Nathan Mueller
Secretary/ Treasurer	Steve Vlassek
Commissioners	Dan Basalone
	Rob McCarvel
	Treg Bernt
	Tammy deWeerd
	Diane Bevan
	Kit Fitzgerald

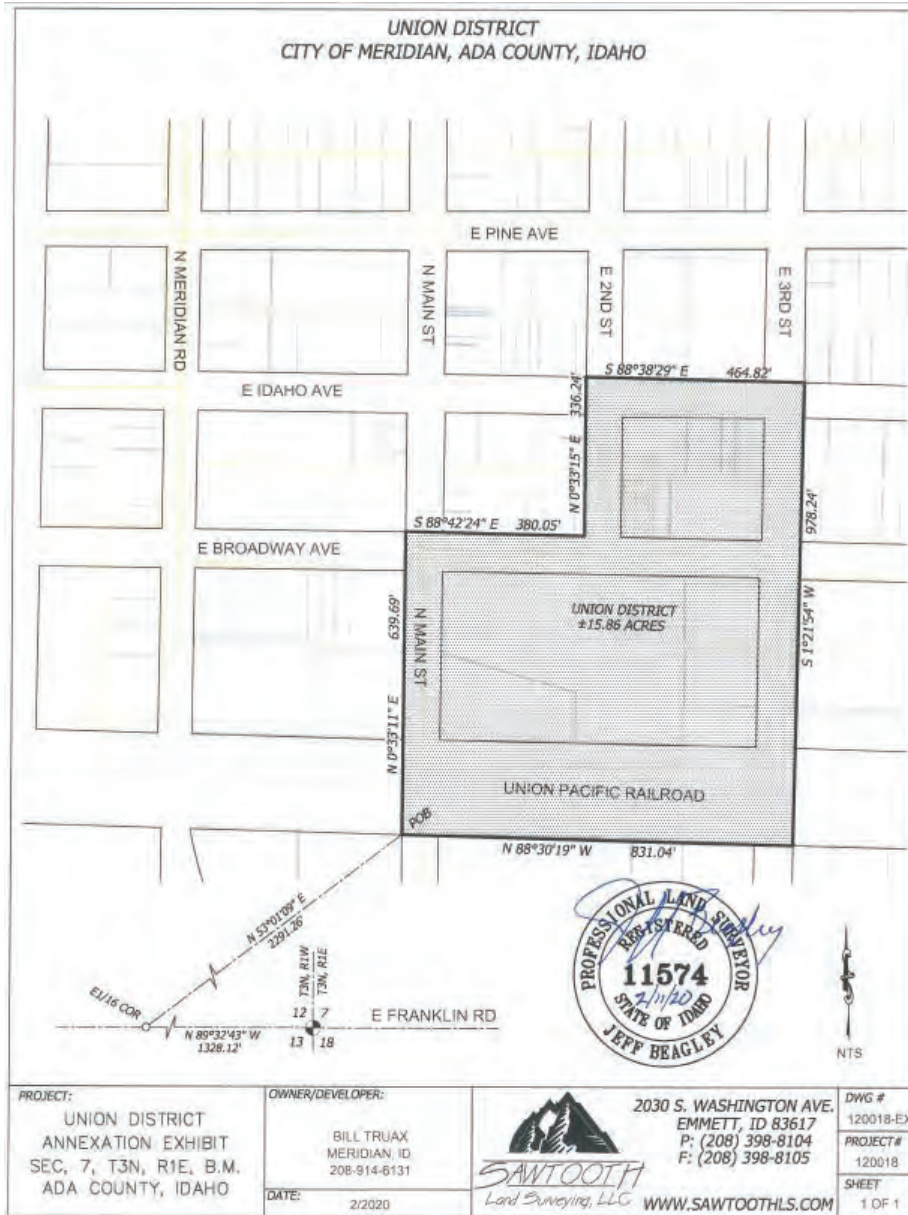
<sup>1</sup> Throughout this Study, urban renewal/revenue allocation area will be referred to as an “urban renewal district.”

Staff:  
 Urban Renewal Administrator: Ashley Squyres  
 Legal Counsel: Todd Lakey

**Map of the Downtown District (excluding shaded area)**

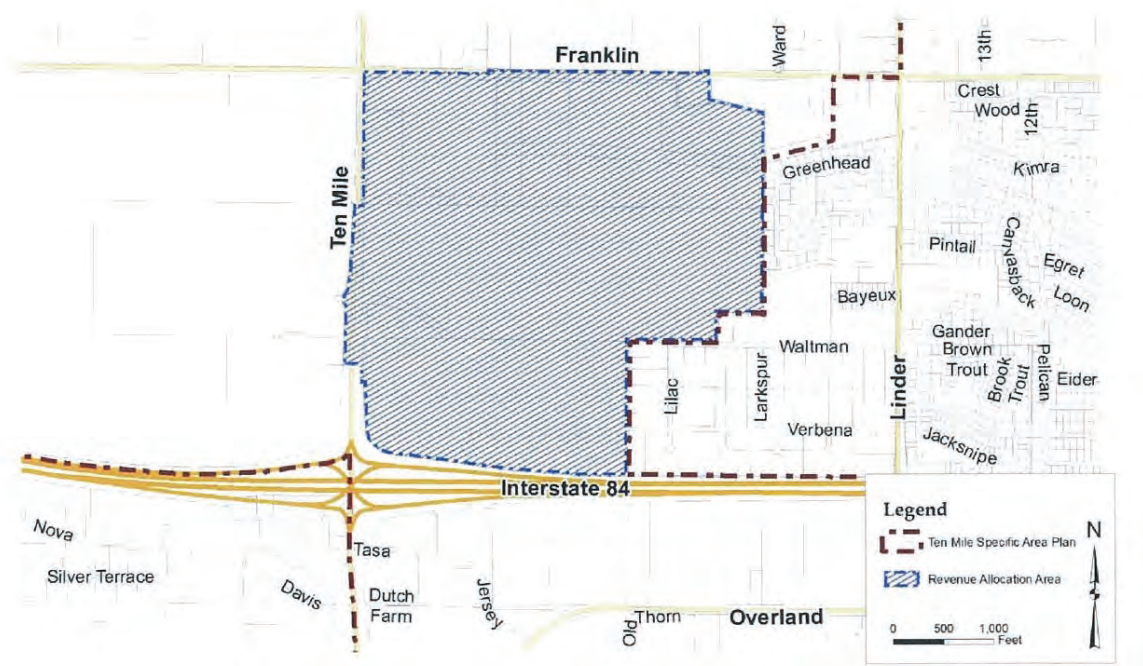


### Map of Union District





### Map of Ten Mile Road District



### Background:

While Native Americans inhabited the area for centuries, the development of the community of Meridian, as we know it today, evolved through the late nineteenth century. European settlement started in the 1880s and was originally located on a farm owned by the Onweiler family. A school was opened in 1885. The U.S. Postal Service established a mail drop along the Oregon Short Line Railroad and the site was named Hunter after its superintendent. Community activity grew around this mail stop focused on the railroad. In 1893 an Odd Fellows lodge was organized and called itself Meridian, acknowledging that it was located on the Boise Meridian the primary North-South survey benchmark for Idaho. That name grew in primary use as the name of the settlement and the Village of Meridian was incorporated in 1903 with a population of approximately 200.

The economy had traditionally been focused on the support of the surrounding agricultural activities. A major creamery was established in the community in 1897 to support the nearby dairies. Fruit orchards were located throughout the area.

Meridian was a significant stop on the Interurban electric railway from 1908 to 1928. This service provided convenient access for passengers and freight in both easterly and westerly directions.

Throughout most of the 20<sup>th</sup> century, Meridian remained a relatively quiet community focused on its agricultural roots. US Census Bureau data, reflects a 1910 population of 619 people growing to 2,616 by 1970. However, starting in 1970 the pace of growth in Southwest Idaho quickened and Meridian’s growth initially reflected, and then exceeded

the regional rates by significant margins. Over the past twenty-five years the rate of growth has been startling by any reasonable standard. The following table reflects that population growth over the city's history.

1903 (Incorporation Estimate)	200
1910	619
1920	1,013
1930	1,004
1940	1,465
1950	1,500
1960	2,100
1970	2,600
1980	6,658
1990	9,596
2000	34,919
2010	75,092
2020	114,200
2021 (Estimate)	129,555

When income statistics are compared to statewide numbers, the population of Meridian compares favorably with the rest of Idaho in these categories. The median household income in Meridian is \$71,389, approximately 28% above the statewide figure of \$55,785. Per capita money income for the Meridian population is \$33,328 as compared to the statewide number of \$27,970. The percentage of the Meridian population below poverty level is 8.6% as compared to the statewide number of 11.2%.

**Investment Capacity:** Cities across the nation actively participate in the economic vitality of their communities through investment in infrastructure. Water and sewer facilities as well as transportation, communication, electrical distribution and other systems are all integral elements of an economically viable community. Idaho cities have a significant challenge in responding to these demands along with the on-going need to reinvest in their general physical plant to ensure it does not deteriorate to the point of system failure. They face stringent statutory and constitutional limitations on revenue generation and debt as well as near total dependence upon state legislative action to provide funding options. These strictures severely constrain capital investment strategies.

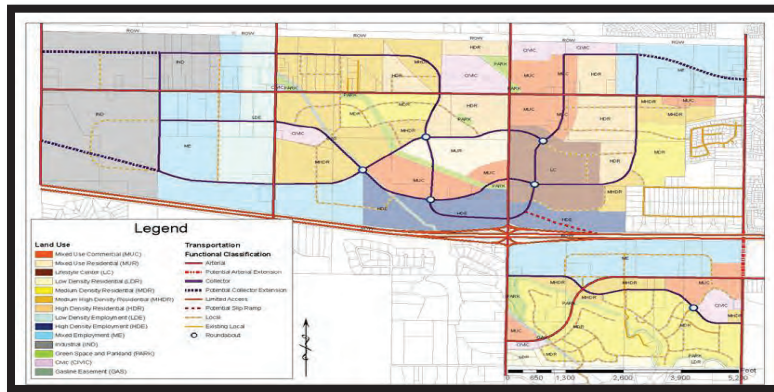
The tools made available to cities in Title 50, Chapters 20 and 29, the Urban Renewal Law and the Local Economic Development Act are some of the few that are available to assist communities in their efforts to support economic vitality. New sources of State support are unlikely to become available in the foreseeable future, thus the City of Meridian's interest in exploring the potential for establishing their fourth urban renewal district is an appropriate public policy consideration.

The City of Meridian initially established its Urban Renewal Agency in 2001. As noted above, the Downtown District's exclusive focus, limited by the boundaries of the district, is on the traditional downtown area of Meridian. The Ten Mile District was created in 2016 and was designed to support the implementation of the Ten Mile Interchange Specific Area Plan. A third urban renewal district was created in 2020 from an area de-

annexed from the original Downtown District to support a significant mixed use-project. The Linder Road urban renewal district is being considered in further support of the implementation of Ten Mile Interchange Specific Area Plan.

### Ten Mile Interchange Specific Area Plan

The Idaho Transportation Department initiated planning for the development of a new interchange with Interstate 84 at Ten Mile Road in the 1990s. Construction of the interchange was completed in 2012. In support of the State’s investment and in anticipation of the resultant development pressure from the opening of the new interchange on the area immediately west of the Meridian City limits, the City initiated a broad-based planning effort for the general area. The Plan that was produced was the Ten Mile Interchange Specific Area Plan and was adopted by the City Council on June 19, 2007. The Plan remains in effect and is intended to guide development decisions within the study area. A map of the Ten Mile Interchange Specific Area Plan is provided below:



As indicated in the Plan map, substantial public infrastructure is called for in implementing the development pattern envisioned. Development opportunities considered for the area covered by the Plan were insufficient in scale to support the required public facility investment. This imbalance had thwarted the orderly implementation of the planning undertaken by the City and the property owners. This lack of progress stimulated the interest in exercising the powers granted under State Law in the establishment of the Ten Mile District in 2016. A similar situation exists in that portion of the Specific Plan area located south of I-84, generating the desire on the part of City officials in considering a new urban renewal district to stimulate the envisioned development activity similar to the successful response north of the freeway

### Steps in Consideration of an Urban Renewal District:

The first step in consideration of establishing an urban renewal district in Idaho is to define a potential area for analysis as to whether conditions exist within it to qualify for redevelopment activities under the statute. We have called this the “Study Area.”

The next step in the process is to review the conditions within the Study Area to determine whether the area is eligible for creating a district. The State Law governing urban renewal

sets out the following criteria, at least one of which must be found, for an area to be considered eligible for urban renewal activities:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]
4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

If the Eligibility Report finds that one or more of the conditions noted above exists within the Study Area, then the Agency may accept the findings and forward the Eligibility Report to the City Council for their consideration. If the City Council concurs with the determination of the Agency, they may direct that an Urban Renewal Plan be developed for the area that addresses the issues raised in the Eligibility Report.

The Agency then acts to prepare the Urban Renewal Plan for the new District establishing a Revenue Allocation Area to fund improvements called for in the Plan. Once the Plan for the District and Revenue Allocation Area are completed, the Agency Board forwards it to the City Council for their consideration.

The City Council must refer the Urban Renewal Plan to the Planning and Zoning Commission to determine whether the Plan, as presented, is consistent with the City's Comprehensive Plan and make a corresponding finding. At the same time, other taxing entities levying property taxes within the boundaries of the proposed Urban Renewal District are provided a thirty-day opportunity to comment on the Plan to the City Council. While the taxing entities are invited to comment on the Plan, their concurrence is not required for the City Council to proceed with formal consideration.

Based on legislative changes to Idaho Code § 50-2908(2)(a), effective July 1, 2020, the Ada County Highway District (ACHD) is allocated all of the taxes levied by ACHD within

a revenue allocation area first formed or expanded to include property on or after July 1, 2020 (including taxes levied on the base and increment values), which would apply to this proposed district, if formed. However, ACHD and MDC may enter into an agreement for a different allocation, which agreement shall be submitted to the State Tax Commission and to the Ada County Clerk by ACHD as soon as practicable after the parties have entered in the agreement and by no later than September 1 of the year in which the agreement takes effect. In the case of the Linder Study Area, the affected taxing districts for those properties located within the city limits of Meridian are:

- The City of Meridian
- The West Ada School District (School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho

For those properties located in unincorporated Ada County, the affected taxing districts are:

- The West Ada School District (Joint School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho
- Meridian Fire District
- Pest Extermination District

Once the Planning and Zoning Commission makes their finding of conformity and the thirty-day comment period has passed, the City Council is permitted to hold a public hearing and formally consider the adoption of the Plan creating the new Urban Renewal District and Revenue Allocation Area.

The City Council must also find that the taxable value of the district to be created plus the Base Assessed Value of any existing Urban Renewal / Revenue Allocation Area does not exceed the statutory maximum of 10% of the citywide assessed valuation.

If the City Council, in their discretion chooses to proceed, they will officially adopt the Urban Renewal Plan and Revenue Allocation Area and provide official notification of that action to the affected taxing districts, County Assessor and Idaho State Tax Commission.

The Agency then proceeds to implement the Plan.

Item 5.

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### Description of the Linder Study Area:

The Study Area subject to the current review is generally located on the east side of Ten Mile Road, primarily south of the Interstate 84 right-of-way, north of Overland Road and west of what would be an unimproved section of Linder Road. All properties included are within the boundaries of the Ten Mile Interchange Specific Area Plan. The Study Area consists of twenty (20) tax parcels ranging in size from 0.34 acres to 28.67 acres. The eastern portion of the Study Area north and south of I-84 lies outside the corporate limits of the City of Meridian, within unincorporated Ada County, but within the City's Area of City Impact. Unless the unincorporated parcels are annexed into the City prior to the creation of the urban renewal district, an intergovernmental agreement between the City and Ada County will be required to allow the creation of the District to proceed to include area outside the City.

The size and value information presented in Table 1 was derived from the Ada County Assessor's on-line parcel information system. The current taxable value of the portion of the Study Area located in unincorporated Ada County, represents exceptionally low assessed values as compared to the more developed area in the westerly portion of the Study Area located within the corporate limits of the City of Meridian. Land values in the more developed, commercially zoned areas range from \$4.00 to \$6.00 per square foot. The agricultural lands reflect a current assessed value of \$.02 per square foot consistent with assessed values assigned to agricultural properties north of I-84.

### Linder Urban Renewal District Study Area

Potential Future URD: Overland – Ten Mile to Linder

A detailed map of the Linder Urban Renewal District Study Area. The map shows a network of roads including Ten Mile Road, Overland Road, and Linder Road. A red dashed line outlines the study area boundary. Various neighborhoods are labeled, such as Navigator, Excursion, American Fork, and others. A legend in the top left corner identifies symbols for URD Concept, URD Parcels, Existing URD, Parcels, and City Limits. A scale bar at the bottom right indicates distances up to 1,000 feet. The map is titled 'Ten Mile and Overland URD' and includes a disclaimer and the date 'Final Date: 4/2/2020'.

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Table 1

Parcel #	Ownership	Acreage	Land Value	Improvement Value	2020 Taxable Value
S1223233820	Cabra Creek LLC	4.07	\$708,600	\$0	\$708,600
S1223223255	Cabra Creek LLC	9.05	\$737,400	\$0	\$737,400
S1223233670	Cabra Creek LLC	11.28	\$918,800	\$0	\$918,800
S1223223010	Cabra Creel LLC	28.67	\$1,773,500	\$0	\$1,773,500
S1223212620	Cabra Creek LLC	2.69	\$241,800	\$0	\$241,800
S1214336375	Cabra Creek LLC	6.56	\$1,143,400	\$0	\$1,143,400
S1214336415	Cabra Creek LLC	5.88	\$1,025,200	\$0	\$1,025,200
S1214336100	Cabra Creek LLC	4.9	\$1,280,900	\$0	\$1,280,900
S1214336350	Cabra Creek LLC	6.13	\$1,601,600	\$0	\$160,1600
S1214336450	Cabra Creek LLC	0.34	\$59,900	\$0	\$59,900
S1214346705	Lee, Soo	26.22	\$18,100	\$0	\$18,100
S1214346905	5b1031 LLC	4.78	\$296,100	\$0	\$296,100
S1214346905	Adler, AB LLC	4.96	\$4,200	\$333,600	\$337,800
S1214438600	Adler, AB LLC	25.27	\$25,500	\$0	\$25,500
S1214438705	Michael Seabolt	0.93	\$175,100	\$146,100	\$321,200
S1214449021	P. Bloomberg Tr.	9.74	\$8,900	4265,000	\$273,900
S1214449107	Idaho Auto Mall	19.33	\$17,500	\$227,000	\$244,500
R7192800710	Hk&M LLC	1.12	\$163,000	\$149,500	\$312,500
R7192800700	Bird, Michael	0.96	\$155,700	\$154,300	\$210,000 *
R7192800676	Towns, Larry	0.96	\$175,100	\$172,700	\$247,800*
<b>Total Linder Study Area</b>		<b>173.84</b>	<b>\$10,530,300</b>	<b>\$1,448,200</b>	<b>\$11,978,500</b>

- Note: These acreages are exclusive of adjacent public rights-of-way for Ten Mile Road, West Overland Road, Linder Road, South Jersey Way, West Dutch Farm Road, and Tasa Road that should be included in the ultimate boundaries of any district established. Publicly owned properties are assigned no value in Idaho assessments, so including them makes no difference to the value calculation but will slightly increase the ultimate acreage.
- Parcels designated by an \* are owner-occupied residential properties and thus the taxable value is reduced by \$100,000<sup>2</sup> in each base reflecting the Homeowner Property Tax Exemption. There are two such properties located north of I-84.

### **Description of the Linder Study Area:**

As noted in the table above, the Linder Study Area consists of twenty (20) tax parcels. Nearly eighty (80) acres are under a single ownership located at the westerly end of the Study Area. This area, representing approximately 45.8% of the acreage in the Study Area, is currently zoned for Medium Density Residential and Commercial uses. Full urban services are in place to support development consistent with the City's plan for the area.

<sup>2</sup> Based on the adoption of H389, the Homeowner Property Tax Exemption will increase to a maximum of \$125,000. This is anticipated to further reduce the base. As the 2021 tax assessments are not yet available, the 2020 data has been used. The 10% analysis will ultimately be revisited in any further urban renewal plan.

While some transportation and site infrastructure is in place at the western end of the Study Area, water and sewer service is not yet available to serve these parcels.

The balance of the Study Area located south of I-84 is undeveloped. The largest parcel located in the easterly portion of the Study Area is 26.22 acres. A similarly sized parcel (25.27) is located nearby. These two parcels remain primarily in agricultural use. The undeveloped portion of the Study Area consists of approximately 91 acres and is located in unincorporated Ada County. These parcels carry an Ada County zoning designation of Rural Urban Transition (RUT) recognizing potential for changing into more active urban uses similar to adjacent properties. Additionally, these parcels are included in the Ten Mile Interchange Specific Area Plan which has been adopted by the City as an element of their Comprehensive Plan. The undeveloped portion of the Study Area consists of seven (7) parcels ranging in size from 0.93 acres up to the larger parcels noted above. The easterly portion of the Study Area also contains four (4) parcels on which single-family residences are located. One residence was constructed in 1913 with the others built in the last 30 years. None of the residences reflect a Homeowner Property Tax exemption suggesting that they are not owner-occupied and do not reflect uses consistent with City planning documents. A derelict section of West Overland Road remains on the property even though a new high-capacity section has replaced it. The old section had served an historic farm located on the site, but all buildings associated with that use have been razed. It has been renamed West Dutch Farm Road and provides legal access to the adjacent parcel but is not improved to current urban standards. An unimproved right-of-way for Linder Road is located on the east edge of the Study Area and is currently used by the adjacent business for the storage of recreational vehicle inventory. That right-of way should be included within the ultimate boundaries of any district created as a result of this review. The recently constructed improvement to West Overland Road abuts the southerly edge of the Study Area. Other than this street, no public infrastructure is in place to support development of the majority (53.4%) of the Study Area.

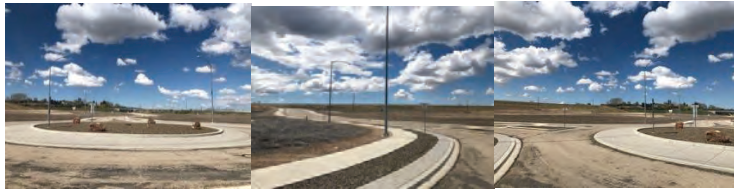
The Ridenbaugh canal bifurcates the extreme southwesterly portion of the Study Area from the balance of the included parcels. The canal extends across the site in an east-west direction at the top of a bench separating the upland portion from the majority of the Study Area.

The land within the Study Area, south of I-84 is owned by seven (7) different entities. The western 80 acres are owned by a single entity, Cabra Creek LLC. Six (6) entities own the remaining parcels with just two owners controlling 62% of the 91 acres in the easterly portion of the Study Area.

Three parcels are located along Linder Road north of I-84. All three of these are residential properties on large lots in unincorporated Ada County with Ada County R-1 zoning. Each property has an existing residential structure, two built in the early twentieth century, but updated in recent years, and one constructed in 1978. The uses currently in place on these parcels is not anticipated to change under the Ten Mile Interchange Specific Area Plan.



*Images reflecting conditions in the westerly portion of the Study Area*



*Images reflecting conditions in the easterly portion of the Study Area*



### **Analysis of the Study Area:**

A review of the Study Area reflects a pattern of delayed investment or an area in transition. This is particularly notable given the area's proximity to substantial public investment in the Ten Mile interchange and street improvements to both Ten Mile Road and West Overland Road. The majority of the parcels do not have City utilities and no individual owner or developer has been willing to assume the significant cost to extend those services.

The Ten Mile Interchange Specific Area Plan provides a clearly articulated vision for a high-density mixed-use development pattern in this area that would capitalize on the access and utility investments already made by public entities. To date, however, while some planning has been done consistent with the Plan, and limited transportation and site infrastructure has been installed in the west portion of the Study Area, little progress has been made to implement the vision. The Plan calls for substantial investment in public infrastructure throughout the entire Study Area but the market to date has proven incapable of supporting that level of capital cost. It appears as though meaningful progress may depend upon some level of public intervention to support the desired private investment in the balance of the Planning Area to bring the Plan to reality.

For the convenience of the reader, the statutory criteria are reiterated, at least one of which must be found to qualify an area for urban renewal activities. Those conditions are:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]

4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

### **Analysis: Linder Study Area**

*Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site:* The historic farmstead previously located in the Study Area has been removed. Of the four remaining structures located south of I-84, one is over one hundred years old but the other three are relatively modern residences constructed in the last 30 years. Two of the structures located north of I-84 were constructed approximately 100 years ago and have been updated within the recent past. The other residence north of I-84 was constructed in 1978 and appears serviceable for its current and intended use. Since the majority of the structures previously located on the properties have been removed, there is no “substantial number of deteriorated or deteriorating structures” remaining within the Study Area. Therefore, criterion #1 is not met.

*Criterion #2: Age or Obsolescence:* Again, as noted above, the structures that remain south of I-84, were built to serve the historic agricultural use. While the remaining structures are not old, they are not of a nature to support the high-density mixed-use envisioned in the Plan. Therefore, the remaining structures located south of I-84 are obsolete in this context and as such, criterion #2 is met.

*Criterion #3: Predominance of Defective or Inadequate Street Layout:* As noted above, it is recommended to include the Ten Mile Road and West Overland Road rights-of-way within the boundaries of the proposed district. As such, the improvements made to these facilities in recent years appear adequate to serve the anticipated development. However, there are no streets in place to serve the internal development of the relatively large parcels in the eastern portion of the Study Area which represents a majority of the land under consideration. Linder Road between West Overland Road and I-84 is unimproved and not accessible to the travelling public. Implementation of the Specific Area Plan requires circulation throughout the planning area and since no streets currently exist to serve the anticipated interior development to the east, criterion #3 is met.

*Criterion #4: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting:* The parcels in the Study Area are of a size and

configuration appropriate for the historic agricultural use for which they have been deployed for several decades. However, as the City and region have developed around these properties, the large lots in the easterly portion of the Study Area are not properly configured to accommodate the development pattern envisioned in the Specific Area Plan. A more fine-grained and high-density development pattern is represented in the adopted Plan. Therefore criterion #4 is met.

*Criterion #5: Insanitary or Unsafe Conditions:* Again, given the current agricultural use and general lack of development "insanitary and unsafe conditions" are not present. Therefore, criterion #5 is not met.

*Criterion #6: Diversity of Ownership:* The ownership of the 173.84 acres in the Study Area is in the hands of ten (10) entities. The westerly 80 acres (45.8% Of the entire area) is under a single ownership. The easterly portion (94 acres) is held by eight (8) entities, however 61% of that area is held by two entities. Thus, the vast majority of the Study Area is controlled by only three entities. Therefore criterion #6 is not met.

*Criterion #7: Tax or Special Assessment Delinquency:* According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #7 is not met.

*Criterion #8: Defective or unusual condition of title:* No defective or unusual conditions of title are reflected in Ada County records. Therefore, criterion #8 is not met.

*Criterion #9: Results in Economic Underdevelopment of the Area:* While the Ten Mile Interchange and the Ten Mile Road and West Overland Road improvements provide good access to the area for the broader regional community, the internal circulation system is non-existent in the majority if the Study Area at this point in time. Additionally, enhanced north-south access across I-84 will better connect the planned activities within the Study Area with the rest of Meridian. The Specific Area Plan calls-out specific locations for access points into the Study Area so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place so criterion #9 is met.

*Criterion #10: Substantially Impairs or Arrests the Sound Growth of a Municipality:* The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. The City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide full public infrastructure, the Study Area will remain an under-utilized area in the midst of the fastest growing area in the State of Idaho. Criterion #10 is met.

**Findings: Linder Study Area:** Conditions exist within the Study Area to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.

**Summary of Findings**

	<b>Criteria</b>	<b>Met</b>	<b>Not Met</b>
1	The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site		X
2	Age or Obsolescence	X	
3	Predominance of Defective or Inadequate Street Layout	X	
4	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting	X	
5	Insanitary or Unsafe Conditions		X
6	Diversity of Ownership		X
7	Tax or Special Assessment Delinquency		X
8	Defective or unusual condition of title		X
9	Results in Economic Underdevelopment of the Area	X	
10	Substantially Impairs or Arrests the Sound Growth of a Municipality	X	

**Analysis: Open Land Conditions:** In addition to the eligibility conditions identified above, the geographic area under review is also required to satisfy the “open land” conditions. Idaho Code Section 50-2903(8)(c) states: “[a]ny area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.”

The eligibility criteria set forth in Idaho Code Section 50-2903(8)(c) for predominantly open land areas mirror or are the same as those criteria set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b). “Diversity of ownership” is the same, while “obsolete platting” appears to be equivalent to “faulty lot layout in relation to size, adequacy, accessibility, or usefulness.” “Deterioration of structures or improvements” is the same or similar to “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” There is also an additional qualification that the provisions of Idaho Code Section 50-2008(d) shall apply to open areas.

Idaho Code Section 50-2008 primarily addresses the urban renewal plan approval process and Idaho Code Section 50-2008(d)(4) sets forth certain conditions and findings for agency acquisition of open land as follows:

the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall

determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

In sum, there is one set of findings if the area of open land is to be acquired and developed for residential uses and a separate set of findings if the land is to be acquired and developed for nonresidential uses.

Basically, open land areas may be acquired by an urban renewal agency and developed for nonresidential uses if such acquisition is necessary to solve various problems, associated with the land or the infrastructure, that have delayed the area's development. These problems include defective or usual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout. All of the stated conditions are included in one form or another in the definition of a deteriorated area and/or a deteriorating area set forth in Idaho Code Sections 50-2903(8)(b) and 50-2018(9). The conditions listed only in Section 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and "the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area."

The conclusion of this discussion concerning open land areas is that the area qualifies if any of the eligibility conditions set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b) apply. Alternatively, the area under consideration qualifies if any of the conditions listed only in Idaho Code Section 50-2008(d)(4)(2) apply. The parcel size, the lack of water and sewer facilities in the Study Area; a nonexistent access and internal street system; an inadequate storm drain system; and lack of fire protection, are all conditions which delay development of the Study Area.

Based on the above analysis, to the extent the Study Area is "predominantly open land," which is not a defined term, obsolete platting/faulty lot layout and economic underdevelopment are conditions found in the Study Area, and therefore, the open land condition is satisfied.

## Other Relevant Issues:

### **Agricultural Landowners Concurrence:**

The statutory provisions concerning the creation of an urban renewal district prohibit inclusion of any land used for an agricultural operation without the express written consent of the property owner. An agricultural operation is broadly defined in Idaho Code § 22-4502(2) and means “an activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel and other lawful uses...” One method of determining whether there exists an agricultural operation on a parcel is the presence of an agricultural property tax exemption<sup>3</sup>. As of the date of this Eligibility Study, several parcels, particularly located in the eastern portion of the Study Area, maintain assessed values consistent with other agricultural lands and appear, from a visual inspection, to be active agricultural operations. As a result, property owner consent is required prior to final consideration of the proposed district’s creation.

### **CONCLUSION:**

Based upon the data and the conditions that exist within the Study Area as noted above, the Meridian Development Corporation Board and Meridian City Council may determine that the Linder Study Area is eligible for the establishment of an urban renewal district.

**10% Analysis:** In addition to the findings reported above, verification that the assessed value of the proposed Study Area is within the statutory limits is needed. State Law limits the percentage of values on the combined base assessment rolls that can be included in urban renewal / revenue allocation districts to 10% of the current assessed valuation of all taxable property within the City. According to Ada County Assessor records, the most recent total certified value for the City of Meridian is \$13,230,528,301 (does not include operating property). This number does not reflect exemptions. Therefore taking a more conservative approach, the net taxable value for this calculation is used. That number is \$10,375,837,804. As shown in the analysis in Table 1 the current taxable value of the entire Study Area is estimated to be \$11,978,500. This value then must be added to the Base Assessed Values of the Downtown District, the Ten Mile District and the Union District to test for the 10% limitation. The analysis for these purposes is presented in Table 2, below. The combined base assessment roll values are well below the statutory limit.

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<sup>3</sup> With House Bill 560 (2020) effective July 1, 2020, eliminating the property tax exemption for agricultural land and replacing it with a method to value agricultural land, going forward the method to determine the existence of an agricultural operation will change.

**Table 2**

<b>Statutory 10% Limitation Analysis</b>		
Area	Taxable Value	Percentage
Total City	\$10,375,837,804	100%
Downtown URD Base Value	\$146,334,050	1.41%
Ten Mile URD	\$ 39,539,125	0.38%
Union URD	\$2,144,360	0.02%
Proposed Linder URD	\$11,978,500	0.12%
<b>Total UR Base Assessed Value Percentage</b>	<b>\$199,996,035</b>	<b>1.93%</b>

The effect of creating this district on the capacity of the City and MDC to consider future districts should they choose to do so is also explored. The table below shows there is capacity to consider additional districts.

**Table 3**

<b>Remaining Urban Renewal Capacity</b>		
• Maximum 10% Limitation	\$1,323,052,830	10%
• Downtown URD	\$146,334,779	1.41%
• Ten Mile URD	\$ 39,539,125	0.38%
• Union URD	\$2,144,360	0.02%
• Proposed Linder URD	\$11,996,035	0.12%
<b>Available AV within limitation</b>	<b>\$1,124,027,095</b>	<b>8.07%</b>

Attachment 7

Ada County Board of County Commissioners Resolution No. 2676 (eligibility)



**RESOLUTION NO. 2676**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, ADOPTING THE FINDINGS OF THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION, ADOPTED BY RESOLUTION NO. 21-024 ON MAY 26, 2021; ACCEPTING THAT CERTAIN REPORT, PREPARED FOR THE MERIDIAN DEVELOPMENT CORPORATION ON THE ELIGIBILITY FOR CERTAIN PROPERTY REFERRED TO AS THE LINDER DISTRICT AREA AS AN URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA AND JUSTIFICATION FOR DESIGNATING THE AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT SUBJECT TO CERTAIN CONDITIONS; FINDING A PORTION OF THE LINDER DISTRICT AREA INCLUDES CERTAIN PROPERTIES WITHIN THE UNINCORPORATED AREA OF ADA COUNTY; FINDING AND DECLARING THE NEED FOR AN URBAN RENEWAL PROJECT FOR THE LINDER DISTRICT AREA; APPROVING CREATION OF AN URBAN RENEWAL PROJECT INCLUDING CERTAIN PARCELS, BUT NOT ALL, FOR THAT PORTION OF THE LINDER DISTRICT AREA LYING OUTSIDE OF THE CORPORATE BOUNDARIES OF THE CITY OF MERIDIAN AND WITHIN THE UNINCORPORATED AREA OF ADA COUNTY; FINDING THAT THE JURISDICTIONAL BOUNDARIES OF THE CITY OF MERIDIAN AND ADA COUNTY REMAIN THE SAME; AND PROVIDING AN EFFECTIVE DATE.

At a meeting of the Board of Ada County Commissioners, State of Idaho, on the 30th day of September, 2021, the following Resolution was adopted, to-wit:

WHEREAS, the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the "Act"), is a duly created and functioning urban renewal agency for Meridian, Idaho, hereinafter referred to as the "Agency;"

WHEREAS, the City Council of the City of Meridian (the "City Council") and Mayor of the City of Meridian (the "City"), on or about July 24, 2001, adopted and approved Resolution No. 01-367, establishing the Agency pursuant to the Law, authorizing the Agency to transact business and exercise the powers granted by the Law and the Act, upon making the findings of necessity required for creating the Agency;

WHEREAS, there are several existing urban renewal project areas in the City;

WHEREAS, based on inquiries and information presented, the City commenced certain discussions concerning examination of an additional area, including parcels within the City, as well as parcels located within unincorporated Ada County as appropriate for an urban renewal project, primarily to support the goals set forth in the Ten Mile Interchange Specific Area Plan and to further the objectives of supporting the proposed Linder overpass;

WHEREAS, in 2021, the City authorized Kushlan | Associates to commence an eligibility study and preparation of an eligibility report for an area including properties and roadway generally referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east, together with several parcels located north of Interstate 84 and west of Linder Road (the "Study Area"), which legal description of the proposed Study Area is attached hereto as **Exhibit A**;

WHEREAS, the Agency obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), a copy of which is attached hereto as **Exhibit B**, which examined the Study Area, which area also included real property located within unincorporated Ada County and within the City's Area of City Impact for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which list the definition of deteriorating area and deteriorated area, many of the conditions necessary to be present in such areas are found in the Study Area, specifically, age or obsolescence; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting; conditions which result in economic underdevelopment of the area and which substantially impair or arrest the sound growth of the municipality;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. *See* Idaho Code § 50-2903(8)(c);

WHEREAS, Idaho Code Sections 50-2018(9), 50-2903(8) and 50-2008(d) list additional conditions applicable to open land areas, including open land areas to be acquired by the Agency;

WHEREAS, the Report addresses the necessary findings concerning including open land within any urban renewal area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

WHEREAS, under the Law and Act, specifically Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in Section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Report setting forth the Study Area boundary includes parcels subject to such consent;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without the approval by resolution of the governing body of the other city or county declaring the need for an urban renewal project for the proposed area;

WHEREAS, a portion of the Study Area includes certain real property located in unincorporated Ada County;

WHEREAS, the Agency accepted the Report by way of Resolution No. 21-024 at the May 26, 2021 meeting of the Agency Board, a copy of which Resolution (without exhibits) is attached hereto as **Exhibit C**;

WHEREAS, the Agency authorized transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such area to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, following transmittal, and based on ongoing discussions, it appears the proposed project area will be smaller than the Study Area set forth in Exhibit A. Specifically, the parcels located north of Interstate 84 and west of Linder Road are included within the Study Area boundary; however, those parcels will not be included in the proposed urban renewal plan or project area boundary. A copy of the proposed project area map noting those eligible parcels that are not intended to be included in any future project area is attached hereto as **Exhibit D**;

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, the proposed Study Area has no impact on the jurisdictional boundaries of Ada County;

WHEREAS, on June 14, 2021, representatives of the City and the Agency presented the Report to the Ada County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Linder District Area;

WHEREAS, the Commissioners did not take action at that time, and the Agency was directed to obtain the agricultural operation consents from the property owners located within unincorporated Ada County, which consents for agricultural operations have been obtained from the property owners south of Interstate 84, which consents are attached hereto as **Exhibit E** (without Exhibits B and C). The parcels north of Interstate 84 will not be included within the boundaries of any future project area;

RESOLUTION NO. 2676

WHEREAS, on September \_\_, 2021, representatives of the City and the Agency presented the Report to the Ada County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Linder District Area and limiting the unincorporated County parcels to be included in the proposed Linder District project area.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, AS FOLLOWS:**

Section 1. That the above statements are true and correct.

Section 2. That the findings of the Agency made on May 26, 2021, in Resolution No. 21-024 are hereby adopted by the Board of Ada County Commissioners.

Section 3. That there is a need for an urban renewal plan for the Linder District Area; however, the Commissioners specifically limit the unincorporated County parcels to be included in any proposed Linder District project area to those certain parcels south of Interstate 84 as more specifically shown in **Exhibit D**.

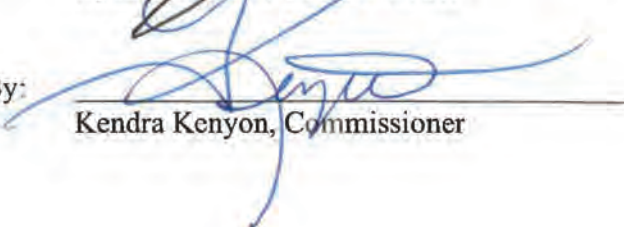
Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

**APPROVED AND ADOPTED** this 30th day of September, 2021.

**Board of Ada County Commissioners**

By:   
Rod Beck, Commissioner

By:   
Ryan Davidson, Commissioner

By:   
Kendra Kenyon, Commissioner

ATTEST:

  
Phil McGrane, Ada County Clerk

by Katie Reed, Assistant Deputy Clerk

**Exhibit A**

Legal description of the Proposed Urban Renewal District Boundaries  
(4 pages attached)

**EXHIBIT A**  
**URBAN RENEWAL DISTRICT BOUNDARY DESCRIPTION**  
**FOR**  
**MERIDIAN DEVELOPMENT CORPORATION**

A description for Urban Renewal District purposes located in the SW 1/4 of Section 13, and in the S 1/2 of Section 14, and in the NW 1/4 of Section 23, all in Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southwesterly corner of said NW 1/4 of Section 23, from which an aluminum cap marking the northwesterly corner of said Section 23 bears N 0°56'24" E a distance of 2629.55 feet;

Thence N 0°56'24" E along the westerly boundary of said NW 1/4 of Section 23 a distance of 717.33 feet to the POINT OF BEGINNING;

Thence continuing N 0°56'24" E a distance of 1305.34 feet to a point;

Thence leaving said westerly boundary S 34°10'57" E a distance of 83.43 feet to a point on the westerly boundary of *PARCEL 8* as described in Warranty Deed Inst. No. 110000589;

Thence along the westerly boundary of said *PARCEL 8* the following described courses:

Thence continuing S 34°10'57" E a distance of 110.05 feet to a point;

Thence N 0°31'15" E a distance of 345.95 feet to a point;

Thence N 2°34'10" E a distance of 419.76 feet to a point marking the northwesterly corner of said *PARCEL 8*, said point being on the southerly boundary of said S 1/2 of Section 14;

Thence leaving said westerly boundary N 89°14'58" W along said southerly boundary a distance of 40.72 feet to a point on the easterly right-of-way of S. Ten Mile Road;

Thence leaving said southerly boundary and along said easterly right-of-way the following described courses:

Thence N 0°30'03" E a distance of 25.00 feet to a point;

Thence N 89°14'58" W a distance of 10.99 feet to a point;

Thence N 0°30'03" E a distance of 312.82 feet to a point;

Thence N 89°29'57" W a distance of 22.30 feet to a point;

Thence N 3°31'49" E a distance of 306.84 feet to a point;

Thence N 12°12'51" E a distance of 97.93 feet to a point;

Thence N 41°11'00" E a distance of 121.02 feet to a point on the southerly right-of-way of Interstate I-84;

Thence leaving said easterly right-of-way and along said southerly right-of-way the following described courses:

Thence N 73°28'13" E a distance of 79.08 feet to a point;

Thence N 82°32'26" E a distance of 110.11 feet to a point;

Thence N 79°31'11" E a distance of 326.57 feet to a point;

Thence N 81°59'42" E a distance of 85.13 feet to a point;

Thence S 4°51'25" E a distance of 41.68 feet to a point;

Thence N 81°31'45" E a distance of 285.56 feet to a point;

Thence N 84°21'46" E a distance of 291.43 feet to a point on the easterly boundary of the SW 1/4 of the SW 1/4 of said Section 14;

Thence N 0°32'50" E along said easterly boundary a distance of 38.29 feet to a point;

Thence leaving said easterly boundary N 87°22'04" E a distance of 95.86 feet to a point;

Thence N 89°27'34" E a distance of 1098.46 feet to a point;

Thence S 56°41'50" E a distance of 36.06 feet to a point;

Thence N 89°36'46" E a distance of 160.00 feet to a point;

Thence N 55°55'22" E a distance of 36.06 feet to a point;

Thence N 89°21'36" E a distance of 680.00 feet to a point;

Thence S 88°05'48" E a distance of 100.08 feet to a point;

Thence N 89°52'45" E a distance of 463.52 feet to a point on the easterly boundary of the SW 1/4 of the SE 1/4 of said Section 14;

Thence N 0°34'12" E along said easterly boundary a distance of 10.81 feet to a point;

Thence leaving said easterly boundary S 89°34'09" E a distance of 684.00 feet to a point;

Thence N 87°34'06" E a distance of 231.72 feet to a point on an extension of the westerly boundary of Lots 23 and 24 of Block 4 of *PRIMROSE SUBDIVISION* as found in Book 25 of plats at Page 1576 in the office of the Recorder, Ada County, Idaho;

Thence leaving said southerly right-of-way N 0°32'47" E along said extended boundary a distance of 221.77 feet to a point marking the southwesterly corner of said Lot 24;

Thence continuing N 0°32'47" E along the westerly boundaries of said Lots 23 and 24 a distance of 232.38 feet to a point marking the northwesterly corner of said Lot 23;

Thence S 89°12'43" E along the northerly boundary of said Lot 23 a distance of 195.00 feet to a point marking the southwesterly corner of the E 1/2 of Lots 21 and 22 of Block 4 of said *PRIMROSE SUBDIVISION*;

Thence leaving said northerly boundary N 0°32'47" E along the westerly boundary of said E 1/2 a distance of 214.00 feet to a point marking the northwesterly corner of said E 1/2;

Thence continuing N 0°32'47" E on an extension of the westerly boundary of said E 1/2 a distance of 25.00 feet to a point on the centerline of W. Verbena Drive;

Thence S 89°12'43" E along said centerline a distance of 220.00 feet to a point of intersection of said centerline and the easterly boundary of said S 1/2 of Section 14;

Thence continuing S 89°12'43" E on an extension of said centerline a distance of 65.49 feet to a point on the westerly boundary of Lot 1 of Block 4 of *MARLIN SUBDIVISION NO. 1* as found in Book 85 of plats at Page 9500 in said office of the Recorder;

Thence leaving said extended centerline S 3°40'04" E along said westerly boundary a distance of 469.64 feet to a point marking the southwesterly corner of said Lot 1;

Thence leaving said Lot 1 boundary S 0°32'08" W a distance of 213.29 feet to a point marking the northwesterly corner of *PARCEL A* as shown on Record of Survey No. 8165, Inst. No. 107167073;

Thence along the westerly boundary of said *PARCEL A* the following described courses:

Thence S 4°48'23" W a distance of 700.57 feet to a point;

Thence S 0°32'47" W a distance of 327.82 feet to a point;



Thence leaving said westerly boundary and continuing S 0°32'47" W on an extension of said westerly boundary a distance of 88.00 feet to a point on the southerly boundary of said SW 1/4 of Section 13;

Thence leaving said extended boundary N 89°07'36" W along said southerly boundary a distance of 48.00 feet to the southeasterly corner of said Section 14;

Thence N 89°19'40" W along the southerly boundary of said S 1/2 of Section 14 a distance of 2661.71 feet to the southeasterly corner of the SW 1/4 of said Section 14;

Thence N 89°14'58" W along the southerly boundary of said SW 1/4 of said Section 14 a distance of 179.31 feet to a point marking the intersection of said southerly boundary and the centerline of W. Overland Road;

Thence leaving said southerly boundary and along said centerline the following described courses:

Thence a distance of 1406.96 feet along the arc of a 1000.00 foot radius curve left, said curve having a central angle of 80°36'46" and a long chord bearing S 50°26'39" W a distance of 1293.75 feet to a point;

Thence S 10°08'16" W a distance of 241.51 feet to a point;

Thence a distance of 1406.65 feet along the arc of a 1000.00 foot radius curve right, said curve having a central angle of 80°35'42" and a long chord bearing S 50°26'07" W a distance of 1293.51 feet to a point;

Thence N 89°16'02" W a distance of 466.87 feet to the POINT OF BEGINNING.

This parcel contains approximately 195.4 acres.

NOTE: This description was prepared using record information including Record of Surveys, Subdivision Plats and Deeds acquired from the Ada County Recorder's office. No field survey has been performed.

Prepared by: Kyle A. Koomler, PLS  
Civil Survey Consultants, Incorporated  
April 27, 2021



**Exhibit B**

The Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021  
(19 pages attached)



Linder  
Urban Renewal District  
(Proposed)

Eligibility Report

Prepared for

The City of Meridian  
and  
The Meridian Development Corporation  
May 2021



Kushlan | Associates  
Boise, Idaho

**Introduction:** Kushlan | Associates was retained by the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (the “MDC”) and the City of Meridian (the “City”) to assist in their consideration of establishing a new urban renewal district<sup>1</sup> in the City of Meridian, Idaho, and its area of operation.

Elected Officials serving the City of Meridian are:

- Mayor: Robert Simison
- Council President: Treg Bernt
- Council Vice President: Brad Hoaglund
- Council Members: Joe Borton
- Luke Cavener
- Liz Strader
- Jessica Perreault

City Staff

- Community Development Director: Cameron Arial

Idaho Code § 50-2006 states: “URBAN RENEWAL AGENCY. (a) There is hereby created in each municipality an independent public body corporate and politic to be known as the “urban renewal agency” that was created by resolution as provided in section 50-2005, Idaho Code, before July 1, 2011, for the municipality...” to carry out the powers enumerated in the statutes. The Meridian City Council adopted Resolution 01-397 on July 24, 2001 bringing forth those powers within the City of Meridian.

The Mayor, with the confirmation of the City Council, has appointed nine members to the MDC Board of Commissioners (the “MDC Board”). The MDC Board currently oversees the implementation of three urban renewal districts. Two are focused on the revitalization of downtown Meridian. The first, the Meridian Revitalization Plan Urban Renewal Project (the “Downtown District”) was established by the City Council’s adoption of Ordinance No. 02-987 on December 3, 2002. The second district, the Urban Renewal Plan for the Union District Urban Renewal Project (the “Union District”) was established with the adoption of Ordinance No. 20-1882 on June 9, 2020. Both the Downtown District and the Union District are focused on redevelopment activities in and around the City’s downtown core. The third district, the Urban Renewal Plan for the Ten Mile Road- A Urban Renewal Project (the “Ten Mile District”) was established by Ordinance No. 16-1695 adopted on June 21, 2016, and is focused on economic development outside of the City’s core to support implementation of the Ten Mile Interchange Specific Area Plan.

The current membership of the Commission is as follows:

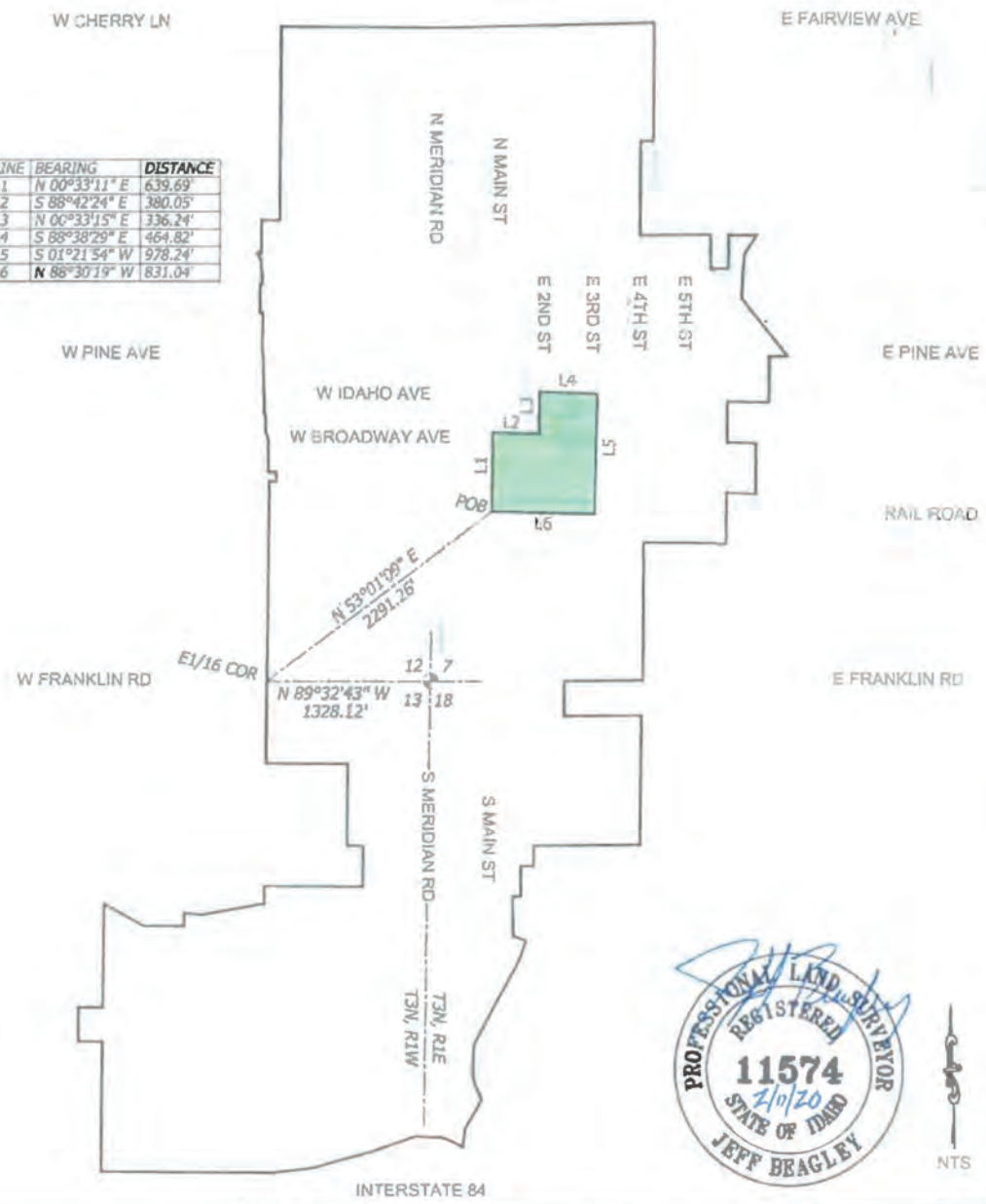
- Chair: David Winder
- Vice Chairman: Nathan Mueller
- Secretary/ Treasurer: Steve Vlassek
- Commissioners: Dan Basalone
- Rob McCarvel
- Treg Bernt
- Tammy deWeerd
- Diane Bevan
- Kit Fitzgerald

<sup>1</sup> Throughout this Study, urban renewal/revenue allocation area will be referred to as an “urban renewal district.”

Staff:  
 Urban Renewal Administrator: Ashley Squyres  
 Legal Counsel: Todd Lakey

**Map of the Downtown District (excluding shaded area)**

LINE	BEARING	DISTANCE
L1	N 00°33'11" E	639.69'
L2	S 88°42'24" E	380.05'
L3	N 00°33'15" E	336.24'
L4	S 88°38'29" E	464.82'
L5	S 01°21'54" W	978.24'
L6	N 88°30'19" W	831.04'

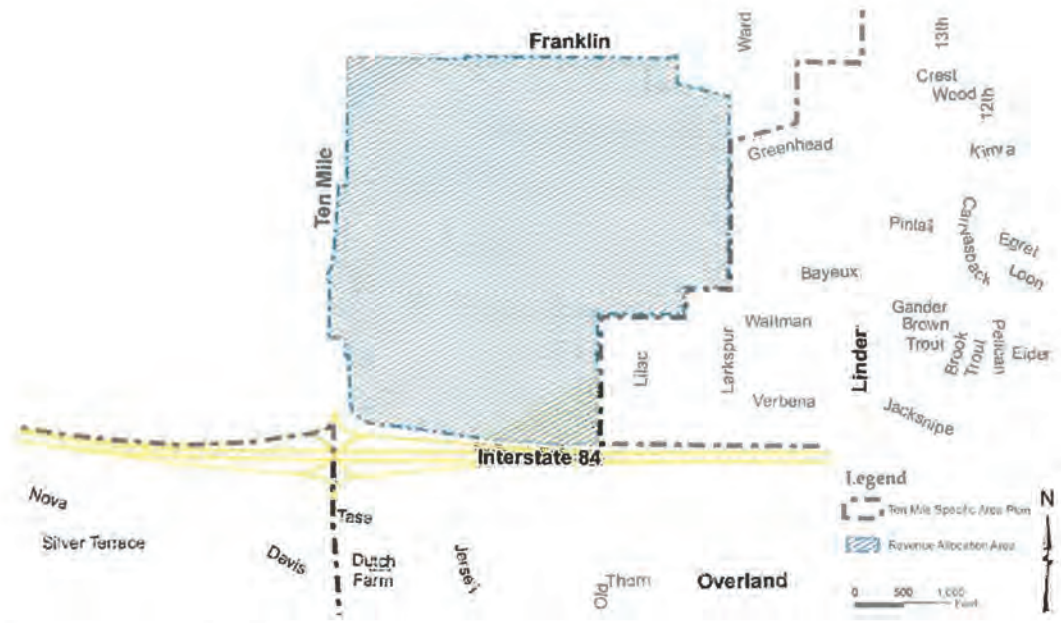


NTS

### Map of Union District



### Map of Ten Mile Road District



### Background:

While Native Americans inhabited the area for centuries, the development of the community of Meridian, as we know it today, evolved through the late nineteenth century. European settlement started in the 1880s and was originally located on a farm owned by the Onweiler family. A school was opened in 1885. The U.S. Postal Service established a mail drop along the Oregon Short Line Railroad and the site was named Hunter after its superintendent. Community activity grew around this mail stop focused on the railroad. In 1893 an Odd Fellows lodge was organized and called itself Meridian, acknowledging that it was located on the Boise Meridian the primary North-South survey benchmark for Idaho. That name grew in primary use as the name of the settlement and the Village of Meridian was incorporated in 1903 with a population of approximately 200.

The economy had traditionally been focused on the support of the surrounding agricultural activities. A major creamery was established in the community in 1897 to support the nearby dairies. Fruit orchards were located throughout the area.

Meridian was a significant stop on the Interurban electric railway from 1908 to 1928. This service provided convenient access for passengers and freight in both easterly and westerly directions.

Throughout most of the 20<sup>th</sup> century, Meridian remained a relatively quiet community focused on its agricultural roots. US Census Bureau data, reflects a 1910 population of 619 people growing to 2,616 by 1970. However, starting in 1970 the pace of growth in Southwest Idaho quickened and Meridian’s growth initially reflected, and then exceeded

the regional rates by significant margins. Over the past twenty-five years the rate of growth has been startling by any reasonable standard. The following table reflects that population growth over the city's history.

1903 (Incorporation Estimate)	200
1910	619
1920	1,013
1930	1,004
1940	1,465
1950	1,500
1960	2,100
1970	2,600
1980	6,658
1990	9,596
2000	34,919
2010	75,092
2020	114,200
2021 (Estimate)	129,555

When income statistics are compared to statewide numbers, the population of Meridian compares favorably with the rest of Idaho in these categories. The median household income in Meridian is \$71,389, approximately 28% above the statewide figure of \$55,785. Per capita money income for the Meridian population is \$33,328 as compared to the statewide number of \$27,970. The percentage of the Meridian population below poverty level is 8.6% as compared to the statewide number of 11.2%.

**Investment Capacity:** Cities across the nation actively participate in the economic vitality of their communities through investment in infrastructure. Water and sewer facilities as well as transportation, communication, electrical distribution and other systems are all integral elements of an economically viable community. Idaho cities have a significant challenge in responding to these demands along with the on-going need to reinvest in their general physical plant to ensure it does not deteriorate to the point of system failure. They face stringent statutory and constitutional limitations on revenue generation and debt as well as near total dependence upon state legislative action to provide funding options. These strictures severely constrain capital investment strategies.

The tools made available to cities in Title 50, Chapters 20 and 29, the Urban Renewal Law and the Local Economic Development Act are some of the few that are available to assist communities in their efforts to support economic vitality. New sources of State support are unlikely to become available in the foreseeable future, thus the City of Meridian's interest in exploring the potential for establishing their fourth urban renewal district is an appropriate public policy consideration.

The City of Meridian initially established its Urban Renewal Agency in 2001. As noted above, the Downtown District's exclusive focus, limited by the boundaries of the district, is on the traditional downtown area of Meridian. The Ten Mile District was created in 2016 and was designed to support the implementation of the Ten Mile Interchange Specific Area Plan. A third urban renewal district was created in 2020 from an area de-



annexed from the original Downtown District to support a significant mixed use-project. The Linder Road urban renewal district is being considered in further support of the implementation of Ten Mile Interchange Specific Area Plan.

### **Ten Mile Interchange Specific Area Plan**

The Idaho Transportation Department initiated planning for the development of a new interchange with Interstate 84 at Ten Mile Road in the 1990s. Construction of the interchange was completed in 2012. In support of the State's investment and in anticipation of the resultant development pressure from the opening of the new interchange on the area immediately west of the Meridian City limits, the City initiated a broad-based planning effort for the general area. The Plan that was produced was the Ten Mile Interchange Specific Area Plan and was adopted by the City Council on June 19, 2007. The Plan remains in effect and is intended to guide development decisions within the study area. A map of the Ten Mile Interchange Specific Area Plan is provided below:



As indicated in the Plan map, substantial public infrastructure is called for in implementing the development pattern envisioned. Development opportunities considered for the area covered by the Plan were insufficient in scale to support the required public facility investment. This imbalance had thwarted the orderly implementation of the planning undertaken by the City and the property owners. This lack of progress stimulated the interest in exercising the powers granted under State Law in the establishment of the Ten Mile District in 2016. A similar situation exists in that portion of the Specific Plan area located south of I-84, generating the desire on the part of City officials in considering a new urban renewal district to stimulate the envisioned development activity similar to the successful response north of the freeway

### **Steps in Consideration of an Urban Renewal District:**

The first step in consideration of establishing an urban renewal district in Idaho is to define a potential area for analysis as to whether conditions exist within it to qualify for redevelopment activities under the statute. We have called this the "Study Area."

The next step in the process is to review the conditions within the Study Area to determine whether the area is eligible for creating a district. The State Law governing urban renewal

sets out the following criteria, at least one of which must be found, for an area to be considered eligible for urban renewal activities:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]
4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

If the Eligibility Report finds that one or more of the conditions noted above exists within the Study Area, then the Agency may accept the findings and forward the Eligibility Report to the City Council for their consideration. If the City Council concurs with the determination of the Agency, they may direct that an Urban Renewal Plan be developed for the area that addresses the issues raised in the Eligibility Report.

The Agency then acts to prepare the Urban Renewal Plan for the new District establishing a Revenue Allocation Area to fund improvements called for in the Plan. Once the Plan for the District and Revenue Allocation Area are completed, the Agency Board forwards it to the City Council for their consideration.

The City Council must refer the Urban Renewal Plan to the Planning and Zoning Commission to determine whether the Plan, as presented, is consistent with the City's Comprehensive Plan and make a corresponding finding. At the same time, other taxing entities levying property taxes within the boundaries of the proposed Urban Renewal District are provided a thirty-day opportunity to comment on the Plan to the City Council. While the taxing entities are invited to comment on the Plan, their concurrence is not required for the City Council to proceed with formal consideration.

Based on legislative changes to Idaho Code § 50-2908(2)(a), effective July 1, 2020, the Ada County Highway District (ACHD) is allocated all of the taxes levied by ACHD within

a revenue allocation area first formed or expanded to include property on or after July 1, 2020 (including taxes levied on the base and increment values), which would apply to this proposed district, if formed. However, ACHD and MDC may enter into an agreement for a different allocation, which agreement shall be submitted to the State Tax Commission and to the Ada County Clerk by ACHD as soon as practicable after the parties have entered in the agreement and by no later than September 1 of the year in which the agreement takes effect. In the case of the Linder Study Area, the affected taxing districts for those properties located within the city limits of Meridian are:

- The City of Meridian
- The West Ada School District (School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho

For those properties located in unincorporated Ada County, the affected taxing districts are:

- The West Ada School District (Joint School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho
- Meridian Fire District
- Pest Extermination District

Once the Planning and Zoning Commission makes their finding of conformity and the thirty-day comment period has passed, the City Council is permitted to hold a public hearing and formally consider the adoption of the Plan creating the new Urban Renewal District and Revenue Allocation Area.

The City Council must also find that the taxable value of the district to be created plus the Base Assessed Value of any existing Urban Renewal / Revenue Allocation Area does not exceed the statutory maximum of 10% of the citywide assessed valuation.

If the City Council, in their discretion chooses to proceed, they will officially adopt the Urban Renewal Plan and Revenue Allocation Area and provide official notification of that action to the affected taxing districts, County Assessor and Idaho State Tax Commission.

The Agency then proceeds to implement the Plan.

### Description of the Linder Study Area:

The Study Area subject to the current review is generally located on the east side of Ten Mile Road, primarily south of the Interstate 84 right-of-way, north of Overland Road and west of what would be an unimproved section of Linder Road. All properties included are within the boundaries of the Ten Mile Interchange Specific Area Plan. The Study Area consists of twenty (20) tax parcels ranging in size from 0.34 acres to 28.67 acres. The eastern portion of the Study Area north and south of I-84 lies outside the corporate limits of the City of Meridian, within unincorporated Ada County, but within the City's Area of City Impact. Unless the unincorporated parcels are annexed into the City prior to the creation of the urban renewal district, an intergovernmental agreement between the City and Ada County will be required to allow the creation of the District to proceed to include area outside the City.

The size and value information presented in Table 1 was derived from the Ada County Assessor's on-line parcel information system. The current taxable value of the portion of the Study Area located in unincorporated Ada County, represents exceptionally low assessed values as compared to the more developed area in the westerly portion of the Study Area located within the corporate limits of the City of Meridian. Land values in the more developed, commercially zoned areas range from \$4.00 to \$6.00 per square foot. The agricultural lands reflect a current assessed value of \$.02 per square foot consistent with assessed values assigned to agricultural properties north of I-84.

### Linder Urban Renewal District Study Area

Potential Future URD: Overland – Ten Mile to Linder



**Table 1**

Parcel #	Ownership	Acreage	Land Value	Improvement Value	2020 Taxable Value
S1223233820	Cabra Creek LLC	4.07	\$708,600	\$0	\$708,600
S1223223255	Cabra Creek LLC	9.05	\$737,400	\$0	\$737,400
S1223233670	Cabra Creek LLC	11.28	\$918,800	\$0	\$918,800
S1223223010	Cabra Creel LLC	28.67	\$1,773,500	\$0	\$1,773,500
S1223212620	Cabra Creek LLC	2.69	\$241,800	\$0	\$241,800
S1214336375	Cabra Creek LLC	6.56	\$1,143,400	\$0	\$1,143,400
S1214336415	Cabra Creek LLC	5.88	\$1,025,200	\$0	\$1,025,200
S1214336100	Cabra Creek LLC	4.9	\$1,280,900	\$0	\$1,280,900
S1214336350	Cabra Creek LLC	6.13	\$1,601,600	\$0	\$160,1600
S1214336450	Cabra Creek LLC	0.34	\$59,900	\$0	\$59,900
S1214346705	Lee, Soo	26.22	\$18,100	\$0	\$18,100
S1214346905	5b1031 LLC	4.78	\$296,100	\$0	\$296,100
S1214346905	Adler, AB LLC	4.96	\$4,200	\$333,600	\$337,800
S1214338600	Adler, AB LLC	25.27	\$25,500	\$0	\$25,500
S1214438705	Michael Seabolt	0.93	\$175,100	\$146,100	\$321,200
S1214449021	P. Bloomberg Tr.	9.74	\$8,900	\$265,000	\$273,900
S1214449107	Idaho Auto Mall	19.33	\$17,500	\$227,000	\$244,500
R7192800710	Hk&M LLC	1.12	\$163,000	\$149,500	\$312,500
R7192800700	Bird, Michael	0.96	\$155,700	\$154,300	\$210,000 *
R7192800676	Towns, Larry	0.96	\$175,100	\$172,700	\$247,800*
<b>Total Linder Study Area</b>		<b>173.84</b>	<b>\$10,530,300</b>	<b>\$1,448,200</b>	<b>\$11,978,500</b>

- Note: These acreages are exclusive of adjacent public rights-of-way for Ten Mile Road, West Overland Road, Linder Road, South Jersey Way, West Dutch Farm Road, and Tasa Road that should be included in the ultimate boundaries of any district established. Publicly owned properties are assigned no value in Idaho assessments, so including them makes no difference to the value calculation but will slightly increase the ultimate acreage.
- Parcels designated by an \* are owner-occupied residential properties and thus the taxable value is reduced by \$100,000<sup>2</sup> in each base reflecting the Homeowner Property Tax Exemption. There are two such properties located north of I-84.

### **Description of the Linder Study Area:**

As noted in the table above, the Linder Study Area consists of twenty (20) tax parcels. Nearly eighty (80) acres are under a single ownership located at the westerly end of the Study Area. This area, representing approximately 45.8% of the acreage in the Study Area, is currently zoned for Medium Density Residential and Commercial uses. Full urban services are in place to support development consistent with the City's plan for the area.

<sup>2</sup> Based on the adoption of H389, the Homeowner Property Tax Exemption will increase to a maximum of \$125,000. This is anticipated to further reduce the base. As the 2021 tax assessments are not yet available, the 2020 data has been used. The 10% analysis will ultimately be revisited in any further urban renewal plan.

While some transportation and site infrastructure is in place at the western end of the Study Area, water and sewer service is not yet available to serve these parcels.

The balance of the Study Area located south of I-84 is undeveloped. The largest parcel located in the easterly portion of the Study Area is 26.22 acres. A similarly sized parcel (25.27) is located nearby. These two parcels remain primarily in agricultural use. The undeveloped portion of the Study Area consists of approximately 91 acres and is located in unincorporated Ada County. These parcels carry an Ada County zoning designation of Rural Urban Transition (RUT) recognizing potential for changing into more active urban uses similar to adjacent properties. Additionally, these parcels are included in the Ten Mile Interchange Specific Area Plan which has been adopted by the City as an element of their Comprehensive Plan. The undeveloped portion of the Study Area consists of seven (7) parcels ranging in size from 0.93 acres up to the larger parcels noted above. The easterly portion of the Study Area also contains four (4) parcels on which single-family residences are located. One residence was constructed in 1913 with the others built in the last 30 years. None of the residences reflect a Homeowner Property Tax exemption suggesting that they are not owner-occupied and do not reflect uses consistent with City planning documents. A derelict section of West Overland Road remains on the property even though a new high-capacity section has replaced it. The old section had served an historic farm located on the site, but all buildings associated with that use have been razed. It has been renamed West Dutch Farm Road and provides legal access to the adjacent parcel but is not improved to current urban standards. An unimproved right-of-way for Linder Road is located on the east edge of the Study Area and is currently used by the adjacent business for the storage of recreational vehicle inventory. That right-of-way should be included within the ultimate boundaries of any district created as a result of this review. The recently constructed improvement to West Overland Road abuts the southerly edge of the Study Area. Other than this street, no public infrastructure is in place to support development of the majority (53.4%) of the Study Area.

The Ridenbaugh canal bifurcates the extreme southwesterly portion of the Study Area from the balance of the included parcels. The canal extends across the site in an east-west direction at the top of a bench separating the upland portion from the majority of the Study Area.

The land within the Study Area, south of I-84 is owned by seven (7) different entities. The western 80 acres are owned by a single entity, Cabra Creek LLC. Six (6) entities own the remaining parcels with just two owners controlling 62% of the 91 acres in the easterly portion of the Study Area.

Three parcels are located along Linder Road north of I-84. All three of these are residential properties on large lots in unincorporated Ada County with Ada County R-1 zoning. Each property has an existing residential structure, two built in the early twentieth century, but updated in recent years, and one constructed in 1978. The uses currently in place on these parcels is not anticipated to change under the Ten Mile Interchange Specific Area Plan.

*Images reflecting conditions in the westerly portion of the Study Area*



*Images reflecting conditions in the easterly portion of the Study Area*



## **Analysis of the Study Area:**

A review of the Study Area reflects a pattern of delayed investment or an area in transition. This is particularly notable given the area's proximity to substantial public investment in the Ten Mile interchange and street improvements to both Ten Mile Road and West Overland Road. The majority of the parcels do not have City utilities and no individual owner or developer has been willing to assume the significant cost to extend those services.

The Ten Mile Interchange Specific Area Plan provides a clearly articulated vision for a high-density mixed-use development pattern in this area that would capitalize on the access and utility investments already made by public entities. To date, however, while some planning has been done consistent with the Plan, and limited transportation and site infrastructure has been installed in the west portion of the Study Area, little progress has been made to implement the vision. The Plan calls for substantial investment in public infrastructure throughout the entire Study Area but the market to date has proven incapable of supporting that level of capital cost. It appears as though meaningful progress may depend upon some level of public intervention to support the desired private investment in the balance of the Planning Area to bring the Plan to reality.

For the convenience of the reader, the statutory criteria are reiterated, at least one of which must be found to qualify an area for urban renewal activities. Those conditions are:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]

4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

**Analysis: Linder Study Area**

*Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site:* The historic farmstead previously located in the Study Area has been removed. Of the four remaining structures located south of I-84, one is over one hundred years old but the other three are relatively modern residences constructed in the last 30 years. Two of the structures located north of I-84 were constructed approximately 100 years ago and have been updated within the recent past. The other residence north of I-84 was constructed in 1978 and appears serviceable for its current and intended use. Since the majority of the structures previously located on the properties have been removed, there is no “substantial number of deteriorated or deteriorating structures” remaining within the Study Area. Therefore, criterion #1 is not met.

*Criterion #2: Age or Obsolescence:* Again, as noted above, the structures that remain south of I-84, were built to serve the historic agricultural use. While the remaining structures are not old, they are not of a nature to support the high-density mixed-use envisioned in the Plan. Therefore, the remaining structures located south of I-84 are obsolete in this context and as such, criterion #2 is met.

*Criterion #3: Predominance of Defective or Inadequate Street Layout:* As noted above, it is recommended to include the Ten Mile Road and West Overland Road rights-of-way within the boundaries of the proposed district. As such, the improvements made to these facilities in recent years appear adequate to serve the anticipated development. However, there are no streets in place to serve the internal development of the relatively large parcels in the eastern portion of the Study Area which represents a majority of the land under consideration. Linder Road between West Overland Road and I-84 is unimproved and not accessible to the travelling public. Implementation of the Specific Area Plan requires circulation throughout the planning area and since no streets currently exist to serve the anticipated interior development to the east, criterion #3 is met.

*Criterion #4: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting:* The parcels in the Study Area are of a size and



configuration appropriate for the historic agricultural use for which they have been deployed for several decades. However, as the City and region have developed around these properties, the large lots in the easterly portion of the Study Area are not properly configured to accommodate the development pattern envisioned in the Specific Area Plan. A more fine-grained and high-density development pattern is represented in the adopted Plan. Therefore criterion #4 is met.

*Criterion #5: Insanitary or Unsafe Conditions:* Again, given the current agricultural use and general lack of development “insanitary and unsafe conditions” are not present. Therefore, criterion #5 is not met.

*Criterion #6: Diversity of Ownership:* The ownership of the 173.84 acres in the Study Area is in the hands of ten (10) entities. The westerly 80 acres (45.8% of the entire area) is under a single ownership. The easterly portion (94 acres) is held by eight (8) entities, however 61% of that area is held by two entities. Thus, the vast majority of the Study Area is controlled by only three entities. Therefore criterion #6 is not met.

*Criterion #7: Tax or Special Assessment Delinquency:* According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #7 is not met.

*Criterion #8: Defective or unusual condition of title:* No defective or unusual conditions of title are reflected in Ada County records. Therefore, criterion #8 is not met.

*Criterion #9: Results in Economic Underdevelopment of the Area:* While the Ten Mile Interchange and the Ten Mile Road and West Overland Road improvements provide good access to the area for the broader regional community, the internal circulation system is non-existent in the majority of the Study Area at this point in time. Additionally, enhanced north-south access across I-84 will better connect the planned activities within the Study Area with the rest of Meridian. The Specific Area Plan calls-out specific locations for access points into the Study Area so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place so criterion #9 is met.

*Criterion #10: Substantially Impairs or Arrests the Sound Growth of a Municipality:* The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. The City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide full public infrastructure, the Study Area will remain an under-utilized area in the midst of the fastest growing area in the State of Idaho. Criterion #10 is met.

**Findings: Linder Study Area:** Conditions exist within the Study Area to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.

**Summary of Findings**

	Criteria	Met	Not Met
1	The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site		X
2	Age or Obsolescence	X	
3	Predominance of Defective or Inadequate Street Layout	X	
4	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting	X	
5	Insanitary or Unsafe Conditions		X
6	Diversity of Ownership		X
7	Tax or Special Assessment Delinquency		X
8	Defective or unusual condition of title		X
9	Results in Economic Underdevelopment of the Area	X	
10	Substantially Impairs or Arrests the Sound Growth of a Municipality	X	

**Analysis: Open Land Conditions:** In addition to the eligibility conditions identified above, the geographic area under review is also required to satisfy the “open land” conditions. Idaho Code Section 50-2903(8)(c) states: “[a]ny area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.”

The eligibility criteria set forth in Idaho Code Section 50-2903(8)(c) for predominantly open land areas mirror or are the same as those criteria set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b). “Diversity of ownership” is the same, while “obsolete platting” appears to be equivalent to “faulty lot layout in relation to size, adequacy, accessibility, or usefulness.” “Deterioration of structures or improvements” is the same or similar to “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” There is also an additional qualification that the provisions of Idaho Code Section 50-2008(d) shall apply to open areas.

Idaho Code Section 50-2008 primarily addresses the urban renewal plan approval process and Idaho Code Section 50-2008(d)(4) sets forth certain conditions and findings for agency acquisition of open land as follows:

the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall

determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

In sum, there is one set of findings if the area of open land is to be acquired and developed for residential uses and a separate set of findings if the land is to be acquired and developed for nonresidential uses.

Basically, open land areas may be acquired by an urban renewal agency and developed for nonresidential uses if such acquisition is necessary to solve various problems, associated with the land or the infrastructure, that have delayed the area's development. These problems include defective or usual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout. All of the stated conditions are included in one form or another in the definition of a deteriorated area and/or a deteriorating area set forth in Idaho Code Sections 50-2903(8)(b) and 50-2018(9). The conditions listed only in Section 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and "the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area."

The conclusion of this discussion concerning open land areas is that the area qualifies if any of the eligibility conditions set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b) apply. Alternatively, the area under consideration qualifies if any of the conditions listed only in Idaho Code Section 50-2008(d)(4)(2) apply. The parcel size, the lack of water and sewer facilities in the Study Area; a nonexistent access and internal street system; an inadequate storm drain system; and lack of fire protection, are all conditions which delay development of the Study Area.

Based on the above analysis, to the extent the Study Area is "predominantly open land," which is not a defined term, obsolete platting/faulty lot layout and economic underdevelopment are conditions found in the Study Area, and therefore, the open land condition is satisfied.

## Other Relevant Issues:

### **Agricultural Landowners Concurrence:**

The statutory provisions concerning the creation of an urban renewal district prohibit inclusion of any land used for an agricultural operation without the express written consent of the property owner. An agricultural operation is broadly defined in Idaho Code § 22-4502(2) and means “an activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel and other lawful uses...” One method of determining whether there exists an agricultural operation on a parcel is the presence of an agricultural property tax exemption<sup>3</sup>. As of the date of this Eligibility Study, several parcels, particularly located in the eastern portion of the Study Area, maintain assessed values consistent with other agricultural lands and appear, from a visual inspection, to be active agricultural operations. As a result, property owner consent is required prior to final consideration of the proposed district’s creation.

## CONCLUSION:

Based upon the data and the conditions that exist within the Study Area as noted above, the Meridian Development Corporation Board and Meridian City Council may determine that the Linder Study Area is eligible for the establishment of an urban renewal district.

**10% Analysis:** In addition to the findings reported above, verification that the assessed value of the proposed Study Area is within the statutory limits is needed. State Law limits the percentage of values on the combined base assessment rolls that can be included in urban renewal / revenue allocation districts to 10% of the current assessed valuation of all taxable property within the City. According to Ada County Assessor records, the most recent total certified value for the City of Meridian is \$13,230,528,301 (does not include operating property). This number does not reflect exemptions. Therefore taking a more conservative approach, the net taxable value for this calculation is used. That number is \$10,375,837,804. As shown in the analysis in Table 1 the current taxable value of the entire Study Area is estimated to be \$11,978,500. This value then must be added to the Base Assessed Values of the Downtown District, the Ten Mile District and the Union District to test for the 10% limitation. The analysis for these purposes is presented in Table 2, below. The combined base assessment roll values are well below the statutory limit.

<sup>3</sup> With House Bill 560 (2020) effective July 1, 2020, eliminating the property tax exemption for agricultural land and replacing it with a method to value agricultural land, going forward the method to determine the existence of an agricultural operation will change.

**Table 2**

<b>Statutory 10% Limitation Analysis</b>		
<b>Area</b>	<b>Taxable Value</b>	<b>Percentage</b>
Total City	\$10,375,837,804	100%
Downtown URD Base Value	\$146,334,050	1.41%
Ten Mile URD	\$ 39,539,125	0.38%
Union URD	\$2,144,360	0.02%
Proposed Linder URD	\$11,978,500	0.12%
<b>Total UR Base Assessed Value Percentage</b>	<b>\$199,996,035</b>	<b>1.93%</b>

The effect of creating this district on the capacity of the City and MDC to consider future districts should they choose to do so is also explored. The table below shows there is capacity to consider additional districts.

**Table 3**

<b>Remaining Urban Renewal Capacity</b>		
• Maximum 10% Limitation	\$1,323,052,830	10%
• Downtown URD	\$146,334,779	1.41%
• Ten Mile URD	\$ 39,539,125	0.38%
• Union URD	\$2,144,360	0.02%
• Proposed Linder URD	\$11,996,035	0.12%
<b>Available AV within limitation</b>	<b>\$1,124,027,095</b>	<b>8.07%</b>

**Exhibit C**

The Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation, Resolution No. 21-024, dated May 26, 2021, Accepting the The Linder Urban Renewal District Eligibility Report, dated May 2021  
(5 pages attached)

**MERIDIAN DEVELOPMENT CORPORATION  
THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN**

**RESOLUTION NO. 21-024**

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS THE MERIDIAN DEVELOPMENT CORPORATION, ACCEPTING THAT CERTAIN REPORT ON ELIGIBILITY FOR CERTAIN PROPERTY REFERRED TO AS THE LINDER DISTRICT AREA AS AN URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA AND JUSTIFICATION FOR DESIGNATING THE AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR OR ADMINISTRATOR TO TRANSMIT THE REPORT AND THIS RESOLUTION TO THE ADA COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY COUNCIL OF THE CITY OF MERIDIAN REQUESTING THEIR CONSIDERATION FOR DESIGNATION OF AN URBAN RENEWAL AREA AND SEEKING FURTHER DIRECTION FROM THE COMMISSION AND COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), a duly created and functioning urban renewal agency for Meridian, Idaho, hereinafter referred to as the "MDC";

WHEREAS, on July 24, 2001, the City Council (the "City Council") of the City of Meridian, Idaho (the "City"), adopted Resolution No. 01-367 establishing MDC pursuant to the Law;

WHEREAS, on October 8, 2002, the City Council, after notice duly published, conducted a public hearing on the Meridian Revitalization Plan Urban Renewal Project, which is also referred to as the Downtown District (the "Downtown District Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 02-987 on December 3, 2002, approving the Downtown District Plan, making certain findings and establishing the Downtown District revenue allocation area (the "Downtown District Project Area");

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Ten Mile Road Urban Renewal Plan (the "Ten Mile Plan"). The public hearing was continued to June 21, 2016, for further testimony;

WHEREAS, following said public hearings, the City Council adopted its Ordinance No. 16-1695 on June 21, 2016, approving the Ten Mile Plan, making certain findings and establishing the Ten Mile revenue allocation area (the "Ten Mile Project Area");

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Meridian Revitalization Plan Urban Renewal Project ("First Amendment to the Downtown District Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 20-1881 on June 9, 2020, approving the First Amendment to the Downtown District Plan deannexing certain parcels and making certain findings (collectively, the Downtown District Plan, and amendments thereto, are referred to as the "Existing Downtown District Plan," and the Downtown District Project Area, and amendments thereto, are referred to as the "Existing Downtown District Project Area");

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Union District Urban Renewal Project (the "Union District Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 20-1882 on June 9, 2020, approving the Union District Plan, making certain findings and establishing the Union District revenue allocation area (the "Union District Project Area");

WHEREAS, the Existing Downtown District Plan, the Ten Mile Plan, and the Union District Plan and their project areas are collectively referred to as the "Existing Project Areas;"

WHEREAS, it has become apparent that additional property, a portion of which is located within the City, and a portion of which is located within the City's area of operation within unincorporated Ada County, may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area including properties and roadway, referred to as the Linder District Study Area, which is an area bounded by Ten Mile Road on the

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west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east (the "Study Area");

WHEREAS, MDC has obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), a copy of which is attached hereto as **Exhibit A**, which examined the Study Area, which area also included real property located within unincorporated Ada County, for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which lists the definition of deteriorating area and deteriorated area, many of the conditions necessary to be present in such an area are found in the Study Area;

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the areas, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Report includes a preliminary analysis concluding the base assessment roll value for the Study Area along with the base assessment rolls for the Existing Project Areas do not exceed 10% of the current assessed valuation of all taxable property within the City;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. See Idaho Code § 50-2903(8)(c);

WHEREAS, Idaho Code Sections 50-2018(9), 50-2903(8) and 50-2008(d) list additional conditions applicable to open land areas, including open land areas to be acquired by MDC;

WHEREAS, the Report addresses the necessary findings concerning the eligibility of open land within the Study Area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

WHEREAS, under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in Section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Study Area includes parcels subject to such consent. While the

necessary consents have not been obtained, any and all consents shall be obtained prior to City Council consideration of any urban renewal plan;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, a portion of the Study Area includes certain real property located within unincorporated Ada County;

WHEREAS, the Ada County Board of County Commissioners will be asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, the MDC Board finds it in the best public interest to accept the Report.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, AS FOLLOWS:

Section 1 That the above statements are true and correct.

Section 2. That the MDC Board acknowledges acceptance and receipt of the Report.

Section 3. That there are one or more areas within the City and within unincorporated Ada County that are a deteriorating area or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8), and as more fully set forth in the Report, attached hereto as **Exhibit A**.

Section 4. That one such area is an area approximately 174 acres (excluding rights-of-way) in size and is more commonly referred to as the Linder District Study Area, and as more fully described in the Report.

Section 5. That the rehabilitation, conservation, and redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, and welfare of the residents of the City.

Section 6. That the Chair or Vice-Chair of the MDC Board of Commissioners, or the Administrator, are hereby authorized to transmit the Report to the City Council requesting that the City Council:

- a. Determine whether the Study Area identified in the Report qualifies as an urban renewal project and there is justification for designating the area, as appropriate, for an urban renewal project; provided, however, MDC requests the City Council not take such action until the Ada County Board of County Commissioners has adopted a resolution declaring the need for an urban renewal project for the Study Area;
- b. If such designation is made, whether MDC should proceed with the preparation of an urban renewal plan for the area, which plan may include a revenue allocation provision as allowed by law;
- c. Coordinate with MDC to obtain the required agricultural operation consents from the property owners.


Section 7. That the Chairman of the MDC Board or Administrator is hereby authorized to transmit the Report to Ada County Board of County Commissioners for its consideration pursuant to Idaho Code Section 50-2018(18).

Section 8. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation, on May 26, 2021. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on May 26, 2021.

APPROVED:

By   
Chair of the Board

ATTEST  
By   
Secretary

**Exhibit D**

Map Showing Eligible Parcels that Will Not Be Included Within the Boundaries of any Future  
Urban Renewal Project Area  
(1 page attached)



**Exhibit E**

Consent forms  
(12 pages attached)

**AGRICULTURAL OPERATION CONSENT FORM**


COMES NOW Soo W. Lee, an Individual, and states that Individual, owns that certain property generally described as Parcel Identification Number S1214346705 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated April 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Soo W. Lee, an Individual, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 10 day of August, 2021.

  
\_\_\_\_\_  
Soo W. Lee  
An Individual

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

On this 10th day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Soo W. Lee, known or identified to me to be the person who executed this instrument.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires on 10/22/24

**EXHIBIT A**

**PARCEL NUMBER**

S1214346705

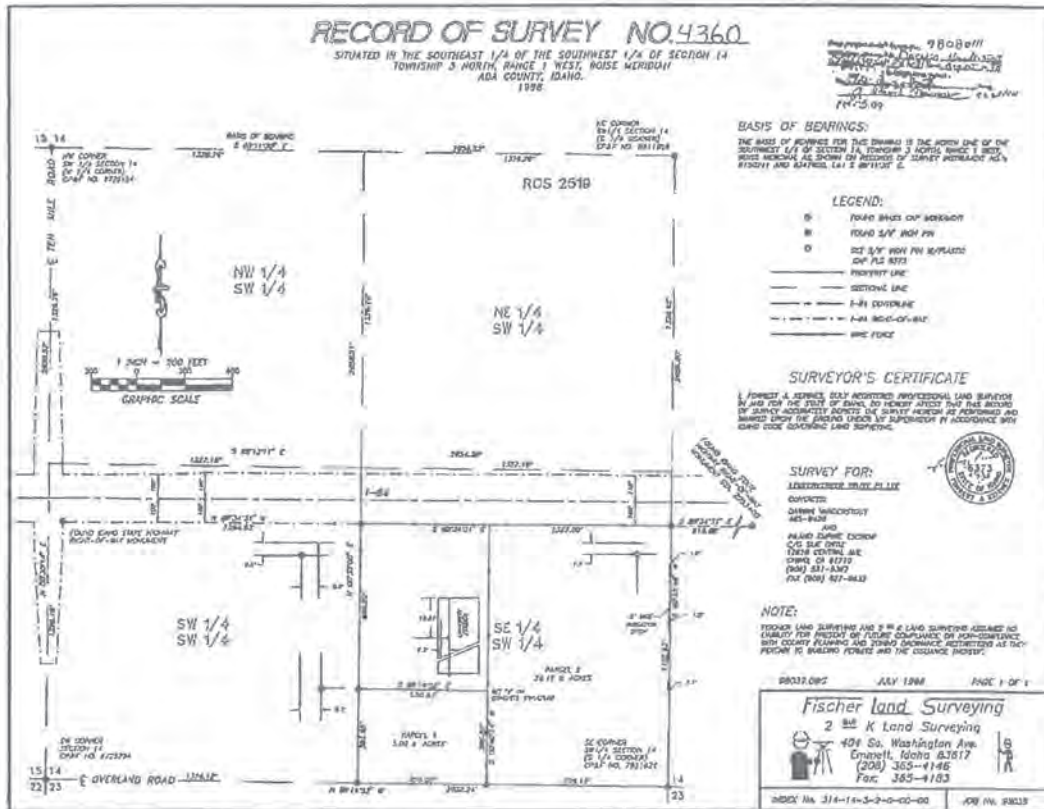
**ADDRESS**

West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

**SURVEY RECORD**





**AGRICULTURAL OPERATION CONSENT FORM**

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438600 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:


- (1) that the Property has been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 20<sup>th</sup> day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager

  
 \_\_\_\_\_  
 Michael S. Adler  
 President

STATE OF IDAHO            )  
   ) ss:  
 County of Ada                )

This record was acknowledged before me on August 20, 2021 (date) by Michael S. Adler (Signer), known or identified to me to be the President of Adler Industrial, LLC (Constituent Entity), the Manager of Adler AB Owner I, LLC (Maker), who subscribed said Maker Entity's name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said Constituent Entity, and that such Constituent Entity executed the same in the name of said Maker Entity.

(stamp)



Martha Parker  
 Notary Public  
 My Commission Expires on 04/08/2027

**EXHIBIT A**

**PARCEL NUMBER**

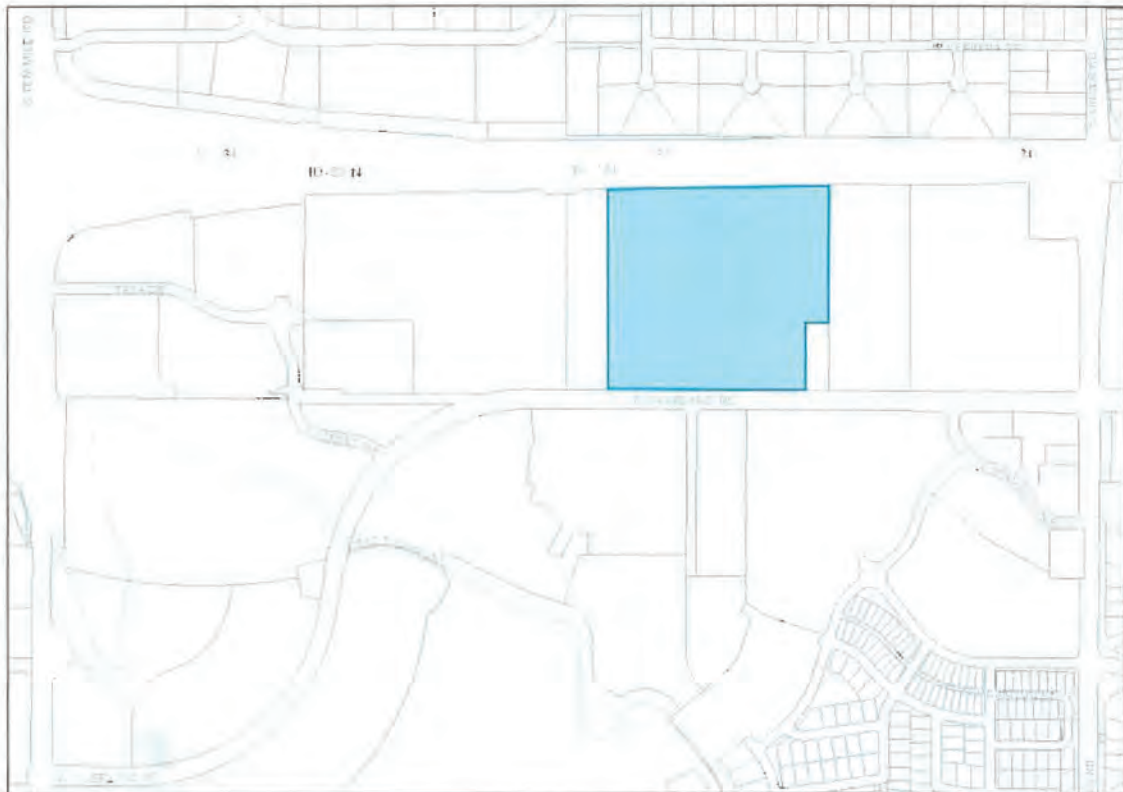
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B



**AGRICULTURAL OPERATION CONSENT FORM**

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438420 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager

\_\_\_\_\_  
Michael S. Adler  
President

### CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles

On August 23, 2021 before me, Andrea Myers, Notary Public  
(insert name and title of the officer)

personally appeared Michael S. Adler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Andrea Myers (Seal)



### AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002 and states that the Paul R. Blomberg Revocable Trust 9-3-2003 owns that certain property generally described as Parcel Identification Number S1214449021 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

- (1) that the Property has been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.


DATED this 23 day of August, 2021.

  
 Paul R. Blomberg  
 Trustee

STATE OF IDAHO            )  
   ) ss:  
 County of Ada             )

On this 23<sup>rd</sup> day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Paul R. Blomberg, known or identified to me to be the Manager of the Paul R. Blomberg Revocable Trust 9-3-2002, who executed this instrument in his capacity as Trustee.



  
 Notary Public  
 My Commission Expires on 10/22/24

**EXHIBIT A**

**PARCEL NUMBER**

S1214449021

**ADDRESS**

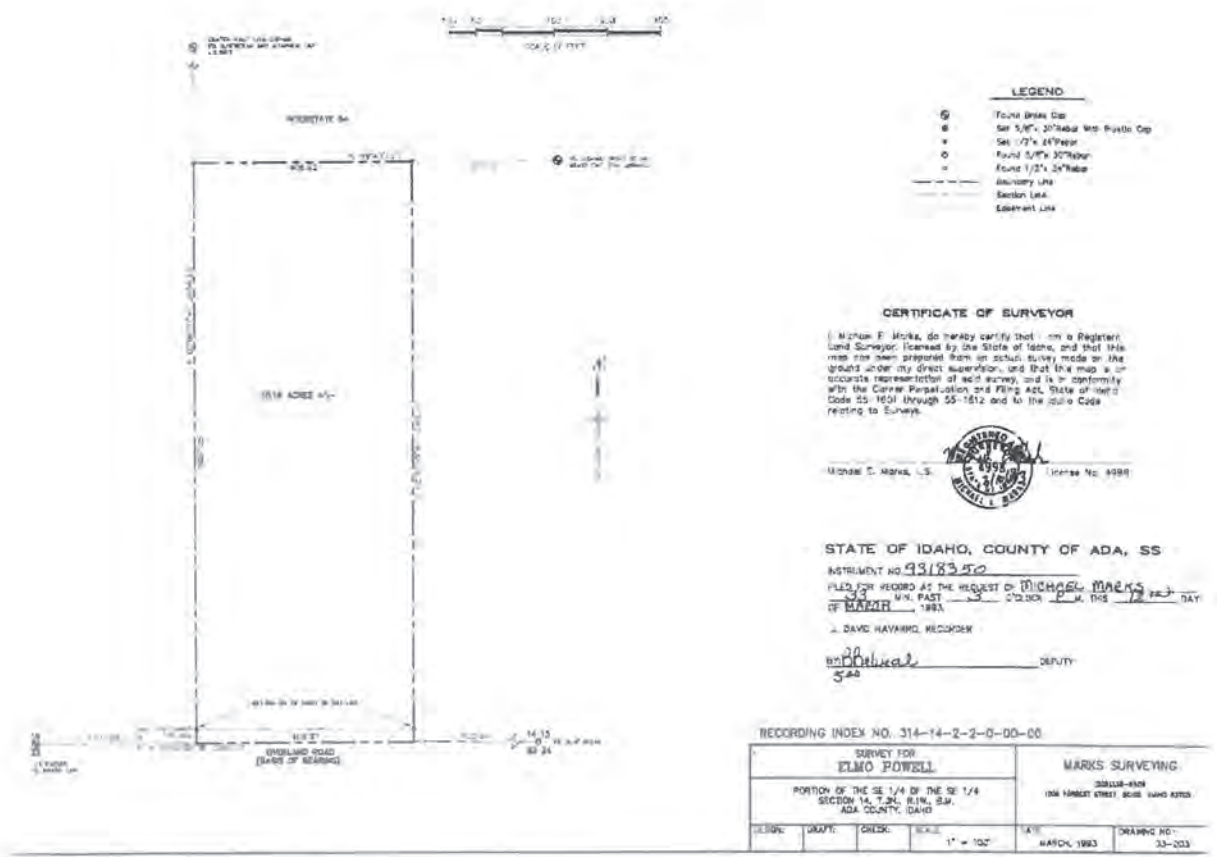
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412



**CERTIFICATE OF SURVEYOR**

I, Michael F. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map was prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and it is in conformity with the Corner Registration and Filing Act, State of Idaho, Code §§ 1601 through 55-1612 and to the State Code relating to Surveys.

Michael F. Marks, L.S. License No. 4998  
*(Signature and Seal)*

STATE OF IDAHO, COUNTY OF ADA, SS  
INSTRUMENT NO. 9318250  
FILED FOR RECORD AS THE REQUEST OF MICHAEL MARKS  
OF MARKET 23 MONTHS PAST THIS 22 DAY  
OF MARCH, 1993  
J. DAVID HAYWARD, RECORDER  
*(Signature)* DEPUTY

RECORDING INDEX NO. 314-14-2-0-00-00

SURVEY FOR <b>ELMO POWELL</b>				MARKS SURVEYING	
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T.24N. R.14W. S.4E. ADA COUNTY, IDAHO				200124-444 1044 194021 STREET SOUTH SUDDO 43205	
SCALE:	DATE:	CREATED:	BY:	DATE:	DRAWING NO.:
				MARCH 1993	33-203




### AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Jon Brennan, Manager of 5B1031 LLC, an Idaho Limited Liability Company, and states that 5B1031 LLC owns that certain property generally described as Parcel Identification Number S1214346905 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

- (1) that the Property has NOT been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Jon Brennan, Manager of 5B1031 LLC, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

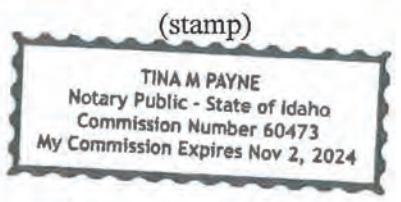
DATED this 20th day of August, 2021

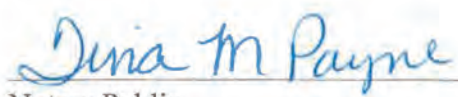


Jon Brennan  
Manager

STATE OF IDAHO            )  
  ) ss:  
County of ~~Ada~~ Elmore    )

This record was acknowledged before me on August 20, 2021 (date) by Jon Brennan on behalf of 5B1031 LLC in his capacity as its Manager.



  
Notary Public  
My Commission Expires on 11-02-2021

**EXHIBIT A**

**PARCEL NUMBER**

S1214346905

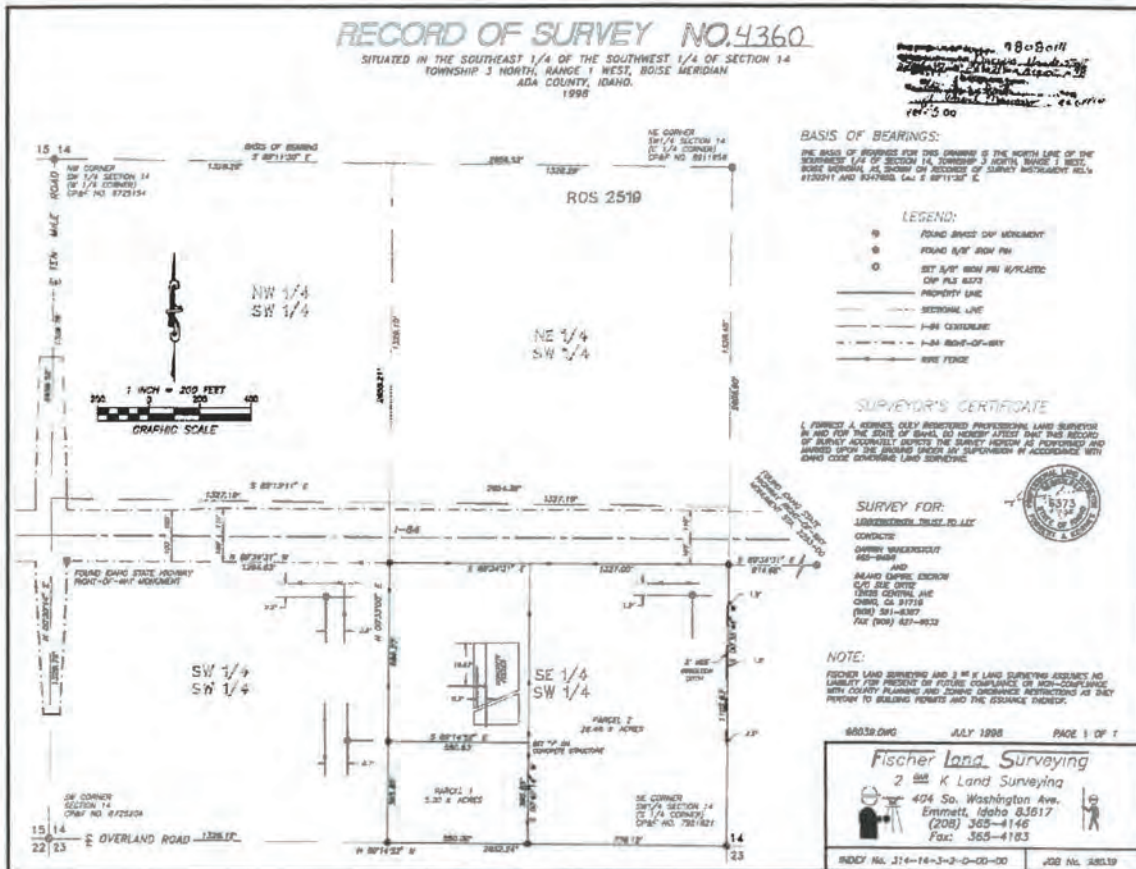
**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**



Attachment 8

Ada County Board of County Commissioners Ordinance No. \_\_\_\_\_  
(Intergovernmental Agreement and Transfer of Powers Ordinance)

**[To Be Inserted Upon Adoption]**

Attachment 9

City Council Resolution No. \_\_\_\_\_  
(Intergovernmental Agreement)

**[To Be Inserted Upon Adoption]**



Ten Mile Interchange Specific Area Plan  
A Strategy to Enhance Meridian's Prosperity  
City of Meridian, Idaho

Adopted June 2007



ACKNOWLEDGEMENTS

Meridian Mayor, Council, and Commission

Tammy de Weerd, Mayor, City of Meridian

Joe Borton, City Council, City of Meridian

Charles Rountree, City Council, City of Meridian

Shaun Wardle, City Council, City of Meridian, (Charrette Phase)

Keith Bird, City Council, City of Meridian

Dave Zaremba, Chairman, City Council

Michael Rohm, Chairman, City of Meridian Planning and Zoning Commission

Keith Borup, City of Meridian Planning and Zoning Commission

David Moe, City of Meridian Planning and Zoning Commission

Wendy Newton-Huckabay, City of Meridian Planning and Zoning Commission

Steve Siddoway, City of Meridian Planning and Zoning Commission

Local Representatives and Participating Departments and Agencies

Jana Kemp, Representative, Idaho State Legislature, (Charrette Phase)

Shirley McKague, Representative, Idaho State Legislature

Gerry Sweet, Senator, Idaho State Legislature, (Charrette Phase)

Pete Friedman, Planner III, Ada County Development Services, (Charrette Phase)

Leslie Toombs, Planner II, Ada County Development Services

John Cunningham, Principal Planner, Transit, COMPASS

David Bivens, Commissioner, Ada County Highway District

Craig Herndon, Studies Coordinator, Ada County Highway District

Don Kostelec, Planning Supervisor, Ada County Highway District

Chris Danley, Comprehensive Planner, Ada County Highway District

Bruce Herral, Project Manager, Connecting Idaho

Lance Giles, Stakeholder Coordinator, Connecting Idaho

Steve Alters, Segment Manager, Connecting Idaho

Sue Sullivan, District 3 Representative, Idaho Transportation Department

Daris Bruce, District 4 Representative, Idaho Transportation Department

Eric Shannon, District 4 Representative, Idaho Transportation Department

Nestor Fernandez, District 4 Representative, Idaho Transportation Department

Kelli Fairless, Executive Director, Valley Regional Transit

Vance Henry, Ten Mile Interchange Design Project Manager, HW Lochner

Katie Powell, HW Lochner

Rosemary Curtin, RBCI, Ten Mile Interchange Area Plan Public Involvement

Shelly Houston, Community Communications Coordinator, City of Meridian

Lori Jones, Meridian Chamber of Commerce

Chris Klein, President, Meridian Chamber of Commerce

Terry Sackman, Executive Director, Meridian Chamber of Commerce

Cheryl Brown, Economic Development Coordinator, City of Meridian (Charrette Phase)

John Overton, Lieutenant, Meridian Police Department

Joe Silva, Deputy Chief Fire Prevention, Meridian Fire Department

Bruce Freckleton, Development Services Manager, Meridian Public Works

Bob Adams, Track Manager, Idaho Northern and Pacific Railway

The Public and Area Stakeholders

Brad Janicek

Jim Jewett

Peter Oliver

Ryne Stoker

Mirazim Shakoori

Jim Zeiter

Shane Jimenez

David Turnbull

Ron VanAuker

Larry VanHees

Eric Davis

Meridian Residents

Area Property Owners

Planning Team

City Staff

Anna Canning, Director, Planning Department, City of Meridian

Matt Ellsworth, Associate City Planner, Planning Department, City of Meridian

Steve Siddoway, Comprehensive Planning Manager, City of Meridian, (Charrette Phase)

Pete Friedman, Comprehensive Planning Manager, City of Meridian

Consultants

Mark Sawyer, Project Manager, HDR

Miguel Gaddi, Planner, HDR

Don Galligan, Planner, HDR

Oliver Kuehne, Urban Designer, HDR

Maria Martinez, Landscape Architect, HDR

Audra Manion, Planner, HDR

Diane Kushlan, Principal, Planning and Management Services

Beau Webber, Logistical Marketing

Knight Martorell, Architect







Dear Residents, Property Owners, Developers, City Leaders, and Public Service Agencies:

The Ten Mile area holds promise as a highly visible, easily accessible area that can offer significant future employment and enhance our diversity in housing. The City of Meridian initiated the Ten Mile Specific Area Plan to ensure that land use and transportation planning were integrated. By sharing our respective vision and resources, we have an opportunity to make this area well-defined and unique.

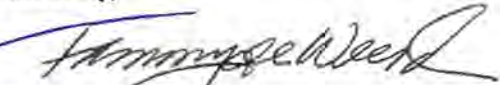
This plan challenges agencies, property owners and developers to work together forming partnerships and to think non-traditionally. We will step-up to find new ways to work collaboratively with a "can do" attitude keeping our eyes on the big picture and vision to implement a plan with a mix of uses and densities, as well as quality of design.

The City is committed to find new ways to partner with private and public sector agencies to build an integrated and sustainable Ten Mile Area that will create opportunities for people to be innovative in establishing new businesses that offer upscale regional and other unique shopping and entertainment venues.

Our City staff is committed to exceeding the standard for working relationships. We look forward to achieving our goal of being the best place in the Treasure Valley to live, work and raise a family.

Thank you to everyone who has been involved in creating this vision and who will be involved in making it a reality. With the adoption of this plan, Meridian is truly *"Built for Business...Designed for Living!"*

Sincerely,



Tammy de Weerd  
Mayor, City of Meridian





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**BACKGROUND**

The Background provides a summary of the history of the project and the general reasons for undertaking a specific area plan, placing the project in regional and national context.

**Project Initiation**

The City of Meridian initiated this plan as a means of setting a course for the future of the Ten Mile Interchange Area. Located immediately adjacent to I-84, the only Interstate highway traversing the region, with plans being developed by the Idaho Transportation Department for a new interchange at Ten Mile Road and I-84, with lands being developed in a variety of ways, and with proposals for a wide array of projects, it was clear that it was time to reassess the future of the Ten Mile Interchange Area. Was what was contemplated by the City's Comprehensive Plan right for the area? Were there untapped markets and opportunities? How would this area fit with the community's vision of being the best place in the Treasure Valley to live, work and raise a family? Are there important parts of the area to preserve? How do we avoid creating the transportation system problems we see at so many other interchanges in the valley? Would Ten Mile Road become another Eagle Road? Should we approve the annexation and development proposals from the private sector? How do we properly evaluate development proposals for the area? How do we make the development approval process more predictable?

With so many questions, the Mayor and City Council determined that a closer look was needed. It was time to assess the situation, work in cooperation with the Idaho Transportation Department, Ada County Highway District and private property owners to determine what the future of the Ten Mile Interchange Area should be and how, through well considered planning, the community could preserve the performance of our transportation system and develop a future that represented the community's goals and expectations.

**The Reason to Plan**

Beyond any of the particular reasons that planning for the Ten Mile Interchange Area was initiated, a specific area plan makes sense. Good planning involves citizens in determining the proper land uses, economy, transportation services and infrastructure for an area. The planning process enhances the community's character and quality of life by considering the interaction between land use and transportation and their cumulative effect on the built and natural environments.

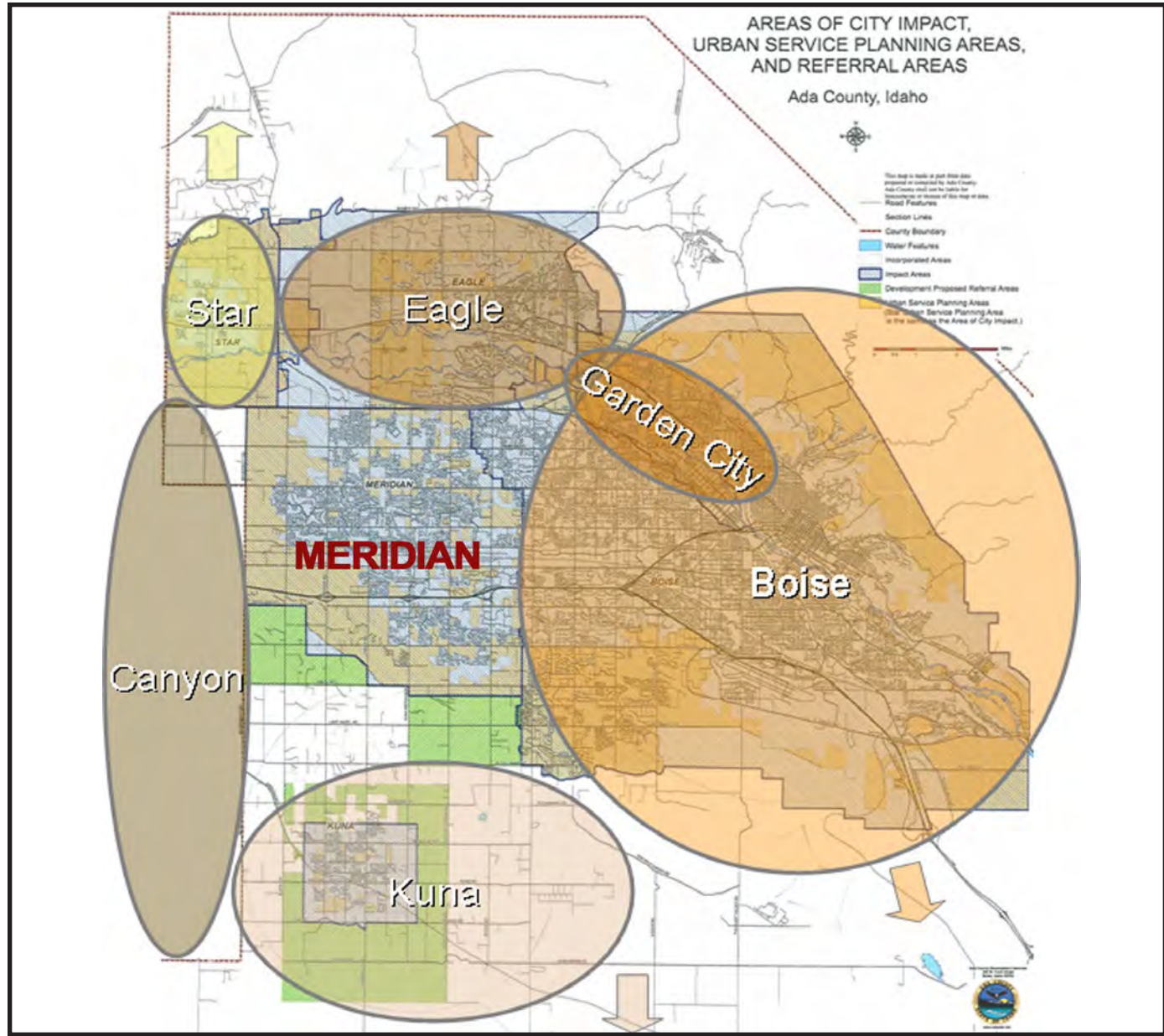
**City and Regional Context**

The City of Meridian sits in the middle of the Treasure Valley. Lying squarely between Nampa and Boise and bordering I-84, providing interstate access for Eagle and Kuna residents, Meridian has been growing rapidly for the last decade, and that growth shows no sign of stopping for the next several decades. Growth projections for the Treasure Valley over the next twenty years may vary widely, from a total population of less than 750,000 to more than 1.5 million, but whatever the growth, Meridian is positioned to absorb a significant share of it.

**The Dilemma: The "Do Nothing" Scenario or Status Quo**

The City of Meridian has made every effort to plan for the future, but has been frustrated with some of the quality of new development and the influences of unfettered markets. The City and its residents are concerned about the various types and scales of development proposed in recent months in the Ten Mile Interchange Area and the limited innovation the market has shown in developing integrated communities, providing for complete transportation systems, and stepping away from dated commercial site plans and residential subdivision designs.

The City knows that this is one of the last remaining large, contiguous areas of highly visible, easily accessible, and developable land within the City of Meridian's Area of Impact. While the City is not required to refine the plan for this area, it decided to look at the area to see if there might be an option available other than doing nothing.



**The Comprehensive Plan: The Sum Total**

The City's Comprehensive Plan currently provides very limited land for a variety of what may be important markets for Meridian's future. Some of the issues identified in the City's Comprehensive Plan that are addressed by this study include:

- Industrial lands are located well off the major transportation corridors and many have been absorbed into various forms of retail development due to their location and the cost of land in these areas.
- The City has no land designated to accommodate higher density office or that meets the demand for employee accessibility while offering high visibility.
- A large block of land for the newest trends in mixed use commercial development that meets the siting criteria of high end retailers is currently

BACKGROUND

unavailable and the plan fails to offer a land use designation that easily accommodates such a use.

- Generally, the plan only facilitates the development of lower density suburban development. Higher density multifamily development is not accommodated.

Are there opportunities that are being missed? Does the City’s Comprehensive Plan provide for a strong jobs-housing balance that will ensure Meridian will be a complete community as it builds out? These questions and others needed to be addressed in planning for the Ten Mile Interchange Area.

**The City’s Vision: Live, Work and Raise a Family**

Like many cities around the country, Meridian is committed to make every effort to be a community that people identify with, that people call home--to be a place where you can not only live but work. Meridian desires to continue to be a place where you don't just live, but you feel confident about it being a great place to raise a family.

Meridian has developed this plan because we believe that the effort we place on creating places people want to be—places with character and vibrancy, and an enthusiastic business culture—will create a city where people can imagine new possibilities and build new futures.

This commitment to being a great place, a place where people can live, work, and raise a family served as a core criteria in identifying a future for the Ten Mile Interchange Area.

**The Interchanges: Access and Visibility**

There are seven interchanges in the Treasure Valley, a majority of which serve either big box retail development or a single, specific use, as with the airport. The land surrounding nearly all of the existing interchanges has been committed to development. It is difficult, then, to meet the community's changing needs by consolidating large blocks or land for redevelopment. The proposed Ten Mile Interchange is to be the only new interchange on I-84 for at least 20 years, making the land within the Ten Mile Interchange Area a very limited resource. This proposed interchange will place new pressure on the Ten Mile Interchange Area, but it will also

create new opportunities. As we learned in the market analysis, the market will support nearly any form of commercial or residential development in the Ten Mile Interchange Area. The City must consider carefully how to use this limited resource.

**The Location: The New Center of the Treasure Valley**

Meridian is clearly the new heart of the Treasure Valley. As the metropolitan region has grown, most of the growth has occurred west of Boise City along the I-84 corridor. Meridian finds itself and the Ten Mile Interchange Area located squarely at the geographic center of the region’s population.

**The Use of a Limited Resource: A Key to Prosperity**

As described above, the Ten Mile Interchange Area has a number of unique and highly desirable attributes that make the land in the area a key resource for the City of Meridian’s future. Meridian has one area left within its Area of Impact with the access and visibility this area offers. The area is a key to Meridian’s long term prosperity. Meridian is the next community in the Treasure Valley to run out of land for future development. Hemmed in by Boise and Garden City to the east and northeast, Eagle to the north, Nampa to the west, and Kuna to the south, Meridian has a limited land base with which to secure its future. How should the land in the Ten Mile Interchange Area be used to support Meridian’s long term prosperity?



### GUIDE TO THE PLAN

This document details what is intended to be an integrated land use and transportation plan for development of the Ten Mile Interchange Area. The Ten Mile Interchange Specific Area Plan focuses on developing an area that has an identity of its own, but which links to the nearby development. The plan emphasizes the community's support for higher densities and mixed uses to create a vibrant and economically strong Meridian, as articulated through the public process. The plan also stresses the community's commitment to good site planning and design as a means of establishing a place everyone can be proud of and one that protects the interests of future businesses and residents.

The transportation component specifies future through-connections as they relate to the overall transportation network and collector street network. Street design elements integrate walking, biking, transit, driving, and delivery routes. Conceptual renderings depict streetscape improvements, commercial, civic and mixed use areas as they relate to the overall use and development concept.

### The Plan Organization

The plan is divided into seven major components:

**Section 1: Executive Summary** provides a brief description of the entire plan. It describes the place, and the look and feel the city is trying achieve.

**Section 2: Outcomes** explains how the public and private sectors must work together in order make the plan happen. This plan establishes a new paradigm for how the development community and the City do business. It encourages innovation and cooperation between the City and other agencies, as well as between developers and land owners.

**Section 3: The Plan** is comprised of several components that constitute the core of the overall plan.

- **The Land Use Element** expresses the desired future land use pattern, which takes full advantage of what might be the most important future economic development area within Meridian's Area of Impact. This element will be used to guide development approvals within the Ten Mile Interchange Area.



- **The Transportation Element** serves as a foundation for ensuring the long term operational performance of the area's roadways and the proposed interchange by providing an interconnecting system of secondary roadways and supporting transit service. This element establishes the desired location of the arterial and collector roadways, key pathway connections, and the location of a regional transit center. This section also will be used to help guide the look and feel of streets within the Ten Mile Interchange Area.

- **The Design Element** of the plan builds on Meridian's best architectural and urban qualities to generate buildings and spaces that create an attractive, safe, and comfortable environment. This element will be used as a basis for generating specific design guidelines for the Ten Mile Interchange Area or subareas. It should be used by developers in developing location specific design guidelines as a part of securing their entitlements.

**Section 4: The Planning Process** describes how the plan was developed through a charrette-based process, how the public got involved, and how

the plan was refined to result in the plan that is presented here.

**Section 5: Physical and Financial Context** briefly describes the place today and the market conditions that will influence its future development.

**Section 6: The Action Plan** summarizes Section 2 into a matrix of actions that should be undertaken to move the plan forward and implement the plan's development program.

The plan supports the City's overall vision of being the best place in the Treasure Valley to live, work and raise a family.





# SECTION 1 - EXECUTIVE SUMMARY

### EXECUTIVE SUMMARY

#### The Vision

The Ten Mile Interchange Area will look, feel and function differently than a typical commercial area or residential subdivision. Many residential uses will occupy the second and third levels of buildings above retail, office and light industrial uses on the ground floor. In some commercial areas, residential uses may occupy the lowest levels of buildings.

Unlike many commercial and employment districts, the Ten Mile Interchange Area will not empty out at 5pm when employees leave work. For many employees, home will be upstairs, around the corner, or down the street. This area allows a range of land uses—from industrial to residential to commercial—in close proximity to one another. This mix, anchored by a lifestyle center, will create an exciting atmosphere for residents and a unique new area of Meridian.

#### The Process

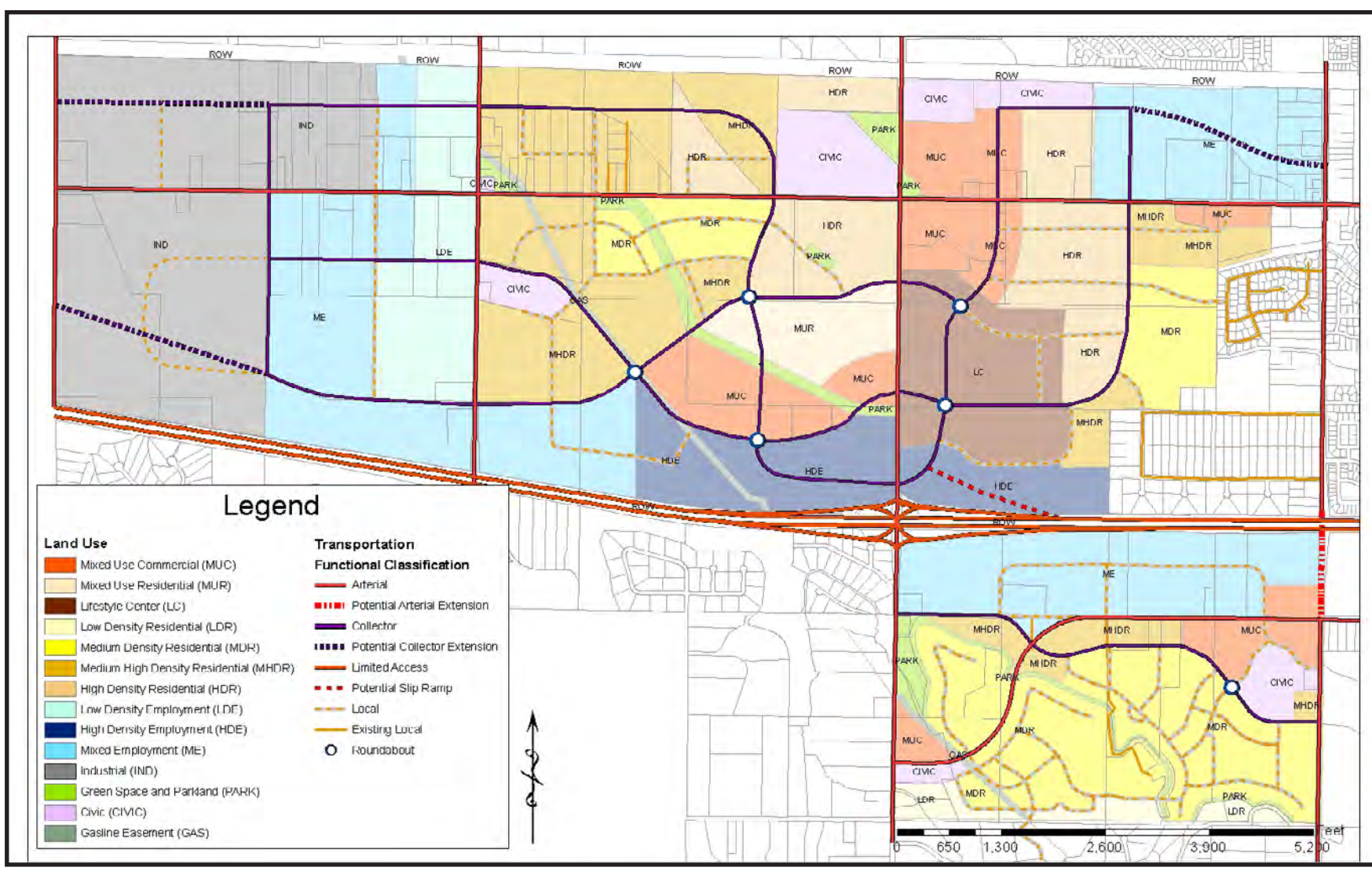
The Ten Mile Interchange Specific Area Plan was developed through a public process that involved over 500 people including property owners, developers, public and elected officials, designers, engineers, planners, architects, economists, citizens, and agencies. The input of all was used to develop this plan.

#### The Plan

#### The Uses

The Ten Mile Interchange Area is focused around a primary core immediately north of I-84 and east of Ten Mile Road. Envisioned as an innovatively-designed lifestyle center and anchored by a transit center at its northern terminus and in the south and southwest by a major office and mixed employment district, this core area will be the Treasure Valley's newest and most fashionable retail center. Integrating office and residential uses and providing important and prominent public spaces, the retail area will be designed at a human-scale, be walkable, and create a sense of place.

The area adjacent to I-84 is planned for an employment district that will support the creation of more than 20,000 jobs that will be offered by a wide variety of employers. From new,



### Land Use Continuum: A Framework for the Mixed Use Strategy





small, entrepreneurial firms to nationally and internationally recognized leaders in finance, research and development, technology, and design, these firms will not only find a pool of creative talent in Meridian and the entire Treasure Valley, but an area that is built for living.

The neighborhoods in the Ten Mile Interchange Area are proposed to include a variety of housing styles, densities and prices. They will offer easy access to recreation, shopping, services, employment, and a range of transportation options.

**The Urban Design Features**

Many of the basic rules of good design are promoted by the Ten Mile Interchange Specific Area Plan. These include:

- buildings are built to public rights-of-way
- building frontages, rather than surface parking lots and landscaped areas, “hold the corners” by framing sidewalks or public spaces
- distinctions are drawn between ground and upper stories
- entries are announced through changes in details, materials, and design compositions
- storefronts offer wide expanses of transparent glass for an enhanced pedestrian environment
- doors to individual shops and restaurants open directly onto public space
- materials are durable and façades are simply detailed and well proportioned

- the facades of larger commercial buildings should be broken down into short frontages and “big boxes” should be wrapped in smaller commercial, residential, and office uses
- signage and lighting is restrained and designed to complement the building’s design
- service entries and loading docks are located on secondary and tertiary streets and screened from public view

**The Systems**

The plan has looked at the facilities needed to service development within the Ten Mile Interchange Area and recommends specific means of funding and developing a collector road system; this system will help ensure the integrity of the transportation system, promote joint access and efficient traffic flow, and see that property owners can gain access to the road network.

**The Program**

The Program includes over 850 acres of mixed employment and industrial land, over 140 acres of land that will accommodate high density employment, over 300 acres of mixed use lands including commercial retail uses, and provision for 6,000-10,000 homes.

**The Community Benefit**

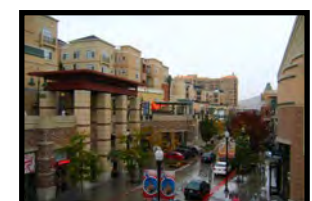
Through the implementation of this plan, a unique place will be created. The Ten Mile Interchange Area will be distinct in its region, making it a place citizens can be proud of, and a place that will serve as a cornerstone of the community’s prosperity.



**Implementation: The Private Sector Challenge**

To implement this plan, a set of guidelines that addresses the design goals of the plan and a series of zoning code amendments will be developed to facilitate and enhance the speed with which development applications can be processed. The development of sound design guidelines and zoning to implement the plan will not happen overnight. Knowing the private sector may want to act more quickly to move the plan forward, the City encourages developers and key land owners to take the initiative and begin the implementation program, bringing forward detailed design guidelines and zoning, and infrastructure financing proposals based on the concepts presented in this plan. The City stands ready to support your efforts and will be moving forward rapidly to implement the recommendations in this plan.

The Challenge: Work with each other, form partnerships, and think non-traditionally!



Mixed Use Residential

Mixed Use Commercial

Lifestyle Center

Low Density Employment

High Density Employment

Mixed Employment

Industrial

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## SECTION 2 - OUTCOMES

**ACHIEVING RESULTS**

Achieving Results describes how the plan should be used by the private sector as a means of creating projects that will be approved for development. The section further describes the actions that should be taken by the City and others to implement the future envisioned by the plan and facilitate the development of the Ten Mile Interchange Area.

Achieving results from the plan requires an entirely new way of doing business for the private and public sectors. The plan will not happen simply through the filing of development applications on behalf of the private sector or amendments to the comprehensive plan and adoption of new codes by the City. The plan calls for bold new actions as characterized through the plan development and its use of charrette in particular. Making the necessary changes will not be easy. It will require leadership on behalf of the City and a willingness to innovate and collaborate with all the players involved.

**Public-Private Partnerships**

As the map of property ownership clearly displays, the Ten Mile Interchange Area comprises many small and medium sized parcels, held by many owners. None of the parcels of land within the Study Area is large enough to affect the types of development described as desirable and appropriate to the community's vision. To achieve this vision as well as the critical mass necessary for financial success in current development markets, adjacent owners will need to collaborate on development efforts.

To the extent that future development projects can include larger, rather than smaller-sized properties, the flexibility of development programs and opportunities for success both increase. Certainly, the potential projects described in this document need sizable land areas in order to effectively blend the right mix and mass of development.

At present, there is relatively little incentive for adjacent property owners to collaborate with each other. Only the City, working under the auspices of a formally developed and adopted plan, has the capacity to bring various owners together and suggest the merits and benefits of collaboration.

A strong public-private partnership is essential for the plan to become a reality. For the plan to happen, private interests must look not just for a short term gain, but to the building of long-term value. The community wants quality development of a lasting value that may not always provide the quickest rate of return for property investors. The City must invest more in the planning function and find incentives for the elements of quality development that are desired. Innovation in the development process, partnership with developers, and ongoing commitment to the plan by the City's leadership, other public agencies, citizen interest groups, and the broader community are all factors that will contribute to success.

A public-private initiatives program will provide benefits to both the public and private sectors. Such a program will require dedicated City resources on an ongoing basis to the Ten Mile Interchange Specific Area plan. City staff, as a means of ensuring the plan's implementation, may even occasionally advocate for private development that is consistent with the plan.

One consideration for an initiatives program is the model found in some communities of a downtown development coordinator, who is responsible for promoting and facilitating development in a downtown area. With this development coordinator on staff, implementation becomes someone's job, rather than being spread among many members and departments of the organization. It also gives the development community a "go-to person" and can provide facilitation to the various development interests. Finally, such a resource is critical in providing leadership for managing the long term investment in infrastructure needs for the area.

**Public-Public Partnerships**

Public facilities and services are provided to the Ten Mile Interchange Area by a range of public and quasi-public agencies. The City provides water and waste water facilities and services; fire and police service; and parks. Trash and recycling services are provided by the City through a contractor, Sanitary Services. Emergency medical services are provided by Ada County paramedics. Public schools are the responsibility of Joint School District No. 2. Transportation is the responsibility of three agencies: Idaho Transportation Department, ACHD and Valley Regional Transit Agency. Intermountain Gas and Idaho Power provide natural gas and

electricity to the area. Nampa Meridian Irrigation District supplies irrigation water.

Efficiency in the provision of public facilities and services is challenged by the fragmentation in public agencies. A high level of communication, interaction and cooperation is required to avoid delayed decision making, duplication in efforts, and competing interests.

The Ten Mile planning process has recognized the challenges in the variety of public service providers by engaging representatives of each agency as stakeholders in the development of the plan. The recognition of these agencies and their ongoing involvement is also needed through the implementation phase of the plan. This involvement should take several forms:

- On-going communication and updates through e-mails, website or paper progress reports.
- Quarterly or bi-annual meetings of representatives.
- Formalized agreements and meeting with elected officials and policy makers.
- Informal interaction, day to day communication on specific issues or projects.

**Development Regulations**

Implementation of the Ten Mile Interchange Specific Area plan will require that the City have a robust toolbox of zoning, development and design standards to carry out the intended mix of uses, patterns of development, and form that are proposed in the plan. Implementation of the plan will be accomplished through the City's existing development codes, through amendments to those codes, or by the development of new provisions, such as new zoning districts, overlay districts, design guidelines and development standards.

**Zoning**

The City's existing development regulations provide elements of some, but not all of these tools. As with most communities, the focus of the City's regulations is on zoning, separation of uses, and what is not desired. Implementation of the plan will require a shift in focus to the pattern and form of development and building detail.

The City's Zoning District regulations provide the basic development tool for implementation of the Specific Area Plan. The code currently has

fourteen zoning districts with associated standards and allowed uses for each district. The Zoning District Compatibility Matrix, which starts on the facing page, compares the proposed land use descriptions and framework identified in the Ten Mile Interchange Specific Area Plan with the City's zoning. For each land use district proposed in the plan, the zoning district(s) that come closest to meeting the intent of the land uses in the plan is compared. The matrix evaluates the proposed land use districts as either: "compatible"; "conditionally compatible" or "not compatible" with the existing zoning. "Compatible" means that there is explicit allowance for the use or provision in the plan. "Conditionally compatible" applies when the use is a conditional use in the zone, or is not addressed by the zone, but would appear to be allowed given the intent of the land use district. "Not compatible" is when the zoning explicitly restricts that use. This matrix provides a guide for where minor changes or tweaks are required in the existing zoning to accommodate the proposed uses in the plan.

The intent of the plan, including the proposed mixed use development pattern, does not clearly match with any of the existing zoning districts. In addition, for the higher density residential districts, the full range of uses proposed by the plan is not allowed.

There are several other challenges in adapting the existing zoning districts as the regulatory tools for implementing the plan. First, the plan calls out some minimum density or intensity standards. While the existing zoning code is focused more on maximums, developing at less than the minimum would greatly undermine the plan's objectives in some areas. The plan also proposes an overall pattern of development that will cross over individual property ownerships and interests. Another major challenge will be how to accommodate incremental development over time among a number of different property owners and developers.

To address these challenges and work within the framework of the existing zoning code, the City should undertake one or more of several actions:

- Minimum density and intensity standards should be incorporated into the existing zoning districts;
- New land use districts should be developed for the Lifestyle and Mixed Commercial land uses;

- A mechanism should be developed to transfer development uses to other sites so that the desired mix of uses can be achieved;
- Incentives for planning cooperatively among adjoining owners should be created; or a minimum site area for development review and annexation should be established.

Alternatively, the City could look beyond the existing development regulations to new development provisions. The Study Area for this plan (or some sub-set area) could be defined as its own Development District, with a series of new zoning categories to address the use types and mixed use districts contemplated in the plan. These regulations could be linked to the design guidelines and should be written expressly to promote and guide the types of mixed use development that the community wishes.

The proposed TOD Areas between Franklin and the railroad are one of the greatest challenges to successful implementation of the plan. Pressures exist to develop these areas in the short term, far in advance of any possible public transportation along the rail corridor. The challenge is how to accommodate development without precluding the future possibility for a more concentrated development form that supports transit use.

To address this, provisions for a Transit Oriented Development (TOD) Overlay should be developed which sets the parameters of use, design and form for development to support transit. The overlay should also allow for interim uses and building types that are transitory. The TOD provisions should include requirements for "shadow plans" to be developed that demonstrate how access provisions, site design and patterns of development can accommodate future transit uses. Further subdivision of land that would make it more difficult for future TOD development should be discouraged.

**Other Unified Development Code Changes**

- To accommodate the proposed mix of uses and scale of development, the current standards for vertically integrated residential structures (UDC Section 11-4-3.42) should be expanded to allow for structures with larger footprints and broader ranges of uses.
- Develop new sign provisions to accommodate the specific area such as currently exist in the code for the I-84 Sign Overlay District at Eagle

**Zoning District Compatability Matrix**

Existing City Zoning Districts	Residential					Commercial				Industrial		Traditional		
	R-2	R-4	R-8	R-15	R-40	C-N	C-C	C-G	L-O	I-L	I-H	O-T	TN-C	TN-R
<b>LOW DENSITY RESIDENTIAL</b>	√+	√	√-											
Density: 0.20 - 3 DU/AC	√+	√	√-											
Uses: SF- detached	●	●	●	●	⊙/○					⊙		●	○	●
Secondary DU	⊙	⊙	⊙	⊙	⊙							⊙	⊙	⊙
Parks	●	●	●	●	●	●	●	●	●	○	○	●	●	●
Recreation Centers	⊙	⊙	⊙	⊙	⊙	●	●	●	○	○		●	○	⊙
Gardens : Private	⊙/●	⊙/●	⊙/●	⊙/●	⊙/●	○/●	●	●	○/●	○		●	●	⊙
Gardens : Public	⊙/●	⊙/●	⊙/●	⊙/●	⊙/●	○/●	●	●	○/●	○	○	●	●	○
Elementary School		○	○	●/○	●/○	●	●	●	●	⊙		●	●	●/○
Day Care Centers		○	○	●	●	⊙/○	⊙/○	⊙/○	●	⊙		○	○	○
Home Occupation	⊙	⊙	⊙	⊙	⊙							⊙	⊙	⊙
<b>MEDIUM DENSITY RESIDENTIAL</b>		√	√	√										
Density: 4-8 DU/AC		√	√									○	○	○
Uses: SF- detached	●	●	●	●	⊙/●					⊙		●	○	●
Townhouses		○	●	●	○							●	●	●
Two Family Duplex		○	●	●	○							●	○	●
3 flat units				○	○		○	○	○			●	●	●
Apartments				○	○		○	○	○			●	●	●
Secondary DU	⊙	⊙	⊙	⊙	⊙					○	○	○	○	○
Parks	●	●	●	●	●	●	●	●	●	○		●	●	●
Recreation Centers	⊙	⊙	⊙	⊙	⊙	●	●	●	○			●	○	
Elementary School		○	○	●/○	●/○	●	●	●	●			●	●	●/○
Day Care Centers		○	○	●	●	⊙/○	⊙/○	⊙/○	●	⊙		○	○	○
Public Use			○	○	○	●	●	●	●	○	○	●	●	○
Religious Worship			○	○	○	●	●	●	●	○	○	●	●	○
Home Occupation	⊙	⊙	⊙	⊙	⊙							⊙	⊙/●	⊙/○

and Meridian Road interchanges. Also develop an overall sign program for development within the study area of the plan.

- Expand Common Open Space and Site Amenity Requirements (UDC section 11-3G) to apply to mixed use and commercial uses, and develop new standards for improvement along the canals and waterways.

Table Legend			
●	Permitted Use	√+	Best Choice
○	Conditional Use	√	Possible Choice
⊙	Accessory Use	√-	Marginal Choice



- Amend Regulations Applying to State and Federal Highways (UDC section 11-3H) to include access management provision, included in the plan along Ten Mile and Franklin.
- Develop new streetscape standards in cooperation with the Ada County Highway District (ACHD) and adopt the standards in the Unified Development Code.

**Design Standards**

This plan document includes many references to specific characteristics desirable in a successful mixed use area. When combined with the section drawings, renderings and illustrative photos, they paint a pretty clear picture of the type of environment envisioned, but they do not constitute a complete set of guidelines for future development.

The purpose of design guidelines is to provide a set of directions for the architects and developers of future projects so as to enable a wide variety of participants working on many projects to create an environment that has a significant degree of coherence and continuity. The guidelines can range from modest and limited to extensive and rigorous. Simple examples look to direct key elements such as building placement, height, mass or siting. More complex examples begin to look at the overall form and configuration of buildings, the use of materials, color, and specific design elements. Additional complexity comes to bear in the regulation of elements such as signage, lighting, design details, fenestration, etc. More stringent guidelines mandate in very detailed terms particular styles of architecture that are deemed appropriate.

Design Standards exist in the City's Development Code for commercial structures of a certain size and for multi-family residential development. There is also a reference to design guidelines in the Traditional Neighborhood Center Zone. Both of these existing code sections are a starting place for introducing the guiding design principles articulated in Section 3 of the plan.

Alternatively, if the City takes a bolder and more innovative approach to implementation of the plan, including new districts and/or an overlay district, the design principles should become the focus for the new implementation tool. The City should hire a design professional to build upon the

**Zoning District Compatability Matrix, Continued**

Existing City Zoning Districts	Residential					Commercial				Industrial		Traditional		
	R-2	R-4	R-8	R-15	R-40	C-N	C-C	C-G	L-O	I-L	I-H	O-T	TN-C	TN-R
<b>MEDIUM HIGH DENSITY RESIDENTIAL</b>			√-	√										
Density: 8-15 DU/AC			√-	√									○	●
Uses: SF- detached	●	●	●	●	⊙/●					⊙		●	○	●
Townhouses		○	●	●	○							●	●	●
Two Family Duplex		○	●	●	○							●	○	●
3 flat units				○	○		○	○	○			●	●	●
Apartments				○	○		○	○	○			●	●	●
Secondary DU	⊙	⊙	⊙	⊙	⊙					○	○	○	○	○
Live-work				○									●	●
Parks	●	●	●	●	●	●	●	●	●	○		●	●	●
Recreation Centers	⊙	⊙	⊙	⊙	⊙	●	●	●	○			●	○	
Elementary School		○	○	●/○	●/○	●	●	●	●			●	●	●/○
Day Care Centers		○	○	●	●	⊙/○	⊙/○	⊙/○	●	⊙		○	○	○
Public Use			○	○	○	●	●	●	●	○	○	●	●	○
Religious Worship			○	○	○	●	●	●	●	○	○	●	●	○
Home Occupation	⊙	⊙	⊙	⊙	⊙							⊙	⊙/●	⊙/○
<b>HIGH DENSITY RESIDENTIAL</b>				√-	√+									
Density: 16-50 DU/AC				√	√								○	
Uses: Townhouses		○	●	●	○								●	●
Apartments				○	○		○	○	○				●	●
Live-work					⊙		○	○	○	⊙			●	●
Parks	●	●	●	●	●	●	●	●	●	○	○		●	●
Recreation Centers	⊙	⊙	⊙	⊙	⊙	●	●	●	○	○			●	○
Elementary School		○	○	●/○	●/○	●	●	●	●				●	●/○
Day Care Centers		○	○	●	●	⊙/○	⊙/○	⊙/○	●	⊙			○	○
Public Use			○	○	○	●	●	●	●	○	○		●	○
Religious Worship			○	○	○	●	●	●	●	○	○		●	○
Neighborhood Retail						●	●	●		⊙	⊙		●	
Office						●	●	●	●	⊙			●	○

preliminary guidelines presented in this plan and to craft a set of requirements that meet but do not exceed the needs of the Ten Mile Interchange Area for ensuring an effective and harmonious overall environment. The development of the guidelines should have the active participation of the private sector. In an environment such as the Ten Mile Interchange Area, the optimal guidelines are those that direct only those elements that

Table Legend			
●	Permitted Use	√+	Best Choice
○	Conditional Use	√	Possible Choice
⊙	Accessory Use	√-	Marginal Choice



comprise the physical feel of the place, without mandating a specific architectural style, design details or building elements. Arriving at the proper degree of complexity and comprehensiveness, however, will take time.

**Transportation System Investments**

The Ten Mile Interchange Specific Area Plan has developed a roadway system to support the proposed land uses and to link with the regional transportation system. This planning effort is unique in establishing some general guidelines for the location of the collector and local street network. This "mini master plan" of streets is a real opportunity for proportionately directing the costs of constructing the street system and forcing alignment in the best location for the overall system. Because of it uniqueness, neither the City nor ACHD, who is responsible for streets in the county, has a specific mechanism for implementing an overall street network of this type.

Several options exist for the City and ACHD that, with work and collaboration, can provide the financing mechanisms for developing the street system. The options include: extraordinary impact fees; local improvement districts; shared cost model; and a public infrastructure district. In all cases, through a development agreement, the City can make their acceptance of City annexation rely on the condition that the developer cooperate with the pre-determined street plan and financing mechanism.

**Impact Fees**

Impact fees are imposed by ACHD for the construction of "system improvements". By ACHD definition, these system improvements do not include collector designated streets, and no collector designated streets are identified on the ACHD Capital Improvement plan. However, under Idaho Code section 50-1703, collector streets are capital improvements eligible for impact fees. Through a process allowed by Idaho Code Section 67-8203, the collectors and costs can be funded through a process identified as "extraordinary impact":

"Extraordinary impact" means an impact which is reasonably determined by the governmental entity to: (i) result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated

**Zoning District Compatability Matrix, Continued**

Existing City Zoning Districts	Residential					Commercial				Industrial		Traditional		
	R-2	R-4	R-8	R-15	R-40	C-N	C-C	C-G	L-O	I-L	I-H	O-T	TN-C	TN-R
<b>MIXED-USE RESIDENTIAL</b>							√	√-					√+	√-
Density 8-12 DU/AC				√	√		√	√					√	√
FAR: 0.75 min.													○	
Uses: Vertically Integrated Residential				○	○	○	●	●	○			●	●	●
Live-work	⊙	⊙	⊙	⊙	⊙		●	●	○			⊙	⊙	⊙
Office					⊙	●	●	●	●	⊙	⊙	●	●	○
Retail						●	●	●		⊙	⊙	●	●	
Recreation						●	●	●	●	○		●	○	
Employment			○	○	○	○	●/○	●/○	●/○	●	●/○	●/○	●/○	
<b>MIXED USE COMMERCIAL</b>							√	√	√				√+	
Density: 8-12 DU/AC							√	√	√				√	
FAR: 1.00-1.25 min.							○	○	○				○	
Uses: SF attached		○										●	●	●
Townhouse		○			○							●	●	●
Two Family Duplex		○			○							●	○	●
3 flat units				○	○		○	○	○			●	●	●
Apartments				○	○		○	○	○			●	○	●
Vertically Integrated Residential				○	○	○	●	●	○			●	●	●
Live-work	⊙	⊙	⊙	⊙	⊙							⊙	⊙	⊙
Office					⊙	●	●	●	●	⊙	⊙	●	●	○
Retail						●	●	●		⊙	⊙	●	●	
Employment						●/○	●	●/○	●/○	●	●/○	●/○	●/○	

from the project or the sum agreed to be paid pursuant to a development agreement as allowed by section 67-8214(2), Idaho Code, or (ii) result in the need for system improvements which are not identified in the capital improvements plan.

ACHD implements the process of extraordinary costs through the designation of an "overlay zone" and the imposition of "overlay fees". Overlay fees to fund the construction of new collectors would be in addition to the impact fees normally collected for

Table Legend			
●	Permitted Use	√+	Best Choice
○	Conditional Use	√	Possible Choice
⊙	Accessory Use	√-	Marginal Choice



the arterial improvements planned by ACHD. Since the collectors do not appear on the ACHD Capital Improvement Plan, these streets would have to be funded and constructed by developers. The ACHD and the developer would enter into an agreement on the means for reimbursing the developer for the costs of the collector improvements. As development occurs and impact fees, including the overlay fees, are collected, ACHD places the funds in a separate account to reimburse the developer.

In summary, in order for collectors to be funded through impact fees, the following steps would be required:

- The costs of the collectors system identified in the plan, or a portion, and the pro rata share for all development within the overlay zone, would be determined.
- The ACHD Impact fee ordinance would be amended to include collectors as part of the "system" definitions.
- By resolution and after public notice and hearing, ACHD would adopt the Ten Mile Interchange Specific Planning Area or portion, as an "overlay zone" and adopt overlay fees to cover the costs of the collectors system.
- Individual developers would enter into a development agreement with ACHD for collector improvement and reimbursement costs.

Impact fees provide a financing tool that is readily available and results in the construction of needed facilities at the time of development. The costs are born by the developers who are reimbursed over time. Developers are only paid out as funds are collected, and the full costs of the construction may not be recovered. These overlay fees are in addition to the impact fees already collected by ACHD and add to the cost of development. The "sticker shock" of these fees is offset by the immediacy in construction of the streets needed to support the development.

**Local Improvement District (LID)**

The responsibilities for creation and maintenance of a local improvement district (LID) for street improvements are with ACHD. Section 3200 of the ACHDPolicyManual outlines the process for creation of an LID. The LID can be initiated by the ACHD commission or by petition of resident or property

**Zoning District Compatability Matrix, Continued**

Existing City Zoning Districts	Residential					Commercial				Industrial		Traditional		
	R-2	R-4	R-8	R-15	R-40	C-N	C-C	C-G	L-O	I-L	I-H	O-T	TN-C	TN-R
<b>LIFESTYLE CENTER</b>							√	√					√+	
Density: 16 DU/AC; 50 max.														
FAR: 1.25 or more														
Uses: Townhouse		○	●	●	○							●	●	●
3 flat units				○	○		○	○	○			●	●	●
Apartments				○	○		○	○	○			●	●	●
Vertically Integrated Residential				○	○	○	●	●	○			●	●	●
Live-work	⊙	⊙	⊙	⊙	⊙								●	
Entertainment: Indoor						●	●	●	●			○	○	
Entertainment: Outdoor stage						○	○	○	○	○		○	○	
Office					⊙		●	●	●	⊙	⊙	●	●	○
Retail							●	●		⊙	⊙	●	●	
Employment			○	○	○	●/○	●/○	●/○	●/○	●	●	●/○	●/○	○
<b>LOW DENSITY EMPLOYMENT</b>								√	√+	√+				
FAR: <0.75; 1-3 stories							●	●	●	●	●			
Uses: Office					⊙	●	●	●	●	⊙		●	●	○
Research								○	○	●	●	○		
<b>HIGH DENSITY EMPLOYMENT</b>							√	√+					√	
FAR: 1.00 or more (1-6 stories)							○	○	○					
Uses: Office					⊙	○	●	●	●	⊙		●	●	○
Research								○	○	●	●	○		
Conference Centers			○	○	○	●	●	●	●	○	○	●	●	○
Day care		○	○	●	●	⊙/○	⊙/○	⊙/○	●	⊙		○	○	○
Restaurants					⊙	●	●	●	●	⊙	⊙	●	●	
Convenience Retail						●	●	●	○	⊙	⊙	●	●	
Hotel/Motel						●/○	●/○	●/○				●/○	○	
Public Uses			○	○	○	●	●	●	●	○	○	●	●	○

Table Legend			
●	Permitted Use	√+	Best Choice
○	Conditional Use	√	Possible Choice
⊙	Accessory Use	√-	Marginal Choice

owners. In either method, the policy manual requires that certain information be provided before any action on the intent to create the LID. This information generally includes: description and costs of the improvements; boundary description of the LID and property owner information; method of assessment; and value of the security.



When all the required information has been provided and considered by the ACHD Commission, the Commission adopts a resolution of intent to create the LID and levy assessments. A public hearing is noticed and held for protests and testimony to be received. After the hearing, the Commission proceeds on the LID through adoption of an ordinance that specifies the LID boundaries, improvements and distribution of costs. The District then solicits bids for the improvements. After the contract for construction has been awarded and the costs determined for the improvement, the assessment rolls are created and adopted after another public hearing. After the hearing, another ordinance is passed confirming the assessment and the installment period for payment. The District can issue LID bonds to cover the cost of the improvements.

The LID approach to financing improvements requires more administrative cost and involvement on the part of ACHD than impact fees. For this reason, ACHD and the developers prefer the extraordinary impact fees approach. Like the extraordinary impact fee approach, the recovery costs are dependent on the rate of growth. Through an inter-local agreement with ACHD, the City could take on the authority for administering the LID. This may be particularly appropriate if the LID is intended to finance more than just roads.

**Shared Costs Approach**

A third approach to financing street improvements is for the development community to develop a shared cost approach on their own. The Ten Mile Interchange Specific Area Plan process has accommodated a high level of discussion and interaction among the developer stakeholders. This cooperation could be the basis for future cost sharing of needed improvements. ACHD has been supportive and helped with this approach in other areas. Each development's proportionate share of the costs would be based on the traffic its proposed land uses would generate. The City could take a role in this approach by requiring the pre-determined cost sharing as a condition of a development agreement for rezone and annexation into the City.

**Zoning District Compatability Matrix, Continued**

Existing City Zoning Districts	Residential					Commercial				Industrial		Traditional		
	R-2	R-4	R-8	R-15	R-40	C-N	C-C	C-G	L-O	I-L	I-H	O-T	TN-C	TN-R
<b>MIXED EMPLOYMENT</b>														
Uses: Office						●	●	●	●	⊙		●	●	○
Light Industrial								○	○	●	●	○		
Day care		○	○	●	●	⊙/○	⊙/○	⊙/○	●	⊙		●	●	
Convenience Retail						●	●	●	●	⊙	⊙	●	●	○
<b>INDUSTRIAL</b>														
Uses: Light manufacturing								○	○	●	●	○		
Heavy manufacturing											●/○			
Wholesale storage								⊙		●	●			
Truck terminals										●	●			
Vehicle Repair										●	●			
Utilities										●	●			

Table Legend			
●	Permitted Use	√+	Best Choice
○	Conditional Use	√	Possible Choice
⊙	Accessory Use	√-	Marginal Choice

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# SECTION 3 - THE PLAN

**The Composite Plan**

What kind of community will the Ten Mile Area be? It will look, feel and function differently than a typical commercial area or residential subdivision. Many residential uses will occupy the second and third levels of buildings above retail, office and light industrial uses on the ground floor. In some commercial areas, residential uses may occupy the lowest levels of buildings.

Unlike many commercial and employment districts, the Ten Mile Area will not empty out at 5 pm when employees leave work. For many employees, home will be upstairs, around the corner, or down the street. This unique area allows a range of land uses—from industrial to residential to commercial—in close proximity to one another. This mix will create an exciting atmosphere for residents and a unique new area of Meridian.

The Ten Mile Specific Area Plan provides for diversity of housing sizes and costs—including both for-sale and rental products. Less expensive housing will be interspersed with more expensive housing options. This new district is envisioned as a vibrant, mixed-income, mixed-age community where choices abound—choices about where to work, live, and how to move between the two.

The plan reflects the establishment of fully-integrated uses that create the “place” desired by all. A “place” that is “ready for business...and built for living.”

The plan includes:

- Mixed and high density employment areas that will accommodate a wide variety of employers and serve as a primary gateway to Meridian and Meridian’s prosperity.

- A lifestyle center that is host to the widest variety of retail, commercial, entertainment, office, public and civic, live/work and residential uses with a walkable “main street” that defines the character of the area.
- A mixture of detached single family, duplex, townhomes, fourplexes, high density apartments or condominium products to accommodate a wide range of lifestyles, ages, and incomes.
- A well-distributed residential pattern and mix, placing the higher densities along parks and open spaces and near employment, commercial and transit activity centers.
- Reservations for future transit connections and transit-oriented development.
- Nearly 1,000 acres of land committed to meet the needs of business and job creation including jobs in research and technology, finance, manufacturing, and distribution.
- A minimum commercial program of 350,000 SF of retail and commercial uses and a residential count between 6,500 and 10,000 units.
- Opportunities for retail, office or light industrial buildings with leasable ground floor space and apartments or condominiums above.
- Ability to walk from commercial services to homes and businesses.
- Connecting parkways and a variety of parks and open spaces, distributed among all neighborhoods with interesting shapes and functions.
- A well defined arterial and collector street network that emphasized internal and external connectivity and limits congestion.
- Street oriented design of commercial areas with active sidewalks and pathways.
- Live/work units, where residents live upstairs from their street level office, workshop or store.
- Design element guiding new construction toward providing a sense of place.



**INTRODUCTION TO THE PLAN**

The Ten Mile Interchange Specific Area Plan represents a new direction for land use and development planning for the City of Meridian. The Plan promotes more compact development and emphasizes mixed-land uses, higher densities, employment opportunities, pedestrian scale, choice of transportation modes, neighborhood cohesiveness and convenience, and livability as a means of establishing Meridian as the next major employment and commercial center in the Treasure Valley.

The Plan delineates the evolution of design that took place during the four day Charrette process and follow-up meetings. The plan is described in its component parts. The supporting information includes market and transportation analyses.

**THE LAND USE ELEMENT: SUSTAINABILITY AND OPPORTUNITY**

**Basis of Land Use Element**

In the Ten Mile Interchange Area, the mission is to create a place that will add to the long-term economic stability of the City of Meridian, not just respond to immediate market forces and trends. To achieve the economic development vision for Meridian as a place that is "Built for Business and Designed for Living," the Ten Mile Interchange Specific Area Plan promotes a complete and integrated mix of uses that will create a place where people can live, work and raise a family.

The land use element is designed to:

- provide opportunities to achieve higher densities than in other areas of Meridian;
- increase pedestrian oriented populations for an active and engaging community life during the day and evening hours;
- balance demand on the street and transit networks by maximizing multi-modal transportation opportunities;
- provide for a range of housing unit sizes, types, and pricing levels;
- provide for an array of open spaces and amenities for the enjoyment and recreation of the community;

- increase the diversity of building forms and types;
- support the presence of small, independent, and locally owned businesses;
- attract upscale and unique retail, restaurant, and entertainment offerings as well as key national retailers;
- provide for industrial opportunities in consideration of future improvements to Highway 16; and
- capture full economic advantage of the Ten Mile interchange to enhance the long-term fiscal health of the City of Meridian and the Treasure Valley.

**Why Mixed Use?**

Mixed land use improves the ratio of housing to jobs, offers opportunities for live-work building types, provides housing options for people of any age or status, stretches activity over more hours each day, and creates shared-parking opportunities. All contribute to improved environmental outcomes through reduction in vehicle miles traveled, improved air quality, and opportunities to expand and enhance open space and improve water quality.

The Ten Mile Interchange Area, which has been planned to optimize walkability, has a proposed transit center as a core component. Adjacent to the center are commercial, employment, and higher density residential land use types connected by a grid street network.

**Why Promote Density?**

Density yields many benefits, including increased transportation options. Basic bus service can be provided with a minimum density of seven dwellings per net residential acre. If densities reach 15 dwellings per acre, frequent local service is viable. For light rail, a minimum of 9 dwellings per net residential acre is needed and rapid transit requires 12 dwellings per net residential acre. Levels of transit service are also influenced by regional geographies, such as distribution of employment clusters, location relative to the regional core, and demographic patterns. Most importantly, density can be achieved without losing the suburban appeal of trees and human-scale buildings.

Employment densities, which have a greater influence on trip-making than residential densities,

begin at 20 employees per acre for intermediate bus service. For frequent bus service, the employment density threshold is 50 employees per net employment acre, although 75 employees per acre is preferred. Light rail transit requires a minimum of 125 employees per net employment acre around transit stations.

One way to measure the intensity of use is through floor area ratios (FAR). Floor area ratios are a comparison between the land the building occupies and the floor area in square foot of the space, with a higher FAR indicating a more compact and intensive development.

Typical mixed use floor area ratios range from 0.50 in the suburbs to 3.00 or more in central cities. Transit-supportive development typically achieves the necessary density levels by using higher floor to area ratios. If the development has surface parking, the FAR range is 0.5 to 1.0. The preferred FAR range for structured parking, however, is 1.0 to 2.0.

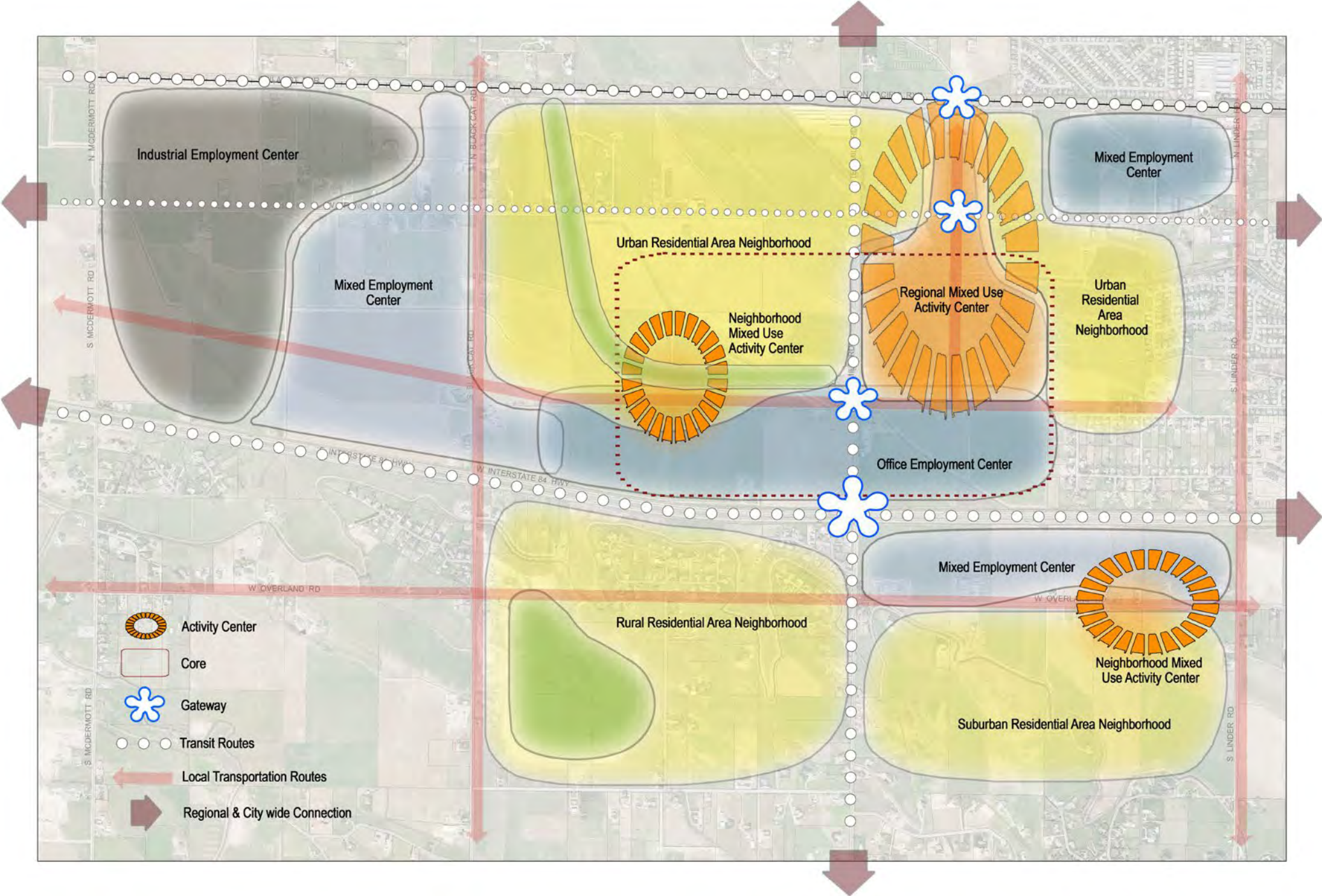
Land Use Framework

The planning process resulted in the definition of several focus areas, including transit routes, major local transportation routes, gateways, open space and trail corridors, activity centers, employment centers, and urban, suburban, and rural residential areas. The results for each focus area, when viewed together, form a framework for planning decisions affecting the entire Ten Mile Interchange Area and the City of Meridian.

The Land Use Framework, indicating conceptual locations of these focus areas shows a potential future for the Ten Mile Interchange Area that furthers the mission, objectives and measures that served as a cornerstone of this planning effort and is the basis of the Land Use Map.

The Land Use Framework promotes more intense land use around major corridors and transit, and lower density development closer to existing neighborhoods. This direction is consistent with City-wide objectives to concentrate commercial and higher-density residential development in areas with the highest transit capacity and conserve the scale and character of existing single-family neighborhoods.

Achieving mixed use and higher densities are the community's greatest challenge to the private sector. This will require property owners and developers to work with each other, form partnerships, and think non-traditionally. The Ten Mile Interchange Area is one of the greatest land assets Meridian has for securing its economic future. The people in the State of Idaho are making a substantial investment in Meridian and the Treasure Valley's future with the construction of the interchange at Ten Mile Road and I-84. As a result, the City is ready to find ways to partner with the private sector to build an integrated and sustainable Ten Mile Interchange Area that achieves the vision. The City's goal is to find ways to enhance margins and reduce risks associated with complex integrated projects—projects that bring employers to Meridian, provide a mix in housing stock and prices, establish opportunities for people to be innovators and establish their own businesses, and offer upscale regional and other unique shopping venues.





Land Use Types

The Land Use Map uses 13 land use designations to make relatively broad recommendations for the future distribution of land uses throughout the Ten Mile Interchange Area. The land use districts designated on the Land Use Map are:

Residential Areas

- Low Density Residential
- Medium Density Residential
- Medium High Density Residential
- High Density Residential

Mixed Use Areas

- Mixed use Residential
- Mixed use Commercial
- Lifestyle Center

Employment Areas

- High Density Employment
- Low Density Employment
- Mixed Employment
- Industrial

Special Areas

- Green space: Parks, Pathways, and Open Space
- Civic

Low Density



Medium Density



Residential Areas

All four residential areas are relatively large, and housing is their primary recommended use. Residential areas are located in reasonable proximity to mixed use, commercial or employment locations that provide shopping and service, employment, and recreational opportunities to residents.

Residential areas support the integration of various housing types. For example, while the focus in High Density Residential areas is on apartments or condominiums, the integration of townhouses and other moderate density is encouraged. In addition to housing, a wide range of supporting and civic uses are allowed or encouraged.

Low Density Residential

Description

Low Density Residential areas are characterized by a mix of lot sizes and a predominance of single-family housing types. This is the only residential land use type that does not provide for a variety in housing types or the integration of other uses, although some mix of densities is encouraged.

Low Density Residential areas should include a mix of lot sizes. Lot sizes down to 1/4 acre may be appropriate when lots are clustered to preserve open space.

Low Density Residential areas should be designed to be conducive to walking and all of the housing should have access to an interconnected system of pathways.

Housing Types in Low Density Residential Areas

- Single-family detached houses on individual lots
- Accessory dwelling units

Secondary Uses within Low Density Residential Areas

Although primarily a residential designation, a limited number of other land uses are also located within Low Density Residential areas. At the scale of the Future Land Use Map, these small areas of non-residential use are not shown. Non-residential uses within a Low Density Residential area may include:

- Parks and recreational facilities
- Community gardens

- Elementary schools
- Daycare centers

Within designated Low Density Residential areas, commercial uses are limited to home-based business.

Medium Density Residential

Description

Medium Density Residential areas are characterized by relatively low densities and a predominance of single-family and two-unit housing types emphasizing ownership opportunities. Smaller two, three and four unit apartment buildings may be compatible in a Medium Density Residential area, but large apartment buildings or apartment complexes are not. In general, Medium Density Residential areas should be protected from encroachments of higher density or higher intensity uses.

Medium Density Residential areas should include a mix of housing types that achieve an overall average target density of 6 dwelling units per gross acre. Generally, densities should range from 4-8 units per acre. Most developments within the area should fall within this range, although small areas

Medium High Density



of slightly higher density may exist. Small-scale apartment complexes comprised of relatively small, low-rise buildings (such as garden apartments) may be included in a Medium Density Residential area, but large-scale apartment buildings and large apartment complexes should generally be included only in Medium High or High Density Residential or Mixed Use Residential areas.

Medium Density Residential areas should be designed to be conducive to walking and all of the housing and other uses should share an interconnected sidewalk and street system. Higher density housing types within Medium-Density Residential areas generally should be located nearer mixed use or other more intensively developed areas, with a transition to smaller buildings such as duplexes and single-family detached houses as the distance from the more intensively developed area increases.

**Housing Types in Medium Density Residential Areas**

- Single-family detached houses on individual lots
- Townhouses or row houses
- Duplexes and two-flat buildings
- Three-flat buildings (stacked units in a three-story buildings similar in character to the single-family buildings in the area)
- Apartment buildings (multi-unit dwellings with units accessed via shared entrances and hallways) compatible with neighborhood character (Generally limited to no more than four-unit buildings if interlaced with other housing type)
- Secondary dwelling units

In order to provide a range of housing choices for

households of different sizes, ages, incomes and lifestyles, Medium Density Residential areas should include at least two different housing types and include both owner-occupied and rental housing. Single-family housing should include a variety of lot sizes to achieve innovative site designs that de-emphasize garages and avoid architectural monotony.

**Other Uses within Medium Density Residential Areas**

Although primarily a residential designation, a limited number of other land use types may be located within Medium Density Residential areas. These often serve as focal points for neighborhood activity. At the scale of the Future Land Use Map, these small areas of non-residential use are not shown. Non-residential uses within a Medium Density Residential area may include:

- Parks and recreational facilities
- Community gardens
- Schools
- Daycare centers
- Small civic facilities, such as libraries or community centers
- Places of assembly and worship, if at a scale compatible with other existing or planned development in the area
- Neighborhood-serving retail and service uses, especially in mixed use buildings
- Small offices, especially in mixed use buildings

Within designated Medium Density Residential areas, commercial uses are scarce and limited to small-scale establishments providing convenience goods or services to neighborhood residents.

**Medium High Density Residential**

**Description**

Medium High Density Residential areas are locations recommended primarily for relatively dense multi-family housing types, such as row houses, townhouses, condominiums and apartment buildings and complexes.

Medium High Density Residential areas should include a mix of housing types that achieve an overall average density target of 12 dwelling units per gross acre. Generally, densities should range from 8-15 units per acre. Most developments within these areas should fall within or below this range, although small areas of higher or lower density residential development may be included. Apartment buildings and complexes will also generally be located in Medium High Density Residential areas, even if the actual parcel density falls within the Medium Density Residential range, to reflect the predominant building type.

Medium High Density Residential areas typically are relatively compact areas within a larger neighborhood and generally should be located around and near more intensively developed areas, such as Mixed Use Commercial or Employment areas, in order to provide convenient access to these commercial activity and employment centers for the greatest number of residents.

Within relatively large Medium High Density areas, larger-scale, higher-density housing should be located closest to higher intensity uses, or commercial or activity center, with a transition to smaller-scale and lower density buildings as the distance from the higher intensity use or center increases.

**Housing Types in Medium High Density Residential Districts**

- Single-family detached houses on individual lots
- Townhouses or row houses
- Duplexes and two-flat buildings
- Three-flat buildings (stacked units in a three-story building similar in character to the single-family buildings in the area)
- Apartment buildings (multi-unit dwellings with units accessed via shared entrances and hallways) with no specific size limitation if compatible in scale and character with other neighborhood buildings
- Secondary dwelling units
- Live-work units

**Other Uses within the District**

Although primarily a residential designation, a limited amount of other land use types are also located within Medium High Density Residential areas, and these often serve as focal points for neighborhood activity. At the scale of the Future Land Use Map, these small areas of non-residential use are not shown. Non-residential uses within a Medium High Density Residential area may include:

- Parks and recreational facilities
- Community gardens
- Schools
- Daycare centers
- Small civic facilities, such as libraries or community centers
- Places of assembly and worship, if at a scale compatible with other existing or planned development in the area

High Density



- Neighborhood-serving retail and service uses, especially in mixed use buildings
- Offices, especially in mixed use buildings
- Nursing of residential care

Within designated Medium High Density Residential areas the commercial uses may be larger and the scale of the buildings may be greater, but are still relatively small establishments primarily providing convenience goods or services to neighborhood residents. To promote walkable neighborhoods, parking lots should be located away from public streets. Isolated commercial uses within Medium Density Residential areas are not shown on the Future Land Use Map.

**High Density Residential**

**Description**

High Density Residential areas are multiple-family housing areas where relatively larger and taller apartment buildings are the recommended building type.

High Density Residential areas should include a mix of housing types that achieve an overall average density target of at least 16-25 dwelling units per gross acre. Most developments within the High Density Residential areas should fall within or below this range, although smaller areas of higher or lower density may be included. Residential densities can be concentrated in multistory projects with up to 50 dwelling units per acre allowed.

**Location and Design Characteristics**

High Density Residential districts typically are relatively compact areas located adjacent to or very close to larger Mixed use Commercial and Employment areas, and other intensively developed

lands. The design and orientation of new high density residential buildings should be pedestrian-oriented, and special streetscape improvements should be considered to create rich and enjoyable public spaces. A strong physical relationship between the commercial and residential components to adjacent employment or transit centers is critical.

**Location Near Transit Center**

High Density Residential areas located in close proximity to the proposed transit center should incorporate a mix of uses that cater to the needs of residents, commuters, or workers, including the integration of convenience and specialty commercial and live-work units.

**Housing Types in High Density Residential Areas**

- Apartment buildings, with no specific size limitation if compatible in scale and character with other neighborhood buildings
- Townhouses or row houses
- Live-work units

Smaller scale and lower density housing types may also be present in High Density Residential areas. In general, however, the expectation is that most buildings will be relatively dense multi-family types.

**Other Uses within the District**

Generally, the same types of supporting uses as in Medium High Density Residential areas are allowed, except that retail or service nodes could include larger establishments and are likely to be within a mixed use building.

**Mixed Use Areas**

**Basis for Promoting Mixed Use**

Land use influences livability and economic vitality in important ways. The mix of residential, employment and commercial uses can affect the amount and timing of pedestrian activity and traffic flow; the level, direction, and time of demand on transit and parking resources; the type of shops, restaurants, and neighborhood services required to serve the needs of resident and worker populations, and the ability of residents to walk to work. Prior plans in Meridian have thus far resulted in very few vertical mixed use projects with ground floor retail and either office or residential on upper floors, or in horizontally-mixed use developments that provide an integration of uses that relate to and support one another as a unified whole.

**Mixed Use Defined**

For the purposes of the Ten Mile Interchange Specific Area Plan, mixed use is defined as development that fits the following three criteria that distinguish it from a multi-use development:

- A development with three or more significant income producing uses
- A development with significant functional and physical integration
- A development in conformance with a coherent plan

Mixed use areas represent the essential commercial components of the Ten Mile Interchange Area. While most areas promote or allow for some mix of uses and densities, the mixed use areas are the foundation on which the Ten Mile Interchange Area will be built and represent a fully integrated land use type.

The mixed use areas identified on the Future Land Use Map are intended to:

- Help create major new residential and mixed use areas at appropriate densities, heights, and mixtures of uses
- Encourage areas responsive to pedestrians by separating pedestrian and vehicular circulation patterns
- Encourage flexibility in architectural design and building bulk, provided that the designs and building bulk are compatible and harmonious with adjoining development over the area as a whole
- In a variety of ways, create environments conducive to a higher quality of life and environment for residents, businesses, employees, and institutions

**Three or More Income Producing Uses**

Typically, a mixed use development project needs at least three significant uses to produce enough income to cover heavy front-end investments, amortize costs over time, and provide a reasonable return. These uses usually include retail, office, residential, and lodging facilities. Three or more significant uses within a development also tend to constitute a large scale project. Mixed use developments need to be large in order to have sufficient building space to permit the integration (vertical or horizontal) of different uses. The size of these projects also provides a minimum critical mass that creates the required public image and market attraction necessary for a successful project. The land ownership pattern in the Ten Mile Interchange Area will require property owners and developers to collaborate in developing successful mixed use projects.

Mixed Use Residential



Mixed Use Commercial



**Functional and Physical Integration**

Currently, the City of Meridian has areas which may feature many uses; however, by not connecting those uses for the pedestrian, they fall short of the synergy afforded by the mixed use format.

While there are development projects that include three or more significant income-producing uses, they do not always integrate those uses. It is the significant functional and physical integration that distinguishes mixed use developments, like those planned for the Ten Mile Interchange Area, from these other projects. Integration of uses is a key to leveraging the advantages of a shared location and customer base, and this integration can be achieved by connecting all the project components by pedestrian paths. These can be:

- A vertical mixing of project components into a single mega-structure (often occupying only one city block);
- Careful positioning of key components around centrally located focal points, such as a key amenity or service; and
- Interconnection of project components through

an elaborate pedestrian circulation network (e.g., subterranean concourses, walkways and plazas at grade, or aerial bridges between buildings).

Significant functional and physical integration also requires an intensive use of land. Usually, densities of 0.5 to 3.0 FAR are necessary to support initial investments for land, amenities, and infrastructure. Generally, higher FARs allow more density, which in turn helps developers to offset the costs of amenities.

**Conformance with a Coherent Plan**

Mixed use developments are usually developed from the outset in conformance with a coherent development strategy and plan. The strategies and plans typically set forth, at a minimum, the types and scale of land uses, permitted densities, and general areas where different kinds of development are to occur. They also can guide a development with respect to timing, relationships among project components, open space, and infrastructure at the project site.

**Mixed Use Land Use Types**

Mixed use areas are recommended locations for development of activity centers that are specifically planned to include both residential and non-residential uses. The range of non-residential uses and the development density of both residential and non-residential uses in mixed use areas will vary depending on the size of the area and the type and intensity of the surrounding development. Not every building in a mixed use area needs to include both residential and non-residential uses, but the fact that both types of land uses will be accommodated within the area as a whole is inherent in the designation. A mixed use area must be planned to provide a suitable residential environment.

The following types of mixed use are contemplated and encouraged in the Ten Mile Interchange Area.

Mixed Use Residential

The purpose of the Mixed Use Residential designation is to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, employment, and other

miscellaneous uses. While the focus of these areas is on residential uses, the horizontal and vertical integration of retail, office and employment uses is essential to securing entitlements. This designation requires developments to integrate the three major use categories—residential, commercial, and employment. Live-work units are strongly encouraged in the Mixed Use Residential areas, as are a variety of other housing types. Office, employment and commercial uses are generally small in scale and focused on neighborhood services within the Mixed Use Residential areas.

This designation is intended to provide flexibility and encourage developers to build innovative projects. Traditional neighborhood design concepts—higher density buildings close to the street, easy pedestrian access, narrower streets to slow traffic, parking lots behind or under buildings, and residences with porches or balconies facing the street—are essential. The mix of uses should allow for a diversity of housing with for-sale and rental properties. The mix of uses may be achieved horizontally throughout the site; however, vertical mixes within buildings are highly encouraged. The goal in these areas is to achieve a FAR of .75 or more. Where existing parcel sizes are

small, development plans should be prepared in collaboration with the adjacent property owners in order to establish an integrated mixed use project across several parcels. No more than 40 percent of the land area within the Mixed Use Residential area should be utilized for non-residential uses. This land use designation calls for an overall target density of 8-12 dwelling units per acre, with higher densities allowed on individual projects.

Mixed Use Commercial

The purpose of the Mixed Use Commercial designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multi-family or single family attached residential uses. While the focus of these areas is on commercial and employment uses, the horizontal and vertical integration of residential uses is essential to securing entitlements. As with all mixed use areas, this designation requires developments to integrate the three major use categories—residential, commercial, and employment. In Mixed Use Commercial areas three or more significant uses also tend to be larger scale projects. This designation is intended to provide flexibility and encourage developers to build innovative projects.

Traditional neighborhood design concepts with a strong pedestrian-oriented focus are essential. The goal in these areas is to achieve a FAR of 1.00-1.25 or more. Development within these areas exhibit quality building and site design and an attractive pedestrian environment with a strong street character. The mix of residential uses may be achieved vertically within buildings; however, some horizontal mixes may be allowed. Where existing parcel sizes are small, development plans should be prepared in collaboration with the adjacent property owners in order to establish an integrated mixed use project across several parcels. This land use designation calls for an overall target density of 8-12 dwelling units per acre, with higher densities allowed on individual projects. No more than 30 percent of the ground level development within the Mixed Use Commercial designation should be used for residences.

Lifestyle Center



Lifestyle Center

The Lifestyle Center designation is a specific form of Mixed Use Commercial. The purpose of the Lifestyle Center is to encourage a diversity of compatible land uses in a unified development that includes a mix of retail, professional services, offices, entertainment uses, civic services, housing and public outdoor spaces.

The design and arrangement of buildings should be oriented to pedestrians. Development plans should provide streetscape improvements that create rich and enjoyable public spaces. The target overall average density for residential uses is 16 dwelling units per acre, with higher densities of up to 40 dwelling units per acre allowed. All residential uses should be above the first floor. Structured parking may be included to accommodate greater densities.

This designation is intended to provide flexibility and encourage developers to build innovative projects. The goal in these areas is to achieve a FAR of 1.25 or more. Yet lifestyle centers can take many forms. The International Council of Shopping Centers (ICSCS) defines a lifestyle center as having the following characteristics:

- a location near medium to upper income residential development
- 150,000 to 500,000 square feet of gross leasable area
- an open air format
- at least 50,000 square feet of national specialty chain stores

The lifestyle center captures the vitality of the traditional main street through some replication of organic growth, urban density, and a mix of uses. Most recent projects integrate office uses and cater to strong local workforces. The integration of



residential space appears to be a component likely to make or break a project.

What is most important—and what can also generate a 24/7 environment—is a design that maximizes accessibility. Accessibility focuses on creating connections, and in a lifestyle center these connections give residents and employees seamless access to businesses and help ensure economic and social viability. Access point and circulation paths need to be designed to ensure that one use does not detract from another, and that different uses work together to form a cohesive, synergistic environment.

The unsightly seas of parking that characterize the enclosed malls of years past are no longer an option. Structured parking or heavily landscaped and screened surface parking is a necessity. Options also include on-street parallel, angled head-in parking and of course, the integration of public transit into the lifestyle center.

Ultimately, the success of a lifestyle center is contingent on the creation of a logical and thoughtful public realm. Landscaping becomes a unifying element. Reinforcement of the site's and/or area's history and community gathering places such as plazas and fountains help achieve the desired sense of place. The table on the next page shows examples of other lifestyle centers built around the country.

Employment Areas

Employment is a key component of the Ten Mile Interchange Specific Area Plan. At buildout, this area will support more than 30,000 employees. Much of the area designated for employment not only helps buffer the community from I-84 and the future extension of Highway 16, but also serves the



employment areas with easy access to markets, high-speed transportation facilities, and employees across the Treasure Valley.

Low Density Employment

Description

The purpose of the Low Density Employment areas is to provide low-rise office and specialized employment areas. These areas generally do not include retail and consumer service uses.

Low Density Employment areas should provide a variety of flexible sites for professional offices and similar businesses. Low Density Employment areas should be designed to provide convenient circulation.

Low Density Employment areas should be designed with elements of Traditional Neighborhood Design. Design and development standards, such as landscaping, pedestrian circulation and connection to open spaces, are recommended to help make developments more attractive, engaging and accessible places.

Buildings in Low Density Employment areas will range in height from 1-3 stories; have total floor areas of 5,000-150,000 square feet; and an FAR of less than .75.

Land Use Types in Low Density Employment Areas

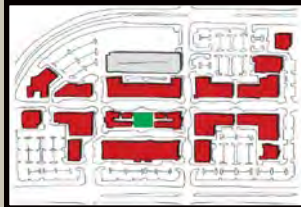
- Corporate and business offices
- Research facilities and laboratories

# Lifestyle Centers

## KIERLAND COMMONS, SCOTTSDALE, ARIZONA

Retail: 273,000 sf  
Office: 115,000 sf  
Residential: 85 units  
Site: 38 acres

- A 38 acre mixed-use development incorporating retail, entertainment, office, and restaurant uses.
- Project includes a mix of one, two, and three story buildings surrounding a central plaza and lining a grid of traditional street.
- The project's heavily landscaped and shaded central plaza serves as the project's primary gathering place.
- Guidelines promote architectural designs that respond to the region's climate and building traditions.
- Mid-block pedestrian connections and provide access to surface parking lots—a parking structure is planned to serve future phases of the project.
- Within walking distance are the 735-room Westin Kierland Resort and meeting complex, a 27-hole golf course, and planned sites for mid-rise offices.



## MARKET COMMON, CLARENDON, ARLINGTON, VIRGINIA

Retail: 240,000 sf  
Apartments: 300 units  
Townhouses: 87 units  
Parking: 1200 spaces  
Site: 10 acres

- A multi-block mixed use development located in the heart of Arlington's redeveloping Rosslyn-Ballston corridor.
- The project's restaurants and shops are popular destinations for office workers in the area—800,000 sf of office space is located within walking distance.
- Shops and restaurants open onto existing public sidewalks and surround a new central plaza with fountains, public art, shade trees, and a small pavilion and tot lot.
- A passive park with lawn, shade trees, and informal paths serves as a buffer between the project and the surrounding neighborhood.
- Parking includes high turnover street parking around the central plaza and longer term parking in mid-block parking structures. Parking structures are wrapped with 2-3 story "liner" buildings containing residential and office uses.



## CITY PLACE, WEST PALM BEACH, FLORIDA

Retail: 600,000 sf  
Residential: 586 units  
Site: 55 acres

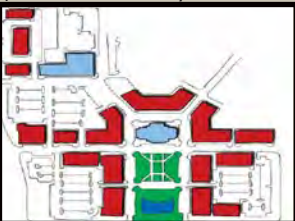
- A new retail and entertainment destination featuring a mix of national and regional specialty retailers, a full service grocery store, residential units, a theater, and a 20-screen cinema.
- Office tenants, hotel (planned) guests, convention goers, and residents support 18-hour activity—shops are within walking distance of 750,000 sf of office space, a 375 room hotel, and the city's conference center.
- The Central plaza includes generous landscaping, vendor carts, and state-of-the-art "show fountain."
- Arcades, awnings and trellis shelter sidewalks and storefronts from the summer sun and rains.
- Mid- and rear-block structured parking reduces the project's total "footprint" and supports the creation of a "park once" experience.
- Mediterranean Revival style building designs respect South Florida's architectural traditions.



## SOUTHLAKE TOWN CENTER, DALLAS, TEXAS

Retail: 400,000 sf  
Office: 200,000 sf  
Residential: (under construction) Site: 42 acres

- A town center development with civic, commercial, and residential uses organized around a traditional city grid with focused around a courthouse square, the site of the City of Southlake's new Town Hall.
- The project first phases include a range of retail offerings (but no large footprint anchors), restaurants and cafes, offices above retail space, and an unique assortment of civic uses, including the town hall, a new library, and post office. Future phases call for additional retail space, townhouses, a cinema, and a hotel.
- Buildings around the town square and main streets have relatively small footprints—floor plates range from 15,000 to 35,000 square feet—and are designed individually with different but complementary architectural styles.
- The town square, with it's fountain, pavilion, shade trees, and lawn has become a popular site for public events and activities.
- Parking is provided in diagonal spaces along the main streets in mid-block surface lots.



**High Density Employment**

**Description**

High Density Employment areas (as distinct from the Mixed Employment areas) are recommended as predominantly office, research and specialized employment areas; and generally do not include retail and consumer service uses serving the wider community. Limited retail and service establishments primarily serving employees and users of the High Density Employment areas are encouraged. Although primarily used to identify relatively large multi-establishment employment areas, the designation also supports the use of individual properties as a corporate campus.

High Density Employment areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises. High Density Employment areas should be designed to encourage multimodal travel and convenient circulation to supporting services located within the area. This would include multiple access points to help disperse traffic, and a complete system of streets, sidewalks and pedestrian and bicycle paths to provide circulation within the area and connections to the surrounding roadway, pedestrian and trail systems. Whenever possible, High Density Employment areas should provide restaurants, lodging and other services in support of the employment uses.

High Density Employment areas should be designed as compact urban centers rather than lower density suburban-style development. Design and development standards are recommended that would help to make developments more attractive, engaging and accessible places.

While there are no fixed limits on size of establishment or development intensity in High Density Employment Areas, it is anticipated that buildings will range in height from 1-6 stories, have total floor areas of 10,000-1,000,000 square feet, and that the FAR will exceed 1.0. Designs that promote open space and parks are strongly encouraged. Structured parking is also allowed.

**Land Use Types in High Density Employment Areas**

- Corporate, business and professional offices
- Research facilities and laboratories

Low Density



High Density



- Complementary uses primarily serving district employees and users, such as business services, conference centers, child care, restaurants, convenience retail, and hotels and motels

**Mixed Employment**

**Description**

The purpose of the Mixed Employment areas is to encourage a diversity of compatible land uses that may include a mixture of office, research and specialized employment areas, light industrial including manufacturing and assembly, and other miscellaneous uses. These areas generally do not include retail and consumer service uses serving the wider community. However, a small amount of retail and service establishments, primarily serving employees and users of the Mixed Employment areas or nearby industrial areas, are allowed. Such retail would be the exception and not the rule.

Mixed Employment areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises. Mixed Employment areas should be designed to encourage multimodal travel and

convenient circulation to supporting uses located within the area. This would include multiple access points to help disperse traffic, and a complete system of streets, sidewalks and pedestrian and bicycle paths to provide circulation within the area and connections to the surrounding roadway, pedestrian and trail systems.

Mixed Employment areas should be designed as lower density suburban-style developments. Design and development standards are recommended that would help to make developments more attractive, engaging and accessible places.

While there are no fixed limits on size of establishment or development intensity in Mixed Employment areas, it is anticipated that buildings will range in height from 1-4 stories, have total floor areas of 10,000-1,000,000 square feet, and that FAR will exceed .75.

**Land Use Types in Mixed Employment Areas**

- Corporate and business offices
- Research facilities and laboratories
- Light Industrial uses including manufacturing and assembly

- Occasional, complementary uses which focus on serving area employees and users, such as business services, child care, and convenience retail

**Industrial**

**Description**

Industrial areas accommodate typical industrial and manufacturing uses, including some "nuisance" uses not appropriately located in proximity to residential or many types of non-residential activities due to noise, odor, appearance, traffic impacts, or some other reason. The areas are not intended for retail or office uses not related to an industrial use, except for limited retail goods and services provided primarily to employees and users of the industrial area. Compared to the Mixed Employment and High Density Employment areas, factors that distinguish an Industrial area include a relatively smaller workforce (for a given area), an emphasis on truck or rail traffic, and characteristics such as outdoor work areas and outdoor equipment and materials storage.



Industrial areas typically require relatively direct access to the regional highway system for truck delivery and shipping of products to and from the site. Some industrial uses also require rail service. Industrial areas should be served by public transit whenever possible, particularly areas with large numbers of employees. These areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises.

Due to the types of uses typically found in Industrial areas, requirements regarding design features and landscaping are not as extensive as in the other employment or commercial areas. Buildings and site improvements may be simple, practical, and more vehicle-oriented than in other land use categories, and may lack a unified design theme or character. Development standards should allow metal buildings, tilt-up buildings and similar large-span construction, as well as aprons and paved areas for work and storage. Parking lots and outside storage areas should be screened from public streets and adjacent land uses. Industrial districts generally should be located away from, or adequately buffered from, residential neighborhoods.

While there are no fixed limits on size of establishment or development intensity in Industrial areas, it is anticipated that buildings will range in height from 1-2 stories, have total floor areas of 10,000-2,000,000 square feet, and that the FAR will exceed .5.

**Land Use Types in Industrial Areas**

- Light manufacturing (limited off-site impacts)
- Heavy manufacturing (may have negative visual, noise, odor or other impacts)
- Wholesale, storage, and distribution
- Transportation hubs and truck terminals, railroad yards and facilities
- Repair and maintenance facilities
- Large-scale electrical, gas, sewer, water and other utility facilities

Mixed



Industrial



**Special Areas**

Special area designations are meant to recognize specific and unique opportunity areas for recreation and public or quasi-public facilities within the Ten Mile Interchange Area that help to support the overall goals and meet public needs and expectations.

**Park, Pathways and Open Space**

**Description**

Park, Pathways and Open Space areas identify the recommended locations for public parks, some types of public and private outdoor recreational facilities, conservation areas, some stormwater management drainageways and detention areas, cemeteries, and similar uses that have an open space character and are not recommended for development. Smaller park features, including urban squares, greens and plazas are not shown at the scale of the Future Land Use Map although they are integral to neighborhoods, mixed use and high density employment areas. Similarly, smaller stormwater management greenways are not shown, although relatively narrow open space corridors may be shown if they are also

recommended locations for pedestrian or bicycle pathway connections.

Parks and public recreational facilities are located convenient to the neighborhood, community or regional populations that they are intended to serve, where the land is suitable for the planned activities. Convenient access to neighborhood parks should be provided by local streets, sidewalks, and bicycle and pedestrian pathways and trails, with a reasonably direct route available from most neighborhood locations. Adequate vehicle parking and pedestrian and bicycle support facilities, such as benches, lockers and bike racks, should be provided. Larger park and open space facilities serving the wider community should have excellent access to the regional road system and be located within ¼ to ½ mile of existing or future transit routes when possible.

Within neighborhoods, parks also often serve as important community gathering places. Park location and design should seek to reinforce this attribute. Parks and open spaces contribute significantly to the aesthetic qualities of the neighborhood. Urban squares and greens can

provide an attractive setting for surrounding higher-density residential, mixed use, or non-residential development.

**Land Use Types in Park, Pathways and Open Space Areas**

- Public parks, recreation areas and facilities
- Private recreational uses characterized by open space, such as golf courses. Urban plazas, squares and greens (small features that are not shown on Future Land Use Map)
- Other uses with a park-like character
- Stormwater management facilities and greenways, including those with paths or trails
- Nature preserves and conservation areas
- Other natural features and areas recommended for preservation



Civic

**Description**

The civic category covers a variety of public and other land uses, including land owned by the City and other public agencies. Possible uses include civic buildings; schools, colleges, and universities; religious institutions; hospitals; museums; cemeteries; park-and-ride lots, transit facilities, and others. Most buildings in this category are high profile and prominent within the community. In order to meet future community needs, new development projects should include public/quasi-public sites for future uses.

Transit Oriented Development

Transit-oriented development (TOD) implies a particular set of urban design and land use characteristics conducive to generating non-automotive tripmaking. Peter Calthorpe is largely credited with refining the concept into an urban design strategy that has been adapted to promote use of all forms of mass transit—fixed rail as well as buses. According to Calthorpe, TOD areas can be supported by:

- Organizing growth on a regional level to be compact and transit-supportive
- Placing commercial, housing, jobs, parks, and civic uses within walking distance of transit stops
- Creating pedestrian-friendly street networks that directly connect local destinations
- Providing a mix of housing types, densities, and costs
- Preserving sensitive habitat, riparian zones, and high quality open space
- Making public spaces the focus of building orientation and neighborhood activity
- Encouraging infill and redevelopment along transit corridors within existing neighborhoods

Parks



Pathways



Civic

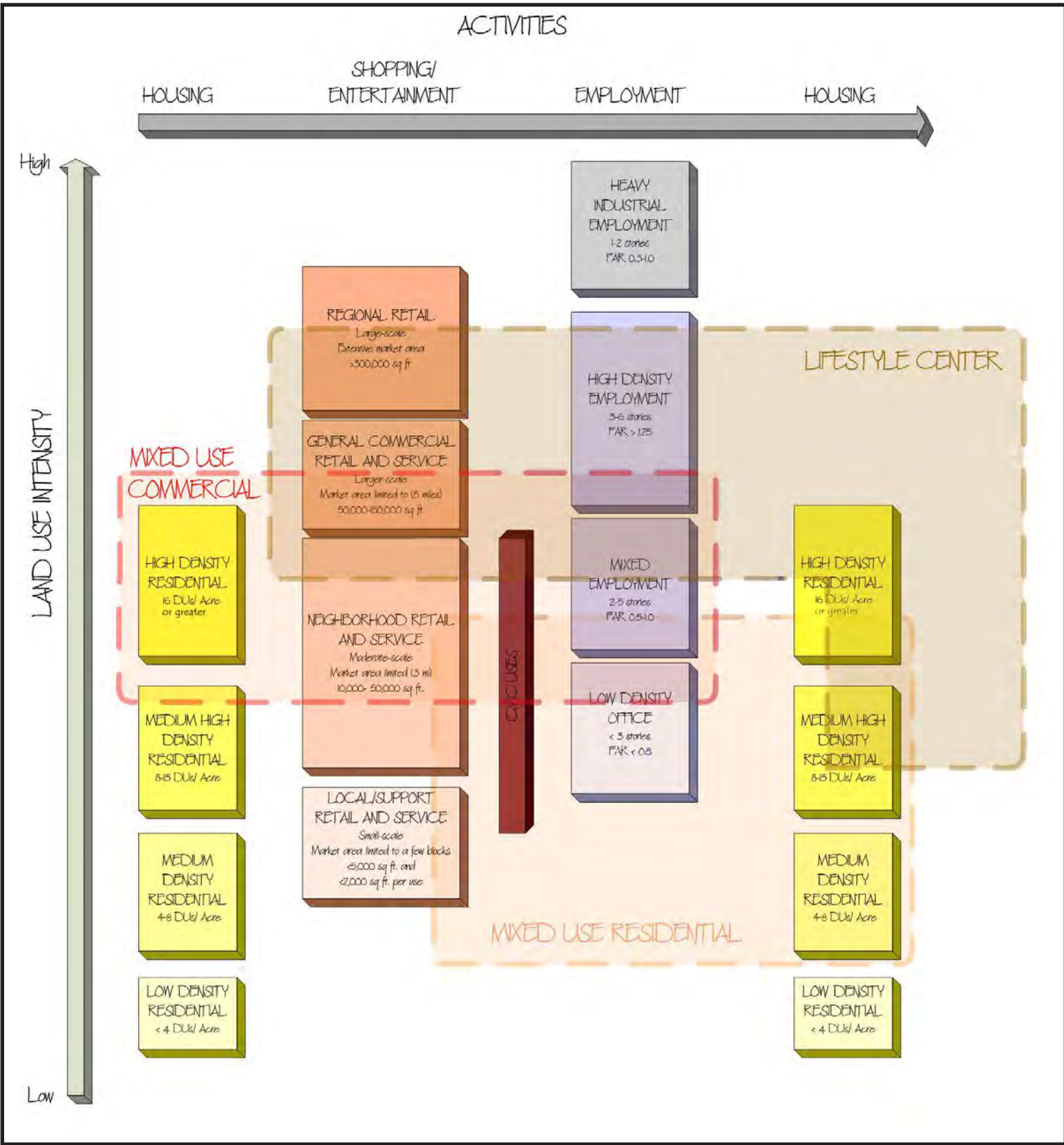


TOD



### Mixed Use Continuum

The following mixed use continuum graphically depicts allowed or intended uses within the Mixed Use Residential, Mixed Use Commercial and Lifestyle Center designations. The continuum illustrates how various mixed use areas and other land use designations blend together and cross boundary lines to result in a more integrated district. Rather than the traditional segregation of uses via zoning, mixed use planning asks each form to complement those around it. In attempting to find the best blends of uses and forms, the land use continuum should be consulted.



**Land Use Map**

No more lines! Unfortunately, a map cannot be reasonably presented without lines defining the boundaries between various land use designations. While the Land Use Map still uses lines to identify specific areas for employment, industrial, mixed use residential and commercial, and high, medium and low density residential uses, the goal of the plan is to promote more organic and holistic development patterns, to mix uses more than to obey lines on a map. The idea behind this Land Use Map is not to separate uses by area, but to promote the best use of each area in concert with the others.

The land use element has evolved as a continuum of land uses that integrate and spill from one to the other, rather than delineating land into zones by function. The lines in this Land Use Map, then, are flexible. These lines should adjust and evolve to create a place that is truly an integrated whole—mixing uses both vertically and horizontally, while protecting certain uses like low density residential areas from the impacts of commercial or industrial development. The Land Use Map is supported by the described land uses and the land use continuum.

The Land Use Map provides the geographic context for the development of the Ten Mile Interchange Area over the next 30 years. While proposed land uses are mapped to specific locations, the land use recommendations presented in the Land Use Map are still relatively broad, and the exact shape of many of the land use areas is necessarily somewhat conceptual. The Land Use Map recommends the general locations for specific types of land uses, and illustrates how these uses are related to each other geographically. While the fine-grained intermixing of land uses is not shown at this scale and level of generality, the map is not intended to emphasize the segregation or separation of uses, but suggest the areas in which certain types of development is most likely to flourish, given the location of other development and transit options. Most areas will typically be comprised of a variety of different land uses in relatively close proximity to each other.

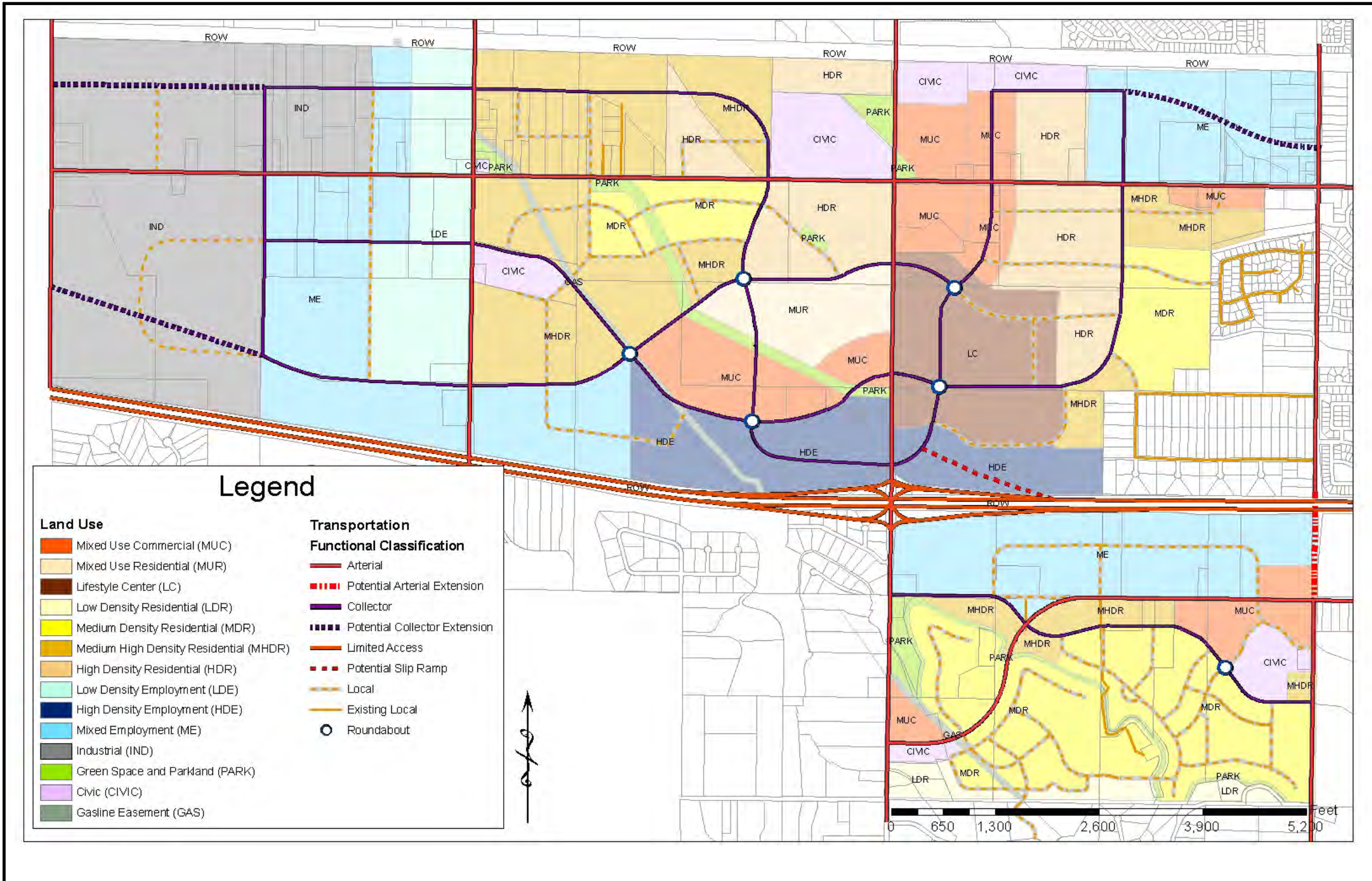
**The Land Use Map is not intended for application on a parcel-by-parcel basis; nor should it be interpreted as similar to a zoning district map.**

**Land Use Allocation**

Land Use	Acreage
<b>Residential Areas</b>	
Low Density Residential (LDR)	26
Medium Density Residential (MDR)	270
Medium High Density Residential (MHDR)	326
High Density Residential (HDR)	171
<b>Mixed Use Areas</b>	
Mixed Use Commercial (MUC)	139
Mixed Use Residential (MUR)	62
Lifestyle Center (LC)	102
<b>Employment Areas</b>	
Low Density Employment (LDE)	98
High Density Employment (HDE)	117
Mixed Employment (ME)	425
Industrial (IND)	336
<b>Special Areas</b>	
Parks, Pathways & Open Space	58
Civic	92
Right of Way, Easements, etc	114
<b>Total</b>	<b>2356</b>



# Land Use Map (See City of Meridian Future Land Use Map for most current land use designations)



**TRANSPORTATION ELEMENT**

The transportation element of the Plan is to guide transportation decisions in the Ten Mile Interchange Area. It was developed concurrently with the Land Use and Design Elements and has been designed to:

- preserve the integrity of the arterial road system and the proposed Ten Mile interchange over the long-term;
- provide for the use of public transit, bicycling, walking and carpooling, as alternatives to single occupancy vehicles;
- enhance pedestrian and bicycle mobility and accessibility;
- support new development in accordance with the Land Use Element by emphasizing the importance of developing activity centers, housing and attracting key employers that will benefit the City and the area;
- create transportation infrastructure and promote land use patterns that encourage the sustainable use of resources and reduces demands on natural resources;
- minimize the negative impacts of transportation on existing and future neighborhoods; and;
- minimize the demand for automobile parking, without negatively impacting development opportunities.

**The Proposed Street Network**

The proposed street network is composed of arterials, collectors and local streets as shown on the Transportation System Map. The map identifies proposed arterials, collectors and key local streets that provide connections to existing neighborhoods. Generally, local streets are to be planned and designed by developers based on the various design considerations provided in the Ten Mile Interchange Specific Area Plan, while the arterial and collector systems should be planned, designed and built in partnership with the City, ITD, ACHD and the private sector.

**Traffic and Interconnected Streets**

Establishing a sound and effective transportation system for the Ten Mile Interchange Area will involve significant coordination among the various interested parties, as well as the design

considerations that make streets effective for pedestrians, bicycles and motorists. To optimize the network's performance for local and through traffic, special consideration must be paid to connectivity, design, access control and road classifications.

**Connectivity**

The absence of connectivity impedes local circulation and forces motorists to travel on major highways, resulting in increased traffic volumes and congestion on major roadways and creating an environment that discourages pedestrian and bicycle travel.

The street layout proposed for the Ten Mile Interchange Area enhances connectivity and maximizes the efficiency of the transportation network, facilitating local and regional circulation. The plan presents a system of streets and paths with multiple routes and connections serving origins and destinations; providing choices for pedestrians, bicyclists, and automobiles.

The proposed connectivity within the Ten Mile Interchange Area will allow greater access for fire, medical, and law enforcement as noted by emergency providers during the planning process. Connectivity will reduce out-of-direction travel and vehicle miles traveled (VMT) and enhance accessibility between various modes minimizing transportation impacts on air quality.

The proposed street network, design and access policies results in the following benefits:

- More direct routes to more places and with shorter trips
- More routes to choose from means congestion can be relieved
- Direct routing encourages walking and biking
- Connected neighborhoods foster a greater sense of community
- School bus routes for children are safer and shorter
- Emergency service response times are shorter
- Roadway maintenance is facilitated
- Costs for public transportation are decreased

**Designing and Building the Required Network**

Streets should interconnect as much as possible, and streets within one development should connect with streets associated with adjacent developments. Cul-de-sacs are permitted only where topographic, environmental conditions, or exterior lot-line geometries permit no practical alternatives for connectivity. Street stubs should be provided for connections to future development in adjacent vacant lands.

All streets should be constructed in accordance with the design element set forth in this Plan and built to the highest standards of acceptable engineering practice. Streets should be maintained for public access, whether by easement or public dedication. Closed or gated streets are strictly prohibited. Rear lanes and alleys should be privately maintained.

Blocks within the Ten Mile Interchange Area need not be regular in size or form, as long as the primary requirement for an interconnected street network is met. As a rule of thumb, the maximum perimeter of a block should be 2,000 feet. Blocks that include central parking structures should be 3,000 feet. This sizing allows the parking structure to connect to a variety of uses and structures. Even areas designated for surface parking should fit within a block pattern and should not be built in a way to disrupt the pattern of longer term development.

**Access Control**

How and where street access is allowed is one of the greatest influencing factors on the overall performance of streets. Direct access to properties must be balanced with the use of a thoroughfare to move traffic. The Ten Mile Interchange Specific Area Plan has proposed a complete network of arterial and collector streets to ensure reasonable connectivity throughout the area and support the development of a local street system in association with the development of individual properties.

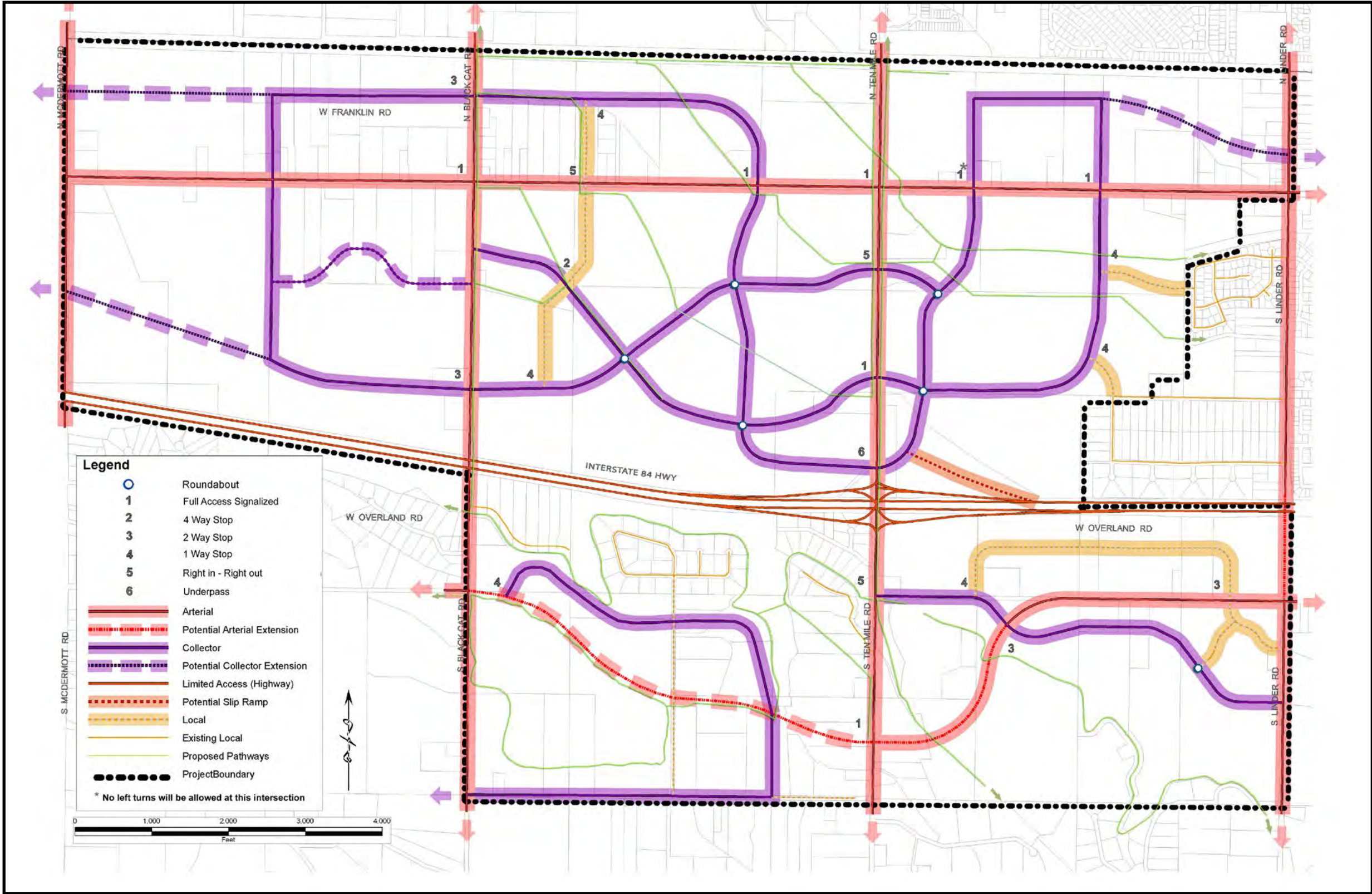
Based on the proposed street network and in order to facilitate traffic and optimize performance, direct property access to arterial streets is prohibited. In addition, existing individual accesses should be eliminated as the road network is established and other options for access become available. Access to arterial streets should occur via the collector road system.



The lower part of each diagram shows how routes between destination points in a mixed-use area with gridded street network are more direct and result in fewer trips on the arterial network.

# Transportation System Map

Map amended, Resolution 19-2179 on 12/17/2019



In the case of collectors, the local road system should get priority in intersecting the collector road system and generally direct access to individual properties should be limited and widely spaced with local road access taking priority.

**Street Classifications**

Streets in the Ten Mile Interchange Area have both a functional classification (e.g., arterial, collector, local, etc.) and a design-related classification. All proposed streets should be classified in both ways as a means of balancing the design considerations for pedestrians and motorists. In combination, these classifications should help to ultimately establish the design character of the adjacent frontages and help to determine how the features of each street should be organized and what elements should be specifically apparent.

**Functional Classifications**

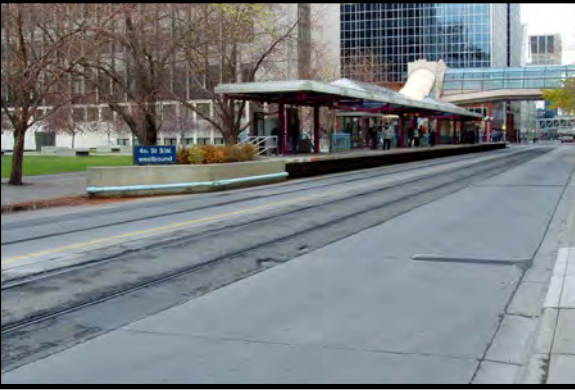
Streets and highways serve two separate and conflicting functions, one to carry traffic, and the other to provide access to abutting property (land use). The more traffic a road carries, the greater the difficulty in accessing property directly from the road. At the same time as the number of access points along a road increases, safety is compromised and speed limits must be lowered, reducing the traffic carrying capacity of the street or highway. Streets and highways are classified by function, and range from roadways with the sole purpose of carrying traffic to roadways that primarily provide access to property. Following is a generally accepted classification and functional characterization of highways and streets:

- Freeway/Expressway: A fully access-controlled highway designed for high-speed travel with the sole purpose of facilitating non-stop traffic flow without obstruction from cross traffic. Access is not provided to abutting property, and access is only provided to other streets or highways at grade-separated interchanges.
- Principal arterial: A street or highway designed and given preference to carry traffic, and not providing access to abutting property. Cross traffic is accommodated at at-grade, signalized intersections for streets with high traffic levels, and at-grade intersections without signals, for streets with moderate or low traffic levels. If intersections do not have signals, through traffic flow on the principal arterial is given preference.

Multi-Modal



Public Transit



- Minor arterial: A street or highway designed to both carry traffic and provide very limited access to abutting property. Cross traffic is accommodated by at-grade intersections without signals for streets with low traffic levels. The primary purpose of the minor arterial is to serve moderate length neighborhood trips and to channel traffic from collectors and local streets to principal arterials or expressways.
- Collector street: A street designed to carry traffic and provide limited access to abutting property. Cross traffic is accommodated by at-grade intersections with local streets. No signals are provided. The primary purpose of the collector is to serve short length neighborhood trips and to channel traffic from local streets and abutting properties to minor and principal arterials.
- Local street: A street or rural road designed to provide access to abutting property and only incidentally channel traffic short distances to collectors or minor arterials.

**Complete Streets**

A complete street is defined as a street that works for motorists, bus riders, bicyclists, and pedestrians, including people with disabilities. The Ten Mile Interchange Specific Area Plan incorporates the concept of complete streets to achieve equality of convenience and choice among modes and as a tool to reduce isolation and dependence for those in our community that are not able to drive.

Under the Plan, streets designed to serve all users become the norm. Bicycling and walking facilities will be incorporated into all streets unless exceptional circumstances exist. Exceptions include roads where bicyclists or pedestrians are prohibited by law; where the costs are excessive; or where there is clearly no need.

The following lists features that should be considered as a starting point for each street:

- sidewalks
- bike lanes
- wide shoulders
- crosswalks

- refuge medians
- bus pullouts
- special bus lanes
- raised crosswalks
- audible pedestrian signals
- sidewalk bulb-outs
- street furnishings
- on-street parking

**Design-Related Classifications**

The following design-related classifications should be used as a tool in defining the appropriate design components of streets in the Ten Mile Interchange Area:

- Primary streets are intended for considerable pedestrian activity and serve as civic spaces. These streets are important, both functionally and psychologically, and should be designed and constructed to high standards. These streets are destinations in and of themselves. No auto-oriented uses (i.e., gas stations, drive-throughs, etc.) are allowed along a primary street.

- Secondary streets lead to and connect with the primary streets. They are intended to carry both vehicular and pedestrian traffic but are not destinations in the same way as primary streets. To some degree, most design standards described in these guidelines apply to secondary streets. Some auto-oriented uses can be found along secondary streets, although these must be designed and configured as to provide the least degree of interruption to pedestrian flow within activity centers. Streets that are primarily residential in character can be secondary streets.
- Tertiary streets tend to be service routes that support the functioning of the primary and secondary streets. These are designed primarily for vehicular use but should make accommodations for pedestrians. Auto-oriented uses should be located adjacent to tertiary streets. Alleys are an example of a tertiary street.

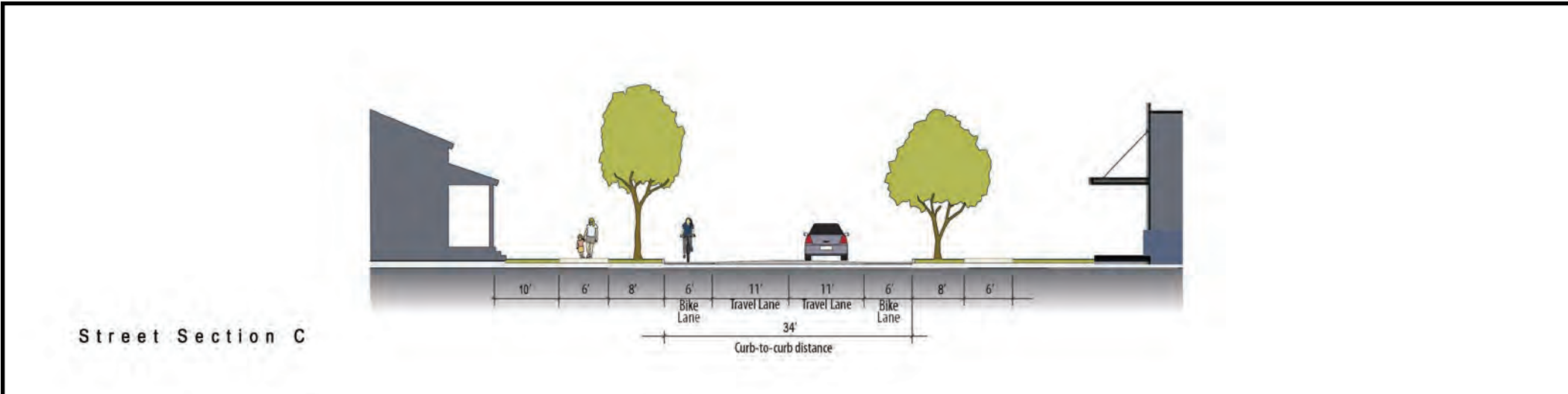
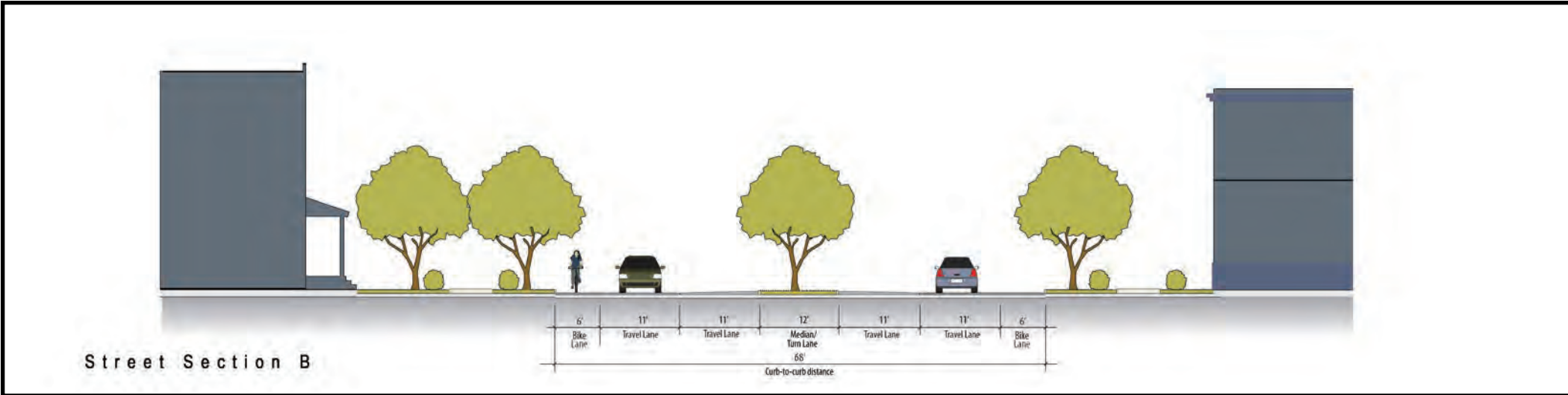
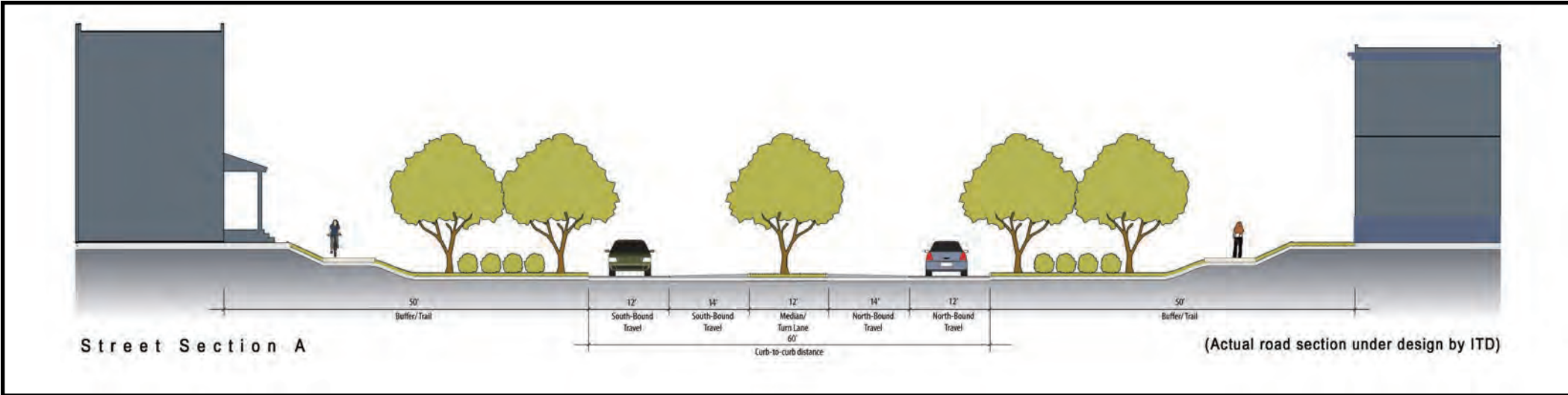
**Street Design**

Streets should be designed and sized to optimize pedestrian comfort and to facilitate slow-moving vehicular traffic. It is desirable that lanes on roads and streets be 11 feet in width, with the exception of those lanes closest to the intersections with Franklin and Ten Mile. In these instances, lane widths can increase to 12 feet in width from the point of the intersection with the arterial street to the point of nearest intersection with another street or road or access point.

Streets should include sidewalks, walkways or pathways on both sides throughout the Ten Mile Interchange Area. Exceptions are those areas where functions and dedicated use spaces fall predominantly on one side of the street. In these cases, sidewalks, walkways or pathways should be included on the dominant side of the street.

**Street Sections**

Several street types were conceived through the planning process for specific use and conditions based on projected vehicular and pedestrian usage, desired parking conditions, specific physical conditions, public emergency access, and streetscape character.





**Street Geometries**

All intersections should be designed to occur as close to 90° as possible. No streets should intersect at an angle of less than 60°. To facilitate effective and safe pedestrian movement, the curb radius at intersections must be minimized. At no point should the curb radius at an intersection be greater than 25 feet. Within the core pedestrian areas, the curb radius should be 15 feet. The exception to this requirement is at the intersection of arterial and collector streets.

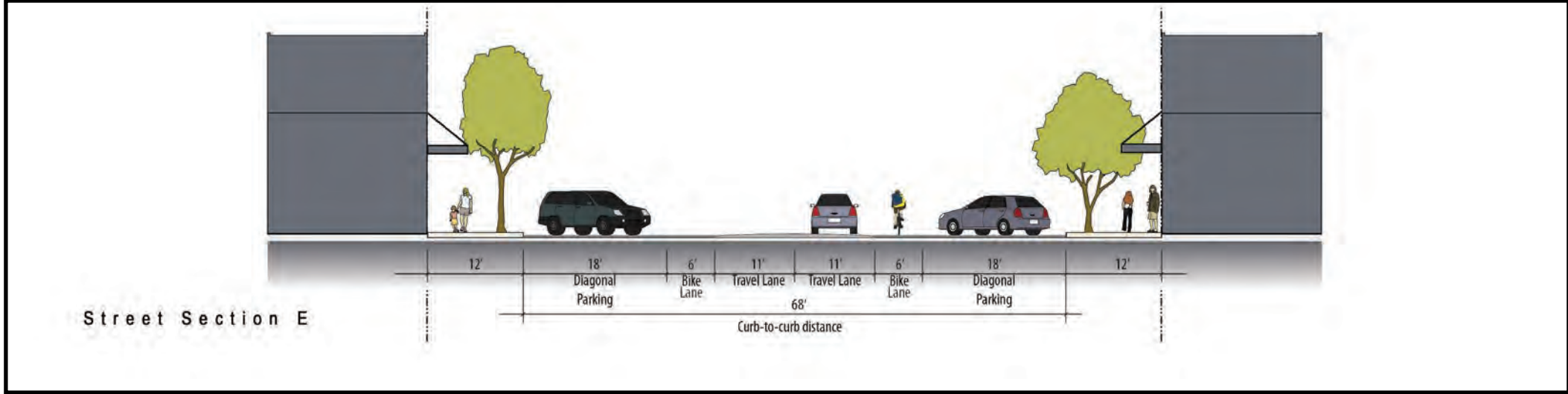
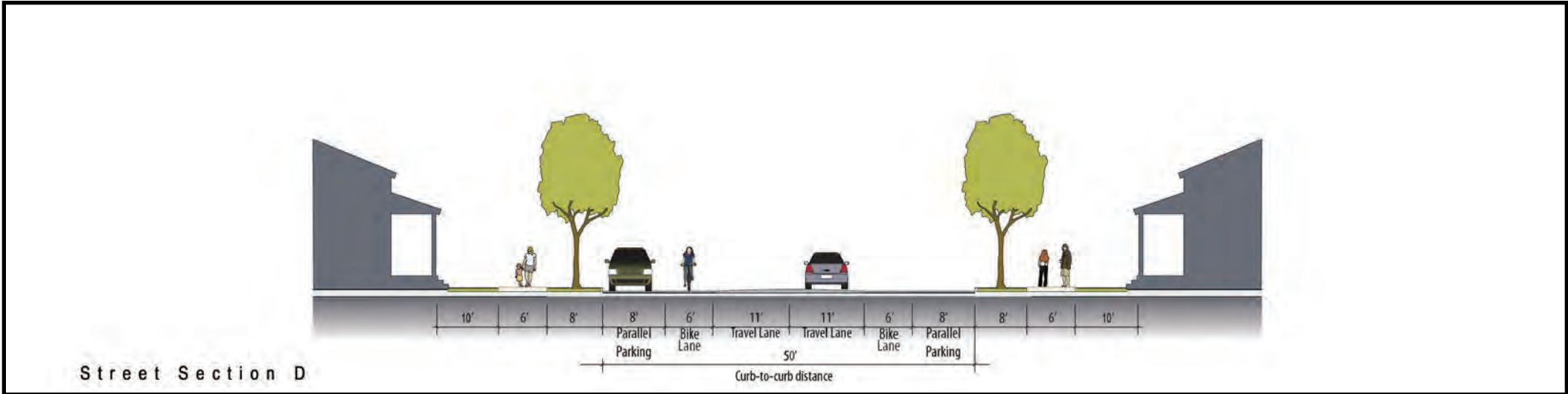
Proper sight lines must be maintained at all intersections. Non-essential signs, vehicle parking and/or street trees are prohibited within the box created by the intersection of property lines at all four corners of a street intersection. One street light per corner is permitted within this box. Standard 6-inch vertical curbing is required on all streets. Drainage should be provided using close curb and gutter systems on all streets.

**Elements of the Street Section Beyond the Roadway Edge**

The plan offers recommendations for the widths and general configuration of street. The plan also suggests a variety of treatments and activities that should be allowed or be placed in the right-of-way as part of the streetscape beyond the edge of the roadway. Typical dimensions for carriage strip zones, clear walk zones, encroachment zones, and café spaces are provided. The definitions and dimensions for each are based on several factors including anticipated levels of activity, existing and planned land uses, right-of-way constraints, and position within the larger network of streets and public spaces. A description of the purpose and design treatment of each of the streetscape areas follows.

**Carriage Strip**

The carriage strip exists as the space adjacent to the vehicular travel lanes within which is placed a variety of elements and amenities. Trees are the primary element of the carriage strip zone and can be located in tree pits, grates, planters, or planting strips depending on the level of activity of the streetscape and associated street. An 8 foot wide carriage strip is typical; however, in constrained conditions, tree grates should be used to gain additional circulation space. In these cases, strips



as narrow as 4 feet may be used. Light fixtures, street signs, trash receptacles, benches, bicycle parking loops, and directional and interpretive signs are the primary elements that typically exist in the carriage strip. Rhythm and placement of these components aid in maintaining a pedestrian scale, provide information for pedestrians, and create a comfortable and safe environment. The carriage strip includes the tree lawn.

**Clear Zone**

Next to the carriage strip zone is an area known as the pedestrian clear zone. This is defined as an

unobstructed area serving as circulation space for pedestrians. The plan recommends a minimum 6 foot wide clear zone allowing for the free flow of people along sidewalks.

**Encroachment Zone**

Shopfronts, blade signs, outdoor displays, awnings/canopies and café space are components of the streetscape that can extend beyond the build-to line. These elements help define the character of an area, offer shelter from sun and rain, and provide visual interest to both pedestrians and motorists.

**Café Space**

Café spaces provide places for both active and passive social interaction and they add visual appeal, variety and interest to the streets. The plan recommends the provision for sufficient sidewalk space to accommodate cafés generally along the frontages facing Main Street. Movable public seating and newsstand and retail kiosks could be placed in these spaces to encourage more daytime use independent of an adjacent restaurant and frame the street wall better.

Ten Mile Sections

Street Section A

Section A represents a modified 4-Lane Parkway to enhance the look and feel of Ten Mile Road and to provide additional buffers to adjacent properties. The Parkway is designed to provide rapid and relatively unimpeded traffic movement throughout the area and carry high volumes of traffic to mixed use and employment centers. The Parkway serves as an arterial road and access is restricted to collector streets. Buildings should address the street but should be set back some distance from the roadway edge to provide wide tree lawn and detached trail to provide security to the pedestrians and bikes. This street section is the primary gateway corridor in the Ten Mile Interchange Area. A tree lawn or planting strip should be provided in all areas, as well as a landscape median. Streetlights should be located in the tree lawn area and should be of a pedestrian scale while street lights in the median should be design to meet vehicular needs.

The following design standards are recommended:

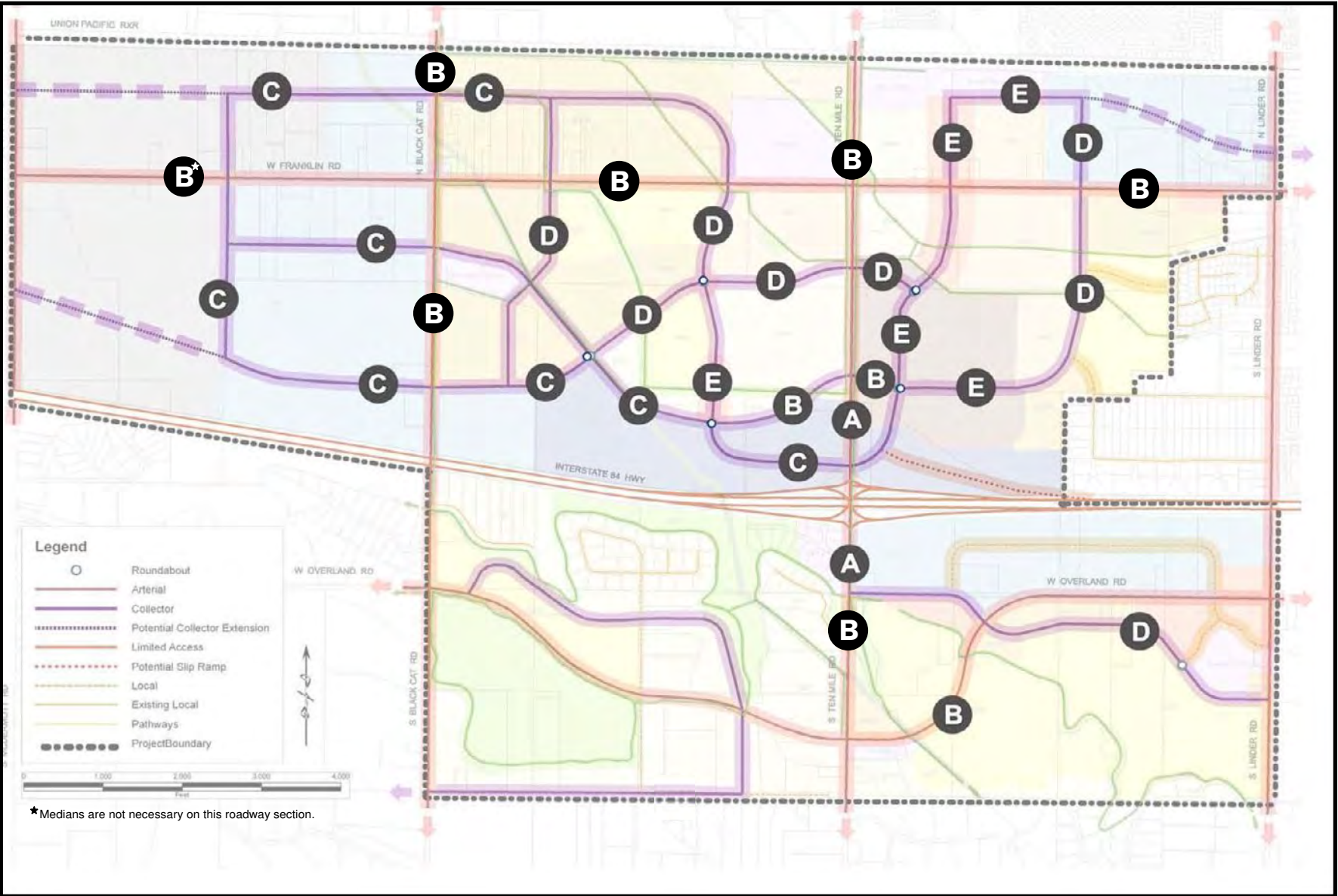
- Wet utilities should be located within the paved area. Water and wastewater lines may be placed in the center of the same street with a 10 foot separation.
- Gas lines are commonly located in the paved area while dry utilities are located back of the curb in the dry utilities corridor.

Street Section B

Section B represents a typical 4-Lane Parkway. Parkways serve two functions. The Parkway can provide rapid and relatively unimpeded traffic movement throughout the area and carry high volumes of traffic to mixed use centers. In this capacity, Parkways serve as arterial roads and access is restricted to collector streets. Buildings should address the street but be set back some distance from the roadway edge to provide for a tree lawn and detached sidewalk to provide security to the pedestrian. Parkways may also serve as the entry/spine street portion of a collector that provides the main access from arterial streets, including right-in/right-out and serves as a focus of activity for large mixed use or employment centers. As such, they serve as gateways to these areas and entry point features should be allowed within the right-of-way. A tree lawn should be provided in all

Street Section Map

Map amended, Resolution 08-631 on 11/05/2008



areas as well as a landscape median. Streetlights located in the tree lawn area and should be of a pedestrian scale while street lights in the median should be design to meet vehicular needs.

The following design standards are recommended:

- Wet utilities should be located within the paved area. Water and wastewater lines may be placed in the center of the same street with a 10 foot separation.

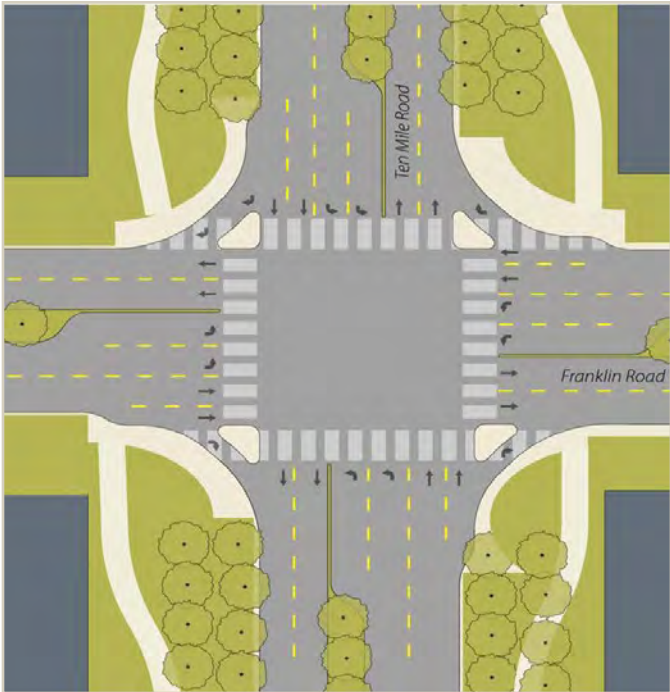
- Gas lines are commonly located in the paved area while dry utilities are located back of the curb in the dry utilities corridor.

Street Section C

Section C represents the Major Collector Streets. These streets provide access from adjacent arterial streets into the employment areas. Buildings on these streets are set back from the street at some distance generally behind a detached sidewalk. The sidewalk may be widened in some cases to extend to the front of commercial retail or higher

density residential buildings. A tree lawn should be provided in all areas. The following design standards are recommended:

- Streetlights should be located in the tree lawn area and should be of a pedestrian scale.
- A 5 foot dry-utilities corridor should be provided along both sides of the General Collector Street curb. The corridor may not be required if all dry utilities are located in an alley or other street.



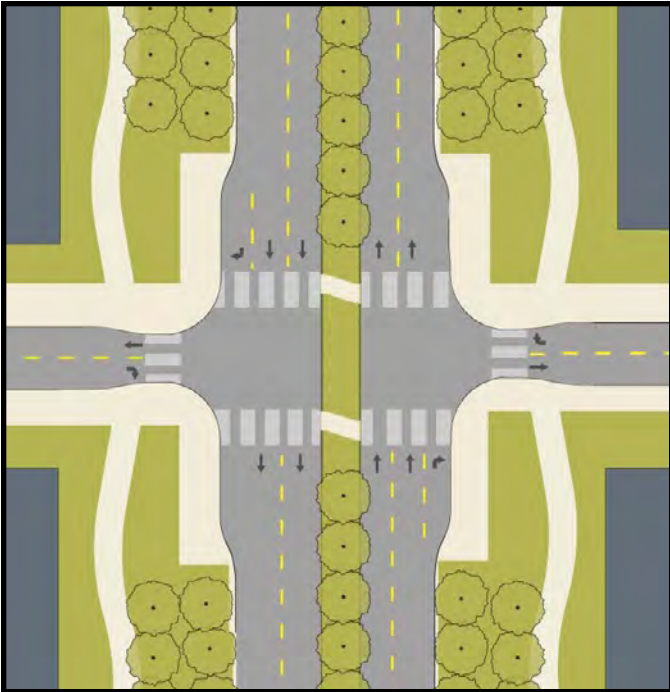
**Intersection of Ten Mile Road and Franklin Road**  
*(Representative diagram, not intended for engineering purposes--Intersection already designed by ACHD)*

- Both wet utilities may be located in the street. If an alley is provided, one wet utility may be placed in the alley, subject to City approval.
- Streetlights should be placed in the dry utilities corridor on either side of the street.
- Street furnishings are encouraged along commercial and high density frontages

**Street Section D**

Section D represents the Residential Collector Street. These streets serve the local access needs of residential, live/work, and commercial activities within a residential neighborhood or mixed use residential area. Buildings on these streets have limited setbacks behind the sidewalk and a tree lawn is provided. Generally, frontage by detached single-family homes is discouraged in favor of rowhome, townhome and higher density residential development. On-street parking is also allowed. The following design standards are recommended:

- A 5 foot dry-utilities corridor should be provided along both sides of the Residential Collector Street curb. The corridor may not be required if all dry utilities are located in an alley or other street.



**First collector intersection with Ten Mile Road south of Franklin Road**  
*(Representative diagram, not intended for engineering purposes--Intersection already designed by ACHD)*

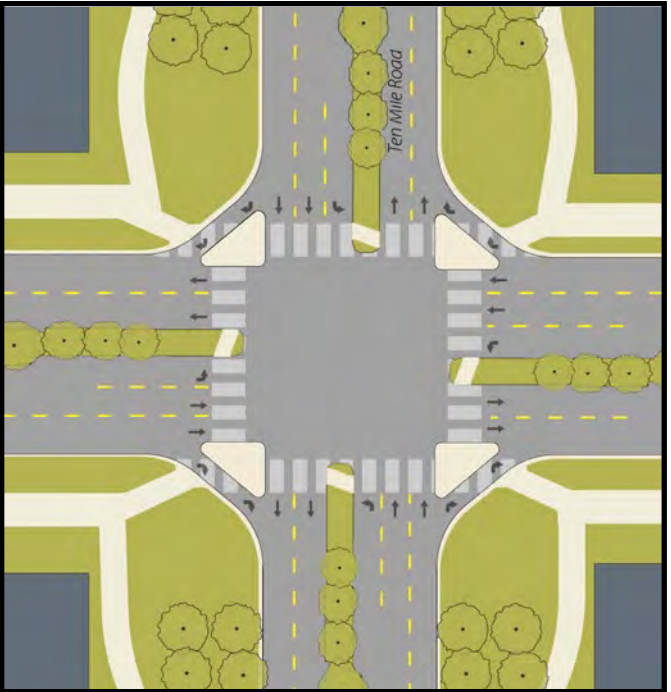
- Both wet utilities may be located in the street. If an alley is provided, one wet utility may be placed in the alley, subject to City approval.
- Streetlights should be placed in the dry utilities corridor on either side of the street.

**Street Section E**

The Minor Collector Streets serve as the primary retail streets, and their character is pedestrian-oriented and defined by street-level storefronts. Buildings on these streets are built to the sidewalk. The pedestrian experience is enhanced with 12 foot-wide sidewalks, street trees in wells, and pedestrian-scale lighting. Ample on-street diagonal parking supports the businesses within the Lifestyle Center and in Mix Use Commercial area. This section may be modified to allow parallel parking as a local section in these areas.

The following design standards are recommended:

- A 5 foot dry-utilities corridor should be provided along both sides of the Minor Collector Street curb. The corridor may not be required if all dry utilities are located in an alley or other street.



**First collector intersection with Ten Mile Road north of I-84, initial design**  
*(Representative diagram, not intended for engineering purposes--Intersection already designed by ACHD)*

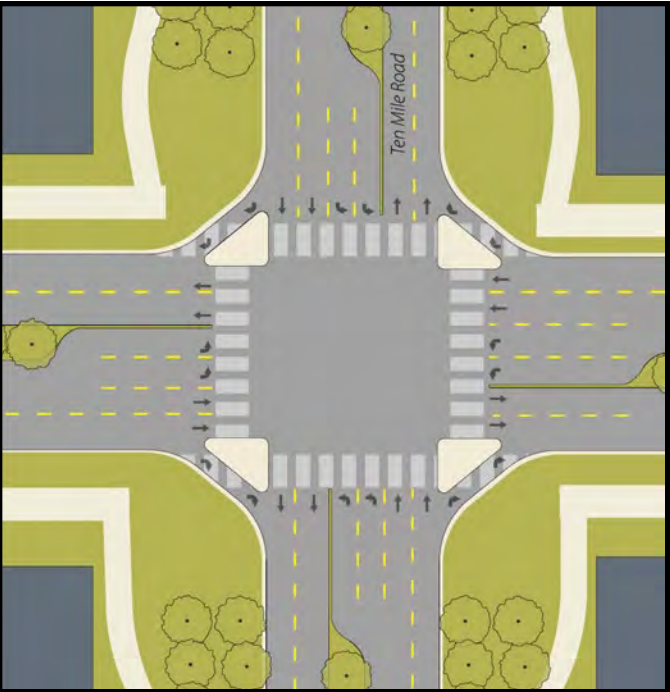
- Both wet utilities may be located in the street. If an alley is provided, one wet utility may be placed in the alley, subject to Springs Utilities approval.
- Streetlights should be placed in the dry utilities corridor on either side of the street.

**Intersections**

**Proposed Intersections with Arterials**

The development of the land around the Ten Mile Interchange will impact traffic in the area. Preliminary investigations show that the interchange will function acceptably at build out based on the proposed land use allocation and development densities.

The Ten Mile Interchange Specific Area Plan proposes ten new intersections onto the arterial network: two on Ten Mile Road, five on Franklin Road, and three on Black Cat Road. In addition, south of I-84, Overland Road will be relocated to the south. Depending on the future configuration of McDermott Road, intersections may be required with McDermott Road to continue the collector road system to the west.



**First collector intersection with Ten Mile Road north of I-84, additional left turn lane when warranted by traffic**  
*(Representative diagram, not intended for engineering purposes--Intersection already designed by ACHD)*

The intersections onto Ten Mile Road are of primary concern, as there is less flexibility in their placement and configuration due to their relationship to the new Ten Mile Interchange. As a result, an additional level of analysis was performed for intersections onto Ten Mile Road.

Level of service calculations were performed for four intersections on Ten Mile Road including Ten Mile Road and Franklin Road, two new intersections onto Ten Mile Road, between Franklin and I-84, and at Ten Mile Road and Overland Road. For the purposes of this study Overland Road was on a new alignment that moved the intersection approximately 1500 feet south of its current alignment. Its current alignment stays open as a right-in, right-out only configuration. All existing intersections function at a peak hour LOS D or better in the design year.

Two new intersections are proposed onto Ten Mile Road that access the office, commercial, and residential cores of the Ten Mile Interchange Area. The southernmost intersection is approximately 1000 feet north of the highpoint of the new interchange design and is the main entrance into the activity

center. Its configuration has two lefts, two through lanes, and a dedicated right turn lane on all four approaches. This is what ACHD refers to as their 7x7 intersection configuration. In the design year (2030) and upon buildout of the Ten Mile Interchange Area, at peak hour this intersection functions at LOS D. The performance of this intersection is enhanced by the single-point urban interchange design.

The intersection proposed immediately south of the Ten Mile Road and Franklin Road intersection is a right-in, right-out only configuration and functions at LOS B in the design year. The realigned intersection of Overland and Ten Mile functions at LOS C in the design year.

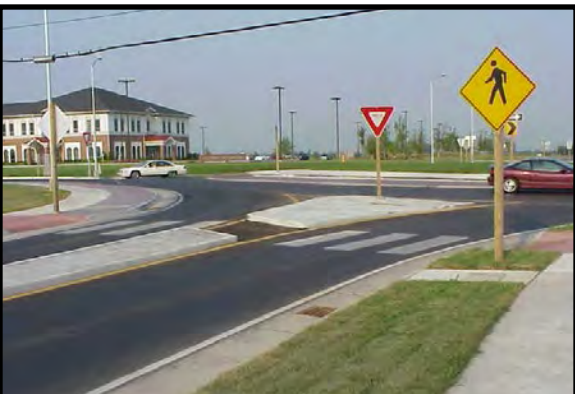
The proposed intersections in the Ten Mile Interchange Area try to establish a collector network that will reasonably serve the area. More importantly, only the collector accesses shown in the Transportation System Map will be permitted. No access to individual properties will be allowed from the arterial road system. With the exception of the identified arterial access points within the Ten Mile Interchange Area Plan document, the City of Meridian supports full access control for the arterials serving this part of the community.

**Slip Ramps**

One idea that was discussed at length for this project is the future use of slip ramps off of the proposed interchange ramp, or just to the east of the proposed central point of the new Ten Mile interchange. This would allow people to access the Lifestyle Center and employment center via the proposed underpass associated with the interchange design, without impacting the intersections on Ten Mile Road or the interchange ramp terminals. This could potentially prolong the life of Ten Mile Road, the interchange, and significant intersections by allowing traffic to access the area other than by using the interchange terminals and arterial access.

The slip ramp is not expected to be needed or desired for several years until the area develops. It is recommended that right of way for the improvement be preserved. The slip ramp should be funded entirely by development through extraordinary impact fees.

**Roundabouts**



**Curb Radius**

To facilitate effective and safe pedestrian movement within the Ten Mile Interchange Area, the curb radius at intersections must be minimized. At no point should the curb radius at an intersection be greater than 25 feet (collector to collector or local to collector). Within the following areas, the curb radius should be no greater than 15 feet: Lifestyle Center areas, mixed use areas, and residential areas. In addition, the closest intersection to school sites in any direction should have a curb radius no greater than 15 feet.

**Roundabouts**

Roundabouts are encouraged at collector-collector street intersections. A roundabout is a circular intersection where traffic flows around a center island. Roundabouts are safe, efficient and less costly than traditional intersections. Since vehicles entering the roundabout are required to yield to traffic in the circle, more vehicles can move through the intersection with less delay than at signalized intersections. The only movement at an entry and exit of a roundabout is a right turn, thus reducing the potential frequency and

severity of accident typically occurring during left turns and when traffic crosses an intersection in perpendicular directions. The unique one-way design of roundabouts also accommodates the turning radius of large vehicles, like semi-trucks and buses.

Pedestrians may find traveling through a roundabout just as safe as through an intersection with a signal, if not safer. This is due to the fact that vehicles are moving at a slower rate of speed and pedestrians need only to cross one direction of traffic at a time. Cars are required to yield to pedestrians in the area marked for pedestrian crossings.

The essential elements of a roundabout are:

- Yielded entry - cars entering must wait for a gap in the circulating traffic before entering the roundabout
- Islands separate the entry from the circular roadway
- Designated crossing area for pedestrians
- Designed to be driven at speeds of 15 to 20 miles per hour
- Single or multiple lanes

**Balancing Vehicle Circulation with a Pedestrian Friendly Environment**

For the most part, both cars and pedestrians will use the same streets to get around in and through the Ten Mile Interchange Area. Streets are often designed with vehicular traffic first in mind, and so are concerned with the combination of moving and parking lanes within thoroughfares. Yet it is this same network of roads that constitutes the majority of the public realm available to pedestrians. As the shared setting for most buildings, the network must provide the potential for community interaction. As such, the connector system of roads set out here for the Ten Mile Interchange Area considers both vehicular capacity and pedestrian character.

Pedestrians respond to the combination of frontage and streetscape, but these alone cannot create a lively pedestrian environment. The velocity of vehicular movement should also be controlled. The Ten Mile Interchange Area network makes use of designs which slow the speed of vehicular traffic through the most pedestrian friendly areas. Traffic calming devices are used in addition to the posting of speed limits.

These traffic calming factors include narrowing the lanes, providing parking lanes, the centerline radius, and the intersection curb radius. In addition to the conventional standards for speed movement, there are also standards for free-, slow and yield-movements that should be considered during design in the Ten Mile Interchange Area, including:

- Speed Movement: Thoroughfares designed so that vehicular velocities greater than 35 mph are perceived to be safe.
- Free Movement: Thoroughfares designed so that vehicular velocities are perceived to be safe at 30 mph and below.
- Slow Movement: Thoroughfares designed so that vehicular velocities are perceived to be safe at 20 mph and below.
- Yield Movement: Thoroughfares designed so that vehicular velocities are perceived to be safe at 15 mph and below. Vehicles stop to allow approaching vehicles to pass.

**Public Transit Accommodations**

Healthy commercial and employment activity centers need access by multiple modes of transportation. In addition to being pedestrian friendly, an activity center should be transit friendly. Transit can be a complementary part of the public realm—the street and the pedestrian zone—as described earlier. In addition, with residential being an important element of a lifestyle center, transit should be a true feature. An effective transit system can offer residents the opportunity to own at least one less car, thus reducing the required parking requirements.

Transit riders become pedestrians when they reach their destination. Therefore, the quality of the streetscape and pedestrian zones can actually encourage increased transit use.

At transit locations, the use of the pedestrian amenities—landscaping, pedestrian and landscape lighting, benches, and trash receptacle—should be coordinated with the shelter location and design.

Depending upon the specific design of the activity center, routing transit into the core area for patron drop-off should be considered. Transit can be an active feature of the urban landscape. In activity centers, shelters should be placed at transit stops.

Landscaping



Outdoor Room



Shelters offer visual identification to the transit stop, and they provide weather protection to patrons. The design of the shelters should be coordinated between the City, Valley Regional Transit, and ACHD ensuring architectural consistency with the general architectural theme of the activity center.

**Streets as Public Spaces**

Streets in the Ten Mile Interchange Area should be treated as a key component of the public open space. Streets should be maintained for public access whether by easement or public dedication. Closed or gated streets are prohibited. Access lanes and parking lots should be privately maintained.

Streets should be designed and constructed in accordance with the highest standards of acceptable engineering practice. Streets should be designed to facilitate mobility and safety for vehicles, bicyclists and pedestrians. As such, no street within an activity center should have an effective design speed of greater than 35 MPH. Local and Collector streets within the Mixed Use Commercial, Mixed Use Residential and residential areas should have an effective design speed of 25 MPH.



Streets should be designed to include appropriately selected street trees planted in a manner appropriate to their placement and function. Residential streets should provide for an appropriate street canopy designed to shade both street and sidewalk and serve as a visual buffer between street and the adjacent dwellings. Streets should also be equipped with street furnishings and other amenities depending on the specific location to help establish the sense of the outdoor room.

**The Outdoor Room**

Studies indicate that many of the best-loved urban spaces are those that produce the sense of being contained by the surrounding buildings. Architects and urban designers often speak of the ratio between the width of a street and the height of the buildings on either side of the street. A ratio of 1:1 is considered ideal in terms of creating comfortable enclosure for the street. (In cities such as NY and Chicago, the ratio of width-to-height can be as extreme as 1:10 or more; this creates the “canyon effect” that defines many dense urban centers.) However, ratios of 2:1 or 3:1 can still create a comfortable sense of containment.



**Streetscaping**

All streets should include street trees within the right-of-way. Where street sections include medians, these medians should be no less than 16 feet in width. If these medians are intended to encompass turning lanes, the median should be at least 20 feet in width, with turning lanes a minimum of 10 feet wide. Medians should be landscaped and planted to match the conditions on either side of the associated road or street.

**Landscaping**

Trees, shrubs and other landscaping should be used to help define the connections between fronting sidewalks and walkways and the primary and secondary entrances to structures. These connections should be straight and direct and should not be interrupted by trees, shrubs or any form of landscaping.

Groundcover should be species appropriate to the local microclimate, should be contained in formal or informal beds, and should not rise to height of more than 12” above the adjacent grade. Shrubs and bushes should be species appropriate to the

local microclimate, should be formally or informally arranged, and should not rise to a height of more than 36" above the adjacent grade. Where possible, landscaping should focus on water recapture in order to reduce run-off.

**Street Trees**

Trees should be species appropriate to the local microclimate. Trees with full canopies are encouraged as they can provide shade and protect windows and building interiors from direct sunlight.

Street trees provide multiple benefits to the urban environment. They create shade, reduce glare, buffer wind and cleanse the air. Trees also help create a pedestrian-scale space and make streetscapes more acceptable to pedestrians. Without trees, streets are uncomfortable for pedestrians and, to a lesser extent, drivers, both physically and psychologically.

On retail frontage streets, trees have the most significant impact in making streets attractive to shoppers. Without street trees, pedestrians feel the heat, glare and pollution to a much greater extent. With them, the extreme conditions of a roadway are mitigated and shoppers can have a more pleasant experience.

A formal, rhythmic application of landscape design using trees of similar characteristics will help create a cohesive, unifying effect. However, since plant diseases and pests, such as Dutch Elm Disease and Pine Bark Beetle, can decimate areas where single species are planted, tree selection should include multiple species, alternating color, form and texture from block-to-block or within blocks, as long as a pattern is established that can be utilized.

General Street Tree Guidelines

There are many factors to consider when using trees in a streetscape. Right-of-way constraints, commercial uses (outdoor dining, etc.), utility locations (both buried and above ground), storefront sign/architectural visibility, and volume of pedestrian and vehicular traffic are all elements which will affect quantity, size and species of tree selection. Except where notable changes are desirable, such as indicating the location of a pocket park, etc., tree types should be the same on both sides of the street. Where high pedestrian volume occurs or is anticipated, tree grates or other

Street Trees



means of facilitating pedestrian safety should be provided.

Tree Selection

As living elements of the street environment, tree species should be selected with care. Soil and air conditions, water, light, heat, maintenance and budget should all be addressed prior to selection of tree types. The selected species should have a local basis for endurance of air pollution, minimal maintenance and compacted/infertile soils. Street trees should be free of fruit and thorns to reduce maintenance and minimize potential harm to pedestrians.

For lower maintenance, trees should be strong wooded, disease and pest resistant, drought tolerant, single trunk and with a fairly long life expectancy. Tree irrigation, in most cases bubblers, is to be used on all street trees in commercial areas. The irrigation of trees should be developed in conjunction with a low volume landscape irrigation design. Species selection should not interfere with commercial signs or traffic signals.

Tree Size

Planting size of trees is generally restricted by the area in which the trees will be located. Trees planted with tree grates or within tree wells will, of necessity be smaller than trees located on large lawn/planting areas. Trees with 3 inch caliper should be large enough to provide some shade at planting time and significantly more when they develop, assuming proper cultural/maintenance activities.

Tree Location

Tree location relates to specific individual locations and to locations relative to each other. The spacing should consider street lighting and other obstructions. Motorist visibility is critical and trees should not interfere with sight distance criteria. Trees should be spaced and located such that pedestrians have an unobstructed walking area of no less than eight feet, and preferably ten feet in width. Trees should be spaced far enough from building facades so as not to require excessive pruning.

Parking

Parking spaces, whether on-street or in dedicated lots, should be located proximate to the uses they intend to serve, but need not be immediately adjacent to these uses, as long as effective and accessible walkways are available to provide access to and from the lots. On-street parking counts against the parking requirement of the buildings that front onto the parking.

On-Street Parking

On-street parking is a key element of an active and vital place. Not only does on-street parking add significantly to the supply of needed parking spaces, it provides an additional layer of physical and psychological separation between cars moving along the street and pedestrians, shoppers, diners and others on the sidewalks. It provides access directly between motorists and stores, shops and restaurants. Metered, on-street parking also helps create a constant flow of activity as short-term visitors pull in and out of spaces along the main pedestrian routes.

On-street parking is encouraged throughout the Ten Mile Interchange Area, where appropriate. Such parking can include head-in parking, angled parking (60-degree), or parallel parking. Carefully integrated, on-street parking can absorb a significant amount of the minimum required parking spaces. The following forms of on-street parking may be allowed:

- Parallel parking is a pattern of parking whereby the vehicle is stored parallel to the curb line. Parallel parking permits a narrower street section and creates the most positive sidewalk experience of the possible patterns, but it requires a difficult driving maneuver and provides the lowest density of parking storage per linear foot of street frontage.
- Diagonal parking is a pattern of parking with the vehicle stored at an angle to the curb line. Diagonal parking creates the least positive sidewalk experience of the possible patterns, but it permits the easiest driving maneuvers and provides more parking than parallel parking.
- Head-in parking is a pattern of parking where the vehicle is stored perpendicular to the curb line. Head-in parking requires the widest street section and requires a dangerous maneuver of backing out. This pattern provides the greatest supply of on-street parking.

Parking Lots

Parking lots should not dominate the frontage of pedestrian-oriented streets or interrupt key pedestrian routes. Ideally, parking lots should be located behind buildings or within the interior of blocks. Less ideally, lots can be located beside the structures they serve.

**Screened by Plantings**

All parking lots visible from public thoroughfares should be screened by plantings or walls or a combination of the two. No parking lots should front on the mixed use streets within the Lifestyle Center or along primary streets within commercial activity centers.

**Multifamily Parking**

All multifamily residential off-street parking should be located at the rear of the lot. For single-family residences, in cases where there is alley access, parking should be located at the rear of the lot. In situations where lots are front loaded, all parking should occur to the rear of the plane of the front façade.

**Parking Lot Sizes and Subdivisions**

Surface parking lots should be visually and functionally subdivided into manageable parking plazas. Parking lots should be sized to be as small as possible. Where possible, lots should be one-bay in width.

**Parking Lot Landscaping**

Parking lots should be landscaped. Ideally, parking areas will contain additional trees both in tree islands within the lots and as buffering around the perimeter of the lots. A row of cars should not include more than 12 vehicles without interruption by a tree island, nor more than 24 cars without a connecting drive aisle.

**Civics Space and Drop-Off Lanes**

Parking lots should be located away from civic spaces. For convenience and to meet the needs of the handicapped, primary civic and community structures should include dedicated drop-off lanes adjacent to the primary entry points. These should be sized as to meet the anticipated needs of the facility, but should not be oversized.

**Parking Drives**

Drives providing ingress and egress to and from parking lots should be a minimum of 20 feet in width. For lots that will receive considerable truck traffic, entry and exit lanes can each be 12 feet in width, for a combined width of 24 feet. All off-street parking lots should allow for and facilitate the use of emergency, sanitation, utility and delivery vehicles.

Parking



**Parking and Adjacent Structures**

All off-street parking lots should allow a minimum of 5 feet between the edge of the paved parking lot surface and the nearest structure. The space between an off-street parking lot and adjacent structures must include a sidewalk that provides access to these structures. This sidewalk must be linked into the overall system of sidewalks, walkways and pathways within the commercial areas.

**Shared Parking**

Shared parking, whereby day/night and weekday/weekend schedules allow the parking to be shared by more than one use or building, is encouraged.



**Pedestrian & Bicycle System**

All buildings and open spaces must be easily and safely accessible to pedestrians and to bicyclists. Mixed Use Commercial and Mixed Use Residential areas must include an integrated system of sidewalks, walkways and pathways that provide access to all structures and spaces within a development.

Sidewalks, walkways and pathways must be constructed of a durable, non-skid hard surface—concrete or asphalt. Sidewalks, walkways and pathways are recommended to be a minimum of 5 feet in width and should be wider in all areas where significant amounts of activity are anticipated. These include the spaces around the entries to all publicly accessible buildings, as well as the major ingress/egress points associated with all designated public spaces.

No sidewalk, walkway or pathway within the Mixed Use Commercial and Residential areas should be located immediately adjacent to the curb. At a minimum, sidewalks, walkways and pathways should be separated from an active adjacent roadway by a planting strip that is recommended to be at least 4 feet in width. This strip should be treated as part of the overall landscaping design for the Mixed Use Commercial and Residential areas and can be expanded to include mature street trees or other landscape features.

The exceptions should be sidewalks within Mixed Use Commercial and Residential areas and sidewalks that are protected from adjacent traffic through on-street parking. In these examples, the sidewalk paving can extend to the street curb; however, such sidewalks should be at least 9 feet in width and should include provisions for the inclusion of street trees at regular intervals.



**Bicycles**

Bicycles should be permitted on all pathways within the Ten Mile Interchange Area. Bicycles should not be permitted on sidewalks or walkways. To create an integrated network for bicycle movement, the primary roadways within the Ten Mile Interchange Area should include dedicated bicycle lanes. Streets within the Lifestyle Center do not need to include dedicated lanes, but signs should be posted indicating that bicyclists are allowed on streets throughout the Lifestyle Center and in all commercial activity areas.

Bicycle racks should be provided proximate to the primary entries to all commercial structures and to the primary ingress/egress points to all designated public spaces. Such racks should be adjacent to pathways, roadways or streets, but should be outside any vehicular or pedestrian routes and should be sized to provide enough storage space for the estimated amount of usage.

**Sidewalks**

Sidewalks give pedestrians access along streets. Where possible, sidewalks should be detached from the curb. This provides room for street trees and other landscaping close to the curb. Concrete is the preferred material for sidewalks, although interlocking concrete unit paving and brick pavers may be utilized, particularly for accents. Sidewalk paving is an excellent way to unify a street. Over-designed patterns should be avoided as they may become dated and generally imply additional maintenance. Pattern and color of sidewalk paving should be unified throughout the Lifestyle Center and should avoid strong contrasts with surrounding paving.

Sidewalks can generally include three distinct zones:

- Building Zone
- Pedestrian Zone
- Streetscaping Zone

**Building Zone**

The Building Zone is that part of the sidewalk closest to the edge of the ROW. This zone generally fronts a building façade. Depending on the type of use within these fronting buildings, the width of this zone can expand or contract. Appropriate uses for the Building Zone include space for window shopping, free-standing signs, exterior displays, outdoor dining or isolated landscaping.

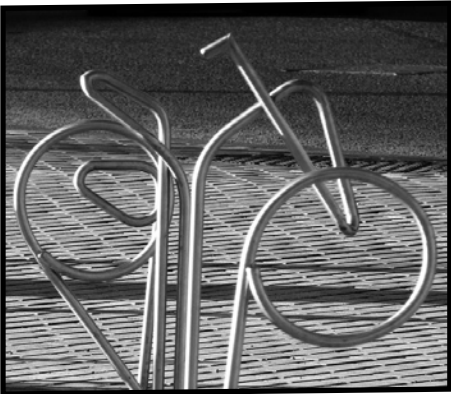
**Pedestrian Zone**

The Pedestrian Zone is that part of the sidewalk intended for uninterrupted pedestrian movement. The width of this zone should vary depending on the nature and amount of pedestrian activity to be accommodated on the sidewalk. The Pedestrian Zone along any street should be wide enough to easily accommodate the general daily maximum amount of pedestrian activity. In general, this zone should be at least 5 feet in width, and within areas with high levels of pedestrian activity this width can expand significantly. At no location should the Pedestrian Zone be less than 5 feet in width.

**Streetscaping Zone**

This is the zone of space immediately adjacent to the street curb. In general, it contains a wide range of streetscaping and furniture, including appropriately located street trees, streetlights, signposts, mail boxes, seating, planters, kiosks, news boxes, garbage pails, transit shelters, and so forth. The width of this zone should be determined in part, by the needs of the species of street trees planted along the sidewalk. Tree grates should never extend into the Pedestrian Zone, and the width of the tree grates will be determined by the type of tree planted within the Streetscape Zone. In general, the minimum width of a Streetscape Zone should be 5 feet. Away from the commercial activity centers, this entire zone will be treated as a Planting Strip and will not include any paving.

Bicycles



Sidewalks



**Crosswalks**

Sidewalks, walkways and pathways should include dedicated crosswalks at the intersection with all streets within commercial activity centers. Such crossings should be as wide as the approaching sidewalk or walkway and should include visual and tactile distinctions from the surrounding pavement.

Changes in color, markings, materials, texture and surface are all appropriate for such location. These changes should not interfere with meeting the requirements for handicapped accessibility. If the walkways on either side of a crossing are of different widths, the crosswalk should match the width of the wider walkway.

Within the commercial activity centers, crosswalk materials and patterns can become an important unifying feature. The detailing of a crosswalk should always contrast with the immediate pavement on either side of the walk. The detailing of a crosswalk should vary in accordance with the importance of the intersection within the overall commercial activity center. The most intricate patterns should be used at key intersections within the commercial

activity centers. Lesser patterns and/or materials can be used in other locations. At a minimum, a crosswalk should be distinguished from surrounding paving by the use of painted or thermoplastic striping. The following forms may be used:

- Painted lines on the street paving are the most inexpensive form of striping and are the most visible markings.
- Concrete paving can be used as a contrasting material in asphalt streets, but it must be augmented by painted or thermoplastic stop bars.
- Unit concrete pavers and brick pavers can be used sparingly for the most important intersection crossings. They are expensive to buy and to install and may require maintenance over the course of the material lifetime.
- Stamped concrete is acceptable for use in crosswalks, if constructed properly. Poorly constructed, stamped concrete walks are susceptible to cracking, chipping and overall deterioration.

**Street Furniture**

Street furnishings such as seating, newspaper racks, bollards, trash receptacles, bicycle racks and other elements are important to the functioning of an effective pedestrian environment. Such furnishings should be available throughout the commercial activity centers and included as part of a unified design.

Utility, comfort, safety and ease of maintenance are key considerations in the design and selection of street furnishings. Any furnishings placed within a commercial activity center should be of high quality, designed for significant outdoor use, and relatively easy to maintain.

In general, street furnishings should be located between the active roadway and the adjacent buildings or public spaces. In general, furnishings should be located closer to the street than to private structures. For streets with on-street parking, furnishings should be located no less than 30" from the curblines. On streets in which a travel lane is immediately adjacent to the sidewalk, furnishings should be located at least 42" from the curblines.



Street furnishings should never be located so as to interfere for pedestrian movement. At a minimum the outside edge of any furnishing should be located at least 12" from the outside edge of the implied pedestrian movement zone.

**Seating**

Seating surfaces should be between 16" and 18" high. Seating without a back should be a minimum of 16" in depth; seats with backs should be no less than 14" deep. Walls, ledges and steps to be used for seating should be between 12" and 20" high, and at least 16" wide. If a wall is designed for seating on both sides, the top of the walls should be at least 30" wide.

Seating, like all streetscape elements, should be durable, weather resistant, and comfortable. Sharp edges should be avoided at all costs. With the exception of movable chairs, seating should be permanently anchored and immovable. Seating should be located so as to afford occupants interesting views as well as a sense of psychological protection. Ideal views include active shop fronts, intersections, pedestrians or outdoor activities such as dining.

**Trash Receptacles**

Trash receptacles should be located for ease of pedestrian use and for relative ease of pickup by trash collectors. However, the locations should not be obtrusive and receptacles should never be located within the implied pedestrian zone of a sidewalk.

Receptacles should coordinate with the design of other street furnishings and be designed and sized to match anticipated use. Receptacles should be permanently attached and should include covered tops as well as sealed bottoms. Receptacles should include two pieces: The inner container for each collection of trash, and a low-maintenance outer container designed to coordinate with other street furnishings.

**Newspaper Racks**

All public streets and environments should be required to provide appropriate locations for newspaper racks. These racks should be easily accessible from primary pedestrian routes, without interfering with pedestrian mobility. Racks should be clustered into units that meet all of the

Crosswalks



Street Furnishings



demands for circulation and distribution within a single coordinated furnishing. The design and construction of such units should coordinate with the other elements of street furnishing within the commercial activity center.

Newsracks should be placed immediately adjacent to a building wall or between the walkway and adjacent street. In neither case should the racks come within less than 18" of the pedestrian zone of the walkway or sidewalk. Racks should be placed at least 30" from the curb. Racks should not obstruct the view of pedestrians or drivers.

**Mailboxes**

The location and placement of mailboxes is determined by the United States Postal Service. Locations should be coordinated with the USPS.

**Kiosks**

Kiosks make it easier to navigate the commercial activity center by providing visitors with street maps and highlighting destinations, tenants, and upcoming events. Kiosks may be located in the commercial activity center. They should be designed to provide a consistent style with the

rest of the commercial activity center. Information displayed on kiosks must be current and updated to reflect changes in tenants or vendors, as well as upcoming events. Information kiosks should be strategically placed near parking areas to maximize visibility and accessibility to passing foot traffic.

Lighting



**Lighting**

Exterior lighting should be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on adjacent properties. Site lighting should be architecturally compatible and consistent in design between sites.

**Fixture Design and Illumination Level**

Light standards should be designed as a family of compatible fixtures, which relate to the architectural character of the buildings in a commercial activity center area. Site lighting should be provided at the minimum level (per City Standards) to accommodate safe pedestrian and vehicle movements, without causing any off-site glare. All regulatory requirements for lighting must be met.

Poles and fixtures should be architecturally compatible with structures and lighting on adjacent properties. Illuminate all intersections and perimeter public roads with similar poles and fixtures. Select and locate all lighting fixtures to shield or confine light spread within a site's boundaries and to eliminate light directed towards the sky. To facilitate security, specify lighting levels that are adequate for visibility, but not overly bright. All building entrances should be well-lighted.

**Decorative Architectural Lighting**

Special lighting that accents building features and creates visual interest is strongly encouraged within the commercial activity centers, provided that design continuity is maintained among buildings.

Lighting fixtures mounted directly on structures may be allowed when utilized to enhance specific

architectural elements or to help establish scale or provide visual interest. Integrate illuminators or fixtures used to light building mounted signs, building facades or pedestrian arcades, into a building's architectural design. Consider highlighting entrances with art, terraces, and special landscape features.

**Parking Lot, Pedestrian, Landscape Lighting**

Parking lot lighting should be unobtrusive. Rather, it should provide safe light for orderly functions. The fixtures should be uniform in design and provide adequate lighting for all areas. Select metal halide lighting with a concealed light source of the "cut-off" variety to prevent glare and "light trespass" onto adjacent buildings and sites. Emphasize pedestrian ways through parking lots with lighting. Walkway lighting should be scaled to the pedestrian (10 feet-16 feet in height) and provide for safe passage particularly in areas which are dangerous, such as stairs, ramps, intersections, and underpasses.

The use of lighted bollards with incandescent or metal halide lamps or other low-level fixtures is encouraged to identify pedestrian walkways and drop-off areas at entrances to buildings. Emphasize pedestrian-to-vehicle intersections with low-level decorative streetlights. Landscape lighting should enhance and complement the landscape materials in the nighttime hours.

Conceal fixtures where possible (i.e., in trees, by landscape, behind rocks), control glare, and avoid extreme bright spots on the surrounding landscape.

### DESIGN ELEMENT: THE LOOK AND FEEL

#### Overview

In addition to density and mix of uses, this plan emphasizes the quality of the built environment. Therefore, recommendations for the location and design of building frontages and limits on building heights will play an integral role in the future evolution of the Ten Mile Interchange Area. The location, scale, form, height, and design quality of public and private buildings directly affect the Ten Mile Interchange Area’s success as a great place to live, work and raise a family.

This section offers recommendations in the form of building placement, orientation, and massing; types and design treatments for building frontages; as well as recommendations for the incorporation of art in public and private projects. These ideas are interrelated and mesh with recommendations included in other sections of the Ten Mile Specific Area Plan.

The design element is intended to serve as the basic framework on any given project within the Ten Mile Interchange Area and the basis for development of future design guidelines. As they are seen as the most important elements to “get right,” there is not flexibility allowed in the modification of design elements. The primary components that the design element addresses include: architecture and cultural heritage; building placement whereby build-to lines are identified; heights and step backs; the definition of a base, body and top; and frontage types. The secondary components are intended to further shape the physical evolution of the Ten Mile Interchange Area in a positive manner. However, more flexibility is feasible within the parameters of these design components. Specifically, these secondary design components pertain to design composition, building materials and details, fenestration (the size, style, number and placement of windows), and signage. Lastly, the incorporation of public art is strongly encouraged for both private and public projects.

Many of the basic rules of good urbanism, as expressed by traditional urban planners such as Raymond Unwin and Jane Jacobs, are evident within the Ten Mile Interchange Specific Area Plan. These include:



- the buildings are built to public rights-of-way
- building frontages, rather than surface parking lots and landscaped areas, “hold the corners” by framing sidewalks or public spaces
- distinctions are drawn between ground and upper stories
- entries are announced through changes in details, materials, and design compositions
- storefronts offer wide expanses of transparent glass
- doors to individual shops and restaurants open directly onto public space
- materials are durable and façades are simply detailed and well proportioned
- the facades of larger commercial buildings should be broken down into short frontages and “big boxes” should be rapped in smaller commercial, residential, and office uses
- signage and lighting is restrained and designed to complement the building’s design
- service entries and loading docks are located on secondary and tertiary streets and screened from public view.

The recommendations included in this section are designed to build on Meridian’s best architectural and urban qualities and to generate buildings and spaces that create an attractive, safe, and comfortable environment. Rather than promote particular architectural styles or expressions, this plan discusses elements that will likely have the greatest impact on the public realm—placement, form, scale, height, and design character.

#### Why So Much Attention to Design?

Building type and orientation are integral to transit-supportive development. To achieve the land use mixes and densities desirable for the activity center area, buildings must be designed accordingly, but with consideration for their suburban context. Within the activity center area, which is pedestrian-oriented, buildings should achieve a minimum transparency of 40 percent. Setbacks for core buildings should range from 1 foot to 10 feet, which allows for pedestrian and transit activity but contributes to the human-scale quality of the street. In residential areas adjacent to the core where higher densities are still desirable but single-family dwellings dominate, multi-family housing design should be modified to have compatible massing. These areas are also ideal for live-work buildings which retain a residential street character while diversifying land use.



**Architecture and Heritage**

The earliest settlers to inhabit Meridian, Idaho lived in the Five Mile Creek area. Meridian was established in 1893 and by 1903 was incorporated as a village with a population of around 200. Dairy businesses began to dominate the area, and farming played a large role in the development of Meridian. Early farming mostly consisted of large fruit orchards. Due to the boom in fruit orchards, large-scale apiaries were created because bees were necessary for the fruit industry. Eventually industries associated with timber and housing became important in the development of this region.

**Architecture**

Most of the significant architectural features of the area are related to farming and dairy activities and were built around 1900.

Some of the most interesting and significant buildings can be found at the Ross Farmstead on Ten Mile Road south of the interstate. Also known as "Sleepy Hollow Farm" this was a state-of-the-art facility and plays a very important role in the agricultural history of Ada County and Meridian.

The large unique barn has a complex ventilation system and the design may embody historic Dutch construction styles, which include three large decorative cupolas, distinctive fenestration and interesting rhythm of void and solid. The one room schoolhouse, while in bad conditions, is important to the history of the area.

While the preservation of these historic structures seems unlikely due to the limited reuse options, the buildings provide an array of features and architectural details that should be incorporated in the forms and shapes of the new Ten Mile Interchange Area.

**Canals**

The canals in the area are important to local and regional settlement and agricultural history. Some are over 100 years old. They present great opportunities to combine cultural and recreational experiences.

**Transit**

The Boise Valley Loop interurban railroad ran along Franklin between Meridian and Nampa. In 1912 the tracks of the Boise Valley Railway (extending from Boise to Nampa along Ustick Road and Franklin Road) were extended to connect with those of the Boise Interurban (extending from Boise to Caldwell along State Street). Although there were no stops/shelters located in the vicinity of Ten Mile, architectural features related to the system provide a palette of details to incorporate in the street furniture, particularly in the transit area and along Franklin Road.



**Street-Oriented Design**

One of the most critical factors in creating a successful urban environment is the relationship of development to the street. Building at or close to the property line creates a consistent edge to the public space and make streets more friendly and walkable. Building placement is a fundamental element in determining the physical character of a community.

Studies indicate that people in urban settings will not walk very far if there is not a relatively constant degree of activity or stimulation along the route. Within a location such as the lifestyle center and TOD, ground floor uses must be designed to create this degree of activity. Restaurants and other food-related uses should be encouraged to have outdoor dining. Shops and stores should be encouraged to open their doors and street front windows and use clear glass that allows easy visual access inwards and outwards.

When buildings face the street, they are more accessible to pedestrians and transit riders because there is a direct, well-defined connection. Orientation also contributes to a sense of place, which makes the core an attractive transportation destination. In the case of commercial and industrial developments, building orientation and setbacks should be close to the street. The main entrance of a building should be oriented to the street, which is more conducive to transit riders.



**Commercial and Mixed Use Buildings**

To provide for the definition of streets and public spaces, build-to lines should be established along which building façades should be placed. The build-to lines mark the limits of the public realm and support a sense of enclosure along main streets, secondary streets, and surrounding existing and proposed public spaces. For all new commercial and mixed use buildings, a continuous unbroken frontage along required build-to lines to a minimum height of 30' should be constructed for at least 75% of the property frontage. Adjustments in this requirement may be allowed, such as modest setbacks to accommodate additional sidewalk space for café seating, or breaks in frontage for the creation of pocket parks. To limit perceived street crossing distances, new buildings at street intersections should "hold the corners" and avoid introducing additional building setbacks unless a new public space is specified.

At least 40% of the linear dimension of the street level frontages shall be in windows or doorways. Street level windows shall be clear or tinted visually permeable glass. Mirrored or reflective glass of any kind is not permitted. Window sills shall be located no higher than 3'6" above adjacent exterior grade; headers shall be located no lower than 8'0" above adjacent exterior grade. No wall frontage shall continue uninterrupted by a window or a functional public access doorway for a linear distance of greater than 12 feet. The principal doorway for public entry into a building shall be from the fronting street. Corner entrances may be provided on corner lot buildings.



**Residential Buildings**

Useable porches should be a dominant element of these building types. Porches should be located along at least 30% of the front façade of the buildings (the façade facing the primary street). A higher percentage is recommended, as is the location of porches on one or more side façades as well. When possible, garages should be loaded from a rear alleyway. Where garages must be accessed from the front, the garages must be located no less than twenty feet behind the primary façade of the residential structure. If detached from the primary residence, the garage should be designed as a distinct secondary structure that is architecturally harmonious with the main structure. Front-loaded two car garages that are visible from the primary street must be designed with two separate garage doors. All garages with more than two bays must be designed and approached so that the doors are not visible from the primary street.





**BUILDING TO SCALE**

Although the world is large, we perceive it piece by piece. In street design, details count. Things look different close-up walking at 2 mph than they do from behind a windshield at 30 mph. Everything seen and experienced from the sidewalk—building fronts, signs lighting, open space—should be designed for human interaction at a pedestrian’s perspective.

Likewise, in the activity centers, the view of the street from the windshield should be designed for 20 mph or slower. Features typically found on higher speed highways— buildings and trees set back from the road, tall signs to attract motorists, generic surroundings stripped of detail—aren’t compatible with the intended character. Parking lots surrounding buildings and highly car oriented uses like gas stations or drive-ins distort the human scale of the street by making things too far apart. The pedestrian wants interesting things to look at close at hand, such as windows, display cases, sidewalk

cafés, and most of all, other people. Without human scale, the pedestrian will feel unwelcome and go elsewhere. The Ten Mile Specific Area Plan supports creating a scale and form that strengthens pedestrian connections.

Community acceptance of compact mixed use development requires that the design reflect the context of its surroundings or create its own distinct look and identity. The key elements to consider are the continuity of the building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize

pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space, and public parking. Human-scale design is critical to the success of built places for pedestrians.

Ordinances for the Ten Mile Interchange Area should be crafted to help support human-scale design by requiring building entrances placed close to the street, ground floor windows, articulated façades, appropriately scaled signs and lighting, and awnings and other weather protection.



**Gateways**

The proposed gateways and entryway corridors create the image of the Ten Mile area and the City of Meridian for citizens and visitors.

The gateways are front doors to the area and provide a unique identity and sense of place. At the interchange it will let travelers know they are going through a special place. At the first intersection north of the interchange, the gateway features should invite travelers and visitors to discover the core of the commercial center.

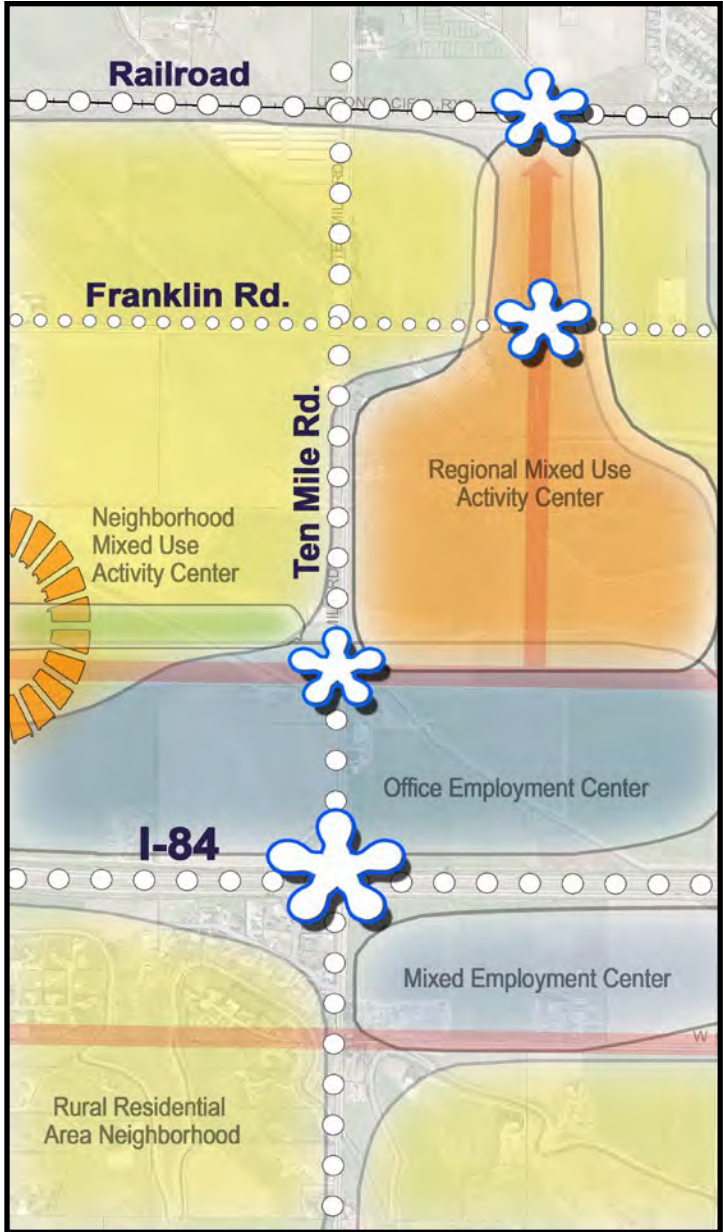
In addition to the features that may announce arrival at the Ten Mile Area, others will provide entryways to the Lifestyle Center, the transit station, and employment centers. Because of the prominence and importance of these streets, the Ten Mile Specific Area Plan includes the following basic recommendations for treatments along these corridors:

- Provide continuous walkways and an overall attractive streetscape image. Light fixtures, pavement and banners can be selected to give some uniformity along significant segments of these streets
- Provide for a continuity of street trees between the driving lanes and the walkway, except where special architectural or urban edge features warrant more clear exposure to the street
- Landscape the Ten Mile Corridor heavily so that the Ten Mile area is elegantly insulated
- Recognize the importance of view corridors, so that height, scale, and bulk of future buildings should be carefully considered
- Avoid parking garages fronting on these streets

and especially avoid parking garage uses at the ground level

- Avoid surface parking in the front of buildings on these streets. Screened parking could be allowed along Ten Mile
- Maintain attractive sign and information systems for vehicular and pedestrian traffic along these streets
- Front these gateways with parks and plazas where possible to integrate them with surrounding urban redevelopment

The overall concept is to provide a series of elements that become focal points and announce special places.





**Neighborhood Design**

The City of Meridian embraces the concept of Traditional Neighborhood Design (TND) and has standards for the development of traditional neighborhoods. In the Ten Mile Interchange Area, all residential neighborhoods should be developed in consideration of traditional neighborhood design principals and concepts and the standards established by the City of Meridian for the Traditional Neighborhood Residential District.

**Principles of TND**

Traditional neighborhoods exemplify a pattern of development that can be found in the older sections of cities throughout the country. These traditional areas, whether residential, commercial or mixed, display a strong neighborhood identity and are therefore being imitated in a new approach to site design. There are a number of basic, fundamental principles found in traditional neighborhood designs. These principles can be summarized with respect to mixed stock, architecture and design, streetscapes, and streets.

**Mixed Housing Stock**

Residential use is the basic building block of the TND neighborhood. TNDs should display a diversity of residential types, styles and densities. The diversity in housing type is important in order to provide a variety of choices to a wide range of households. It opens up the opportunity for residents to move to different types of housing within the same neighborhood depending on their stage of life. For example, empty nesters can move into townhouses or apartments and young couples can move into homes with yards for children. As household needs change, residents may be able to move to more suitable housing without leaving

their neighborhood. Opportunities also exist for live-work spaces and accessory dwelling units.

These options support a wider range of housing prices, thus increasing the supply of dwellings available to households with modest means. However, for small projects, the traditional neighborhood may be composed primarily of different styles of single family dwellings, with lots and streetscapes designed according to these traditional principles.

The diversity in housing type also commonly yields an increase in average housing density. The compact, walkable nature of a TND project is supported by the opportunity for its residents to have non-vehicular access to neighborhood services, facilities, and outdoor spaces. For larger TNDs, a "main street" or mixed use Neighborhood Center that provides supporting uses to neighborhood residents should be located within walking distance of the residential development.

Community buildings, parks and civic spaces are usually integrated into the neighborhood center to encourage common use and gathering places. A wide range of parks and open spaces helps to establish the identity and focus for individual neighborhoods. Parks create focal points and common areas, as well as providing spaces for recreation. Open space enhances the natural, original character of the community by preserving natural features and environment. In some cases, development or redevelopment allows for restoration of natural features, such as

drainageways, that have been adversely impacted in the past.

**Architecture and Design**

Buildings define the streetscape by creating a vibrant, more attractive street frontage. Build-to lines bring buildings close to the street in mixed use neighborhood centers. Front porches and garages accessed from an alley are usually the standard in residential areas. Parking for businesses and homes is primarily located behind buildings. Where parking for businesses is provided adjacent to the street, it is subordinate to the buildings and is screened by walls or plantings. Vehicular access to parking lots is through alleys or driveways to shared parking lots.

**Streetscape**

Streetscape design plays a key role in defining the community image. The TND streetscape relates to the street itself and consists of landscaped parkways with trees between curbs and sidewalks, the adjacent sidewalks, front yard spaces, and the building frontages. In addition to accommodating transportation needs, the streetscape provides a public space for street trees, street furniture and view corridors. There are many aspects of overall neighborhood design that also contribute to a traditional streetscape, including the design of buildings and parking, as well as the connected network of streets, alleys and sidewalks. These are all planned together to create a pleasant, as well as a safe and efficient, experience for residents, pedestrians, bicyclists, transit and motorized vehicles.

**Streets**

TND roadways and pedestrian ways are interconnected so that access for pedestrians, cyclists and automobile drivers is direct and convenient. This allows traffic to be dispersed through a variety of streets and ways, alleviating the need for multiple collector and arterial streets. Utilities are similarly interconnected with proper spacing and separation. Narrower streets designed with TND characteristics result in slower moving traffic and provide a safer, more pleasant pedestrian environment. On residential streets, equal attention should be paid to the people who live next to the street and the vehicles that travel them. TND roadways also encourage interaction among business people and residents.





**Building Form and Character**

**General Concepts**

The City of Meridian is attempting to create a sense of place and establish a distinct identity for the area and community. Architectural character should establish a clear sense of overall identity for each activity center and neighborhood.

While each building should maintain a degree of individuality, an overall palette should be developed for each commercial or employment activity center or neighborhood area. This palette should address and coordinate key elements such as materials (walls, roofs, key architectural elements), and colors, etc.

The transects through the Ten Mile Interchange Area summarize some of the important building form and character concepts by activity center and land use type.

**Building Placement**

Building placement describes the location of a building on its lot. Placement is determined by dimensional setback or build-to requirements measured from the lot boundary lines and/or sidewalks.



**Commercial Activity Centers**

Buildings within commercial activity centers should relate effectively to the fronting streets.

In general, the following building placement recommendations should apply within a commercial activity center:

- Within the block pattern of the commercial activity center, buildings should align to emphasize the primacy and the continuity of the primary streets. Buildings placed along primary streets should be as continuous as possible.
- The main façade of all buildings within a commercial activity center should be adjacent to the sidewalks that run parallel to the fronting streets. Secondary façades adjacent to streets, parking areas, or sidewalks, can be set back in order to allow for landscaping, but this setback should be no more than 8 feet.
- Each block of buildings along a primary street should include one passageway linking the primary street to the rear of the buildings. Passages connecting primary streets to rear-located parking or providing cross block access should be provided on a block-by-block basis. These should be designed and scaled to optimize pedestrian comfort and safety.
- Wherever the ROW design is sufficient to allow for sidewalks that effectively provide enough capacity for pedestrian use, the primary façade of the building should sit on the edge of the ROW (i.e., no setback).
- Buildings that front onto a secondary street should be built directly adjacent to the fronting sidewalk and ROW (0 feet) unless the operations of the building indicate a need to set the building back some distance from the ROW.



- At no point within a commercial activity center should surface parking be placed between a building and the fronting primary or secondary street.
- Blocks can be built as a single structure with individual entities within the building depicted architecturally. If individual buildings are built, party-wall construction should be emphasized.
- Buildings along secondary streets should endeavor to maintain the continuity of the street façades similar to those found along primary streets. However, individual buildings need not employ party-wall construction, but separation between side yard set backs should be minimized to that amount mandated by local regulations or building codes.
- Buildings along secondary streets should maintain a uniform setback from the sidewalk. The primary façade of a structure along a secondary street should be set along a mandated build-to line. Building elements such as stoops, porches, balconies, and bay windows, which project from the primary façade may infringe into this mandatory setback. The mandatory build-to line along a secondary street should not be set so far back as to diminish an effective relationship to the fronting street. In general, depending on the types of building elements to be applied to structures along a secondary street, this setback should be between 6 and 12 feet.
- When a building sits at the intersection of two primary streets, two secondary streets, or a primary and a secondary street, both façades should be treated as primary façades with the front-yard setbacks appropriate to the street frontage.



- Buildings along secondary and tertiary streets often form less continuous street frontages. Nonetheless, side-yard setbacks should be minimized to help ensure continuity along the block-face, and will generally be determined by the applicable building codes. Where side-yard setbacks are needed to accommodate functional requirements such as access roads, and passages, the spacing between adjacent structures should be sized to safely and effectively accommodate the required functions.



**Building Façades**

Buildings should be designed so that their primary façades relate to active public spaces and pedestrian areas. The primary façade of a structure is that frontage of the building that has been designed and detailed so as to represent the building’s most important elevation. The primary façade should always include an entry into the building. Entries should be located so as to provide direct access from adjacent public spaces, primary streets and activity areas. Access from sidewalks and pathways should be uninterrupted by vehicular traffic.

In situations where one façade of a structure faces a designated public space and another faces a parking area designed to serve that structure, both façades should be designed and detailed as primary façades, and both should have prominent, usable entries. In such situations, if the relationship between the internal use of a structure and its adjacent public space is primarily visual—e.g., there will be little call for people using a playing field to enter an adjacent office building—the fronting façade must be designed to provide significant visual access into and out of the building, but need not provide everyday physical access.

Buildings should be located so as to help frame adjacent public spaces and to provide an architectural backdrop for associated passive and active activities. The space between a building façade and the adjacent sidewalk or walkway should be appropriately landscaped with a combination of lawns, groundcover, shrubs and appropriate trees.

For buildings that will house restaurants or other establishments that will generate significant amounts of solid waste, service dumpsters should be provided within easy proximity of the designated establishment. All dumpsters should be located away from the primary façade of the building; ideally, such facilities will be placed within a rear façade. Regardless of location, all dumpsters should be contained within screened enclosures whose exterior walls should be a minimum of 6 feet in height.

**Building Heights**

The height and massing of buildings influence the quality of streets and public spaces. This plan recommends low-rise buildings of 2-4 stories over much of the area with opportunities for taller buildings in a few locations including the high density employment areas, Lifestyle Center, mixed use commercial, and high density residential.

For the purposes of the Ten Mile Specific Area Plan, measuring building height will generally be defined by the number of floors rather than the number of feet, with some exceptions. While specifying height limits by number of feet is a common feature of conventional plans, the approach tends to result in buildings with low ground floor ceiling heights, depressed first floors, and low interior ceiling heights. By defining limits by number of floors above grade, a greater flexibility in the choice of construction method; greater variation in floor-to-floor heights; and higher average ceiling heights can be achieved. The practice also provides more flexibility in achieving sustainability and green-building goals—generous floor-to-floor dimensions that allow for deeper penetration of daylight into interior spaces and the use of under-floor air ventilation systems.

Although buildings with the same number of floors may be slightly different heights, the Ten Miles Area’s distinctiveness can be advanced by allowing for a wider variety of interior spaces, greater levels of adaptability over time, and more variety of rooflines in the skyline.

**General Limit of 4 Stories**

The plan recommends limiting heights to 4 for much of the Ten Mile Interchange Area. This includes all areas except high density employment and the Lifestyle Center. In these areas up to 5 or even 6 stories may be allowed.

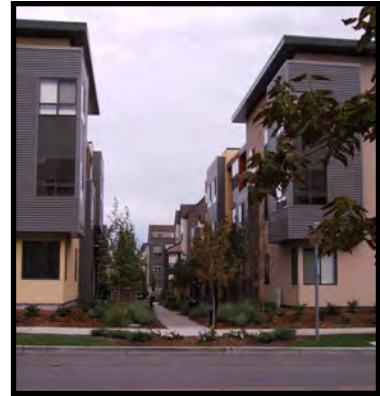
**First Floor Clear Ceiling Heights for Retail**

To promote the long-term adaptability of ground floor spaces on the most active frontages, the plan recommends that clear ceilings of heights of at least 15 to 18 feet to be maintained for retail uses abutting commercial streets. This recommendation is designed to ensure flexibility in use and adequate space for display and transom windows, sign bands, awnings and canopies, and other façade elements.

**High Density Employment Areas Along I-84**

Building heights of up to 6 stories are recommended for the employment areas along I-84. Permitting such heights is intended to minimize the total footprint of the employment uses while allowing sufficient densities to support the development of structured parking and to help frame the larger I-84 corridor. This provision also recognizes the importance hospitality uses can play in the future of the area.

Top  
Body  
Base



**Base, Body, and Top**

Buildings in the Ten Mile Interchange Area should be designed with clearly delineated bases, bodies and tops.

**Building Base**

Building bases clearly define the extent of the public realm, providing spatial enclosure, mediating differences in scale between adjacent buildings, and offering visual and physical connections to sidewalks and public spaces. After the ground floor frontage, the building base shapes the quality and character of public streets and spaces. Distinctions between building bases and bodies are expressed by variations in material, color, minor step backs above a transition line, fenestration patterns, and architectural moldings, balconies, or other modest projections at the line of transition between the base and body. Imitation or synthetic building materials, including EIFS, are strongly discouraged on building bases and should be avoided. Building bases should be defined on all sides of buildings, including service frontages.

The following design recommendations should be followed:

- For buildings between 1 and 2 stories, the base should encompass up to the first floor of the building.
- For buildings between 3 and 5 stories, the base should encompass up to the first 2 floors of the building.
- For buildings 6 stories or more, the base should be at least 2 floors high and may include the 3rd story.

**Building Body**

Building bodies are the main portions of the building and are distinguished from building bases and tops through variations in material, step backs above the transition line from the building base, changes in fenestration patterns, and balcony projections.

**Building Top**

Building tops include the area of the façade above the top floor (or including the top floor on taller buildings), the parapet wall, cornice lines for flat roof buildings, and eaves and roof structures for

buildings with pitched roofs. The design treatment of building tops defines the uppermost limits of the public realm, affects views from surrounding buildings, and determines the visual interest of the skyline.

Tops may be expressed by variations in material, fenestration patterns, and architectural moldings, balconies, or other modest projections at the line of transition between the body and the top. Building tops should be defined on all sides of buildings, including service frontages.

The following design recommendations should be followed:

- For buildings between 3 and 5 stories, the top is defined as the area above the top floor and include the parapet wall, cornice line, or eave of the building.
- For buildings greater than 6 stories, the top may include the façade of the top floor and area above the top floor including the parapet wall, cornice line, or eave of the building.

- Roof equipment, including mechanical penthouses, should be screened from view and should have a maximum height of 18 feet and preferably shorter utilizing newer technologies to reduce mechanical equipment space. Mechanical penthouses should never be taller than the first floor.

**Frontage**

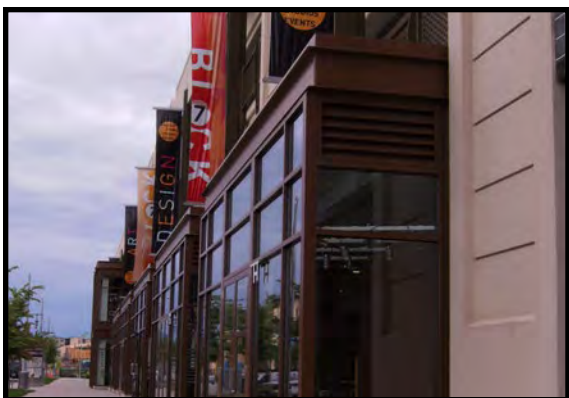
To further community goals for the creation of active, attractive streets and public spaces and support the service and access needs of individual projects, a hierarchy of frontage types are recommended. These types range from traditional main street conditions, with the highest levels of transparency and ground floor activity, to service streets, with parking access, loading docks and service entries.

For each frontage type, primary design components address the rhythm of building entries, level of transparency, relationship of building entries to sidewalk grade, minimum clear ceiling heights, and permitted projections beyond required build-to-lines.

Commercial



Live Work



**General Recommendations in Activity Centers**

**Commercial Retail Frontage**

For streets and block fronts where commercial uses and pedestrian activity are most desired, it is recommended that sidewalks be lined with shops, restaurants, and galleries and that buildings be designed with the following:

- multiple sidewalk entries matching sidewalk grade
- generously-scaled display and transom windows
- pedestrian-scaled signs and banners
- awnings or canopies for sun shading

These frontages generally occur in Mixed Use Commercial and Lifestyle Center Areas. For these frontages, blank walls (ground floor wall surfaces without fenestration) and curb-cuts to access parking, service, and loading areas should be generally prohibited.

The commercial retail frontage supports the creation of a comfortable, safe and interesting pedestrian environment. A minimum of 40% transparency

for storefronts 2 to 10 feet above sidewalk grade, and minimum clear ceiling heights of 15 to 18 feet. To ensure accessibility, the first floor entries should match the grade of adjacent sidewalks. Blade signs, awnings, canopies, outdoor displays, and shop fronts are all acceptable projections beyond the build-to-line. These projecting elements add variety and visual interests to the street while providing tenants opportunities to exhibit their individuality, advertise their location, and display goods, services, and special offerings to passersby.

**Live/Work Units and Frontage**

Live-work units are a form of integrated mixed use development that has become quite popular in recent years. Scaled to more or less match a traditional two-, three-, or four-story townhouse, such units have a publicly accessible commercial space on the ground floor, and a somewhat less accessible dwelling (or multiple dwellings) above it. In the simplest condition, such buildings are held in fee-simple ownership by a single owner who uses the ground floor for commercial purposes and lives upstairs. Quite often, the upstairs units can be accessed from both the front and the back, and

secured parking is often included at the rear of the units.

As this building type has evolved in recent years, a wide range of applications has emerged. Sometimes, the upstairs owner of a unit uses the downstairs commercial space as a private work space. Other times, the unit owner will lease the ground floor unit to a second party who uses it for a business. Occasionally, live-work projects have been built where the downstairs and upstairs units are sold separately. While the exact parameters for such a building type need still to be resolved, it seems clear that there is some market for this type of project in the Treasure Valley. Because the depth and width of such projects are extremely flexible, they are ideally suited to be used as "liners" attached to internal parking structures or larger buildings.

The Live/Work frontage requirements follow many of those provided for a commercial retail frontage with a few important exceptions. For Live/Work frontages, the limit between entries, the required clear ceiling heights, and first floor elevation requirements are the same as the commercial

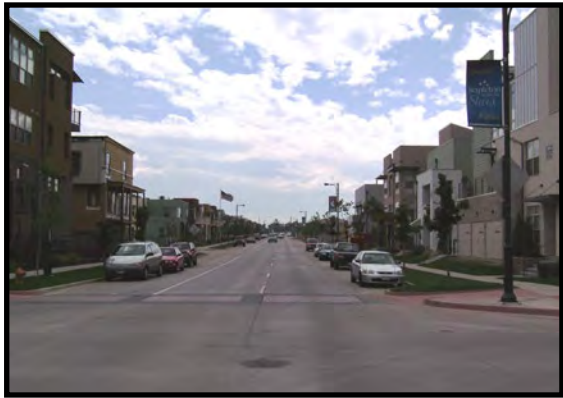
retail frontage; however slightly less transparency for storefronts is recommended. This change permits greater variation in storefront conditions to accommodate a wider range of ground floor uses.

**Urban Residential Frontage in Commercial Areas**

The first floor elevation of buildings on streets with residential ground floor uses should be elevated above sidewalk level such that windowsills are above pedestrian eye level to maintain privacy yet still permit the informal surveillance of public space. Raised stoops, exterior entries for individual units, landscaped setbacks behind sidewalks, and minimum levels of transparency are recommended. Providing privacy for residents and creating an active street are both highly important for any urban residential street, and both can be achieved simultaneously.

Stoops 18 to 48 inches above the sidewalk grade should be provided with a minimum 40% transparency in fenestration for residential façades, and bay windows and balconies differentiate individual units.

Residential



Specifically, the urban residential form should reflect the following guidelines:

- buildings with a minimal landscaped setbacks
- buildings oriented to streets with multiple building entrances on the ground floor
- buildings heights of 40 feet maximum
- architectural styles and materials that are compatible to surrounding neighborhood
- landscaped buffers between new development and single family development
- streetscapes improved to a minimum of 12 feet in width, including a 6 foot wide clear walkway
- parking located underground where possible, but if there is surface parking, it should be located in side or rear yards
- parking areas facing streets are strongly discouraged, including front-loaded garages
- to the extent possible, curb cuts should be minimized and additional driveways to parking and service should be shared to avoid conflicts with pedestrian circulation.

General Recommendations in Neighborhood Residential and Institutional Areas

**Stoop Frontage**

For street and block frontages along residential streets and areas with a moderate amount of pedestrian activity, it is recommended that ground floor elevations be 18 to 24 inches above sidewalk grade and that the individual units open directly onto adjacent rights-of-way.

**Porch and Fence Frontage**

The porch and fence frontage provides a building façade set back from the street to allow room for a private, fenced yard. A fence clearly signals the break between the public realm of the street and sidewalk to the private realm of the yard and porch. Porches along the front of the building allow residents the opportunity to interact and engage in activities in the public domain while maintaining a level of privacy.

**Roofs**

The Ten Mile Interchange Area includes a wide variety of individual buildings. It is assumed that there will be a mix of flat and pitched roofs.

**Flat Roofs**

Flat roofs are permissible on commercial, mixed use, or multi-family buildings. Flat roofs must be raked at the minimum slope necessary to shed water and must meet all other applicable construction requirements.

Buildings with flat roofs must include a parapet surround across the entire primary façade (front) as well as on both side façades. The top of this parapet should be no less than 18 inches higher than the highest point in the roof plane, and must be high enough to screen all roof-mounted mechanical equipment from view from any point on the adjacent street.

Roof parapets should be treated as unique topping elements on the façade of flat-roof buildings. Special attention should be paid to the use of articulations, signs, details, inlays, friezes (a horizontal element with designs or carvings along a wall or around a room) or other appropriate elements.

**Pitched Roofs**

Pitched roofs should be, where possible, symmetrical hips or gables, with a pitch between 4:12 and 12:12. All pitched roofs should have an overhang of at least 12 inches. The overhang can extend to a maximum of 2 and a half feet beyond the façade of the building. Roof brackets and rafter tail treatments are encouraged.

**Building Details**

Details are those specific elements of buildings intended to highlight or articulate key structural qualities or characteristics and are often mandated by code. Such elements can include color, materials, architectural elements, design details, types of construction, etc. This code element need not be used for all (or any) building types within the guidelines.

**Materials**

The primary façade materials for structures within a Mixed Use Residential, Mixed Use Commercial or Lifestyle Center area should be masonry, particularly at street level. Above street level, masonry-like building systems (DryVit, etc.) are acceptable to the extent that they are detailed to match the masonry detailing on the street level.

High quality materials such as terra cotta, natural stone, clay-fired units, or other approved masonry materials are encouraged for architectural details or accents. The strongest use of details and accents should be reserved for street level windows and entries.

**Screening of Mechanical Units and Service Areas**

All mechanical units should be screened from public view. These may include: air conditioners, electrical transformers, trash collection equipment including receptacles, compactors and off-street loading and unloading areas.

Roof-mounted mechanical equipment should not be visible from along any fronting streets. Where such equipment will be visible from adjacent buildings or rear parking areas, the equipment must be mounted to be unobtrusive and painted to match finish roof materials.

Trash collection areas, loading and service areas should be incorporated into the building envelope, or be screened from public view by a masonry wall. This wall must be at least 6 feet high or at least one foot higher than the container that it screens. All screen walls must be landscaped and built of durable materials similar in type and detailing to the buildings they serve.



**Street-Oriented Development in Activity Centers**

**Width to Height Relationships**

Within an activity center, buildings help define the three-dimensional qualities and spatial characteristics of the streets and civic spaces. The planning and design of buildings should relate to the planning and design of the fronting streets.

Many studies indicate that the optimal level of spatial comfort is found in situations where there is approximately a 1:1 ratio between the width of the street and the heights of the buildings on either side of the street. In the case of a street with a 60' ROW and no building setbacks, the structures on either side of the

street would have to be approximately 60' tall. This is an intensity of development that is difficult to achieve in most suburban settings. However, the width-to-height relationship can go as low as 2:1 or even 3:1 and still manage to create the desired spatial qualities. In the same 60' ROW, this means that fronting buildings could be as low as 30' or even 20' high and still manage to effectively enclose the space.

Ideally, the relationship between streets within a commercial activity center and the fronting structures will never slip below a 3:1 ratio. This implies that the tallest buildings within commercial activity center will fall along the widest streets.

This width-to-height relationship also affects the design of civic spaces within a commercial

activity center. An optimal public space creates an effective sense of enclosure through the buildings on the sides of the space. Again, the width to height ratio should not slip below 3:1. If a plaza or square is 120 feet in width, the fronting buildings should be approximately 40' in height.

**Street Level Uses**

Streets are the dominant civic spaces within a commercial activity center. Street level uses should be designed to lend to the overall character and quality of the pedestrian environment. Specialty shops, service and convenience retail, and restaurants should be the predominant street level uses within a commercial activity center. Buildings should be designed and programmed in order to

maximize these uses at the street level, with as much continuity between uses as possible.

Main entries into street level uses should be from the fronting street. Where a building sits at the intersection of two streets, entrances should address the dominant fronting street. Where multi-story buildings are used, entrances to upper-level uses should also occur on the primary fronting street. Such entrances should be clearly marked and easily accessible, but should not interrupt the flow of pedestrian-oriented street-level uses. Direct access to street-level uses should not occur from rear parking lots or structures.

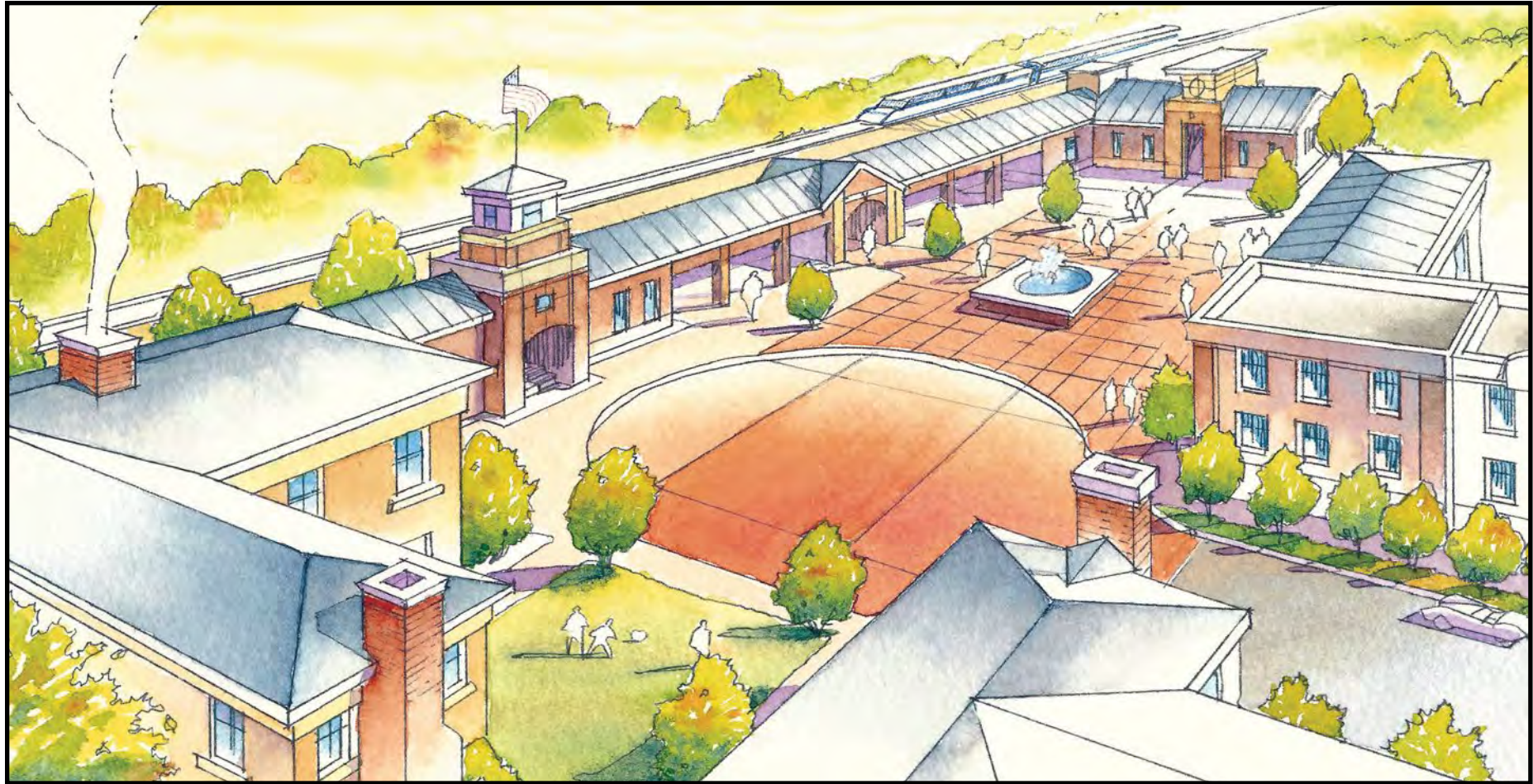
The sketch shows how streets and facades should relate within the commercial activity centers.

### Regional Retail

Where a single-use building is to occupy an entire block of a commercial activity center, this building must follow all of the applicable guidelines for the design and detailing of the primary façade of the building. Such a building is to be placed at the periphery of the commercial activity center, away from the dominant public spaces and civic center of the project. Public ROW shall front such structures on all four sides. ROW on the sides of the structure shall be detailed as secondary streets. If possible, liner buildings or similar structures are recommended along these side facades. A liner building is a building specifically designed to mask a parking structure or retail structure from view from an adjacent street frontage. Used as such, a liner building is generally less than 30 feet in depth and one- to four-stories in height. All loading and unloading and services shall be located on a designated tertiary street.

The sketch to the right shows how a "big box" should be integrated into the lifestyle center area. Using various liner buildings that house small retail, for rent housing and offices, the building facades help define the three-dimensional qualities and spatial characteristics of the streets and civic spaces within the commercial activity center. The streets within a commercial activity center create the effect of a three-dimensional outdoor room, where the ROW serves as the floor of the room and the buildings on either side of the street serve as the walls. The relationship between the width of the ROW and the heights of the fronting buildings is critical in helping effect this spatial quality.





**Transit Center**

The Ten Mile Interchange Area, which is planned to optimize transit and walkability, proposes a transit center as a core component. The proposed transit center depicted here is located along the rail line at the northeast corner of Ten Mile Road and Franklin Road. Adjacent to the transit center are commercial, employment, and higher density residential land use types.

While many might suggest that planning for transit at this time is too forward-thinking, not planning for transit will limit the opportunities and economic viability of the area. The preservation of this key location to accommodate future transit connections needs to be considered.

The following principles have been incorporated into the Ten Mile Specific Area Plan as a means

of promoting transit opportunities:

- The transit center area is well-connected to the surrounding neighborhoods and to the region. A continuous network of collector streets and pathways provide a choice of safe, convenient, and interesting routes within and without the center area.
- The transit center area's streets, parks, and squares (as shown in the diagram) become the community's outdoor living rooms. They should be designed as safe, convenient, and comfortable places in which to spend time. No major pedestrian route should be through a desolate parking lot or through a lifeless street. These outdoor rooms become the places where the chance meetings of people occur on a daily basis where citizens form community bonds.
- The transit center area has a mix of uses,

where people live, work, shop, and recreate, resulting in a safe twenty-four hour place.

- A choice of housing types enables people of different incomes and ages to live in the center area, supporting a healthy and diverse culture.

The Ten Mile Specific Area Plan supports choice between walking, biking and transit. The benefit is a measure of independence for those who cannot drive, especially the young and the old.

Peter Calthorpe, in his book, *The Next Metropolis*, wrote the following about the design and functionality of transit-oriented development:

"A transit-oriented development is a mixed use community within a 2000 foot walking distance of a transit stop and core commercial area. TODs offer an alternative to traditional

development patterns by providing housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access. TODs mix residential, retail, office, open space and public uses, in a walkable environment, making it convenient for residents and employees to travel by transit, bicycle, foot or car."

"The provision of local services for TOD residents as well as the surrounding neighborhoods, results in reduced vehicle miles traveled within the immediate area. This is because nearby neighbors no longer have to travel outside the area for some of their daily needs. The safety of the center area increases due to the number of visitors and residents providing eyes on the street on a twenty-four hour basis."



### Awnings

Awnings are the least expensive way of providing climate protection to pedestrians. In general, an awning is an ancillary lightweight structure of wood, metal or canvas that is cantilevered from a building façade to provide shade to the fenestration and spatial containment to pedestrians.

Within the Mixed Use Commercial areas and the Lifestyle Center area, awnings shall extend a minimum of 5 feet from the façade of the fronting structure; 8 feet is preferable in wider pedestrian environments. The bottom edge of an awning shall be no less than 8 feet above the sidewalk immediately below, and no more than 10 feet above. Commercial and office buildings located in other areas are encouraged to incorporate awnings.

The awnings should be architectural materials that complement the primary materials of the structure to which they are attached. Natural materials – canvas, wood, metal—are preferred. Vinyl is prohibited. Awnings shall not be internally illuminated. The dimensions of awnings should take into consideration street trees and street lighting.

Awnings are recommended as architectural elements within High Density Employment Area and in association with higher density and mixed use residential structures.



Signs

Signs should be designed to ensure that tenants, residents and visitors could quickly and easily find their way. All signs shall be designed to contribute to the overall character, identity and way finding system.

Signs and environmental graphics shall be conceived of as an integral part of the architectural design, not as an applied afterthought. The colors, materials, sizes, shapes and lighting of signs shall be compatible with the architecture of the buildings and the businesses they identify, and shall not be incompatible with surrounding buildings or development.

Lettering should be simple, legible and well-proportioned for clear communication. Sign shapes shall be simple geometric forms. Sign materials shall be durable and easy to maintain. Flags shall not be used as signs. Backlit or internally lit signs are discouraged. Each business within a commercial activity center that includes an entryway onto a primary street shall have one sign oriented towards vehicular traffic and one sign oriented towards pedestrian traffic. Businesses that sit on corners at primary street intersections shall have two of each type of sign. In employment areas, signs should be limited to monument signs with one at each entry. In some cases, wall or even roof-mounted signs will be permitted in an office or industrial setting where the sign is an integral part of the overall building design.



Public Art

The use of art in public places, both in civic locations and as part of private developments, contributes to city identity and character. Public art can enhance the landscape and provide focus within public spaces. It improves the visual environment for all residents, while strengthening community identity and boosting community pride. The City of Meridian values the livability and beauty that public art adds to shared spaces where people live, work, visit, and recreate. Public art should be meaningful and encourage the free flow of ideas and cultural ideologies.

In the Ten Mile Interchange Area, public art should be incorporated into the design of streetscapes, public buildings, parks, transit, infrastructure, and other public projects. This plan encourages that both public and private strive for high-quality design. Public art—along with architecture, landscape architecture, urban design, and historic preservation—is one of several important tools that can be used to accomplish this.

Developers are encouraged to collaborate with artists to generate creative design solutions in any development project. Artists could work as integral members of design teams or develop art projects that are integrated into either the architectural design or the design of plazas and public spaces associated with the building. Integrated art projects should be easily visible to the public, (e.g., on the exterior of buildings rather than in lobbies, or visible from the street or publicly accessible open spaces rather than interior courtyards).



**Parks and Open Space**

Increasingly, people are looking to live, work, shop and play in dense, diverse environments. At the same time, they also want visual or physical access to effective and appropriate open space. With urbanization and increased intensity of use comes the responsibility and opportunity to provide more open space, pathways and public gathering areas.

The open space and pathway network proposed for the Ten Mile Interchange Area are as important as the buildings and physical structures in defining the unique character of the area and in making it more livable. Public spaces within the area should work as a system to provide a wide variety of venues. These spaces, linked by pathways, range from small, intimate, "pocket" parks and outdoor dining areas, to larger plazas and squares, to linear parks and recreational areas that relate to area canals.

**Public Space in Activity Centers**

Commercial activity centers are mixed use environments intended to attract people from throughout the community. While streets remain the dominant public spaces, each center should also include a number of open civic spaces, both public and private, specifically designed to accommodate programmed and spontaneous activities.

The heart of a successful commercial activity center is often an open civic space, so the value of carefully locating and designing such a space cannot be underestimated. Such a civic space should be located adjacent to and accessible from at least one primary street. Care must be taken to ensure that the programming and use of the space is not disrupted by vehicular traffic. It is rarely workable to create a traffic island or circle and use the space within the island or circle as a functional civic space, as the flow of traffic impedes pedestrian access.

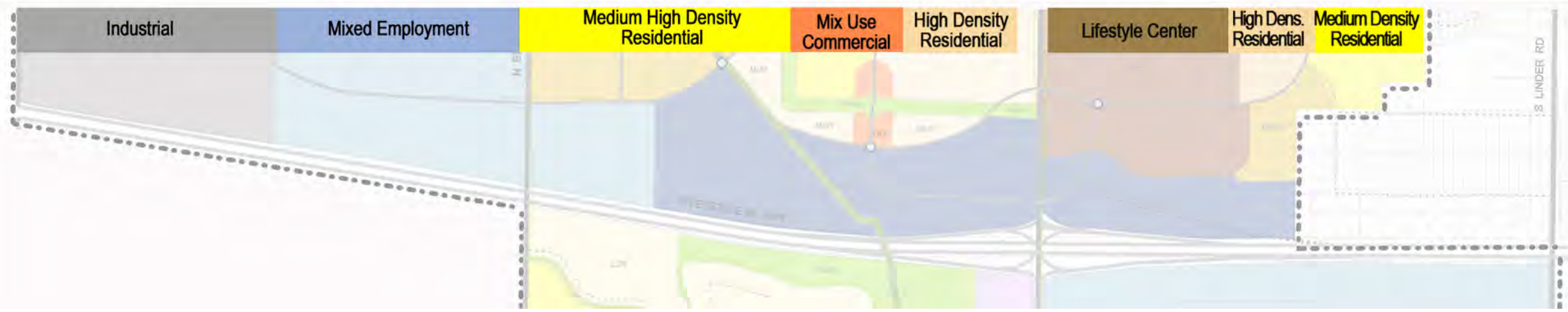
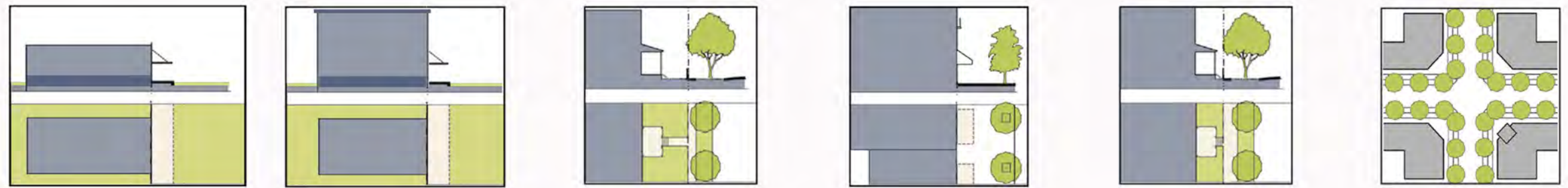


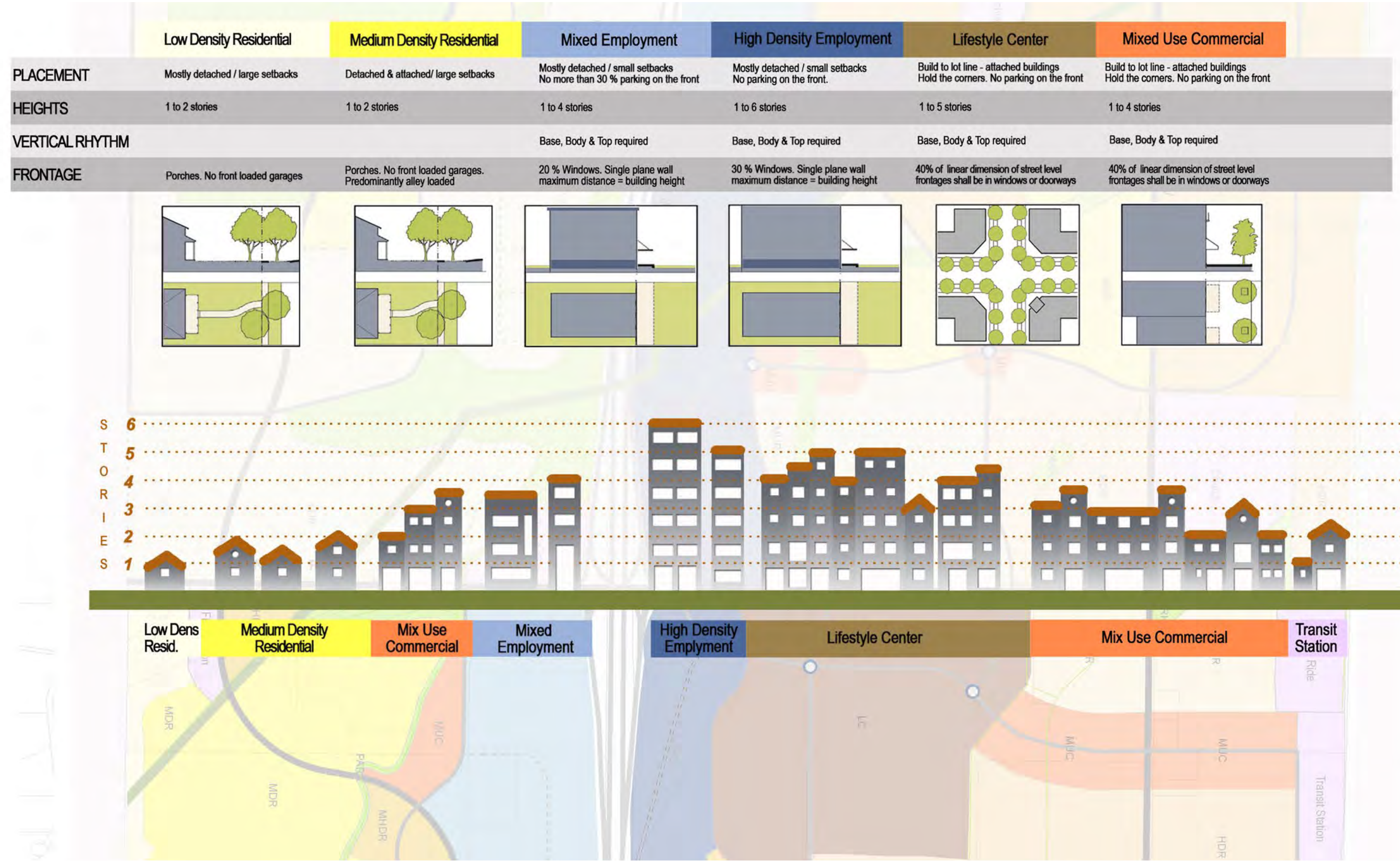
**Application of the Design Elements**

The matrix on this page and the figures that follow summarize the application of the design elements of the plan.

Page . Design Element	Residential				Mixed Use			Employment				Special Areas	
	LDR	MDR	MHDR	HDR	MUR	MUC	LC	LDE	HDE	ME	I	Parks	Civic
<b>3-32. Architecture and Heritage</b>	●	●	●	●	●	●	●	●	●	●	●	●	●
<b>3-33. Street oriented design</b>													
Commercial & mixed use bldgs.					●	●	●						
Residential Buildings	●	●	●	●	●								
<b>3-34. Buildings to Scale</b>			●	●	●	●	●	●					
<b>3-35. Gateways</b>													
<b>3-36 .Neighborhood Design</b>			●	●	●	●							
<b>3-37. Building Form &amp; Character</b>						●	●						
Commercial Activity Centers							●						
Building Facades	●	●	●	●	●	●	●	●	●	●	●	●	●
Building Heights	●	●	●	●	●	●	●	●	●	●	●	●	●
General Limint of 4 stories	●	●	●	●	●	●		●		●	●	●	
First Floor Ceiling Heights for Retail					●	●	●						
Up to 6 Stories							●		●				
Base, Body, and Top					●	●	●	●	●	●	●		
Frontage													
Commercial Retail Frontage					●	●	●						
Live /Work Unit Frontage			●	●	●	●	●						
Urban Resid. Frontage in Commercial Districts			●	●	●	●	●						
Neighborhood Residential & Institutional		●	●	●									●
Roofs													
Flat				●	●	●	●	●	●	●	●		●
Pitched	●	●	●	●	●	●	●	●	●	●	●	●	●
<b>3-41. Building Details</b>													
Materials					●	●	●						
Screening of Mechanical Units and Service Areas				●	●	●	●		●			●	●
Awnings						●	●		●				
Canopies						●	●						
<b>3-46. Signs</b>					●	●	●	●	●	●	●		
<b>3-47. Public Art</b>	●	●	●	●	●	●	●	●	●	●	●	●	●

	Industrial	Mixed Employment	Medium High Density Residential	Mixed Use Commercial	High Density Residential	Lifestyle Center
<b>PLACEMENT</b>	Mostly detached / large setbacks	Mostly detached / small setbacks No more than 30 % parking on the front	Mostly attached / moderate setbacks	No front setback - attached buildings Hold the corners. No parking on the front	Attached / moderate or no setbacks	No front setback - attached buildings Hold the corners. No parking on the front
<b>HEIGHTS</b>	1 to 2 stories	1 to 4 stories	1 to 3 stories	1 to 4 stories	1 to 4 stories	1 to 5 stories
<b>VERTICAL RHYTHM</b>	Base (3') & Body (Top desirable)	Base, Body & Top required		Base, Body & Top required		Base, Body & Top required
<b>FRONTAGE</b>	20 % Windows. Single plane wall maximum distance = building height	20 % Windows. Single plane wall maximum distance = building height	Porches. No front loaded garages. Predominantly alley loaded	40% of linear dimension of street level frontages shall be in windows or doorways	Porches / stoops. No front loaded garages. Parking under structure or behind building	40% of linear dimension of street level frontages shall be in windows or doorways





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## SECTION 4 -THE PUBLIC PLANNING PROCESS

### Mission, Objectives, and Measures

Through the various pre-charrette forums, a mission and series of objectives and measures for the plan evolved. To this end, the charrette team entered the charrette with the following mission, objectives and measures in mind.

**Mission: To prepare a sound and effective plan for the Ten Mile Area that would:**

- Further our goal of making Meridian the premier place to live, work and raise a family in the Treasure Valley
- Provide clear guidance and predictability for development
- Recognize and is responsive to market influences and conditions
- Help us maintain a sense of place and enhances Meridian’s character
- Support a stronger Meridian economy
- Be accepted by the City and interested stakeholders as a framework for the future development of the area and its surroundings

LAND USE, DESIGN AND THE ENVIRONMENT	TRANSPORTATION	FINANCIAL/ECONOMIC	REGULATORY
Promote quality	Sound access management program	Increase employment base	Clarity concerning design, land use and infrastructure expectations
Establish relationships between developments to create an integrated urban form and identifiable hierarchy	Plan for rail connections	Improve overall job/housing balance	Raises the bar on quality of development
Link land use patterns and design to transportation system performance	Preserve performance of interchange and arterial roadways	Encourage higher quality commercial development	Predictable development process
Create a sense of place--of being somewhere, not anywhere	Establish road cross-sections that enhance appearance and performance	Provide for family-wage jobs	<b>The Plan is a Success if it results in:</b>
Enhance streams and water features as recreation amenities	Accommodate transit in roadway design and the arrangement of land uses	Promote economically sustainable land use patterns and urban design elements	Faster approval process when meeting plan expectations
Integrate parks and recreation into the urban framework	Accommodate transit in roadway design and the arrangement of land uses	Provide for sound market performance	Fewer political conflicts and lessens concern about development by area residents
Promote sustainable design concepts	Promote development of a collector street system	<b>The Plan is a Success if it results in:</b>	
<b>The Plan is a Success if it results in:</b>	Provide pathway connections and links across interstate	Higher average wages	
Involving a strong urban design frame in both form and function	<b>The Plan is a Success if it results in:</b>	Higher tax revenue to support required government services	
Integrated land uses	Minimizing congestion	Meridian receiving increased regional retail and employment	
A comfortable and attractive human environment	An interconnected and integrated pathway system		
Protecting floodplains and stream channels	Adequately accommodating transit (bus and possible rail)		
Successfully transitions from surrounding uses			
The use of sustainable products and design elements			
Recognizing and providing for newer, highly marketable residential and commercial products			

## PUBLIC PLANNING PROCESS

### Overview

The purpose of the public involvement process is to gain understanding from the community of how they see the future of the Ten Mile Interchange Area and to achieve consensus on the resulting plan.

The goal of the outreach activities is to involve as many people in the process as possible by reaching out to local organizations and individuals, as well as people who might not have participated in public events in the past. A key element of the approach is to contact people throughout the process, and advance a variety of communication strategies to promote attendance at the charrette.

The integration of public participation and stakeholder involvement into the planning process allows key project issues to be identified and comprehensively examined. As illustrated by the planning process timeline for the Ten Mile Specific Area Plan, the public had opportunities to participate throughout the process. The plan's outreach and involvement efforts included interviews with area stakeholders, coordination meetings with area agencies, a public open house, a four-day charrette at which the Ten Mile Specific Area Plan is developed, and a post-charrette series of discussions with agencies and stakeholders to test, refine and finalize the plan. The core of the public involvement effort is the charrette.

More than 500 individuals participated in the scheduled public events, stakeholder interviews and agency discussions, including attendance at the more than 50 hours of open door studio time at the charrette.

### Listening and Learning

#### Kick-Off Meeting

A kick off meeting is held to begin the planning process. The meeting is attended by representatives of emergency service providers, the Parks Department, Public Works, City Council, the Mayor's Office, City Planning staff, transportation agencies, and various business groups and others.

Since background information about the Meridian Ten Mile Interchange Area was needed as a basis for the planning process, key stakeholders are identified and a stakeholders analysis was

conducted. Other potential data sources and coordination efforts are reviewed and discussed. A preliminary list of issues that would influence development of the plan is:

- Complementing, rather than competing with, existing retail on Eagle Road and in downtown Meridian
- Working with transit opportunities afforded by the addition of a freeway interchange as well as existing rail lines
- Striving to set a new standard for integrating transportation and land use
- Attracting a mix of employment
- Improving existing design standards, ensuring predictability and precision in land use and development regulations
- Considering the needs of the area for health care, entertainment, and specific needs for seniors
- Maintaining pedestrian mobility in the area through trails and pathways, rather than allowing the freeway to interrupt pedestrian connections
- Avoiding traffic problems of other area interchanges and not repeating the mistakes of Eagle Road

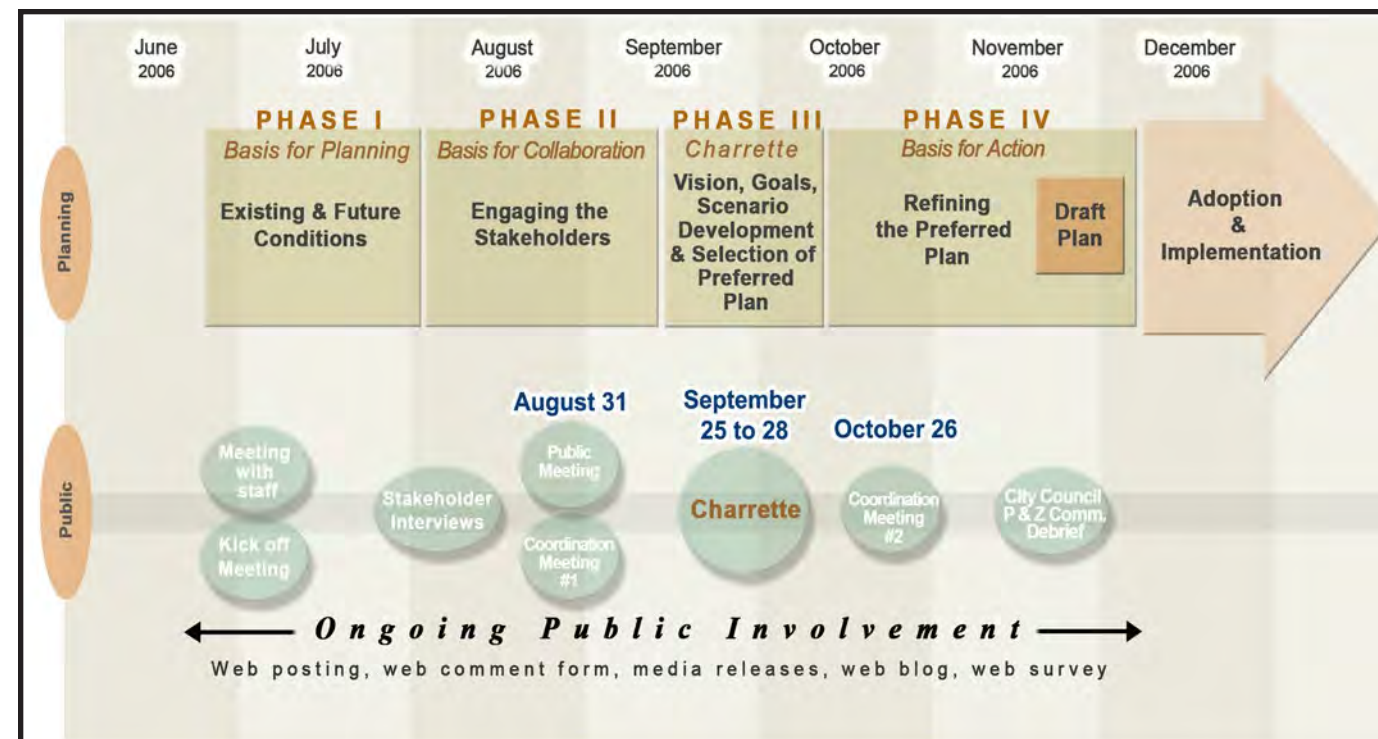
During this process the mission is established, and the objectives and measures that would drive the process and help the charrette team sift through and assess the various alternatives are identified.

#### Outreach

To ensure that the community was aware of the upcoming planning process for the Ten Mile Specific Area Plan, events were announced in several ways. The City of Meridian's website was updated with news about upcoming events; post cards were sent to area residents before the public open house; and notices were placed in utility bills. Press releases were sent before, during, and after charrette, which was covered in local television and print media.

#### Community Meeting

Members of the community were invited to participate in the planning process beginning with the public meeting on Thursday, August 31, 2006. The meeting was an open house held jointly with the Idaho Transportation Department's Ten Mile



Interchange Project, drawing over 300 people. The open house introduced the project to the public and began a rigorous brainstorming process that served as the basis for the charrette and fostered community participation. The purpose of the public meeting was specifically to give the public an opportunity to identify issues, concerns and ideas about land use, transportation, development and design in the Ten Mile Interchange Area, and to allow the public an opportunity to contribute to the development of project objectives and measures.

In advance of the open house, the consultant team prepared a background analysis to share with the public and use as the basis for public input. The background analysis included:

- Existing land uses and ownership patterns
- Environmental conditions
- Infrastructure and services – existing and planned future service areas and facilities
- Transportation facilities – existing and proposed transportation facilities and transit routes

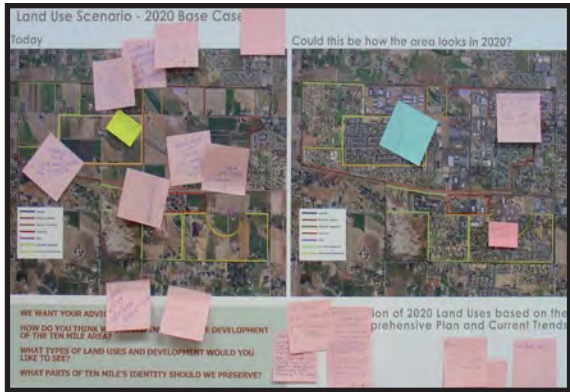
- Transportation system performance – Current and forecasted traffic patterns and trip generators, current and forecasted volumes and intersection levels of service
- Existing and ongoing plans and studies – Communities in Motion, Blue Print for Good Growth, City of Meridian Comprehensive Plan, I-84 Corridor Plan, and others
- Design guidelines – inventory of existing City codes, zoning criteria and design guidelines.

During the evening, more than 60 participants provided input concerning design of the Ten Mile Interchange Area via a Visual Preference Survey and many more provided comments concerning existing conditions and design options. The mission, objectives and measures were tested and it was determined that they were appropriate and represented the community's desires for the area.

Lessons learned:

- People in Meridian care. The look and feel of the place is important to them. Residents worry about how the road in front of their property is going to change, and have a good

Community Meeting



understanding of the significant role the area was going to play in the region and its contribution to Meridian's prosperity. People know the area will change and were ready to welcome that change as long as growth and traffic impacts were handled responsibly.

- Those living south of the interstate feel it was important that the Specific Area Plan allow for a smooth transition to the rural residential character found south of Lamont Rd.

**Agency Coordination**

On the same day as the first public open house, a coordination meeting was held with agency representatives. This meeting helped to establish ownership of the project, coordinate the effort with other ongoing projects, identify data gaps and identify resources that each agency could bring to the process and contribute to charrette. Attendees broke into three groups to discuss the Ten Mile Specific Area Plan: economic development, transportation and public facilities and services.

**Economic Development**

The economic development roundtable discussed the possibility of an employment center in the Ten Mile Interchange Area. The pressures for retail development have limited the opportunity to advance employment centers at the region's interchanges. With growth in the region, it appears that market forces will continue to advance retail uses at the future Ten Mile Interchange, but that the City can influence the development of the area and attract new employment while accommodating retail development.

The economic development group also discussed creating a lifestyle center in the Ten Mile Interchange Area as a way of achieving the retail objectives. A lifestyle center could provide a pedestrian-friendly "town center" feeling while providing "upscale" shopping, mixed uses and recreational amenities not provided in any other area of the Treasure Valley.

We learned that:

- New access to the south will open new markets in an area with little or no employment
- There was the potential for an employment center at Ten Mile
- An emphasis should be placed on attracting living wage jobs
- There was already retail pressure in the Ten Mile Interchange Area, and a managed response to this demand will be critical to the area's long term success and sustainability
- Unique industrial opportunities in the area, such as rail and the proposed extension of SH 16, will allow the City to attract clean industries
- There was enthusiasm for a lifestyle center as a destination place with genuinely integrated uses
- It was important to integrate, connect and generate synergy among these different components in order to create a regional destination that also serves local needs

**Transportation**

The group discussing transportation issues within the Ten Mile Interchange Area focused on roadway performance within the area and future transit connecting the area with the rest of the Treasure Valley (along the rail line bounding the study area on the north side). For rail to operate efficiently, it would have to integrate with the existing transit system, including Park 'n Ride services, as well as other transportation modes such as bus and vanpool. Possibilities for additional road connectivity in the area around the proposed interchange were explored. Rail transit was currently under discussion in the Treasure Valley.

We learned that:

- Any use of the rail line should be integrated with traditional transit. Park 'n Ride services should be integrated with other modes of transportation
- The city could facilitate a trans-loading facility within Industrial-zoned areas to promote industrial development along the rail line
- Overland Road should connect between Black Cat Road and McDermott Road
- Construct a coordinated collector system to preserve the level-of-service on arterials
- Railroad lines, I-84 and the future extension of State Highway 16 could all pose significant barriers to local connectivity. Roads can only cross the rail line at 1-mile intervals
- An additional challenge was in the financing of the non-transportation related amenities, like hardscape and landscape
- Access to Ten Mile Road will need to be controlled in order to regulate traffic flow

**Public Facilities and Services**

The third group covered public facility and service issues stemming from changes brought about by the Ten Mile Specific Area Plan. They considered how development would impact irrigation in the area. Amenities such as a branch library, an area park and walking paths were also discussed. Methods of ensuring continued rapid response from fire, police and emergency services were covered. Lastly, the group addressed the need for sewer and water line capacity in the area.

We learned that:

- Preserving irrigation in the area was important during and after development
- Along the canals, a multi-use pathway could be built on one side, but no landscaping of the canals and ditches themselves should be included since it can create impediments to the irrigation system
- There was interest in linking existing trails as well as creating city-wide pathways
- The plan should include room for a 25 acre community park
- Medians at gateway locations and the interchange should be landscaped
- A fire station was set to be built on Ten Mile in the next five years and development, especially high rises, will require new equipment
- The Fire Department and Police Department want emergency access to the freeway and the greater area considered in the plan
- A satellite library could serve the area after development

Agency Meetings



**Stakeholder Interviews**

Throughout August, interviews were held with key stakeholders, i.e. those members of the public with a specific interest in the outcome of the plan. The stakeholders were identified from property and business ownership, developers, community groups, and public officials. These interviews helped to build trust and allow stakeholders to express their thoughts freely, and helped to inform the charrette team of specific goals and interests in the development of property within the Ten Mile Interchange Area.

At the interviews, the details of the project were explained, along with the process, how input would be used, and how stakeholders could stay involved in the process as the plan developed. Interviews lasted roughly one hour and covered the stakeholders' concerns in the following areas:

- Land Use
- Design
- Regulation
- Transportation

Stakeholders provided the charrette team with an understanding of their specific goals for their properties based on their plans and existing comprehensive plan for the City. Many investments have been made with the goal of capitalizing on the proposed interchange. In most cases, developer objectives were focused on taking advantage of the interchange and arterial road system in the Ten Mile Interchange Area to support regional commercial retail development. Housing was considered a viable use by most developers and land owners in areas set back from major

arterial corridors. Office and industrial uses were identified by some as potential markets along the rail and interstate.

**The Issues**

Having met with the public, interviewed stakeholders, and spoken with agencies, it was determined that the following critical issues would be addressed at the charrette:

- Retail pressure to create more retail space at the interchange
- Landowner expectations of commercial development
- Accommodating the expansion of the regional transit network
- Turning movements and intersection spacing along Ten Mile Road
- Establishing connectivity in the study area with a system of collector roads

## The Charrette Design Process

### Definition and Benefits of the charrette Process

In the context of modern planning, a charrette was an intensive, multi-disciplinary planning process. It was designed to facilitate an open discussion between all of the stakeholders of a given planning area, including community groups, property owners, developers and neighbors. The charrette was a collaborative planning process that harnesses the talents and energies of all concerned parties in order to create and support a plan. charrettes were a great way to involve a broad spectrum of stakeholders and create a shared vision for an area's future.

The underlying philosophy of a charrette, according to Mayor Tammy de Weerd, was that "an informed citizenry knows what was best and through discussion and collaboration can develop the most appropriate and vibrant plan for the future—a plan that represents their values and ideals." With the Mayor's statement in mind, the Design charrette process for Ten Mile Interchange Area was based on the principle that "the best plan was made by many hands."

### The Evolution of the Plan: The Charrette Schedule

To develop a comprehensive and integrated plan for the Ten Mile Interchange Area, the City of Meridian hosted the design charrette from September 25th to 28th. "Our hope was that, through the charrette process, we can identify the very best future for the Ten Mile Interchange Area. We want to establish a development plan for the area that takes full advantage of the proposed interchange, while preserving the transportation system and creating a place people of Meridian were proud of—a place where people want to be," said Mayor Tammy de Weerd.

During the four days of charrette a team of architects, landscape architects, engineers, planners, economists, urban designers, and transportation planners and engineers worked day and night to develop alternatives that eventually merged into a preferred alternative. The design studio was open to the public between the hours of 8:00 AM and 9:00 PM.

In order to avoid rework and to make the best use of everyone's time, the charrette team conducted an opportunity and constraints analysis before starting design work, spent time studying the area, and developed a market analysis to inform the planning process. The charrette team used short feedback loops in order to ensure that the design stayed on track. Each design iteration was tested by a round of review by interested parties. During the charrette, the design advanced from a set of conceptual alternatives to a preferred alternative through a series of reviews. Feedback was collected during continuous ad hoc meetings with drop-ins, scheduled stakeholder meetings, in-studio daily pin-up reviews, and large public meetings in the evenings.

### Day 1: Visioning

#### Summary

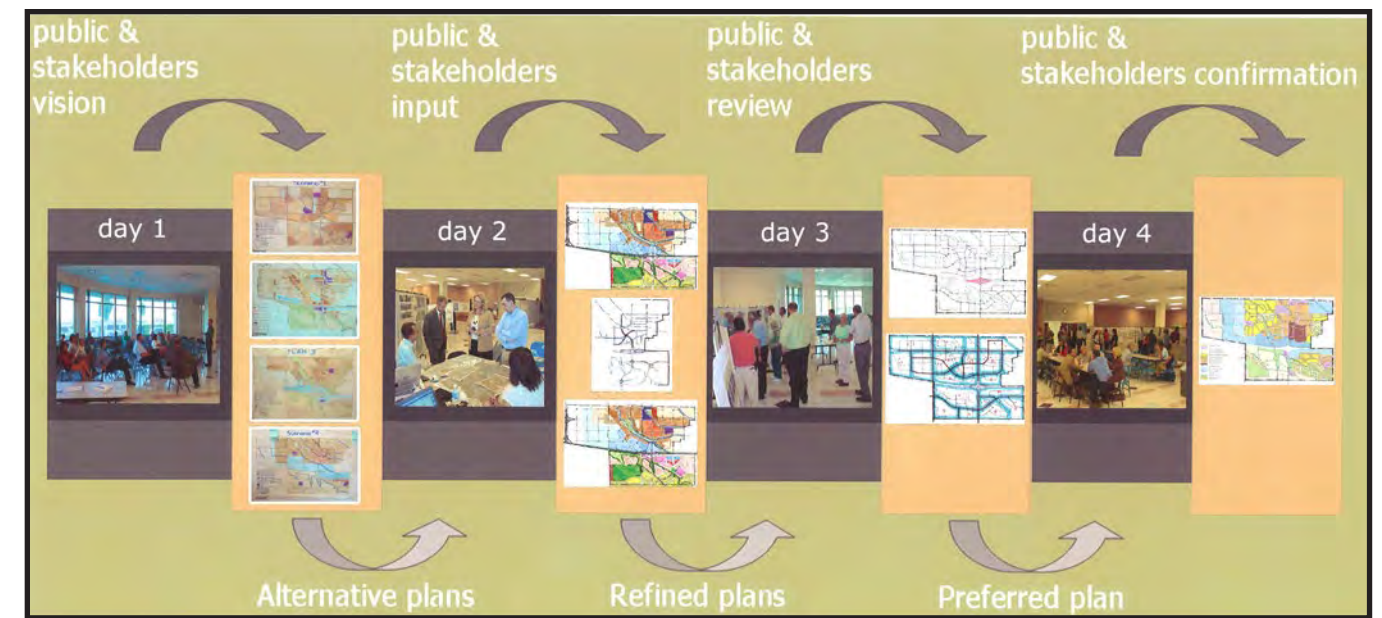
- Meetings: The team held meetings with the City and various stakeholders, including some that were not interviewed previously
- Site tour: The team took a tour to view the study area
- Public Work Session: The team conducted a public work session with input and vision brainstorming
- Public Meeting: The team conducted an opening night public meeting

#### The Day's Work

Several visions of the Ten Mile Interchange Area were developed by the charrette team based on the information they gathered by meeting with the public and state and local agencies. These visions represented a series of potential frameworks for the design and development of the area that would be tested during the public session in the evening. The frameworks integrated a variety of design, transportation, land use, and other development components as a means of obtaining input and ultimately, affirmation concerning a preferred vision or framework for development of the area.

#### The Public's Input

At the end of the first day, the charrette team asked for authorization from the public and stakeholders to proceed with development of a series of four alternative design concepts based on the preferred vision. Several detailed design



issues such as building massing and orientation, architectural elements, and land use mixes were tested to determine preferences as part of the visioning process.

This first evening meeting was an opportunity for the community to voice their thoughts and ideas about the future of the Ten Mile Interchange Area. The opening session was also when the multi-disciplinary charrette design team gave a presentation about the existing conditions in the area and important market influences, providing ideas for building strong and sustainable neighborhoods.

### Day 2: Design Concept Development

#### Summary

- Review of Community Input: The team reviewed all of the community input and summarized these concepts into main points
- Studio meetings: The team held meetings to discuss how to synthesize the opening night concepts
- Team's Evolving Concepts: The team spent the day creating concepts from the community input
- Open House and Pin-up Review: The day's work was presented in an evening "pin-up" or display of the drawings for public review

#### The Day's Work

Based on the input from the previous evening's session, the charrette team began development of the alternative design concepts, including the land use, urban design, transportation system, regulatory, and infrastructure components. The process included an analysis of infrastructure and transportation system elements.

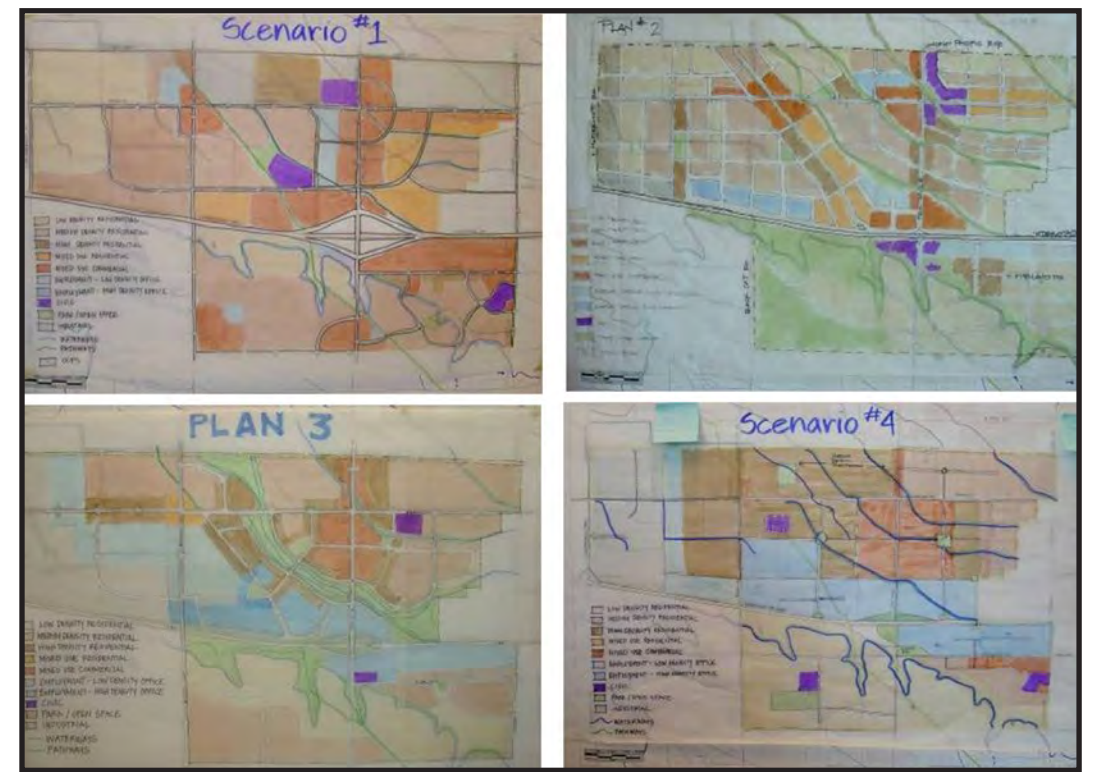
#### The Public's Input

A series of meetings was held with stakeholders, property owners, developers, economic development officials, council members, market experts, and agencies, including those representing the design of the proposed interchanges--ACHD, and ITD. All meetings were open to the public. The meetings offered an opportunity for everyone to gain a greater understanding of the various aspects of the area so that the designs could be well informed.

During the second day's hands-on work sessions, charrette participants were asked to help the design team draw what they envision in their area. These sketches (usually a combination of words and form) do not have to be detailed or sophisticated, as long as they were clear about the plan for the area. Participants were instructed to "argue with your pencil" as a way of exploring and resolving potential conflicts.

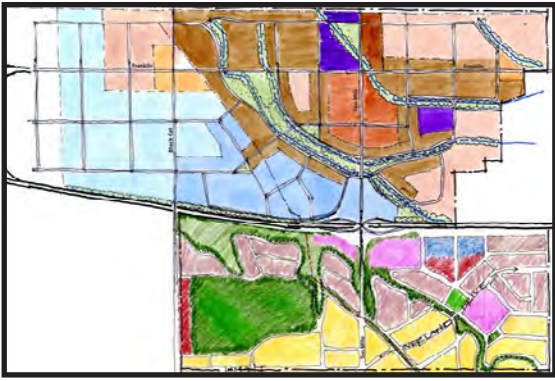
Day 1, Monday

Ten Mile Interchange Specific Area Plan		Charrette Schedule			
	25-Sep Monday	26-Sep Tuesday	27-Sep Wednesday	28-Sep Thursday	
8:00 AM	Set Up	Team Mtg.	Team Mtg.	Team Mtg.	
9:00 AM		Alternative Concepts Developed	Synthesis and Designs Developed	Production	
10:00 AM	Tour				
11:00 AM					
12:00 PM	Lunch	Lunch	Lunch	Lunch	
1:00 PM	Stakeholder Meetings	Alternative Concepts Developed and Stakeholder Meetings	Synthesis and Designs Developed and Stakeholder Meetings	Production	
2:00 PM					
3:00 PM					
4:00 PM	Meeting Prep.				
5:00 PM					
6:00 PM	Dinner	Open House	Dinner	Dinner	
7:00 PM	Public Meeting		Design Refinement and Production	Public Meeting	
8:00 PM					
9:00 PM	Alternative Concepts Developed	Synthesis and Designs Developed			
10:00 PM					
11:00 PM					
12:00 PM					



Day 2, Tuesday

Ten Mile Interchange Specific Area Plan		Charrette Schedule		
	25-Sep Monday	26-Sep Tuesday	27-Sep Wednesday	28-Sep Thursday
8:00 AM	Set Up	Team Mtg.	Team Mtg.	Team Mtg.
9:00 AM		Alternative Concepts Developed	Synthesis and Designs Developed	Production
10:00 AM	Tour			
11:00 AM				
12:00 PM	Lunch	Lunch	Lunch	Lunch
1:00 PM	Stakeholder Meetings	Alternative Concepts Developed and Stakeholder Meetings	Synthesis and Designs Developed and Stakeholder Meetings	Production
2:00 PM				
3:00 PM				
4:00 PM	Meeting Prep.			
5:00 PM				
6:00 PM	Dinner	Open House	Dinner	Dinner
7:00 PM	Public Meeting		Design Refinement and Production	Public Meeting
8:00 PM				
9:00 PM	Alternative Concepts Developed	Synthesis and Designs Developed		
10:00 PM				
11:00 PM				
12:00 PM				





Charrette Plans



The day closed with a public open house where people reviewed the ideas and helped to evolve the concepts. Affirmation was sought during the open house based on comments from the public. These comments allowed the charrette team to proceed with the evolution of a preferred design concept or bring together elements of several design concepts into a preferred plan for the Ten Mile Interchange Area.

Day 3: Development of Preferred Plan

Summary

- Meetings: The team held meetings with the City and stakeholders
- Review of Community Input: The team reviewed all of the community input and summarized these concepts into main points for integration into the plan
- Studio meetings: The team held meetings to discuss how to synthesize the input from the previous night's pin-up
- Team's Evolving Concepts: The team spent the day expanding and evolving concepts from the community input

The Day's Work

The open design studio took place over the third and fourth days of the charrette. During this phase, the charrette design team synthesized all of the visions from the work session into one cohesive and workable master plan.

The Public's Input

The design studio was open to the public and interested citizens were encouraged to drop-in at any time to monitor the progress of the plan.

Meetings were also held to discuss and resolve issues with property owners, developers and specific interest groups. During these meetings, issues and elements were tested with stakeholders throughout the day to ensure acceptance and support.

Day 4: Presentation of the Plan

Summary

- Team's Evolving Concepts: The team spent the day finalizing concepts for presentation and meeting with agencies
- Community Meeting, Open House and Pin-up Review: The team presented the concepts produced during Day 3 and 4 in an evening pin-up

The Day's Work

The design team revised the plans according to the information and input from the prior three days. They readied materials for the final presentation.

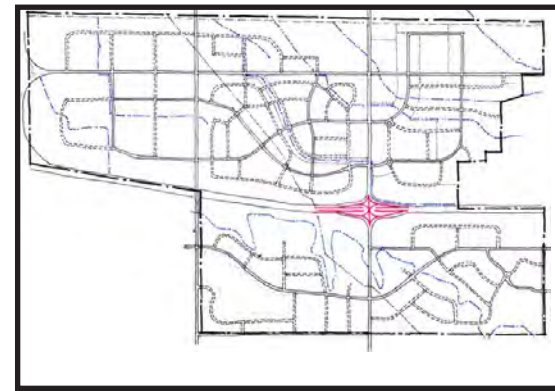
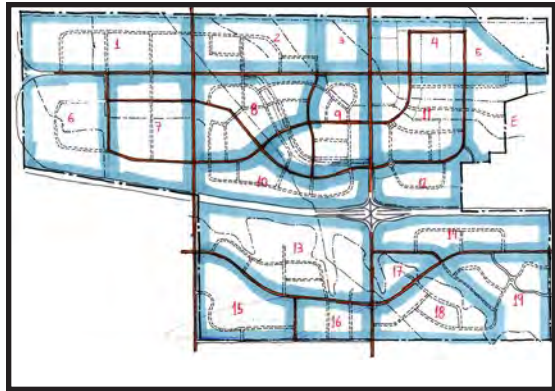
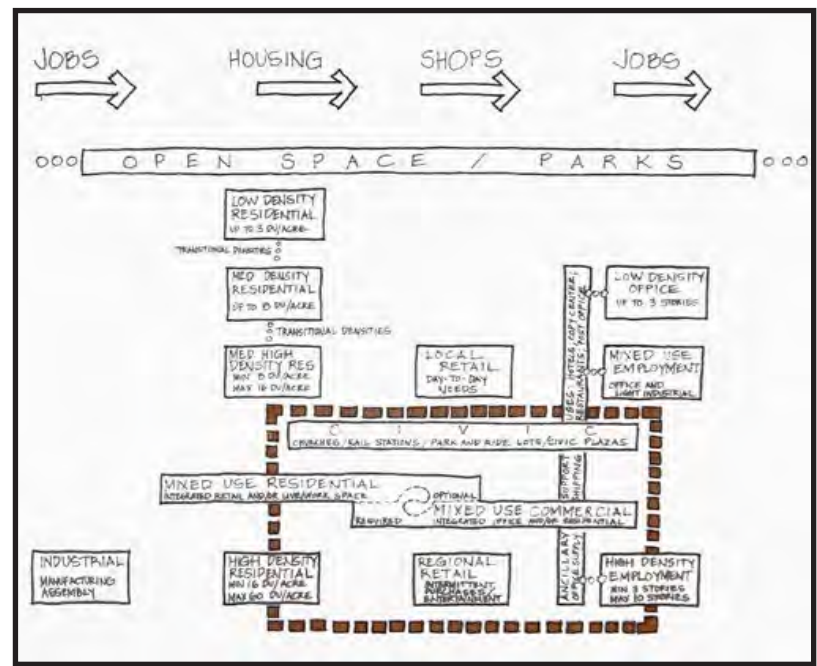
The Public's Input

After four days, including two formal public meetings, more than fifty informational meetings and discussions with stakeholders, elected officials, property owners and agencies, and 48 hours of open door studio work, the design team presented the preferred Specific Area Plan at an evening public meeting and open house attended by nearly 100 people. During this session, the design team asked the public: "Did we get it right?" The general response was positive.

Following the charrette, the project team incorporated suggestions that they received during the presentation into the final design plan and the technical drawings, which were produced in the weeks following the charrette.

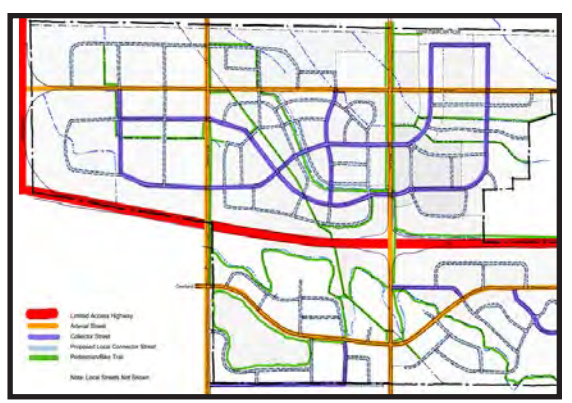
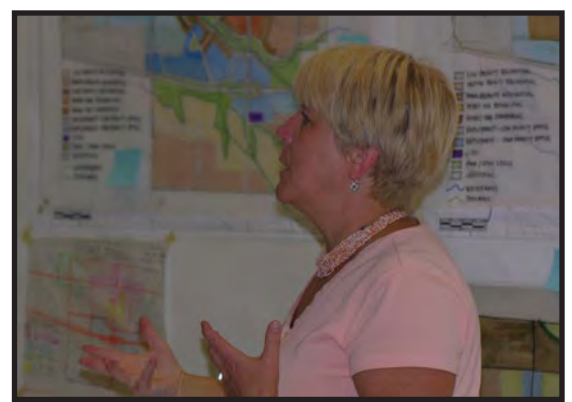
Day 3, Wednesday

Ten Mile Interchange Specific Area Plan		Charrette Schedule		
	25-Sep Monday	26-Sep Tuesday	27-Sep Wednesday	28-Sep Thursday
8:00 AM	Set Up	Team Mtg.	Team Mtg.	Team Mtg.
9:00 AM		Alternative Concepts Developed	Synthesis and Designs Developed	Production
10:00 AM	Tour			
11:00 AM				
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2:00 PM				
3:00 PM				
4:00 PM	Meeting Prep.			
5:00 PM				
6:00 PM	Dinner	Open House	Dinner	Dinner
7:00 PM	Public Meeting		Design Refinement and Production	Public Meeting
8:00 PM				
9:00 PM	Alternative Concepts Developed	Synthesis and Designs Developed		
10:00 PM				
11:00 PM				
12:00 PM				



Day 4, Thursday

Ten Mile Interchange Specific Area Plan		Charrette Schedule		
	25-Sep Monday	26-Sep Tuesday	27-Sep Wednesday	28-Sep Thursday
8:00 AM	Set Up	Team Mtg.	Team Mtg.	Team Mtg.
9:00 AM		Alternative Concepts Developed	Synthesis and Designs Developed	Production
10:00 AM	Tour			
11:00 AM				
12:00 PM	Lunch	Lunch	Lunch	Lunch
1:00 PM	Stakeholder Meetings	Alternative Concepts Developed and Stakeholder Meetings	Synthesis and Designs Developed and Stakeholder Meetings	Production
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4:00 PM	Meeting Prep.			
5:00 PM				
6:00 PM	Dinner	Open House	Dinner	Dinner
7:00 PM	Public Meeting		Design Refinement and Production	Public Meeting
8:00 PM				
9:00 PM	Alternative Concepts Developed	Synthesis and Designs Developed		
10:00 PM				
11:00 PM				
12:00 PM				



Charrette Meetings



**Post-charrette Refinement**

**Refinement and Verification**

The consultant team spent the next eight weeks reviewing, refining and testing the preferred plan. Further input was gathered from citizens, stakeholders, agencies, elected and appointed officials, and developers.

**Agency Coordination**

A second agency coordination meeting was held to review and help refine the plan concepts that came out of charrette. Participants in this second meeting discussed the possibilities for using the rail line and the economic ramifications of transit in the area, following up on ideas developed during the charrette.

The groups discussed the following issues:

**Economic**

- Competition among interests and needs for the rail line
- Transition of rail line from industrial to mixed uses
- Potential for industrial uses adjacent to rail
- Physical limitations for industrial spur

**Emergency Services**

- Rail crossing impedes secondary response
- Fire apparatus needs cross-over opportunities along Ten Mile Road in the mile between the collector roads
- Need for specialized signal at the fire station
- Overland Road and Black Cat Road should provide alternative access capacity for emergency on I-84

- Pedestrians and bicyclists need safe access across Ten Mile Road
- Fire station locations with relocated Overland Road were consistent with master plan and can provide service to the area, including 6-story buildings
- Impact fees will fund emergency service needs

**Public Policy**

- There were some points of access that have been granted on Franklin Road that were inconsistent with the plan—take the opportunity to consolidate access
- ITD controls access on Ten Mile Road to first intersection
- ACHD corridor study on Franklin Road and Overland Road to limit access
- Elementary school location along arterials and adjacent to multi-family housing

**Transportation**

- Revise northern access on Ten Mile Road to right-in and right-out access only—rerun the traffic model.
- Balance signals on Ten Mile Road with volumes on Franklin Road
- Look at options for triple-load turning lanes at intersection
- Balance of city economic objectives with transportation capacity
- Traffic conflicts with employment center and access to interstate
- Impacts of highway to expressway in changing volumes on Ten Mile and phasing of the construction of the expressway—need for near-term analysis and with and without SH 16

**expressway**

- Review of traffic volumes in detail with ACHD and ITD

**Overland Road Relocation**

- No ITD funding for relocation of Overland Road
- Relocation was not in CIP, and no impact fees nor funding were available from ACHD
- Need to examine alignment options west of Ten Mile to determine intersection and alignment location to the east
- Consult with ITD how to handle Overland Road/Ten Mile Road intersection
- Determine what to do with road west of existing Overland Road
- How to build Ten Mile Road from old to new—ITD environmental analysis scope was only to Ridenbaugh Canal (north to just south of Franklin Road)
- ACHD assumed Overland Road widening and costs; developers willing to fund realignment

**Other**

- Park and Ride location and design—should remain flexible
- Given forecasted volumes, collector roads will require control—roundabouts in lieu of traffic signals
- Street alignments in relationship to property lines
- Reconsider slip lanes and roundabout integration
- Looking at long-term economics vs. current short falls
- Set some national examples that can attract some additional grant money

**Transportation Coordination**

ITD, the City of Meridian and engineers from the interchange design team met on November 7, 2006, to discuss the transportation aspects of the Ten Mile Specific Area Plan. The meeting was used to follow up on issues raised at the charrette, including:

- Agreeing upon a proposed concept for intersections and underpasses on Ten Mile Road from the Interchange to Franklin Road
- Exploring options such as Public/Private Partnerships or an LID (Local Improvement District) for building the collector road system established by the Specific Area Plan.
- Establishing access control along Ten Mile Road
- Considering the realignment of Overland Road to the south
- Building collector road access before the interchange becomes functional, so that there was connectivity once access to Ten Mile Road and other roads was restricted, and to ensure follow-through on the transportation portion of the plan

**Stakeholder Testing**

The Meridian Planning and Zoning Commission and City Council were jointly briefed on the Ten Mile Specific Area Plan by City of Meridian planning staff on November 8, 2006. Several discussions and meetings were also held with developers and property owners in the area to test the plan and resolve any remaining land use and transportation issues. These meetings yielded information concerning land use goals and concepts concerning mixed use land uses and residential land use categories. They helped to resolve some minor remaining design issues. These meetings also led to refinement of collector and local roadway

alignments and implementation ideas that will help ensure continued coordination and strengthening of the public/private partnerships that will be necessary to ensure effective implementation. More specifically, the meetings resolved concerns regarding the alignment of Overland Road in the southeast sector of the planning area and coordination and integration of land uses in those areas, resolved concerns regarding the integration of land uses along Ten Mile Road that resulted in minor adjustments to land use descriptions, and resolved issues concerning the use of lands along the rail in advance of efforts to implement transit.

**Adoption**

The Ten Mile Specific Area Plan were submitted as a map and text amendment to the City of Meridian Comprehensive Plan on December 15, 2006. Hearings were scheduled in accordance with City of Meridian and State code. The plan was to be proposed for adoption as an amendment to the City of Meridian Comprehensive Plan in 2007.

**Next Steps**

- Application for Comprehensive Plan Amendment
- Hearing in front of the Meridian Board of Planning and Zoning
- Meridian City Council Hearing
- Adoption
- Implementation

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## SECTION 5 - PHYSICAL AND MARKET CONTEXT

**PHYSICAL AND MARKET CONTEXT**

Early in the 20th century, Meridian was a small city. Its neighbors some distance away were small farming communities. Meridian today is no longer a small, compact community insulated from its neighbors and the larger world. As Meridian and the Treasure Valley have grown, the City has become a new center of a much larger region. Many of the issues are the same: where to grow and how much, affordable housing, transportation for workers, how to enhance and maintain the City's essential character. Yet the environment in which the City functions today is considerably more complex, and the number and scale of the entities that affect the future of the City more numerous.

The Ten Mile Interchange Specific Area Plan establishes an urban development strategy to guide the future growth and development of a key area of the City over the next two or three decades. The Plan assesses existing conditions and trends, and provides recommendations for the use and development of land, the extension and improvement of transportation services and infrastructure, the development of community facilities, the expansion of the City's economic base, and the provision of housing.

The Plan has a long-range perspective, and is a policy document that provides a coordinated approach to making many decisions regarding land use and the location of development, the extension of urban services and the placement of community facilities. As such, the Ten Mile Interchange Specific Area Plan is one of the primary tools used by the Planning and Zoning Commission, the City Council, and the City administration in making decisions that affect the future of the area.

This section describes the current area, existing transportation and infrastructure, important resources and influences, as well as market conditions, and their relationship to the plan.



**The Place Today**

**An Overview of the Place**

The Ten Mile Interchange Area lies south of the Union Pacific Rail line east of Linder Road, west of McDermott Road and north of Victory Road, and is centered about the I-84 corridor. This area is primarily used as farm land; rural homes dot the landscape. South of I-84, there are rural residential subdivisions surrounding a 100 foot bluff. At the north end of the study area, suburban residential development has encroached up to the edge of the rail line. One large gravel pit exists at the southwest corner of the study area. The Ten Mile Interchange Area represents the extent of Meridian's Area of Impact along the I-84 corridor.

**Transportation**

The Ten Mile Interchange Area transportation system is composed of five major rural roadways. No collector system exists, although a few local roads serve small rural subdivisions in the area. The major roads form a fairly complete one mile grid. A rail line runs east-west through the Ten Mile Interchange Area, over which there are crossings at McDermott Road, Black Cat Road and Ten Mile Road. There are currently overpasses on I-84 at Black Cat Road and Ten Mile Road, connecting north and south Meridian near the county line. There are no signalized intersections in the area. Traffic volumes are growing but still generally under 10,000 trips per day on every segment. Performance of nearby interchanges is deteriorating due to high volumes, progression along the arterial roads serving the interchanges, the lack of a complete collector system, and limited access control. I-84 serves as the only east-west access-restricted facility in the region and connects the entire valley, including all



retail and employment destinations. The local road system is owned, operated and maintained by ACHD, the state roads are owned and maintained by ITD, while streetscape and other street amenities are generally the responsibility of the City.

**Transit**

Valley Regional Transit (VRT) is the regional public transportation authority for Ada and Canyon Counties. Its main responsibilities are to coordinate public transportation services in the two-county region and develop a regional public transportation system. VRT owns and operates the public bus system in Boise/Garden City and contracts for transit services for Nampa/Caldwell and between Ada and Canyon counties. These services are operated under the name ValleyRide.

ACHD operates the Commuteride program which promotes carpooling, vanpooling and other alternatives to single-occupant car commutes. They also operate a series of Park -and-Ride lots in the Treasure Valley. Some of these lots are planned, at least for the near future, within the Ten Mile Interchange Area.

VRT has undertaken and completed a Rail Corridor Evaluation between Boise and Caldwell. The evaluation includes cost estimates and other variables to pursue rail service. The rail corridor acts as the northern boundary of the study area. The area is not currently served by fixed-route transit services.

**Services**

The City provides fire and police service within the City limits. As the population around Meridian grows, a fire station will be needed south of I-84 to serve development within the Ten Mile Interchange



Area. The City has an impact fee program in place for funding fire equipment.

The Meridian Joint School District #2 is the largest and fastest growing school district in the State of Idaho. The school district has identified the need for one school site north of I-84 and one south of I-84 in the study area.

The Nampa and Meridian Irrigation District (NMID) owns and operates a variety of canals, ditches, and drains that crisscross the Ten Mile Interchange Area. NMID is a water storage, conveyance and distribution system founded in 1904 that supplies irrigation water to some 64,000 acres of farms, lawns and gardens in Canyon and Ada Counties. These water features are often relocated as development occurs and at times can be shared in developed area as greenway and trail amenities. The district has adopted a series of policies and standards for the use of their easements and rights-of-way.

**Infrastructure**

The City is in the process of extending central water and wastewater services to the Ten Mile Interchange Area. The water system was planned with commercial and residential development in mind. As of the fall of 2006, water mainlines are in place and ready to provide service. An extensive lateral collection and distribution system will be required to serve the area which will be designed and placed in coordination with development.



### The Potential

#### Market Analysis

A market analysis was conducted to inform the land use and design components of the plan. A market analysis provides an understanding of the immediate pressures and overall market at a point in time. A market analysis is useful in developing or redeveloping a property in the near term, but is less important to a community's long-range plan-unless the market study suggests a variety of short-term pressures that could disrupt potential long-term objectives.

Such was the case in the Ten Mile Interchange Area, where a market study determined that, given current conditions, most of the land would likely be absorbed by suburban low density housing and strip and big box commercial development over the next fifteen years. The Ten Mile Interchange Area Plan works, in many ways, against this trend, as it sets a path for development beyond the status quo.

#### Area Demographics

##### MSA - Population & Households

COMPASS, the Community Planning Association of Southwest Idaho, estimates that the population of the Boise-Nampa MSA was 593,418 in 2006, having grown by 227,920, or roughly 81%, since 1986. Since 1998, Canyon County's annual population growth rate has outpaced that of Ada County each year; however, 2003 marked the only year since 1986 where new Canyon County residents (6,388) outnumbered new Ada County residents (5,605).

New households moving into Ada County have declined markedly in size, from a common average of roughly 2.79 people per household before 2002 to an average of 1.42 since 2002. While the average size of new Canyon County households is still higher, it has also declined by one person per household since 2000.

##### Meridian - Population & Households

According to the US Census Bureau, population within the jurisdiction of Meridian has grown by 42,644 persons since 1990, or roughly 444%, to an estimated 52,240 residents in 2005. Meridian's population in 1990 was 9,596.

In 2005, the City of Meridian accounted for 9.6% of the total Boise-Nampa MSA population of 544,201.



The City's share of MSA population has steadily increased since 1990, when Meridian accounted for only 3.2% of the total. City population growth has averaged 2,843 new persons annually since 1990, or an average of 10.5% annual growth. Since 2000, the City has added an average of 3,182 persons annually, or 7.5% annual growth.

Meridian marked its highest annual population gain in 2005, with an estimated increase of 6,619 persons (or 14.5 %) according to State of Idaho data. Although annexations do account for some population growth, historically low population density on the fringe of Meridian would indicate that new development, rather than annexation, has largely driven the population gains.

Meridian has grown by an average of 1,182 new households since 1990, or an average of 12.6% annual growth. Similarly, the City has added an average of 1,903 households annually since 2000, or 12.5% annual growth.

Like the MSA, Meridian has seen a decrease in the size of households living in the City. The average household was 2.4 persons in 2005, down from 2.7 in 1990. New Meridian households since 2000 have averaged less than 2.0 persons.

Meridian has seen two large surges in multifamily residential permitting, first in the early and mid-1990s and then over the past five years. Meridian has averaged 67 multifamily residential permits annually since 1986, and 163 multifamily residential permits annually since 2000, though building activity has varied widely. Meridian issued 18.1% of all MSA multifamily permits since 2000 and 29.3% of those since 2002.



#### Market Overview

##### MSA - Employment

According to Johnson Gardner, growth since 2000 has averaged 5,226 jobs annually or 2.2% annual growth. The MSA added 12,857 jobs in 2005, posting 5.4% growth – the first time annual countywide job growth has exceeded 5% since 1998. Although Construction (10.1% annual growth), Educational & Health Services (6.5% annually), and Professional & Business Services (6.3% annually) have grown the most quickly among all industries in the MSA since 1990, since 2000 Professional & Business Services (6.2% annually) has grown at the fastest rate followed by Construction (5.6% annually). In terms of actual jobs added, Professional, Business, Educational & Health Services firms have grown the most since 1990. Although Construction has grown at a rapid rate, job creation in the sector has been fourth highest behind various Services and Government. Manufacturing and related Transportation and Warehousing jobs have lost ground since 2000.

##### Meridian - Employment

Befitting the fastest-growing Boise-Nampa MSA community in terms of population, Meridian industry employment grew from 8,546 in 1994 to 24,954 in 2005, for 192% growth over the eleven year span, on an average annual growth of 1,491 jobs, or 10.2% growth. As of 2005, Retail Trade employment accounted for the single-largest share of Meridian jobs at 14.3%, followed by Education & Health Services (13.1%), and a nearly three-way tie between Government, Construction, and Professional & Business Services (12.7%). The most dramatic change in the composition of Meridian's economy since 1994 has been the decline of Manufacturing employment from 14.7% of Meridian jobs in 1994 to



5.9% in 2005. Alternatively, Professional & Business Services has displayed the greatest increase in local sector presence at 12.7% of Meridian jobs in 2005, up from 7.1% in 1994.

Transportation, Warehousing & Utilities represents the only industry in which Meridian has lost its share of MSA economic expansion. Wholesale Trade has moderated somewhat, but all other Meridian industries are growing in their relative share of MSA industry growth.

#### Market Forecast

##### COMPASS Forecast

COMPASS forecasts of employment growth for the region are consistent with historical growth. It's Community Choices forecast, part of COMPASS's Communities in Motion project, specifically allocates a greater share of new Meridian employment as retail as opposed to its historically stronger – and higher-paying – industry, professional and business services. Both the Trend and Community Choices forecasts fall short of annual job growth in Meridian since 1994 and since 2000. Both the Trend and Community Choices forecasts estimate Meridian capturing a lower than historical share of MSA employment growth.

##### Housing Forecast

According to COMPASS trend analysis, the population of Meridian will increase by over 100,000 people by 2030. The same forecast calls for an additional 34,125 new households by 2030.

**Retail Forecast**

Johnson Gardner estimates Meridian retail space demand in 2030 to be between 25 and 30 million square feet. This roughly equates to forecasted demand for 575 to 690 acres of retail space in Meridian.

**Employment, Office and Industrial Forecast**

Assuming Boise-Nampa MSA future employment growth is consistent with recent trends, and Meridian continues to capture its historical share of industry growth, Johnson Gardner estimates that Meridian can expect to add anywhere from 1,300 jobs to nearly 2,000 jobs annually over the next 25 years. Given recent history, professional and business services firms are expected to continue to lead growth, followed by government and education and health services.

**Industrial Land and Coordination with South Meridian Area Plan**

Meridian’s location puts it at greater risk of being surrounded and boxed in by rapid growth. Accordingly, in the future Meridian does not have a direction in which it can reliably grow its economy without bumping into neighboring jurisdictions with varying economic development objectives. The City of Meridian may wish to consider an industrial or commercial “sanctuary” or dedicated area in the South Meridian Study Area (“Study Area”) for targeted future industry expansion or recruitment. Johnson Gardner’s review of buildable lands in the Study Area indicates that the area between McDermott Road and Ten Mile Road in the vicinity of Lake Hazel Road would likely be a strong candidate for such an initiative. Flat topography, intersection of major road/corridor improvements and highly desirable central location between the growing Meridian, Nampa, and Kuna areas, along with future Ten Mile interchange access, are all conducive to just such a center.

**Ten Mile Interchange Area Forecast**

**Retail**

A market analysis of the Ten Mile Interchange Area by LoGistical Marketing indicates that with the construction of the interchange at Ten Mile Road and I-84, the Ten Mile Interchange Area will be under substantial commercial development pressure. This is documented by Johnson Gardner who estimates

that the Meridian area is likely to see demand for 25-30 million square feet of retail space and a Market Report by LoGistical Marketing which states that there will be substantial demand for almost all forms of retail development.

“Big box stores” such as Costco, Sam’s Club, WalMart and JC Penney are located at the neighboring Garrity Road exit. As a result, the Ten Mile interchange is also likely to be a viable location for commercial development, but not for the same forms of retail development. Meridian is seeing the largest increase in median household income in the MSA. Based on a lifestyle study, residents of the Ten Mile Interchange Area and Meridian are typically affluent and well-educated, and like to spend their free time pursuing outdoor activities. Establishments recommended for this population would include stores like REI, Eddie Bauer, and finer restaurants. A grocery store such as Trader Joe’s or a similar one offering organic products would also be recommended.

**Lifestyle Center**

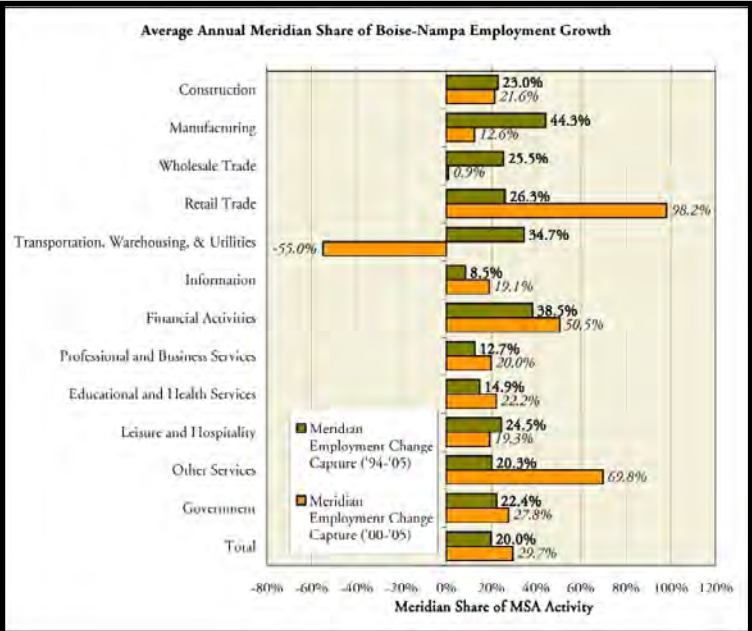
The area could easily attract and support a lifestyle mall opportunity which could include an open or closed mall, averaging 250,000-500,000 in total leasing space, 50-75 stores, including at least one major retailer. Upscale restaurants, furniture stores, apparel and accessories, and general merchandise are the likely types of merchants who could be successful in the Ten Mile Interchange Area. However, the retail pressure is great enough that other retail uses that could develop more rapidly than a complex mixed use center like a lifestyle center could result in the key lands being committed prematurely.

**Residential**

Residential demand in Meridian has been high. The Ten Mile Interchange Area has strong potential for residential development, despite the market slowdown. The housing market in the greater Boise area has been booming for the past several years, with house prices increasing dramatically since 2000. However, there are definite signs that the market is leveling off from this boom.

Nevertheless, Meridian and the Ten Mile Interchange Area is expected to continue to grow, and over the longer term housing is expected to continue to be one of the dominant pressures for land consumption

**MERIDIAN CAPTURE OF BOISE-NAMPA MSA ECONOMIC GROWTH**



Source: Compass Idaho and Johnson Gardner, LLC.

in the area. Certain products--condominiums, townhomes, and other multi-family housing, for example--are currently underrepresented in the marketplace, as the majority (96%) of current MLS listings in Meridian are for single family residences with 3-4 bedrooms, 2-3 bathrooms, approximately 2200 square feet, on a .25 acre lot. Homes fitting this description have an average price of \$296,000 at sale, or \$135 per square foot, and are typical of homes in the Eagle Road and Meridian Road interchange areas.

There will be a market for a wider variety of housing in Meridian in the future. Demographic data shows a gradual shift in the characteristics of Treasure Valley households. As in other parts of the US, families represent a declining proportion of households, while the share of non-family and single households is increasing. This has implications for the housing market, because non-family households and singles are more likely to prefer more compact housing types such as townhouses and condominiums.

Quality, walkable, compact development will generate the highest residential values. This style of project offers high quality residential units in a more

compact format, which can result in higher property values. In addition, such offerings in Meridian would fill a unique market niche.

**Office**

As previously stated, Meridian is anticipated to attract approximately 1,300-2,000 jobs per year--many of those in professional and business services. By expanding the availability of space for office, research and development and other similar uses along I-84, Meridian is likely to attract a larger share of the area job growth in the future.

**Industrial**

Industrial demand is strong throughout the Valley. However, competition by retailers for easily accessible and highly visible locations along the I-84 corridor has pushed raw land prices to a level above that which these industries can typically afford. With continued low vacancy and limited new supply, industrial investment opportunities will provide the highest return rates and least amount of risk to investors. Therefore, if the price is right the market could absorb over 200 acres of land near I-84 for industrial use as it expands. This will also provide

the City the opportunity to identify land in the core which could be redeveloped into commercial or professional office use. The northwest quadrant of the study area provides the right balance between market pressure, increasing land values and the accessibility, infrastructure and parcel sizes sought by industrial users.

**Mix of Uses and Densities**

Several elements of the plan will be critical to ensuring a quality, high-value development. The plan should include a critical mass of development that will be attractive to an experienced developer, as well as a variety of unit types that will appeal to a variety of market segments. High standards for design and architecture, including compact, clustered development that makes the most of open space as an amenity for the community, and good pedestrian connections will also enhance the revenue potential for the City.

**The Long View**

The long term is difficult to predict, but it is clear from the market studies that the Ten Mile Interchange Area is likely to be absorbed by development within the next 40 years. The City clearly has a choice based on the strength of the immediate and near term markets to determine how they would like the area to develop. There is a chance to maximize employment, improve the jobs-housing balance in Meridian, and get higher value development. Pressure exists to push the area forward into lower density housing and front-loaded big box development, but the City has the opportunity to encourage higher density housing, mixed use residential and office development, and a successful lifestyle center as part of the Ten Mile Interchange Area Plan.

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## SECTION 6 - ACTION PLAN

**ACTION PLAN**

The action plan summarizes the actions recommended in the Outcomes-Achieving Results Section in a matrix of executable actions to be undertaken in implementing the Ten Mile Interchange Area Plan. Developers are strongly encouraged to undertake these tasks and invite the City to the table as a means of advancing the plan more rapidly than may otherwise be possible based on staffing and fiscal resources. The City is ready to work as your partner to advance the plan.

Priority	Action	Lead & Coordinating Agencies
1	Adopt the Ten Mile Specific Area Plan as an amendment to the City's Comprehensive Plan.	City Planning Department Planning and Zoning Commission City Council
1	Initiate a monthly Public-Private Roundtable to discuss issues and concerns and identify ways to partner to implement the Ten Mile Interchange Area Plan, build necessary infrastructure and attract investment to the area.	City Planning Department City Council ACHD City Economic Development
1	Provide an endorsement of the Single-Point Urban Interchange, underpass and collector road system to the Idaho Transportation Department.	City Council ACHD
2	Amend the Zoning Regulations	City Planning Department Planning and Zoning Commission City Council Developers
	a. Establish a steering committee to develop the regulatory standards based on the information obtained in the work session	City Planning Department Developers
	b. Adopt revisions to the City's zoning ordinance.	City Planning Department Planning and Zoning Commission City Council
2	Develop a set of design guidelines for the Ten Mile Interchange Area; or Encourage the development community to work together to prepare a set of design guidelines that will accomplish the intent of the plan.	City Planning Department Planning and Zoning Commission City Council Development Community Developers
	a. Facilitate a 2-day work session with developers, property owners, and design professionals to identify specific issues with respect to design from the plan that should be addressed in design guidelines. Discuss the alternative approaches offered in Section 2 to determine how to proceed.	City Planning Department Developers

Priority	Action	Lead & Coordinating Agencies
	b. Establish a steering committee to develop the design guidelines based on the information obtained in the work session	City Planning Department
	c. Adopt a set of design guidelines to provide a framework for development in the Ten Mile Interchange Area.	City Planning Department Planning and Zoning Commission City Council
2	Prepare a program for infrastructure finance for the Ten Mile Interchange Area; or Encourage the development community to establish a recommended framework for infrastructure staging and financing as part of the overall development plan for the area.	City Planning Department Planning and Zoning Commission City Council ACHD Developers
	a. Hold a series of infrastructure forums to discuss the alternative ways to finance the collector road system and other area improvements, several alternatives are identified in the plan	City Planning Department Planning and Zoning Commission City Council ACHD Developers
	b. Establish a committee to develop and recommend a structure for financing	City Planning Department Planning and Zoning Commission City Council ACHD Developers
	c. Endorse a recommended financing structure	City Planning Department Planning and Zoning Commission City Council ACHD Developers
2	Update the COMPASS Transportation Plan to incorporate the recommendations of the plan.	City Planning Department COMPASS

Priority	Action	Lead & Coordinating Agencies
2	Initiate a Public-Public Roundtable to continue discussion about the development of the Ten Mile Interchange Area and opportunities to enhance coordination as the interchange project and development proceeds.	City Planning Department City Public Works ACHD Valley Ride City Fire Department
2	Initiate an economic development program targeted at attracting desired businesses to the Ten Mile Interchange Area.	City Economic Development City Council Chamber of Commerce Mayor's Office
2	Develop an expedited review process for projects that embrace and incorporate the spirit of the Ten Mile Interchange Area Plan and where, through cooperation, developers have developed partnerships and specific integrated plans that cross property lines and advance necessary infrastructure construction.	City Planning Department Planning and Zoning Commission City Council
2	The City will expand its municipal boundaries via annexation or execute annexation agreements when such annexations will further the implementation of the recommendations of the Ten Mile Interchange Area Specific Area.	City Planning Department Planning and Zoning Commission City Council Land Owners
2	Update the ACHD capital improvement program to initiate cross-section improvements on area arterials.	ACHD
2	Develop a program to fund streetscape improvements like landscaping and meridians, streetlights, and street furnishings in cooperation with the development community.	City Planning Department Planning and Zoning Commission City Council Developers

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GLOSSARY

**GLOSSARY OF TERMS**

The glossary of terms is provided to help the reader understand technical planning terms that are not familiar to most readers of the Ten Mile Specific Area Plan.

**Accessory dwelling unit:** A dwelling unit allowed in specific zones that is subordinate to the principal residential unit on the lot and which is located upon the same lot as the principal unit. An accessory dwelling unit is under the same ownership as the principal unit.

**Activity center:** An intensively developed area that is the visual and/or functional center of a neighborhood(s) or a district. Activity centers are typically comprised of high intensity land uses including: residential, commercial, employment, civic, institutional, parks and open space or any combination thereof.

**Build-to-lines:** The maximum building setback from a front yard street property line. Buildings, or a specified portion of a front building facade, must be set no farther back than the build-to-line.

**Building articulation:** The architectural details of a building facade that create architectural detail, such as varied facade planes, windows and awnings. Buildings are usually articulated in order to modulate the building mass and create visual interest.

**Bulb-outs:** A paved area usually located at a street intersection that extends from the sidewalk out into the street to narrow the effective street width and shorten the distance a pedestrian must walk to cross the street.

**Compact urban development patterns:** A development pattern characterized by neighborhoods where a mix of residential and non-residential land uses are located in close proximity to each other, and lot sizes and block lengths that are generally smaller and shorter than conventional development; thereby creating a built environment conducive to travel by car, walking, transit or bicycling.

**Compatibility:** The characteristics of different land uses or activities that permit them to be located near each other in harmony and without conflict. To determine compatibility, the following characteristics of the uses and structures shall

be reviewed relative to other affected uses and structures: location, orientation, operation, scale, and visual and sound privacy.

**Connectivity:** The interconnectedness of streets, bicycle paths, transit routes and pedestrian ways. This is in contrast to use of dead-end streets, long streets with few intersections and cul-de-sacs.

**Design guidelines:** Written statements, explanatory material, graphic renderings and/or photographs which are advisory recommendations intended to provide property owners and the public with specific examples of techniques and materials that can be used to achieve adopted standards.

**Design standards:** Written statements adopted in the Zoning Code by City Council that set forth the required criteria, goals or objectives for the design of particular areas, systems and elements of the city and how they relate to one other.

**Façade:** That portion of any exterior elevation on the building extending from grade to top of the parapet, wall or eaves and the entire width of the building elevation.

**Fenestration:** The openings (e.g. windows and doors) that form part of a building facade.

**Floor area ratio (FAR):** The gross floor area of all buildings on a lot divided by the lot area.

**Focal Point:** A building, structure, open space or other feature that naturally draws the eye and provides an aesthetically pleasing view. Focal points are often located at the termination of a street or streets, in plazas, and squares, and in neighborhood or district activity centers.

**Functional classification of roadways:** Streets and highways serve two separate and conflicting functions, one to carry traffic, and the other to provide access to abutting property (land use). The more traffic a road carries, the greater the difficulty in accessing property directly from the road. But, as the number and density of access points along the road increases, safety is compromised and speed limits need to be lowered, reducing the traffic carrying capacity of the street or highway. Streets and highways are classified by function, and range from roadways with the sole purpose of carrying traffic to roadways that primarily provide access to property. Following is a generally accepted classification and functional characterization of

highways and streets:

- **Principal arterial:** A street or highway designed and given preference to carry traffic, and not providing access to abutting property. Cross traffic is accommodated at at-grade, signalized intersections for streets with high traffic levels, and at at-grade intersections without signals, for streets with moderate or low traffic levels. If intersections do not have signals, through traffic flow on the principal arterial is given preference.
- **Freeway:** A fully access-controlled highway designed for high-speed travel with the sole purpose of facilitating non-stop traffic flow without obstruction from cross traffic. Access is not provided to abutting property, and access is only provided to other streets or highways at grade-separated interchanges.
- **Minor arterial:** A street or highway designed to both carry traffic and provide very limited access to abutting property. Cross traffic is accommodated at at-grade intersections without signals for streets with low traffic levels. The primary purpose of the minor arterial is to serve moderate length neighborhood trips and to channel traffic from collectors and local streets to principal arterials or expressways.
- **Collector:** A street or highway designed to carry traffic and provide limited access to abutting property. Cross traffic is accommodated at at-grade intersections with local streets. No signals are provided. The primary purpose of the collector is to serve short length neighborhood trips and to channel traffic from local streets and abutting properties to minor arterials and principal arterials.
- **Local street:** A street or rural road designed to provide access to abutting property and only incidentally channel traffic short distances to collectors or minor arterials.

**Greenway:** A linear open space or park that provides passive recreation opportunities and/or bicycle or pedestrian paths. It often contains a waterway with surrounding natural, creek environment including water channels, floodplain and riparian vegetation.

**Human scale:** The relationship between the dimensions of the human body and the proportion of the spaces that people use. This is underscored

by surface texture, activity patterns, colors, materials and details. The understanding of walking distances and spatial perceptions at a human scale determines the most positive placement of buildings, and the physical layout of the community. Buildings ranging in height from two to six stories, trees, and pedestrian scaled signs and street lights, textured pedestrian paths, and semi-private spaces all enhance this positive scale.

**Land use pattern:** A description of the physical arrangement of different land uses; created either by natural features, buildings, agriculture, recreational facilities, roads, etc., or a combination thereof.

**Level of Service (LOS):** A measurement of transportation effectiveness which rates roadways and intersections in terms of traffic flow and congestion, on a scale of A (the least traffic) to E (the most).

**Lifestyle Center:** Outdoor, generally upscale, collection of national and local retail as well as service, restaurant, and entertainment uses.

**Live/work unit:** A residential use type that combines a dwelling and a commercial space under single ownership in a structure. The residential portion of the unit shall contain at least four hundred square feet (400 sq. ft.) of gross floor area. The commercial space shall allow activities compatible with residential use with respect to noise, smoke, vibration, smell, electrical interference, and fire hazard, and may include such uses as professional services and offices, and the creation, display and sale of art, craftwork, jewelry, fabrication of cloth goods and similar activities.

**Mixed use development:** Development that integrates three or more income generating land uses, such as residential, commercial, and office, with a strong pedestrian orientation.

**Pedestrian scale:** A combination of development features that people find comfortable; created by elements such as the size and design of buildings, the relationship between building height and street width, streetscape features such as trees, decorative lighting, or benches, and outdoor spaces.

**Pedestrian-oriented development:** Development that incorporates safe, attractive, and continuous connections and walkways for travel and access

by foot, at a human scale, as an integral part of its overall layout and design.

**Plaza:** A community gathering space, sometimes called a square, usually designed with seating areas, and with a variety of ground-plane finishes such as hard-surfaces, lawn and landscaping. It is often designed as a Focal Point with an amenity such as a fountain, and it may be bounded on one or more sides by a civic or commercial use in the neighborhood or commercial center.

**Porch:** A first-story structural projection on the front, side or rear of a building, which may or may not have a roof.

**Primary Residence:** The main property on a lot.

**Quality of life:** Those aspects of the economic, social and physical environment that make a community a desirable place to live or to do business. Quality of life factors include climate, natural features, the quality of local schools and higher education opportunities, housing availability and cost, employment opportunities, medical facilities, cultural and recreational amenities, and public services.

**Regulatory provisions:** A rule or order prescribed for managing government. Examples related to community development include zoning ordinances and land subdivision ordinances.

**Right of Way (ROW):** The publicly owned area reserved for roads and other means of transportation.

**Secondary Residence:** Any smaller residence on a lot with a primary residence on it.

**Streetscape:** The area that lies between the street curb and the façade of the adjacent buildings. Its role is to define the distinguishing character of a particular street, including landscaping, tree lawns, sidewalks and other surfacing, lighting, street furniture and signage.

**Traditional neighborhood development (TND):** A pedestrian-oriented residential neighborhood, with variable lot widths and sizes, a mix of dwelling unit types, on-street parking, and non-residential uses generally located in a neighborhood commercial center along a Main Street or fronting on a plaza. The ideal size of the neighborhood is defined as a five to ten minute walk from the Neighborhood Center.

**Transit-Oriented Development (TOD):** implies a particular set of urban design and land use characteristics conducive to generating non-automotive tripmaking.

**Transparency:** Relates to glass in wall openings such as windows, which allow views into and out of a building. Windows or glazed areas that incorporate glass that is translucent or opaque shall not be considered transparent.

**Tree lawn:** An area of the street right-of-way between the curb and the sidewalk, planted with landscaping.

**Vertical mixed use building:** A multi-story building containing a vertical mix of two or more principal uses.

**Vertically-Integrated Development:** Mixed use development which integrates uses over several stories rather than across an area.





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Black Cat Industrial Project (H-2021-0064) by Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd.  
*Application Requires Continuance to November 18, 2021*

A. Request: Annexation of 122 acres of land with R-15 and I-L zoning districts.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** November 4, 2021

**Topic:** **Public Hearing** for Black Cat Industrial Project (H-2021-0064) by Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd.  
A. Request: Annexation of 122 acres of land with R-15 and I-L zoning districts.

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**Information Resources:**

[Click Here for Application Materials](#)

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



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Moshava Village Subdivision (H-2021-0067) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.  
*Applicant is Requesting Continuance*

A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.

B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** November 4, 2021

**Topic:** **Public Hearing** for Moshava Village Subdivision (H-2021-0067) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.

A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.

B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.

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## Information Resources:

[Click Here for Application Materials](#)

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





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from October 7, 2021 for Elderberry Estates Subdivision (H-2021-0044 and H-2021-0005) by Angie Cuellar of Mason and Associates, Located at 1332 N. Meridian Rd.

A. Request: Rezone of 0.66 acres of land with the O-T zoning district.

B. Request: Short Plat consisting of 4 buildable lots.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** November 4, 2021

**Topic:** **Public Hearing** Continued from October 7, 2021 for Elderberry Estates Subdivision (H-2021-0044 and H-2021-0005) by Angie Cuellar of Mason and Associates, Located at 1332 N. Meridian Rd.

- A. Request: Rezone of 0.66 acres of land with the O-T zoning district.
  - B. Request: Short Plat consisting of 4 buildable lots.
- 

## Information Resources:

[Click Here for Application Materials](#)

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# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/7/2021  
 TO: Planning & Zoning Commission  
 FROM: Alan Tiefenbach, Associate Planner  
 208-884-5533  
 SUBJECT: H-2021-0044, H-2021-0005  
 Elderberry Estates Subdivision  
 LOCATION: 1332 N. Meridian Rd



## I. PROJECT DESCRIPTION

This is a request to rezone from C-C to O-T and a Short Plat of four lots to allow four duplexes.

## II. SUMMARY OF REPORT

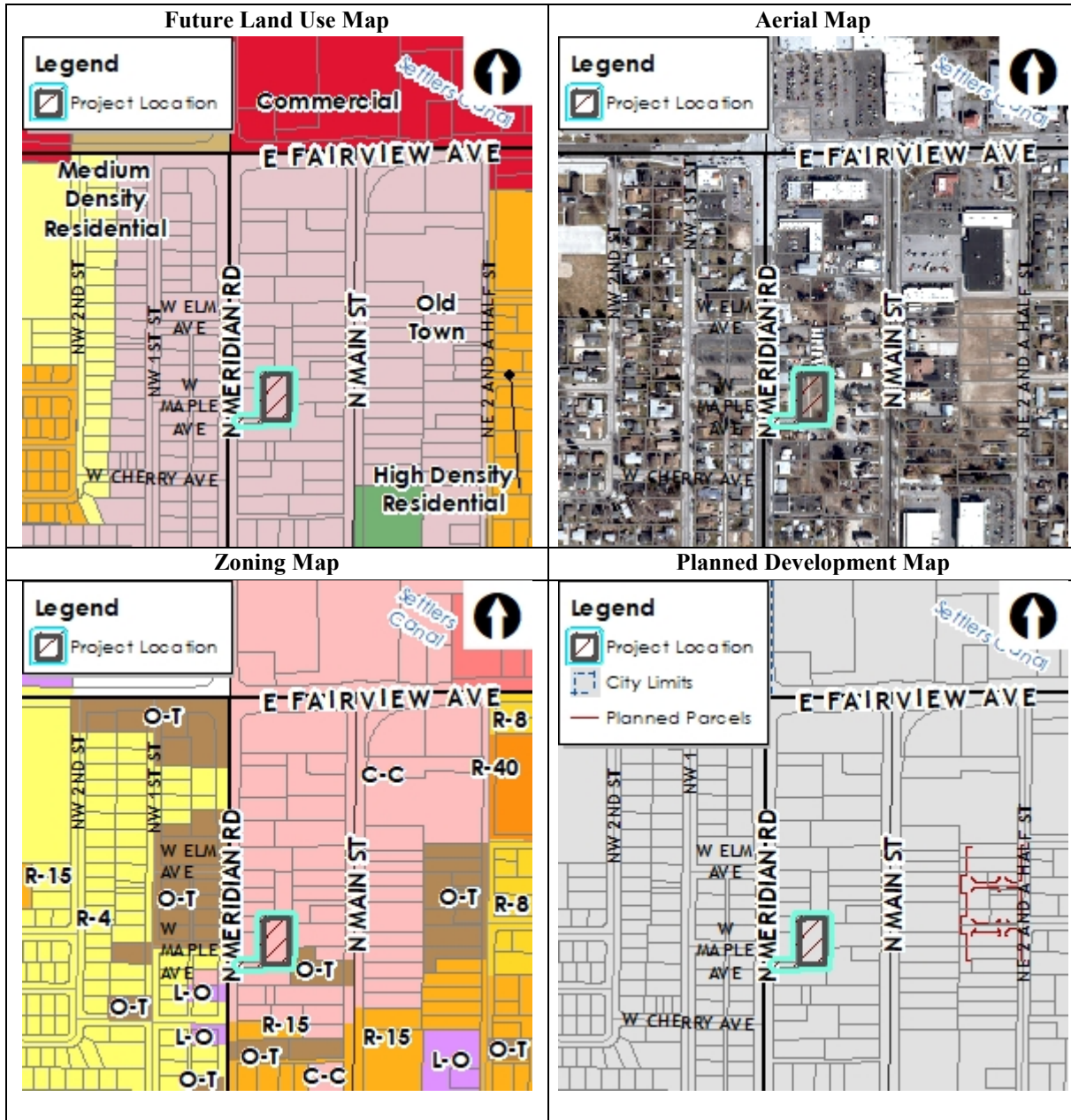
### A. Project Summary

Description	Details	Page
Acreage	0.66 acres	
Future Land Use Designation	Old Town (O-T)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Four (4) duplexes	
Lots (# and type; bldg./common)	Four residential lots	
Phasing Plan (# of phases)	1 phase	
Number of Residential Units (type of units)	8	
Density	12 du/ac	
Open Space (acres, total [%]/buffer/qualified)	None required	
Amenities	NA	
Physical Features (waterways, hazards, flood plain, hillside)	No unique physical features	
Neighborhood meeting date; # of attendees:	April 14, 2021 – 4 attendees	
History (previous approvals)	F.A Nurses Third Addition Subdivision, platted in 1920	

B. Community Metrics

Description	Details	Page
Ada County Highway District	No traffic impact study required	
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access will occur from two private driveways off of N. Meridian Rd.	
Stub Street/Interconnectivity/Cross Access	There is a northern stub to the property at 1422 N. Meridian Rd	
Existing Road Network	N. Meridian Rd (arterial)	
Existing Arterial Sidewalks / Buffers	No buffers proposed or required	
Proposed Road Improvements	No road improvements required, access will occur from private drives.	
Distance to nearest City Park (+ size)	Approx. ½ mile to Centennial Park	
Fire Service	No comments	
Police Service	No comments	
Wastewater		
<ul style="list-style-type: none"> <li>• Distance to Sewer Services</li> <li>• Sewer Shed</li> <li>• Estimated Project Sewer ERU's</li> <li>• WRRF Declining Balance</li> <li>• Project Consistent with WW Master Plan/Facility Plan</li> </ul>	N/A Five Mile Trunkshed See Application 14.18 Yes	
<ul style="list-style-type: none"> <li>• Comments</li> </ul>	<ul style="list-style-type: none"> <li>• Applicant is proposing an access gate at the southeast corner of property to access City manhole from the southern property. Before public works can approve this a turn radius analysis must be submitted for review to ensure our equipment can gain access to the manhole.</li> <li>• Additionally, the property owner to the south must provide an accesses agreement understanding that some parking spaces will be lost and all area required for City access must be left open at all times.</li> <li>• Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.</li> <li>• Ensure that infiltration trenches are located so that sewer services do no pass through them.</li> <li>• Additional 631 gpd committed to model.</li> </ul>	
Water	Water will be provided from N. Meridian Rd	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Angie Cuellar, Mason and Associates – 924 3<sup>rd</sup> St South, Ste B, Nampa, ID 83651

B. Owner:

Chad Joy, 6504 E. Driver Ct, Nampa, ID 83687

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	9/17/2021	
Radius notification mailed to properties within 300 feet	9/15/2021	
Sign Posting	9/27/2021	
Nextdoor posting	9/16/2021	

**V. STAFF ANALYSIS**

The subject property is currently a vacant .66 acre “flag lot” and is zoned C-C. There are two existing cross access easements from N. Meridian Rd. The applicant proposes to rezone the property to O-T, subdivide the property into four lots, and construct a duplex on each lot.

**A. Rezoning**

The applicant proposes to rezone from C-C to O-T to allow four duplex units. Duplexes are a principally-permitted use in the O-T zoning district and the zoning would be in conformance with the FLUM as described below.

The City may require a development agreement (DA) in conjunction with a rezoning pursuant to Idaho Code section 67-6511A. As this property is already within the City, the infrastructure surrounding the property has already been installed, and all other requirements have been addressed through pertinent regulations, conditions of approval, and the design review required for the duplexes, staff is not recommending a development agreement with this rezoning.

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

The FLUM recommends the property for Old Town. This designation includes the historic downtown and the true community center. Sample uses include offices, retail and lodging, theatres, restaurants, and service retail for surrounding residents and visitors. A variety of residential uses are also envisioned and could include reuse of existing buildings, new construction of multi-family residential over ground floor retail or office uses.

The purpose of the O-T district is to accommodate and encourage further intensification of the historical city center in accord with the Meridian Comprehensive Plan. The intent of the O-T district is to delineate a centralized activity center and to encourage its renewal, revitalization and growth as the public, quasi-public, cultural, financial and recreational center of the city. Public and quasi- public uses integrated with general business, and medium high to high density residential is encouraged to provide the appropriate mix and intensity of activities necessary to establish a truly urban city center.

The applicant proposes four duplexes at a total density of approximately 12 du/ac. Although the Plan does specifically mention multi-family residential over ground floor retail or office uses, the property is surrounded on three sides by existing residential and all commercial uses in the immediate vicinity are directly fronting N. Meridian Rd. As the lot is a flag lot and is behind the existing businesses (and residences) fronting N. Meridian Rd and has limited visibility, staff finds requiring retail uses impractical. Although office uses in this location are a possibility, the existing access for commercial uses is not ideal, and the FLUM does speak to a mix of uses including higher density residential. Staff finds the proposed residential uses in this area appropriate.

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

- Encourage diverse housing options suitable for various income levels, household sizes, and lifestyle preferences. (2.01.01)

*This application is for a rezoning from C-C to O-T to allow four duplexes on an infill site. This would allow for more diversity in housing.*

- Maintain a range of residential land use designations that allow diverse lot sizes, housing types, and densities. (2.01.01C)

*Four duplexes would increase the diversity in lot sizes, housing types and densities.*

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

*The subject property is an infill site near the downtown core, within a large area which is designated for Old Town zoning by the Comprehensive Plan, along a principal arterial, and is within walking distance of a large amount of goods, services and jobs.*

- Encourage infill development. (3.03.01E.)

*The property is a vacant "landlocked" flag lot, surrounded by existing commercial and residential development on all sides. This is an infill development.*

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

*This project can be serviced by City of Meridian water and sewer, and all infrastructure will be designed in conformance with City standards.*

D. Existing Structures/Site Improvements:

The property is presently vacant.

E. Proposed Use Analysis:

The applicant proposes to rezone from C-C to O-T to construct 4 duplex buildings. A duplex is a principally-permitted use in the O-T zoning district subject to applicable standards for development in the traditional neighborhood districts.

F. Dimensional Standards (*UDC 11-2*):

UDC 11-2D-4 requires a minimum height of 35 feet and all buildings should be a minimum of 2-stories. There are no minimum setbacks in the O-T zoning district. The proposed elevations reflect buildings that are 2-stories.

G. Access (*UDC 11-3A-3, 11-3H-4*):

The subject property is a flag lot which would take access from N. Meridian Rd. via two shared driveways within common access easements. The southernmost driveway connection to N. Meridian Rd also provides access to the parking lot for the office to the south of the property. The northernmost driveway connection to N. Meridian Rd is shared with the lot west of the property. The applicant additionally proposes a common access easement for a northern stub to the property to the north (1422. N. Meridian Rd). ACHD and Fire have reviewed the proposed access configuration and have not expressed comments or concerns. Per UDC 11-3C-5, drive aisles adjacent to parking stalls (the parking in front of the duplexes) must be 25' in width.

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

The applicant proposes eight (8) three-bedroom duplex units. UDC 11-3C-6 requires 4 parking spaces per dwelling unit for 3-4 bedroom units; at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad.

The concept site plan reflects two-garages and two 20 ft. x 20 ft. parking pads in front of each duplex, equaling 4 parking spaces per unit. The parking provided meets the minimum requirements of 11-3C. As required per UDC 11-3C-5, all off street parking areas and driveways into and through a parking area shall be improved with a compacted gravel base, not less than four (4) inches thick, surfaced with asphaltic pavement.

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

The subject property is an internal flag lot, with the only street frontage being the driveway access. There is existing 7 ft. wide sidewalk along N. Meridian Rd. which provides pedestrian access to the property. There are existing 4 ft. wide sidewalks on both side of the northernmost driveway into the property (not on the subject property). There is a 4 ft. sidewalk on the south side of the southern driveway. The landscape plan reflects 4 ft. wide walkways along the front and back of the duplexes, as well as between all four buildings.

UDC 11-3A-17 requires a minimum width of 5 ft. for sidewalks. **As a condition of approval, the applicant should be required to construct a 5 ft. wide sidewalk along the northern side of the southern driveway access (which is on the subject property). Also, staff recommends the applicant work with the adjacent property owners at 1324, 1404 and 1414 N. Meridian Rd to improve and widen all sidewalks entering the property to meet the required 5 ft. width. Also, to provide a better pedestrian connection from N. Meridian Rd to the duplexes, Staff recommends as a condition of approval that sidewalk extensions be provided across the private drives that distinguish a pedestrian connection from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as required by UDC 11-3A-19-B-4.**

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

The subject property is an interior flag lot with the only portion of the subject property adjacent to N. Meridian Rd being the 15 ft. southern driveway access. Therefore, there would be no requirement for additional landscape buffer along N. Meridian Rd associated with the current application. There are no common lots required or proposed with this short plat, although the landscape plan indicates numerous shrubs along the east-west internal walkways between each duplex building, and at the east sides (rear) of the duplexes. There is an existing 15 ft. wide City of Meridian sewer easement along the eastern perimeter of the property. There are existing trees within this sewer easement. The landscape plan indicates the applicant will work with the City Arborist to determine if any of these trees should be removed due to disease. A formal landscape plan is not required for this submittal. The UDC does not regulate landscaping on residential lots.

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

The development is less than 5 acres in size. Thus, the requirements for common open space and amenities does not apply.

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

The development is less than 5 acres in size and is not considered multifamily. Thus, the requirements for common open space and amenities does not apply.



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

The landscape plan indicates existing fencing being relocated or replaced along the property lines. Any new or relocated fencing should comply with fencing regulations per UDC 11-3A-7.

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

There is a 15' sewer easement running north-south at the east perimeter of the property. The submitted utilities plan indicates the sewer line within this easement presently serves the existing properties adjacent to the west at 1402 and 1414 N. Meridian Rd. However, the water and sewer service for the new duplexes will be provided via service lines running west to mains in N. Meridian Rd.

The site plan indicates the applicant intends to relinquish an Idaho Power Easement along the front of the duplexes. The applicant will be required to provide proof of this relinquishment prior to signature of the City Engineer on the short plat.

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

Conceptual elevations were provided with this application. The elevations indicate duplexes with pitched roofs, fishscale accents, shuttered windows with lintels and windowed garaged doors. As is required by the O-T zoning district, the duplexes are at least two-stories, although the elevations do not indicate whether the minimum required 35' height is met.

This project is near the downtown core and is being proposed for Old-Town zoning. Due to the visibility of these two story-buildings, design is critical to this project. The ASM for residential requires visually heavier and more massive elements or materials, such as stone or masonry, primarily at the base of buildings, and lighter elements and materials such as siding. Also, the ASM states primary building entries must be clearly defined using any unique combination of architectural elements, materials, or façade modulation meeting other architectural standards in the Manual. At the time of design review, the elevations should provide front porches over the front doors, overhangs matching the rooflines or porches over the garage doors, and a heavier accent material around the base of the buildings.

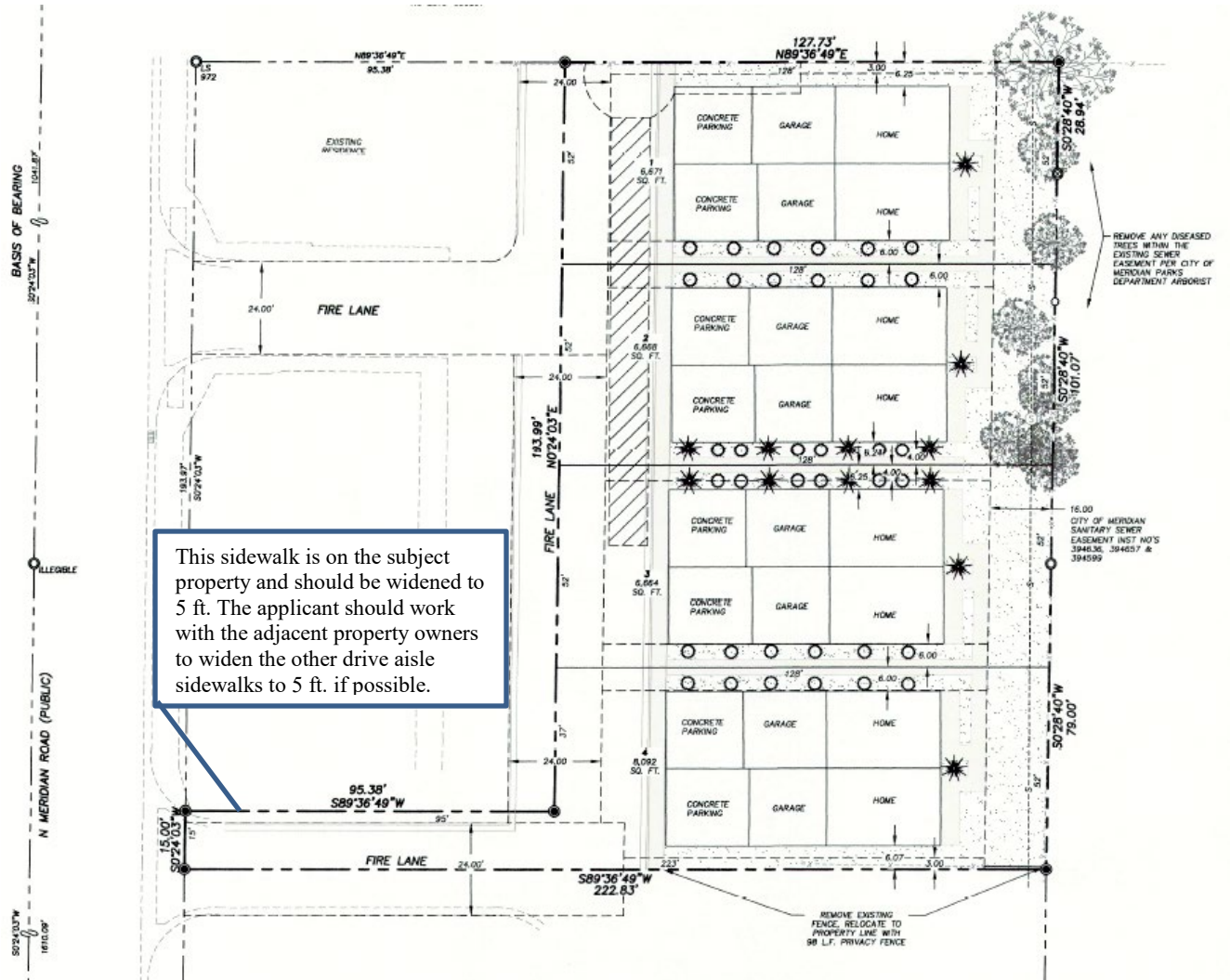
## VI. DECISION

A. Staff:

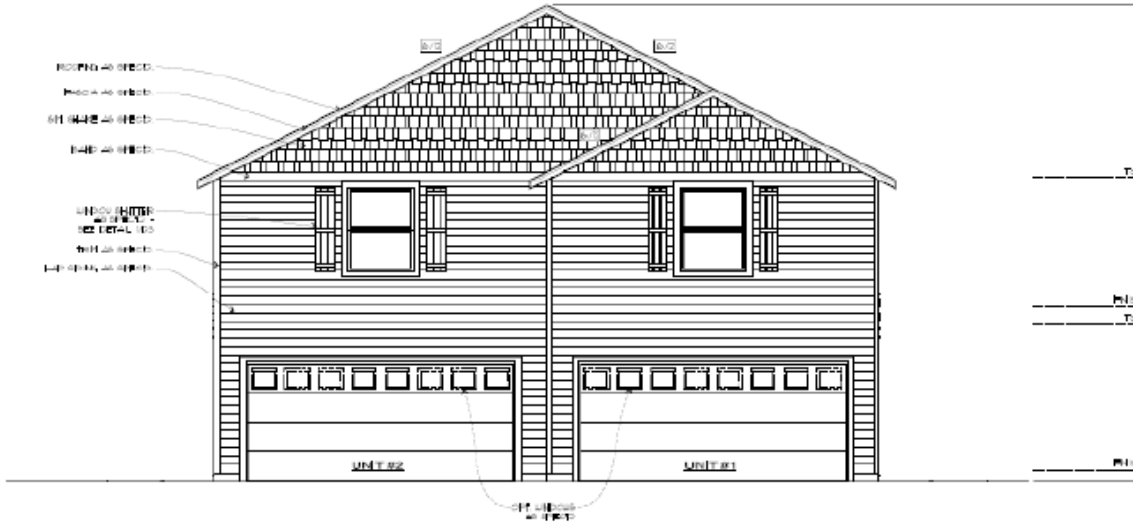
Staff recommends approval of the proposed rezoning from C-C to O-T and short plat with the conditions noted in Section VII of this report.



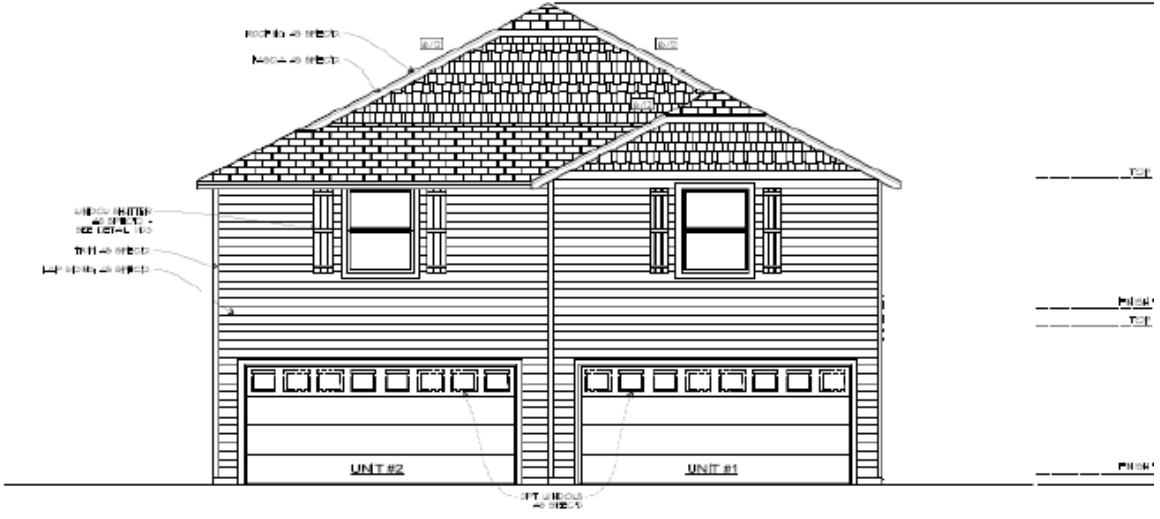
B. Landscape Plan (date: 6/21/2021)



C. Building Elevations (date: 7/20/2021)



FRONT ELEVATION  
SCALE: 1/4\"/>



FRONT ELEVATION  
SCALE: 1/4\"/>

D. Rezoning Legal Description (date: 5/19/2021)



Professional Engineers, Land Surveyors and Planners

924 3<sup>rd</sup> St. So. Nampa, ID 83651  
Ph (208) 454-0256 Fax (208) 467-4130  
e-mail: [dholzhcy@masonandassociates.us](mailto:dholzhcy@masonandassociates.us)

FOR: Long & Joy  
JOB NO.: MR0121  
DATE: May 19, 2021

**REZONE**

A parcel of land being a portion of Blocks 3 and 4 of the Amended Plat of F.A. Nourse's Third Addition as filed in the office of the Ada County Recorder, Boise, Idaho, in Book 7 of Plats at Page 299 lying in the NW1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at northwest corner of Section 7;

Thence S 00° 24' 03" W a distance of 1105.86 feet along the west boundary of the NW1/4 to the **POINT OF BEGINNING**;

Thence N 89° 36' 49" E a distance of 135.38 feet parallel with the north boundary of Block 3;

Thence N 00° 24' 03" E a distance of 193.99 feet parallel with the west boundary Blocks 3 & 4;

Thence N 89° 36' 49" E a distance of 127.73 feet parallel with the north boundary of Block 3 to a point on the east boundary of the west half of Block 4;

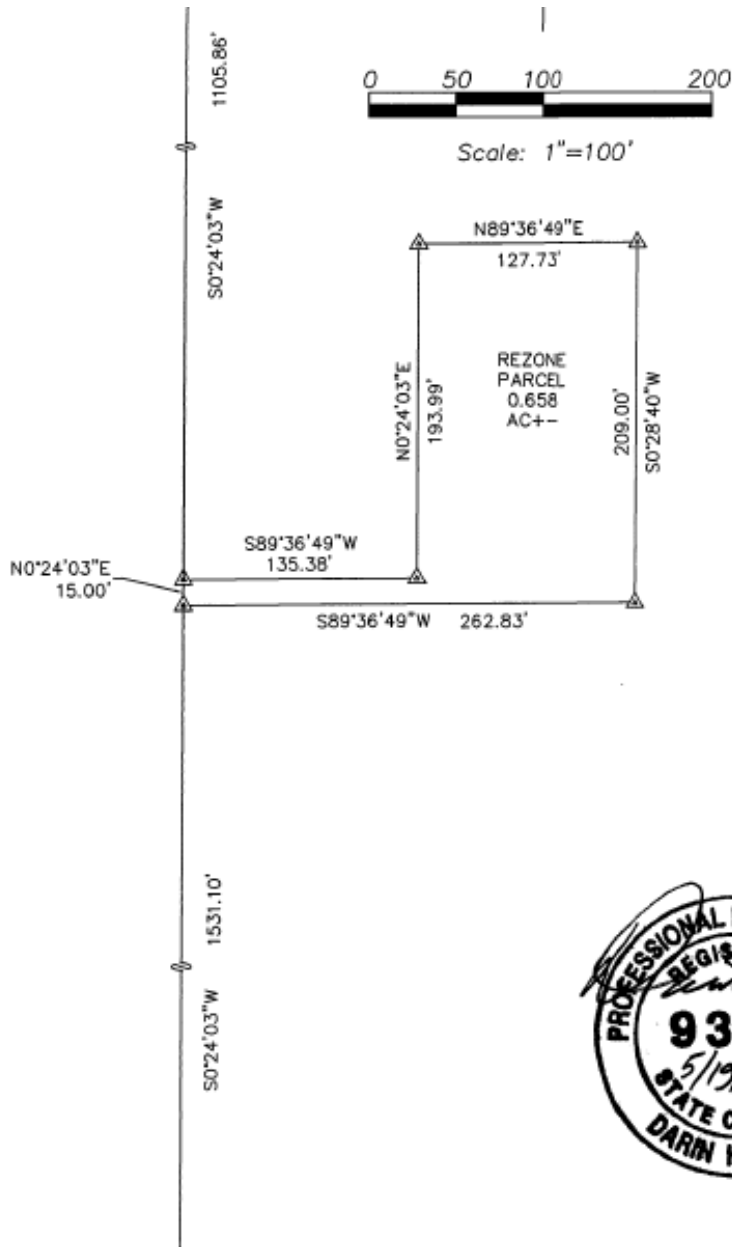
Thence S 00° 28' 40" W a distance of 209.00 feet along the east boundary of the west half of Blocks 3 & 4;

Thence S 89° 36' 49" W a distance of 262.83 feet parallel with the north boundary of Block 3 to a point on the west boundary of the NW1/4;

Thence N 00° 24' 03" E a distance of 15.00 feet along the west boundary of the NW1/4 to the **POINT OF BEGINNING**.

This parcel contains 0.658 acres, more or less.

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



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING

#### Site Specific Conditions:

1. Administrative design review is required prior to building permit for all new attached residential structures containing two (2) or more dwelling units. Elevations should include at least two field materials, accent materials, a heavier accent material around the base of the buildings, covered porches, and overhangs matching the rooflines or porches over the garage doors.
2. The applicant has two years to obtain City Engineer's signature on the short plat or apply for a time extension in accord with UDC 11-6B-7.
3. All off street parking areas and driveways into and through a parking area shall be improved with a compacted gravel base, not less than four (4) inches thick, surfaced with asphaltic pavement, as required per UDC 11-3C-5. All drive aisles shall be a minimum of 25 ft. in width.
4. The sidewalk along the north side of the southern driveway shall widened to 5 ft. in width. The applicant should work with adjacent property owners to widen the other sidewalks on both sides of the southern and northern driveways to 5 ft. in width.
5. Pedestrian connections between the walkways along the front of the duplexes and drive aisle sidewalks shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks.
6. The short plat prepared by Mason and Associated, dated 6/23/21, shall be revised as following:
  - a) Prior to City Engineer's signature on the plat, the applicant shall provide proof of the relinquishment the Idaho Power Easement.
  - b) Add cross access easement Instr. No 2020-148053 to Note 4.
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. Staff's failure to cite specific ordinance provisions does not relieve the applicant of responsibility for compliance.
9. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
10. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
11. The development shall comply with all provisions of the O-T zoning district as set forth in UDC 11-2D-1.

### B. PUBLIC WORKS CONDITIONS:

#### Site Specific Conditions

1. Applicant is proposing an access gate at the southeast corner of the property to access the manhole at the southern boundary. Before Public Works can approve this, a turn radius analysis must be submitted for review to verify equipment can adequately gain access to this manhole. Analysis

must be complete prior to approval of the construction plans.

2. The property owner to the south must provide an access agreement with the understanding that some parking will be lost and that the access must remain open at all times. To achieve this additional signage, striping, etc. may be required. Access agreement must be in place prior to signature of the plat.
3. Ensure that sewer service lines do not pass through infiltration trenches.
4. A geotechnical report is required to be submitted and reviewed prior to signature of the final plat.

### **General Conditions**

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



9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting ([http://www.meridiancity.org/public\\_works.aspx?id=272](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 wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in

the development, and if so, how they will continue to be used, or provide record of their abandonment.

- 22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
- 23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
- 24. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

**IX. FINDINGS**

**A. Rezoning**

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

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

*Staff finds the proposed zoning map amendment to rezone the property from the C-C zoning district to the O-T zoning district is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested O-T zoning district and is consistent with the purpose statement of the requested traditional neighborhood zoning districts in general.*

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

*As this is an infill site surrounded by existing commercial and residential development, Staff 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**

*Staff 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.**

*Subject site is already annexed so Staff finds this finding nonapplicable.*

**B. Short Plat**

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 Old Town. This application proposes rezoning from C-C to O-T. 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.*

Lorcher: Second.

Seal: It's been moved and seconded to recommend approval for -- or, actually, to approve Burger King Drive-through, H-2021-0051. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**8. Public Hearing for Elderberry Estates Subdivision (H-2021-0044 and H-2021-0005) by Angie Cuellar of Mason and Associates, Located at 1332 N. Meridian Rd.**

- A. Request: Rezone of 0.66 acres of land with the O-T zoning district.
- B. Request: Short Plat consisting of 4 buildable lots.

Seal: Okay. We will move on to Elderberry Estates Subdivision. It looks like this is H-2021-0044 and H-2021-0005 and we will begin with the staff report.

Tiefenbach: Good evening, Commissioners. Alan Tiefenbach, associate planner at the City of Meridian. Looking and feeling much better this evening than the last time you saw me. Okay. This is a rezoning to O-T, Old Town, and a short plat for four lots. The property is about a half acre. A little bit larger. Zoned C-C. Located at 1332 North Meridian Road, which is the east side of Meridian, south of East Fairview. To the north -- it's all -- all of it is right now presently zoned O-T. To the north is single family and office. To the east single family, multi-family, and office. To the south is a couple of salons and, then, to the west across the street is also single family and some office. The property was platted in 1920s. That's the only history there. Very old plat. Comprehensive Plan map recommends it for Old Town. So, again, as I said, this is a request to rezone from C-C to O-T and a short plat for three lots and I'm going to come back and revisit that. For three lots to allow three duplexes. That was what it was at the time of the staff report and, again, I will come back and revisit that. The property -- let's see here. The property is a flag lot, so the access comes from North Meridian Road, again, surrounded by office, salons, and multi-family. Is it not -- is my -- oh, sorry. Is my presentation not sharing? Okay. Hold on here. My apologies. I thought you were looking at this. Got it? I hope. Okay. So, the property is a flag lot. That's what you see in the darker lines. The only access that is their property comes from the southern axis off of Meridian. They also have a northern access. Both of these are easements that are easements that are shared by all the property owners surrounding. The southern most driveway to North Meridian provides access also to the parking lot down here for the salon. The northern most access, which is up here, provides a connection shared to the lot to the west of the property, which is here. The applicant also additionally proposes to stub to here. This is all common access easements that are shared between these properties and this one. So, this is not a public road, it's basically a drive aisle. Both -- both ACHD and Fire have looked at this. They don't have any comments. One thing to

mention -- the only -- the only part of the sidewalk that is on this applicant's property is the north side of this southern driveway. The reason why I say that is the UDC requires a minimum width of five foot for sidewalks. One of the conditions of approval staff is recommending is that the applicant reconstruct this sidewalk to be five feet wide. There is also a requirement in our code that you can't just stripe to cross a parking lot, you actually have to use something like pavers or something like that or decorative concrete. So, that's another one of the -- one of the recommendations of the staff report. In regard to the other sidewalks on the north and south side here and on the south down here, staff is just recommending that the applicant try to work with the property owners and see if they can actually widen those sidewalks as well. But, again, that's an offsite improvement. The applicant really doesn't have any control over that. So, it's just hoping that they can cooperate with them. There is also an Idaho Power easement, which you can see here, and that's hatched. The applicant knows that they have to relinquish that. That's one of the requirements of conditions of approval. At the time of the staff report staff mentioned to the applicant that all -- though the plans that were submitted met all of the parking requirements per the code, in this case because there are three bedroom duplexes, four parking spaces each, because -- because they met the requirements, we really didn't have any additional comment in regard to their parking, but we did mention that, because all of the rest -- all of the access was a drive aisle and fire lane, that the -- that the issue could come up about what if they need additional parking for some kind of gathering or football game or whatever, where are they going to park, because there really wasn't anywhere else. We -- about a week later we heard back from the applicant, just recently, last couple of days, and he said he had talked to the adjacent neighbors and to be a better neighbor he is going to reduce the proposal down to three duplexes, which is what you see here. So, the most recent version of this that comes to the Planning Commission tonight, the only difference, really, is that the short plat is going to be three lots versus four. What this would do -- and this is just -- this is only just a -- to demonstrate -- it gives them about eight parking spaces per duplex. So, that's twice what they are required to have. I believe the applicant does have a most recent version of a three lot short plat with them tonight. Again, we haven't seen it, but we don't have any comments with that. We didn't have any comments on this and if the short plat is exactly what we saw before, but with three lots, really, the only difference would be one less duplex and a little more parking, if that's the case, then, we would just recommend that the most recent short plat of three lots go -- be submitted and go to Council. We listed some of the conditions of approval in the staff report, but other than that I would entertain any questions.

Seal: Okay. Thank you. At this time would the applicant like to come forward? If you could give us your name and address for the record and we will let you fire away.

Mason: William Mason with Mason and Associates. Our address is 924 3rd Street South. We have reviewed the staff report and with that change of going from four lots to three, we think that we have a better project with the extra parking. After we started looking at the drive aisles and the fact that Meridian Road is a really busy road, we don't want people parking where they shouldn't be, that's why we reduced the lot count and reduced that unit count. So, that last picture that you saw with the three parcels is what we would like to work with. Again we didn't have a chance with the time of this hearing to get all of that

finalized to staff and we would work with staff to finalize all that. We have no problems with the conditions in the staff report.

Seal: Okay. Thank you.

Mason: With that I stand for any questions.

Seal: Okay. Do we have any questions for the applicant or staff? I just have a quick one. On the parking that was detailed there where there is two spots on either side of what is traditionally the driveway there, would both of those be paved or what -- what would the plan be for that?

Mason: That's correct. They would both be paved. That's the plan. So, there would be the apron in front of the garage and, then, alongside of that there would be a paved parking area for that tandem parking.

Seal: Interesting. Okay.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I have a question. As this is currently zoned commercial and you are moving to Old Town for designation, what is the -- I guess purpose for going residential, rather than maintaining a commercial designation here?

Mason: Part of it is the fact that it's set back a ways from Meridian Road and we only have those flag openings that are about 25 feet wide and there is buildings in the front of -- of this parcel, so that there is no visibility from Meridian Road.

Grove: Thank you.

Seal: Any other questions? Okay. Thank you very much. I appreciate it. Okay. At this time we will take public testimony. Madam Chair, is there anyone signed up for this one specifically?

Weatherly: Mr. Chair, we do not have anybody signed in.

Seal: Okay. If anybody on Zoom would like to raise their hand or anybody in the audience wants to testify, please, raise your hand. Okay. Not a lively house tonight so far, so -- at this time would the applicant like to come back forward? I do actually just -- I have got a concern over the -- the double parking spots there. I'm just thinking that that is very well intended, but may have consequences, such as people trying to park trailers there, things like that. So, how -- I guess are there going to be -- is there going to be like an HOA, covenants, rental agreements where things could be written into make sure we don't have those kind of issues there or -- or is that something that you might even try to attract?

Mason: You know, my client is here tonight. He might be able to better answer whether he wants to do CC&Rs to try to limit what -- what would be parked in that area.

Seal: Okay. That would be great. If he wants to come up. Please -- name and address for the record and then --

Long: Jonathan long. 1859 South Topaz Avenue in Meridian.

Seal: Okay.

Long: And so as far as the parking goes, the tandem, those are -- those are adjacent to the finished driveway as you pointed out and those parking spaces are going to be specific to that particular unit that they are in front of and adjacent to. They are paved, like we said. We are going to have CC&Rs. We desire to be good neighbors and have this be a good project for everybody around us and so there is going to be CC&Rs. There is also going to be really tight leases for anything that happens to be rented out for folks that have to sign a commitment acknowledging that there is to be no cars on blocks. There is to be no trailers of any kind. The duplexes that we are looking at are actually more on the executive -- executive style and Craftsman style duplexes and so they are going to be finished out nicely. We want these duplexes to be attractive. We want to keep the area attractive to folks and so CC&Rs would definitely be in place, as well as the leases to reinforce, you know, the proper appearance of how these duplexes are kept.

Seal: Thank you.

Grove: Mr. Chair, I have a question.

Seal: Go ahead.

Grove: Sir, with -- with your development -- and I'm assuming you have talked with your neighbors. Do you have any idea on how this will fit in with any future plans that they are expressing or have they expressed any indications of what they would be doing surrounding your property?

Long: So, we have talked about that. As far as their future use, to my knowledge, Expressions Salon that Kenny and Darlene own, there is no changes or no -- there is no plans for changes to what they are doing in the future. The Gibbs, who own the bookkeeping and CPA business just the west of us, at some point they would like -- they have got a small little empty lot there and they would be interested in developing that with commercial, because there is road frontage. In speaking with them they saw no conflict with what we were doing and what they were doing. They actually saw it as -- as value added, because they are going to have future client -- potentially future clients that are living in their, you know, backyard now. So, no conflict of -- or issues that have been brought up with present use or future use.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Joe, when you -- when you went down to the three -- the three units, the three duplex units, to accommodate the parking there, did you consider any kind of a -- because that's come up a couple times now -- any kind of a common area to park -- maybe on one end put additional parking, as opposed to doing it this way? That way people couldn't put trailers and things like that and it would be -- you know, it would be specifically designated for -- for parking.

Long: Sure. And we entertained that as far as trying to squish the three duplexes together and keep a four lot approach and pretty much using that fourth lot for overflow parking. There is pros and cons, you know. I don't know that it would change what people are going to try and park there versus what they would try and park on their individual lot. In the end our desire was to try to make the project more comfortable for those residents by providing more space in between units and, then, trying to keep overflow parking confined to those specific lots. So, those residents on that lot would be parking only on their lot and I think minimum requirements are four parking spaces, two of which are enclosed, for a three to four bedroom unit. So, we have got every one of them -- every one of the units has its own closed garage along with the finished driveway plus and so that puts our total number of parking at 12 per duplex now and we are hoping that's going to be sufficient. We have talked to neighbors just as far as -- particularly the CPA if ever there was a need for overflow parking, would -- would the adjacent parking lot be available after hours. They are very open to that. Not to the point necessarily that we are looking at formalizing a parking easement or what have you, but working with the neighbors we seem to have a pretty good understanding that we are going to try to do what's necessary to keep all parking on those lots. But should there be any necessity for overflow after hours it would be available.

Cassinelli: Thank you.

Seal: Any other questions? Okay. Thank you very much. At this time -- go ahead and state your name and address for the record.

Sass: Hi. Kelly Sass. 1414 North Meridian Road. That is the northwest plot attached to this situation. A couple of things we just wanted to note. One of the areas that was recommended for that wider sidewalk currently has access to all of the lots surrounding -- not only further to the north toward Meridian Road and Fairview intersection, but also ours and to the south. Our mailbox area is all there. There has already been with existing businesses issues with blockage of that area. That's not something we think is anyway exclusively their responsibility, but any proposed reconstruction of that sidewalk we would ask also include a fire lane or no parking marker in order to prevent future issues with that space. Additionally, when we purchased our area we were not informed that there was a shared easement of our driveway beyond the immediate CPA office to ourself. That is our only parking. Your current visuals for your -- for your plat with the three divisions includes our backyard. The actual visuals that you had of those spaces does not include



our backyard being fenced. I don't know if that's currently in alignment with their plans or not, but that was plans made before the new platting for that rear area had been recorded. So, those are some issues we had had at time of purchasing with the previous ownership of the lot in question and now we just want to make sure that those records are really clear and that plans are made very clear regarding our space and also the use of our necessary accommodations being our mailbox and the only parking we have for our lot being that shared driveway with the CPA's office directly to our south.

Seal: Okay. Alex, quick question on that. So, the -- as far as the shared lane and where the mailboxes are as she is describing, that's -- that's off site, essentially, for the purposes of this?

Tiefenbach: Yes, sir. The only lane that belongs to this -- belongs to this applicant is that 14 feet, I think it is, wide little sliver here. Everything else are access easements. So, basically, a civil issue between applicants. Whether or not they can park in these access easements -- I don't believe that the -- the language speaks to that. I do know that these are going to be fire lanes. So, I'm really not prepared to answer sort of a civil issue in regard to whether or not they can park in a private easement. Maybe the applicant can. But this here is owned by the applicant down to the south. That's really the only thing the applicant has control over as far as this case goes.

Sass: Specifically, Commissioners, that south lane to which you speak, that 14 foot, that is for the mailboxes. If you will draw your attention -- it's about 15 feet setback from the front curb of Meridian Road and it does supply -- I think it's something like 16. So, that is just something to consider, as it's already been an issue of existing. We had previously talked before this had started with the owners of the CPA's office and -- we have all had issues with our mail not coming in a timely fashion, because people have parked in front of our mailbox and made it inaccessible for our mail carrier. So, that's our concern, not necessarily anything, except that in moving that five foot wider area that we had heard about in the staff report. We want to make sure that if at all possible that works in service to all of the businesses existing and the new residential spaces, that everyone gets their mail on time.

Seal: I understood. Thank you. Anything else?

Sass: Just clarifying that that north driveway -- we are concerned is that calling it a fire lane -- it is our only residential parking for both our business and our residents. So, it can't be exclusively a fire lane. It's not three units wide. You can get parking on one and a car, but not parking, parking, and a vehicle. So, given that we were given to assume and told in our purchase that it was shared only with the plot directly to the south, our concern is if it is zoned as a fire lane do we lose all access to parking for our property. So, whether that's now or later, that's something we wanted to voice today.

Seal: Alex, I will let you take that one.

Tiefenbach: So, I knew access was going to be an issue with this case and I looked at

the easements on this. The easements, basically, just talk about nonexclusive access easements. It calls -- it basically identifies the properties A, B, C and D and the access easement says that access is to be shared between property A, B, C and D. I don't know about what it says about parking. Again, this is not on -- on the -- not on the subject property, but the access easements, the documents do say that A, B, C and D all have access to these easements.

Seal: Okay.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Seal: Yeah. Question. What -- what is -- which property is yours?

Sass: So, looking at the currently displayed documentation we would be the plot top and left. So, they are 1414 North Meridian Road.

Cassinelli: Okay. And -- and right now you have -- on that property there is -- you have got no -- no parking on every -- every -- where ever you park is -- is on that access lane?

Sass: In the driveway. As we were informed at time of purchase. Yes.

Seal: Alan, can you go back to the aerial view?

Tiefenbach: Are you talking about this one?

Seal: Yes.

Sass: Yeah. So, what you see here is several years old. In this photo, looking at 1414 North Meridian Road, you not only see that blue tarp -- temporary carports, but also the side of a two car garage that was present and under demolition at the time that we went under construction. Our current property has a six foot privacy fence to our property line, enclosing what is our space. We park in the alignment with that sidewalk and set in further from the sidewalk to the fence line.

Cassinelli: The fence being on the south of your property or --

Sass: No. That would be northeast.

Cassinelli: Okay. And where is the mailbox?

Sass: The mailbox -- south driveway. So, beyond the CPA's office, one lot, two lots, south driveway. That's where the mailbox is.

Cassinelli: Okay.

Sass: And that is, if I am not mistaken, paving wise, a narrower access point, actually, than what is between our lot and the lot directly to our south.

Seal: Can you scroll that down just a little bit, Alan?

Cassinelli: I think I see it there with a shadow.

Sass: Yeah. That -- that shadow is the -- the mailbox, yes.

Cassinelli: Okay.

Seal: Okay. Any other questions? All right. Thank you very much. We will let the applicant come back up and speak their -- speak to the concerns, if the applicant would like to come back up.

Mason: William Mason. Mason and Associates. 824 3rd Street South in Nampa.

Seal: Thank you, sir.

Mason: So, the mailbox -- I actually looked at that this afternoon. I'm glad I did, because I didn't realize that would have been her mailbox, but it looks like it's going to have to be relocated anyway, because a five foot sidewalk in there I don't think is going to allow that mailbox cluster to stay right where it's at. With our project we are going to have to get the postal service to agree to a location for our mailboxes, so we certainly would talk to them about potentially putting all of the mailboxes in one cluster location or if the commercial area up front wants -- and the post office wants that mailbox to be separate from the residential, we can do two. But I don't see that being an issue for us to move back. I can't tell you why parking is occurring in the access easements, because as -- as I see the access easements, they are for cross-access -- access and through traffic. I don't see anything about parking and the concern that we have with that is, obviously, the Fire Department can't get back to other properties if there is people parked in those -- those accesses. To the parking area that they are using currently, I believe that parking area is in that access easement on the east side of their property. If we could find another place for them to -- to have parking on their property, it looks like it would have to be up front toward Meridian Road. It doesn't look like there is much room for them to do anything there. I don't really know what to say about the -- the parking in that area, other than that we can work with them on trying to figure out a proper location, but currently that -- that parking that they have fenced off is actually in an access easement.

Seal: Understood. And that's -- yeah. I think the concern is just they have parking that's there currently and that's going to remain, because it's -- it's not -- Alex, do you want to go ahead and --

Tiefenbach: So, I just put this up. This is the exhibit here that you are seeing that's referred to in the cross-access easement. This is the language here. It says grantor

hereby -- blah, blah, blah -- cross-access and through access easements, as depicted on the site plan, of parcels A, B, C and D and here is parcels A, B, C and D. So, it says you are allowed to have access, but there is nothing here that says parking. Again, I don't want to get all caught up in the civil issues, but these are access easements, these aren't parking spaces.

Seal: Who owns the -- the roads? Is it ACHD or is it the city or are they private?

Tiefenbach: Oh, talking about these? These are private easements --

Seal: Okay.

Tiefenbach: -- that are on the property for the purpose of access.

Seal: Okay. Any questions as to -- on all of this?

Grove: Mr. Chair?

Seal: Commissioner Grove.

Grove: With the access that you have as part of your property, is that to be marked no parking? Is that -- is that something that I saw?

Mason: Commissioner, that is correct. All of our access roadways will be -- our driveways will be fire lanes. So, our parking will be outside of that easement on the -- the individual parking spaces that we are showing.

Grove: And will it be marked that way, though?

Mason: No parking?

Grove: Yes.

Mason: Yes.

Grove: Okay. Thank you.

Seal: Okay. Any other questions? No?

Cassinelli: I have got a question for Alan. Can you -- on this one that you have up right now, if I'm looking at the -- make sure I'm looking at the presentation. The -- all the gray is the easement?

Tiefenbach: Yes, sir.

Cassinelli: Correct?

Tiefenbach: Correct. There is two separate easements. This is one exhibit. The second easement exhibit is for this portion here. I don't have that on the screen right now.

Cassinelli: Okay. And I don't know if you can -- can you -- are you able to zoom in on -- on this?

Tiefenbach: Sure. What do you want to see?

Cassinelli: That top. I want to see the -- the easement in relation to the property line on it -- on 1414.

Tiefenbach: Does that work for you?

Cassinelli: Yeah. So, that -- that easement there -- and that's all to be labeled no parking where it's 24 feet in the rear?

Tiefenbach: Twenty-four feet wide. My understanding per Joe Bongiorno is that there is supposed to be no parking, fire lane.

Lorcher: Mr. Chairman?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, in regard to this fire lane or easement, there is currently parking there now for 1414?

Tiefenbach: Was that directed to me, Commissioner?

Lorcher: Sure.

Tiefenbach: I guess I would defer to 1414. It sounds like they have parking there. This is the easement. These -- what you see here in gray is what they are allowed to access on and I don't think it's meant for parking. Whether or not they are parking outside of here is -- on their property is purely their concern. But this is an access easement. This isn't a parking easement.

Lorcher: Okay. So, going forward 1414 would have no access for parking on this lane; correct?

Tiefenbach: There -- they would -- they would not -- they are not supposed to be parking in this access easement.

Lorcher: Now or --

Tiefenbach: Now or ever.

Lorcher: Okay.

Tiefenbach: And whether they are is a whole other story and, again, if they have room back here -- I don't know what they have got here, if they have got -- if you have got room back here they can still park here. It's their property.

Lorcher: Got you. Thank you.

Seal: Yeah. I'm -- since we are still in the public hearing portion of it, I will have -- I'm going to have you come back up, because you didn't use your three minutes and I'm interested to see what we are going to do here. So, for -- for explanation purposes, right now it looks like you have parking on what is considered your property; is that correct?

Sass: As per what we were told and documentation we were provided at time of purchase of this property 14 months ago, we park to the south side of our property, not the east. To the east border of our property is a six foot existing fence, which was approved for purchase at the time that we were under contract. The build was done by the previous ownership, who, to my understanding, was the one who approved this replotting after we had closed. What we were told is that we had an easement of access shared to the south of our property to the plot directly to the south. So, 1402 and 1414 shared access of the middle third of that driveway, with parking available to each of us in that space. We were told the only use for that to the east, after time of contract, we were told that we might be required to expressly allow for emergency access for a turnaround of a fire truck, which is permissible and spaced accordingly with our existing parking to the south side of our property. We are not parking to the east. There is a fence on our property line to the east.

Seal: Understood. Thank you for the clarification. Anybody -- other questions?

Lorcher: Mr. Chairman. Is this a business or a residential house?

Sass: Both. Both. We live and operate two businesses out of that property.

Lorcher: Okay.

Cassinelli And do you have -- do you have visitors to the business?

Sass: We do.

Cassinelli: So, that's typically where they park?

Sass: Minimal numbers, yes. One to three a day for less than an hour apiece. But, yes, they park to the south side of our property.

Cassinelli: Okay.

Seal: Okay. Thank you very much. Appreciate you coming back up.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli.

Cassinelli: Alan, in that 24 feet is that -- is that allowable to have parking on one side? Is there space on that? Bill is shaking his head no.

Tiefenbach: I see a 24 -- so, what we are looking -- what we are looking at here is a 24 foot wide easement and all it says here is purpose of ingress-egress, a cross-access and through access easement. That's -- that's what -- all of these properties here are allowed to access this. It doesn't say anything about parking. If they figure out -- you know, they want to work out an issue with -- if they want to work something out with their neighbors, that's fine. If they want to park on their property that's fine, but per the legal agreement I'm -- I'm going to have our city attorney stop me. These are only allowed to be used for ingress and egress and not for parking.

Starman: Mr. Chairman, Members of the Commission, I'm reluctant to provide legal advice to the owners of 1414 or to others here this evening, but I think the -- or what Alan described to the Commission is accurate. I'm seeing this document for the first time. The intent of the easement is provide easement -- or to provide access, ingress and egress, and it's for 24 feet of width. So, my interpretation of the language, looking at it for the first time this evening and just providing advice to you, not to others, I think Alan's description is accurate and the intent of the easement is provide access.

Seal: Understood and thank you for that. Okay. Are there any other questions at this time? Okay. If not, can I get a motion to close the public hearing? Yeah. Yes, you may. Please -- please state your name and address for the record.

Smith: Scott Smith. 1321 North Main Street, Meridian, Idaho. 83642. So, the question I got is a couple things. A question and, then, a comment. How close on that back fence will the -- will the properties be, the three duplexes? Okay? And, then, the comment that I would make is that this is a very clustered little property down there. I went down and looked at it today. So, my suggestion is it's a half a mile from where we are sitting right now. It wouldn't -- it wouldn't be that big of a deal for everybody to go out there and take a look at it before you made your decisions, because some of the points that are brought up here tonight are very valid and you got lots of people coming and going and one driveway there and, then, when you got these duplexes there to boot, it's going to -- for the businesses that are on Meridian Road, the salon, the CPA and, then, the 1414 North Meridian Road there -- the North Meridian Road, yeah, it's going to leave a lot of congestion there. So, my question is, one, can you guys go take a look at it before you make the decision and, then, make the proper decision and, then, two, how close to that back fence line on the east border will these properties be, as far as what will be made as far as the fence line to separate the properties behind the duplexes?

Seal: Thank you. Okay. I will call one more time. If anybody would like to come up and testify or anybody online, please, raise your hand. Okay. Seeing none, if the applicant would like to return one last time to address that last question that would be great.

Mason: William Mason with Mason and Associates. 924 3rd Street South in Nampa. So, this property is kind of unique, because there is a 15 foot Meridian sewer easement on the east side. So, our fencing would be on our east boundary, but the buildings could be no closer than 15 feet from that boundary in order to stay out of the sewer easement. But you can see from this detail that we are not planning on building right up against that 15 foot easement. So, I would say there is another eight or nine feet behind the houses to the easement. So, you are -- you are looking at 22, 23 feet from the property line to the back of the house roughly. Our fence line would be actually on the property.

Seal: Okay. Thank you. Any questions? Okay. Can I get a motion to -- thank you, sir. Appreciate it. Can I get a motion to close the public hearing for Item No. H-2021-0044 and H-2021-0005?

Cassinelli: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close public hearing on H-2021-0044 and H-2021-0005. All in favor? Any opposed? Okay. Motion carries.

**MOTION CARRIED: FOUR AYES. THREE ABSENT.**

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Well, in-fills are always tricky.

Seal: Absolutely.

Cassinelli: I -- you know, when I was reading this ahead of time I thought this was going to be fairly simple and straightforward. The -- and I don't want to -- I don't want to sound -- sound cold and not caring about the -- the owner in 1414, because I do, but the -- that -- that issue of the parking and access to that is kind of something that they were -- they weren't informed properly by -- by the seller of that property it sounds like. I mean they -- you know, they have got -- we have got to follow the easements for access here and I think even if they open it up -- even if we could put parking there, which we can't, but if you could put parking on one side, nothing is to say that -- that parking won't be -- not by visitors and residents of these, because it would be -- you know, it would be on a -- be perceived as public parking. So, it would be a huge issue there. I don't know -- unless the applicant and the owner of that property can get together and if we can make a



conditioned that they -- that they get together before -- you know, before things go to Council to -- to try and come up with a solution that -- that serves all. I don't know -- I think our hands are kind of tied as far as what we can do on the parking issue. Other than that I think it -- you know, I think it fits. I haven't seen any -- you know, other than that one elevation of the garages, I haven't seen any other elevations here. I would have liked to have, but -- I mean it meets the -- you know, we are meeting the requirements in there. I think it's difficult to try and book businesses in there, just because of access and visibility. You could probably go with some sort of offices, because you don't need the -- like retail would need visibility, but office space may not, but I'm inclined to -- to move forward on this is my thoughts.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: As far as park -- as far as parking for the development itself, there is more than ample parking for the number of units that are going in there. Especially with the rezone to Old Town where the parking requirements are a lot tighter just in general and as far as like setbacks, they are a lot closer than any other zoning. So, I'm not worried about any of those issues. The problem that I have with -- with this -- and this is not on the applicant per se, but -- is I feel like we are giving up a piece of development area that could be looked at a lot more strategically from a broader perspective and I am hesitant to give up the commercial zoning on this to add in the -- the residential, just seeing as how the development that is starting in the core of downtown is going to be spreading outward towards that northern gateway that we were talking about earlier tonight. I am very hesitant to add something new to this space, especially as it is an empty lot and I know that the development of this would require other properties or other coordination, but I'm -- I'm not in favor of giving up that commercial zoning to move to Old Town to have this put in right now. I think that for me it's premature from a long term perspective for us as a community development. I think for the -- for the owner this makes sense, but for -- for me it doesn't looking at this from a longer standpoint.

Seal: Okay. Commissioner Lorcher, do you have any thoughts?

Lorcher: Oh, Commissioner Grove just added a whole new level --

Seal: You want to --

Lorcher: Commissioner Grove added a whole new level of thought process on this. I mean it -- like Mr. Cassinelli said, it's really hard to get something in between other things. You have got old retail in front of it and, then, trying to put in new residential behind it, where -- whereas Commissioner Grove said maybe a few years from now the old commercial would change, but that would be a bigger parcel for a different kind of business. What are we voting on today? Whether or not to be changed from commercial to residential or the whole project?

Seal: It's -- yeah. It's got rezone from C-C to Old Town. Short plat for the three lots to allow the duplexes.

Lorcher: Yeah.

Seal: So, essentially, it's the rezone is the -- the major portion of it.

Lorcher: The rezone is our -- our task.

Seal: Correct.

Lorcher: This really is my first kind of big in-fill project, so I don't really know our history. I mean I have seen projects like around 3rd Street where there was residential and, then, there is a long driveway and there was four or five duplexes behind there. It seemed kind of a strange place to put them and other are parts of the city. This is a very busy road, Meridian Road is, so I guess I'm on the fence with the whole thing. I mean it would be up to the developer if they could sell the product to residential, knowing that there is commercial in front of it. You are right, butting up against Main Street where you have other commercial, you are going to hear the -- the bangs of the garbage trucks at early in the morning. You know, I mean -- I don't know. I'm kind of on the fence on this one.

Seal: Commissioner Grove, do you have something else?

Grove: I will jump in. I mean I live across the street from this, so I'm very familiar with this area. I walk this all the time. I -- I just have a -- I have a hard time -- I like in-fill. I like that it's tricky. I like all the nuance that goes to it -- into it. Normally I would be in favor of this, but having this in between Main Street and Meridian Road I think that we have -- we have a lot of potential here and I feel like by doing this that is available to us right now, that we are going to have a harder time doing anything around this in the future. I know nobody is necessarily, you know, coming forward and wanting to do a redevelopment of the parcels that are directly close to this, but I think that we are not looking at the longer view on this and I would -- I would prefer a pause just in general to get a better sense of what else is possible here that is a little more ambitious with what is possible in downtown.

Seal: And I will throw in here a little bit. For clarification. First, if we -- if there is a recommendation for approval, the layout that you see right here actually is not the layout that's in the staff report. So, you would have to amend to want to move forward with the three duplex layout, not the one that was originally in the staff report. So, just so everybody's aware of that, if it was -- if you do move to approve, because I can't make motions. The one advantage to sitting in this seat. And I agree that -- I mean I agree on all fronts. In-fill is tricky. It's really tough. I'm glad to see the applicant has taken great strides in doing what they needed to do in order to fit this in here appropriately. Still a little concerned -- I mean it's interesting, because there is turmoil over the parking piece of it and there is more than ample parking being provided, you know, within the duplexes in there, so, you know, as to whether or not this can develop in the future, I kind of look

at things as far as how they fit for what's in there right now. I am a little concerned -- I'm concerned about the parking overall in this situation where things will be marked as -- as no parking where folks have, obviously, been parking, whether that's legal or not, you know, it's better to beg forgiveness -- beg forgiveness than ask permission, so -- and I agree with Commissioner Cassinelli, that was probably not handed over correctly as far as the expectation of being able to park in that -- in that lane. So, this is a tough one. I mean if this were to develop commercially I think it would serve the city better. That said, if we decided not to do this tonight and it doesn't develop as anything else, then, you know, we have missed that opportunity as well to provide some in-fill. This seems to fit pretty well. I mean there are some constraints, but that's -- that's every in-fill property that we have. You know, I have seen some stuff come in for in-fill that didn't go through and now we have empty spaces sitting there that are getting harder and harder to fill. Luckily this isn't a hard corner. So, I have mixed feelings about it all around for sure. That said I think it's -- just looking at the layout that they have here again, I think it's a good layout. I think it does fit appropriately within the space as provided. So, it's tough for in-fill to do that well and I think this one does. But, again, there are some concerns about it.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I don't disagree. I think the product fits the -- the layout, I just have concerns with the product in its location.

Seal: Understood. Okay. At some point -- at some point somebody's got to make this into a motion and it's okay if -- whatever your recommendation is we have to vote on it. So, that's -- that's the good thing about it. We are not all going to agree every time or should we.

Starman: Mr. Chairman, I guess I would give you a third option -- I'm just surmising from comments that we may have a two to vote. I'm not -- I don't want to predict that, but that's a possibility. So, another option -- you know, the Commission could vote to continue this item and wait until you have, you know, more Commissioners present. That's a possibility as well. I just put that out there as a potential.

Seal: And I appreciate that. It's something that I was thinking about. Give them time to go back and take a look at things, work with neighbors, try and figure some things out for parking, you know, how the -- the mailbox situation is really going to lay out. It sounds like there is some work to do on that and the layout that you see in front of you right now was not the layout that was in the staff report. So, it would -- it would provide some opportunity for those things to happen. That said, it's going to delay things I would say at least a month at this point in time. But, again, I don't get to make the motions, so --

Lorcher: Mr. Chairman?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I like the idea from Legal to get some more input than just the four of us.

Seal: Okay. If you would like to make a motion on that.

Starman: If I can interject just real quickly, if the Commission does go that direction -- you may or may not wish to, but I would also likely recommend that you reopen the public hearing and continue that, so you can receive additional feedback at your next meeting as well.

Seal: Understood. Thank you. So, if we are going to continue it we do have to reopen the public hearing. Glad that was stated, because that is something that we need to do.

Grove: Mr. Chair?

Seal: Commissioner Grove.

Grove: If we do open it up we need to be very specific on what we are opening it up for and why we are continuing it, so --

Seal: Okay.

Grove: -- whoever makes that motion. I'm not making that motion.

Seal: Commissioner Cassinelli.

Cassinelli: Well, right now I will make a motion to reopen the public hearing to consider a date and to consider -- I mean we are just making a motion to open the public hearing right now, but to talk about to -- to address this to -- to get more resolution on going from the four to the three and also communication with the neighbors at 1414 Meridian Road. So, that's my motion.

Seal: Is there a second on that?

Lorcher: Second.

Seal: Okay. A motion to reopen the public hearing for Elderberry Estates, H-2021-0044 and H-2021-0005. All in favor? Any opposed? Okay.

**MOTION CARRIED: FOUR AYES. THREE ABSENT.**

Seal: Would the applicant like to come forward, since -- since we reopened it for -- for continuance, like a little bit of input from you. I mean there is, obviously, some concerns, a little cleanup that could be done. Is that -- are those things that you are willing to consider and follow through on?

Mason: William Mason. Mason and Associates. 924 3rd Street South. I think the parking issue is -- is something that -- from a fire standpoint we are not going to be able to not post the -- the accesses as -- not -- as parking stalls. The Fire Department is going to require a 25 foot open area -- or 20 foot open area for them to pass through. So, right now that parking in that 24 foot drive aisle on the north side of the -- the project out to Meridian Road wouldn't meet Fire Department standard right now for emergency services to get past. So, I don't really think there is anything we can do for parking in that area and the -- the post office -- certainly we can work with the post office to determine where they want the mailbox clusters to be located and we would do that.

Seal: Okay. And, then, essentially, when you come back you will have a formal -- the formal submittal for the property is going to be the layout that we see on the screen here; correct?

Mason: Correct.

Seal: Okay. Would somebody like to get a motion? Thanks. I appreciate it.

Cassinelli: Do we want to talk about a date right now?

Seal: That's -- yeah. I was going to say, do we -- do we want to get a date for this? The 4th was the last one that --

Parsons: Mr. Chair, Members of the Commission, certainly want to add a little bit of context to this conversation, so you can have a narrow focus on your -- your continuance request. So, I think the applicant -- from what I'm hearing tonight, too, I kind of concur with Legal, there is -- there is some -- several issues that need to get addressed tonight. One is -- I would even encourage the applicant not only work with these owners, but also the CPA owners, because if you look at this graphic that's before you, there may be an opportunity to provide some parallel parking on the south side of their lot. This 24 foot wide access easement is actually wider in that particular area in front of those two duplexes there. So, there may be an opportunity to still meet the fire code and provide some parking. But that's going to require a shared parking agreement and other -- bring the other property owners into the discussion. So, I think we can solve some of that. I think we can solve the mailbox location, because our code requires the applicant to work with the post office and give us a letter and determine where to place those mailboxes. That's part of their short plat approval. So, I think that works well. The -- the other thing -- so, I think -- I think we can solve some of that. So, in your motion that's what I would encourage you to do is we would want it to, obviously, go to November, because we know the 21st is going to be a busy hearing. So, I would recommend that at least we go to November 4th to allow us to look at those revisions, possibly update the staff report if required. The other option is if the 20 -- you know, our code is going to require 25 feet. That's what a typical drive aisle is when you are adjacent to parking. In this particular case the parking is the parking pads of the units. The applicant could also go through the alternative compliance with staff and try to shrink that -- not going below the Fire Department's requirement, but try to gain some additional width there to provide that

parking. So, I think you allowing us to have that month to not only work with the applicant on coming up with some sort of shared parking in the area, providing some mailbox locations that both -- all parties can agree to and, then, also seeing if we can work on this access issue and try to determine where -- because as I look at this graphic it looks like a portion of this driveway is actually going in their backyard because of that easement and it sounds like that's something they don't want. So, is there an opportunity to look at that or maybe push some of these units back and correct some of the -- the wrongs that have been done under the previous approvals. You know, back in 2007 when this was approved for assisted living and it was -- the property was under one ownership and now that you see what's happened over time when you consolidate property, but you don't develop it and, then, that person goes ahead and sells each individual piece off and, then, the city -- and we are here at the hearing talking about what previous owners committed to doing and now we can't solve that problem unless we add people to the table. So, I think that the appropriate step, in my opinion, would be to continue to -- it sounds like you are and, then, give us some time to -- to work back, work on this and, then, see what your recommendation is at that point. But, you are right, your purview tonight is really just the rezone. Council will be taking action on that short plat.

Seal: Thank you, Bill. Appreciate that. So, really, we want to narrow this down to, essentially, parking issues and the mailbox relocation as far as the continuance. So, with that -- it looks like the 4th would be the date that we would want to shoot for with it, so -- Commissioner Cassinelli.

Cassinelli: I'm going to move to continue file numbers H-2021-0044 and 0005 to the hearing date of November 4th, 2021, and have the applicants work with both the neighbors there at 1414 and the CPA to the south and with staff to try and come up with a parking solution there that's going to work, especially for the existing property owners. Return on the 4th with -- with the three -- three plats and, then, also work on the mailbox configuration.

Lorcher: Second.

Seal: Okay. It's been moved and seconded into continue item number -- or items number H-2021-0044 and H-2021-0005 with -- with the modifications listed -- or noted. Spoken. All in favor say aye. Any opposed? Okay. Motion continued.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

**9. Public Hearing for Intermountain Wood Products Expansion (H-2021-0042) by Kent Brown Planning Services, Located at 255, 335, 381, and 385 S. Locust Grove Rd. and 300 and 330 S. Adkins Way**

A. Request: To expand existing wood products business located at 220, 300 and 330 S. Adkins Way by

a. Annexing 255 and 335 S. Locust Grove Rd. with the I-L zoning



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from October 7, 2021 for Pera Place Subdivision (H-2021-0056) by Leavitt & Associates Engineers, Located at 4600 W. Daphne St., 4546 W. Daphne St., and Parcel S0427325702, Near the Northeast Corner of N. Black Cat Rd. and W. McMillan Rd.

- A. Request: Annexation and Zoning of 10 acres of land with a request for the R-8 zoning district.
- B. Request: Rezone of 6.84 acres of land from the R-4 zoning district to the R-8 zoning district.
- C. Request: Preliminary Plat consisting of 65 single-family detached building lots and 7 common lots on 16.63 acres of land.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** November 4, 2021

**Topic:** **Public Hearing** Continued from October 7, 2021 for Pera Place Subdivision (H-2021-0056) by Leavitt & Associates Engineers, Located at 4600 W. Daphne St., 4546 W. Daphne St., and Parcel S0427325702, Near the Northeast Corner of N. Black Cat Rd. and W. McMillan Rd.

- A. Request: Annexation and Zoning of 10 acres of land with a request for the R-8 zoning district.
- B. Request: Rezone of 6.84 acres of land from the R-4 zoning district to the R-8 zoning district.
- C. Request: Preliminary Plat consisting of 65 single-family detached building lots and 7 common lots on 16.63 acres of land.

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**Information Resources:**

[Click Here for Application Materials](#)

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



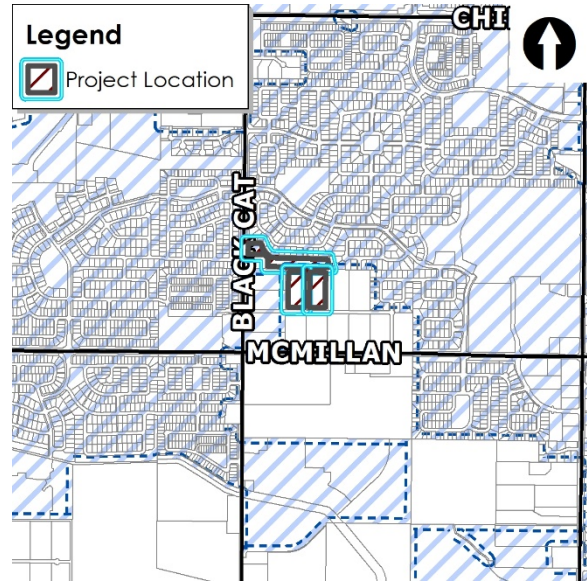
# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 11/4/2021  
TO: Planning & Zoning Commission  
FROM: Joe Dodson, Associate Planner  
208-884-5533  
SUBJECT: H-2021-0056  
Pera Place Subdivision

LOCATION: The site is located at 4600 W. Daphne Street, 4546 W. Daphne Street, and Parcel S0427325702, near the northeast corner of N. Black Cat Road and W. McMillan Road, in the NW ¼ & the SW ¼ of the SW ¼ of Section 27, Township 4N., Range 1W.



### I. PROJECT DESCRIPTION

- Annexation and Zoning of 10 acres of land with a request for the R-8 zoning district;
- Rezone of 6.84 acres of land from the R-4 zoning district to the R-8 zoning district, and;
- Preliminary Plat consisting of 65 single-family detached building lots and 8 common lots on 16.63 acres of land.

### II. SUMMARY OF REPORT

#### A. Project Summary

Description	Details	Page
Acres	AZ – 10 acres; Plat – 16.63 acres	
Future Land Use Designation	Medium Density Residential (3-8 du/ac)	
Existing Land Use(s)	Vacant land and County Residential	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	73 total lots – 65 residential building lots; 8 common lots	
Phasing Plan (# of phases)	No phasing plan submitted	
Number of Residential Units	65 single-family units	
Density	Gross – 3.91 du/ac	
Open Space (acres, total [%]/buffer/qualified)	3.14 acres total open space – 2.84 acres of qualified open space (approximately 17%)	

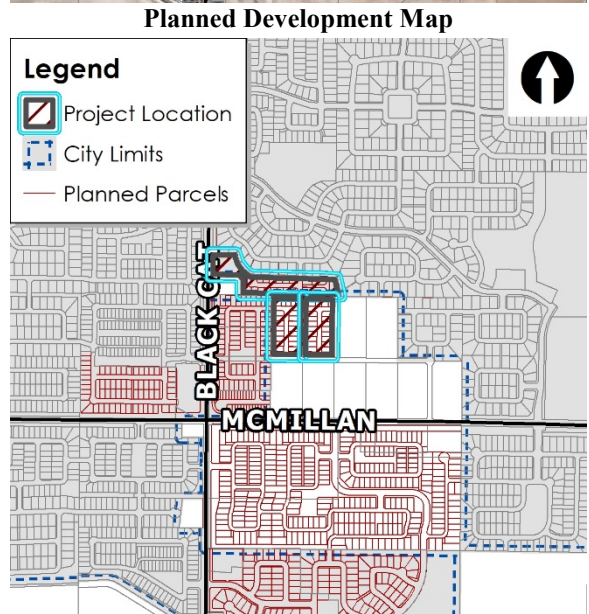
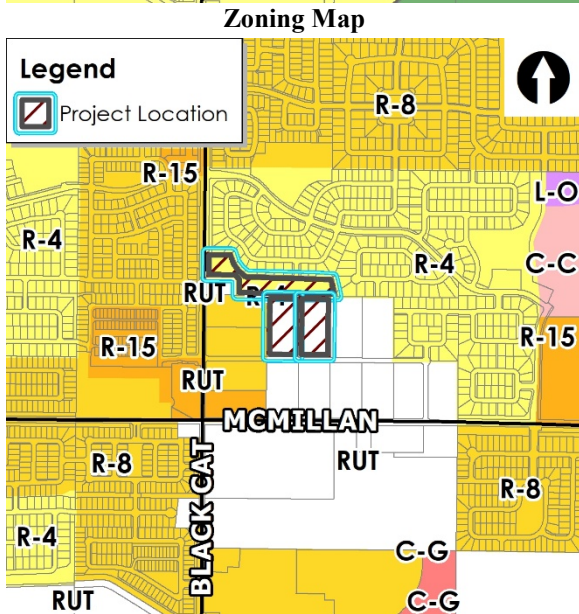
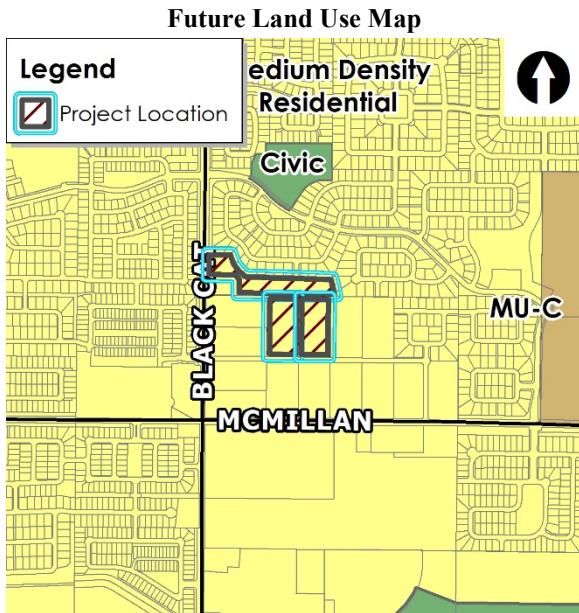
Description	Details	Page
Amenity	Additional qualified open space above the requirement (at least 20,000 square feet); Pergola with a picnic table; and a Tot-lot.	
Neighborhood meeting date; # of attendees:	June 30, 2021 – 12 attendees; September 13, 2021 – No attendees	
History (previous approvals)	AZ-07-011 & PP-07-016 (for the R-4 parcel); DA Inst. #108057324; Black Cat Estates Subdivision No. 2 (County subdivision that includes the remaining 10 acres and two parcels).	

### B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>Yes – Applicant received ACHD Commission approval on October 6, 2021.</p>	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via extension of existing and planned stub streets; two new access points to Daphne Street are also proposed. Proposed stub street extensions include one from the north through Vicenza Commons (N. Sepino Avenue) and one from the west through Brody Square that is currently under construction.	
Stub Street/Interconnectivity/Cross Access	All existing and planned stub streets are shown as being extended into the project site, per the submitted plat. The Applicant is proposing internal local streets for all interconnectivity; no collector or arterial streets traverse the project area.	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	No; submitted plat shows new arterial sidewalk and buffer along short segment abutting N. Black Cat Road.	
Proposed Road Improvements	<p>The Applicant is required to improve W. Daphne Street as ½ of a 33-foot wide street section with curb, gutter, and 5-foot wide attached sidewalk with this application.</p> <p>CIP/Five Year Work Plan for nearby roads:  <b>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</b></p> <ul style="list-style-type: none"> <li>The intersection of McMillan Road and Black Cat Road is scheduled in the IFYWP for the installation of an interim traffic signal in 2022.</li> <li>Black Cat Road is listed in the CIP to be widened to 5-lanes from Ustick Road to McMillan Road between 2031 and 2035.</li> <li>Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to Chinden Boulevard between 2036 and 2040.</li> <li>McMillan Road is listed in the CIP to be widened to 5-lanes from Black Cat Road to Ten Mile Road between 2031 and 2035.</li> <li>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 between 2031 and 2035.</li> </ul>	
Distance to nearest City Park (+ size)	1.5 miles to Keith Bird Legacy Park (7.5 acres)	
Fire Service		

Description	Details	Page
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	2.5 miles from Fire Station #5 (project would be serviced by future Fire Station #8, scheduled for completion in Summer 2023).	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	The project lies within the Meridian Fire response time goal of 5 minutes.	
<ul style="list-style-type: none"> <li>Resource Reliability</li> </ul>	Fire Station #5 reliability is 84% (above the goal of 80%)	
<ul style="list-style-type: none"> <li>Risk Identification</li> </ul>	Risk Factor 2 – Residential with hazards (proposed pond/drainage facility)	
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	Proposed project meets all required road widths, and turnaround dimensions.	
Police Service		
See link in Section VIII.D		
Wastewater		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	N/A	
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	<ul style="list-style-type: none"> <li>Provide to-and-through to 4448, 4500, and 4520 W. Daphne St. Manholes need to be extended to property line at the east and into Daphne St at the south.</li> <li>Ensure no sewer services pass through infiltration trenches.</li> <li>Ensure that angles of pipe into/out of manhole is a minimum of 90 degrees in the direction of flow.</li> <li>Parcel S0427325702 is part of the Black Cat Main Reimbursement agreement.</li> </ul>	
Water		
<ul style="list-style-type: none"> <li>Distance to Services</li> </ul>	0'	
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	<ul style="list-style-type: none"> <li>Any well that will no longer be used must be abandoned according to IDWR requirements.</li> <li>Assuming existing blow-offs at the west boundary. Call out blow off removal.</li> <li>Blow offs at the east side to be called out as per Standard Drawing W13.</li> </ul>	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Dan Lardie, Leavitt & Associates Engineers, Inc – 1324 1<sup>st</sup> Street South, Nampa, ID 83651

B. Developer:

Tony Tseng, Applied Media, Inc. – 6518 N. Fairborn Avenue, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	9/17/2021	
Radius notification mailed to properties within 500 feet	9/15/2021	
Site Posting	10/15/2021	
Nextdoor posting	9/16/2021	

V. STAFF ANALYSIS

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

Medium-Density Residential (MDR) – This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

*The subject project is approximately sixteen and a half acres (16.5) and includes three (3) existing parcels, one of which was annexed into the City with the R-4 zoning district in 2007 and has an existing Development Agreement (DA). The area to the north of this project is developed R-4 zoning with detached single-family homes and an R-8 subdivision is approved to the west of this project, Brody Square. Consistent with the future land use designation of MDR (3-8 du/ac), the Applicant is proposing Pera Place Subdivision with 65 building lots equating to a gross density of 3.91 units per acre. Therefore, the Applicant is proposing a residential project at the low end of the allowable density. Furthermore, the proposed use of detached single-family residential is an allowed and anticipated use in the requested R-8 zoning district and MDR future land use designation.*

**REZONE:** *As noted, a portion of this project is already annexed and zoned R-4. This area of the project created a county enclave that is still owned by the same property owner and is referred to as the Poorman outparcel. This enclave is currently not annexed into the City and was not required to annex when the R-4 property was annexed and approved for a preliminary plat in 2007.*

*The previously approved plat is no longer valid as it is long expired but the existing DA is tied to previous layout and the existing R-4 zoning. The Applicant is requesting to rezone this area to the R-8 zoning district to match the requested zoning of the 10 acres to the south and the approved projects to the south/southwest. Because there is an existing DA tied to a plat that is no longer valid and the Applicant is requesting to rezone this area, the Applicant should submit a Development Agreement Modification application to replace the existing DA and incorporate its boundary with the property included with the concurrent annexation request. This will ensure that the subdivision will develop as proposed. The MDA application should be submitted prior to scheduling this project for the future Council hearing.*

*In general, Staff finds rezoning this area from R-4 to R-8 a logical expansion of existing zoning nearer the corner of Black Cat and McMillan Roads to the southwest of the subject site. Brody Square Subdivision is an approved R-8 subdivision directly to the west/southwest of this area and the Applicant has aimed to match the lot lines along the abutting project boundary. This same density is proposed throughout the proposed project; Staff finds the proposal to annex 10 acres and rezone 6.5 acres to the R-8 zoning district offers an appropriate transitional density to the developed R-4 area to the north.*

***Staff finds the proposed project to be generally consistent with the Comprehensive Plan. Specific Comprehensive Plan policies are discussed and analyzed below.***

The City may require a development agreement (DA) in conjunction with an annexation and rezone pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a new DA that encompasses the land proposed to be rezoned and annexed with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone and annexation approval. A final plat will not be accepted until the new DA is executed and the RZ and AZ ordinances are approved by City Council.*

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

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

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed project offers a density and site design similar to project approved to the west. Despite proposing a similar density and lot size as that to the west, this Applicant is proposing a large linear open space lot and varying lot sizes throughout the development that should offer different home design. In addition, the overall combined density of projects in the area near the corner of Black Cat and McMillan offer a transition between the arterial roadways and the existing R-4 zoning to the north. It is anticipated and planned within this corridor along McMillan that detached single-family homes will be proposed. Furthermore, proposing a density near the lowest allowed provides the City a relief to the transportation network and area schools when compared to a project at twice the density, which would be allowed within the same future land use designation.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *All public utilities are available for this project site due to the existing stubs abutting the site to the west and north. This project also lies within the Fire Department response time goal and Fire has approved the accesses to and through the site. West Ada School District anticipates an additional 45 school aged children from this development, according to the ratio of 0.7 kids per household. With the anticipated additional school aged children in the vicinity of project area, Staff anticipates adequate capacity for the designated middle and high school but overcrowding at Pleasant View Elementary, the elementary school approximately ¼ mile to the north through the adjacent subdivision. Unfortunately, the City does not control the construction of new schools but Staff is aware of the potential for overcrowding at the neighborhood elementary school. Because of this, West Ada anticipates some students utilizing the options of charter schools and specialty schools.*

*Staff finds that the existing and planned development of the immediate area create appropriate conditions for levels of service to and for this proposed project.*

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *The Applicant is proposing this project with two large open space lots totaling 2.75 acres. These two lots are located at different areas of the plat with one being 97-foot wide linear open space in the south portion of the site and the other located along Black Cat and is proposed with a vast number of existing trees that are remaining. Both areas have ample recreation opportunity and pedestrian connections through them. Preserving the existing trees and creating an area of open space that links through the subdivision in the south present adequate usable open space, appropriate conservation, and ample aesthetics for the project.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *Proposed project is extending the attached sidewalks*

*from the south to allow easy access to the future pedestrian facilities and amenities within Prevail Subdivision.*

*“Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F). As discussed, the Applicant is proposing lot sizes and lot lines similar to that of the approved Brody Square subdivision directly abutting the site to the west. In addition, R-8 zoning is an appropriate zoning to transition to the R-4 zoning to the north. The Applicant could revise the lot sizes along the north boundary to meet the R-4 minimum lot size of 8,000 square feet but due to the proposed road layout, aligning lot lines may still be difficult. Furthermore, in this area of the site, the Applicant is proposing six lots adjacent to five existing lots in Vicenza Commons offering similar density along this shared boundary. Therefore, Staff finds the proposed density and lot placement should provide a cohesive project with Vicenza Commons to the north and provide adequate transitional density overall.*

*“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). The Applicant is required to and is proposing to extend all abutting stub streets – N. Sepino Avenue from the north, a local street from the west in Brody Square Subdivision, and two new connections to Daphne Street, the existing local street along the south project boundary. The Applicant is also proposing a new stub street to the east boundary for future connectivity and development opportunity for those parcels to the east. Further discussion and analysis on this are below in Section G, Access. Staff finds the Applicants proposed street connections comply with this policy.*

*“Eliminate existing private treatment and septic systems on properties annexed into the City and instead connect users to the City wastewater system; discourage the prolonged use of private treatment septic systems for enclave properties.” (4.08.02A). As discussed, a portion of this project surrounds a county enclave that utilizes private septic and well systems. Staff has had multiple discussions with that landowner and they do not have an interest in annexing into the City and connecting to City services at this time. The submitted plans show their septic drain field on a small portion of the already annexed R-4 parcel (discussed in more detail below) perpetuating prolonged use of the private systems. Staff finds these conditions do not comply with this policy.*

***Staff finds this development to be generally consistent with the Comprehensive Plan.***

C. Existing Structures/Site Improvements:

There are two existing county residential single-family homes with accessory structures on the two 5-acre sites abutting Daphne Street. Both homes are proposed to be removed upon development of this project.

**Within the existing R-4 parcel, the Poorman outparcel has their septic tank drain field on a small area just north of their property line near Black Cat Road. According to the submitted plat, the Applicant has proposed a non-buildable lot over this area. Staff does not support the inclusion of a non-buildable lot for this shared use and instead recommends the developer and the Poorman’s enter into a separate agreement that defines how this area is to be used and maintained. This recommendation would remove the non-buildable lot and incorporate this area into the larger common lot as previously proposed by the Applicant. This agreement should be included with a future final plat application and include a termination clause when the Poorman outparcel redevelops or connects to City services.**

D. Proposed Use Analysis:

The proposed use is detached single-family residential with an average lot size of 6,705 square feet and a minimum lot size of 5,297 square feet. This use is a permitted use in the requested R-8 zoning district per UDC Table 11-2A-2 and all lots meet the minimum lot size requirement of 4,000 square feet. The Applicant has not noted if this is a phased project, however Staff anticipates it to develop as one phase.

*The proposed use, lot sizes, and lot alignment should provide for a development that is cohesive with the adjacent development to the north and the planned development to the west/southwest.*

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

The residential lots appear to meet all UDC dimensional standards per the submitted plat. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). *The proposed preliminary plat and submitted plans appear to meet all UDC requirements except for the length of the proposed east-west cul-de-sac shown as W. Philomena Court in the north portion of the site. This cul-de-sac measures approximately 550 feet in length, 50 feet beyond the allowed length by UDC 11-6C-3. Therefore, the Applicant requires a Council Waiver to exceed the 500 foot limit for a dead-end street.*

***Note: The original preliminary plat met this requirement and included an access easement to the Poorman outparcel. At Staff's recommendation, the Applicant extended Philomena Court further west so that right-of-way would touch the Poorman outparcel instead of an easement. Staff recommended this because easements are more difficult to track and maintain than having abutting right-of-way. With the current layout, the City will have more means of requiring the Poorman outparcel take access from Philomena Court instead of Black Cat should that property ever redevelop. Therefore, Staff recommends Council approve the waiver for the dead-end street to exceed 500 feet.***

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

The Applicant submitted conceptual building elevations for the proposed detached single-family homes. Note that detached single-family homes do not require Design Review approval therefore Staff does not review these for compliance with any standards.

However, the submitted elevations depict single and two-story homes with two-car garages. The elevations depict field materials of lap siding and faux shingles with varying roof profiles offering an overall array of potential homes. Because these homes do not abut an arterial or collector roadway, staff is not requiring any additional design review with the building permit submittal.

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

Access is proposed via multiple local street connections and no arterial or collector street connections. One access is via extension of N. Sepino Avenue, a local street stubbed to the northern boundary from the Vicenza Commons Subdivision. The Applicant is also proposing two new north-south local street connections to W. Daphne Street, an existing county local street along the southern boundary. Daphne Street is the access point for the existing county residences and is proposed to be improved with half-plus-twelve feet of pavement, curb, gutter, and 5-foot attached sidewalk, per the ACHD staff report (see section VIII.I). The submitted plat shows these north-south local streets intersecting a new east-west local street that would be an extension of Avilla Drive from Brody Square to the west (Brody square is currently under construction but no roads have been constructed at this time). The proposed N. Sepino extension intersects Avilla Drive and is the access point for the noted Philomena Court. In addition, the Applicant is proposing a common drive off of N. Sepino that serves three (3) building lots; the two other lots



adjacent to the common drive are proposed to take access from N. Sepino instead of the common drive. All local streets are proposed as 33-foot wide street sections with 5-foot attached sidewalk within 47 feet of right-of-way consistent with ACHD policy.

The Applicant is also proposing to extend Avilla Drive to the east boundary as a stub street for future road connectivity to adjacent properties. The improvement of Daphne Street will also allow for future connectivity to the east with the assumption that redevelopment of the parcel(s) to the south will be required to complete the south half of Daphne and continue the pedestrian connectivity.

***Staff supports the overall road layout and stub street locations as proposed on the revised preliminary plat.***

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. In addition, the proposed 33-foot wide street section accommodates on-street parking where no driveways exist. Furthermore, no on-street parking is allowed within any part of the cul-de-sac at the end of W. Philomena Court unless the Applicant revises it to be constructed with a 57-foot radius.

*Because each lot is at least 50 feet wide and there are areas where no driveways exist on the local streets, Staff is not concerned with the amount of parking in this subdivision.*

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

5-foot wide attached sidewalks are proposed along all proposed streets except for that sidewalk along N. Black Cat—the Applicant is proposing to construct 5-foot wide detached sidewalk within the required street buffer consistent with code requirements. In addition, the Applicant is proposing 5-foot wide micro-paths through each large open space lot for added pedestrian connectivity. The proposed sidewalks meet UDC 11-3A-17 and ACHD standards.

***As proposed, the project and existing conditions of the Poorman outparcel not being annexed into the City would create a sidewalk gap along the east side of Black Cat. This gap would be approximately 190 feet in length and equates to the Poorman out-parcel's frontage along Black Cat. This sidewalk gap is why the project required ACHD Commission approval instead of the standard staff-level review and approval. The ACHD Commission approved the road layout and the overall project without this additional sidewalk connection but instructed the Applicant try to obtain the additional right-of-way and sidewalk along the outparcel frontage.***

***Because the Poorman outparcel was allowed to remain unannexed in 2007 from the parcel that is part of this application despite common ownership, Staff does not find it feasible to include a condition of approval to require it be annexed into the City at this time or to require the arterial street buffer and detached sidewalk along the Poorman outparcel frontage. However, consistent with other approvals in the area, Staff recommends an interim sidewalk is constructed along the outparcel frontage for pedestrian safety and to eliminate this sidewalk gap until frontage improvements are required at such time the Poorman outparcel is redeveloped.***

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

The required landscaping regulated by code within the proposed development are the following areas: the common open space areas and the required landscape buffer to N. Black Cat Road. The submitted landscape plans show landscaping in these areas as proposed.

*The Applicant is proposing two end-cap common lots on the west side of N. Sepino Avenue that are not wide enough to count as qualified open space but are still required to comply with UDC 11-3B-7, buffers along streets. The submitted landscape plans show compliance with code requirements for the number of trees and other vegetative ground cover.*

*In addition, common open space is required to be landscaped with one (1) tree for every 8,000 square feet of open space. The large open space area in the south area of the site is shown as 46,319 square feet on the preliminary plat requiring at least six (6) qualifying trees. The submitted landscape plans show a number of trees exceeding this UDC requirement. The large open space lot in the northwest corner of the site adjacent to Black Cat is over one-and-a-half acres in size and has an unknown number of existing and mature trees. In addition to these existing trees, the Applicant is proposing at least eight (8) additional qualifying shade trees. Overall, Staff finds the submitted landscape plans show landscaping in excess of code requirements.*

*The landscape buffer along N. Black Cat Road is required to be 25' wide and vegetated in accord with UDC 11-3B-7. The submitted landscape plans show compliance with UDC requirements for the number of trees, tree spacing/grouping, and additional vegetative ground cover with two (2) new trees and the existing conditions of multiple existing and mature trees in the buffer area. The landscape plans and plat also show this buffer to be within a 30-foot common lot exceeding the 25-foot requirement.*

***As noted above, the Applicant is proposing a micro-pathway from the cul-de-sac to the detached sidewalk along Black Cat through the existing tree area. Because this area is densely vegetated and has a relatively large gap between any roads (approximately 400 feet of micro-path), Staff is concerned with safety while traversing this path. Staff is unaware if these trees are pruned to accommodate better visibility or the level of visibility between the proposed cul-de-sac and Black Cat. Therefore, Staff is including a DA provision to install and maintain lights along this micro-path to help with pedestrian safety and meet CPTED policies in this area.***

*The Applicant is required to dedicate additional right-of-way for Black Cat total 50 feet from centerline. This additional dedication is for future widening of Black Cat but in the meantime, UDC 11-3B-7C.5 requires a gravel shoulder of no more than 10 feet with the remaining area to be vegetated with lawn or other vegetative ground cover; gravel is not a sufficient ground cover material. According to the submitted landscape plans, the Applicant is not showing compliance with this code section. So, Staff is recommending a condition of approval to revise the landscape plans to meet this requirement prior to Final Plat submittal.*

**K. Qualified Open Space and Amenities (UDC 11-3G):**

*The proposed preliminary plat area is approximately 16.6 acres in size in size requiring at least one (1) amenity and 1.66 acres (approximately 72,300 square feet) of qualified open space per UDC 11-3G-3. The Applicant is proposing a pergola shade structure with a picnic bench, a tot-lot, and at least 20,000 square feet of qualified open space to meet the amenity requirements; Staff finds the proposed amenities exceed code requirements.*

*According to Staff calculations, the Applicant is proposing approximately 2.84 acres of qualified open space (approximately 17%) to include half of the Black Cat buffer, and the two large open space lots within the project. As discussed throughout the report, Staff finds the proposed open space to be thoughtfully designed and placed for appropriate recreation and use.*

*Note: the large linear open space lot in the south end of the site contains three (3) separate pond facilities that are needed to provide pressurized irrigation for the project. According to the submitted landscape plans, these facilities are shown as small open water ponds with*

*landscaping and rock around each one creating aesthetic open space amenities. Staff finds these small ponds add to the overall beautification and recreation of the open space area so long as they are maintained in accord with UDC standards to include recirculating water and are maintained such that they do not become mosquito breeding grounds.*

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is proposed as shown on the landscape plan and appears to meet UDC standards as proposed including open vision fencing adjacent to common open space areas.

## VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation, rezone, and preliminary plat application with the requirement of a Development Agreement per the Findings in Section IX of this staff report.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

**VII. EXHIBITS**

**A. Annexation and Rezone Legal Descriptions and Exhibit Maps**



**IDAHO  
SURVEY  
GROUP**

9955 W Emerald St  
Boise, ID 83704  
Phone: (208) 846-8570  
Fax: (208) 884-5399

*Boundary Description for*  
**Pera Place - City of Meridian Annexation**  
*August 5, 2021*

A parcel of land situated in the southwest quarter of Section 27, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, including Lots 2 and 3, Block 2 of Black Cat Estates Subdivision No. 2, (instrument number 870382, records of Ada County, Idaho); and being more particularly described as follows:

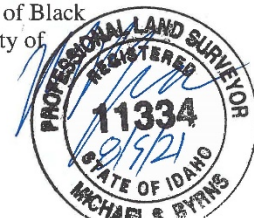
Commencing at the southwest corner of Section 27, Township 4 North, Range 1 West, Boise Meridian, which bears S00°31'09"W, 2637.37 feet from the west quarter-section corner of Section 27;  
Thence N00°31'09"E, 1318.65 feet along the west line of Section 27 to the south sixteenth-section corner of Section 27;  
Thence S89°17'46"E, 660.80 feet along the north line of the southwest quarter of the southwest quarter of Section 27 (City of Meridian annexation instrument number 2020-138111, records of Ada County, Idaho) and the south line of the north half of the southwest quarter of Section 27 (City of Meridian annexation instrument number 108057325, records of Ada County, Idaho) to the POINT OF BEGINNING:

Thence continuing S89°17'46"E, 728.47 feet along the south line of the north half of the southwest quarter of Section 27, and the current boundary of the City of Meridian (City of Meridian annexation instrument number 108057325, records of Ada County, Idaho), to the corner of Vicenza Commons Subdivision (instrument number 2018-085335, records of Ada County, Idaho) on the north boundary of Lot 4, Block 2 of Black Cat Estates Subdivision No. 2 (Record of Survey instrument number 112020950, records of Ada County, Idaho);

Thence N89°25'46"W, 67.40 feet along the north boundary of Lot 4 to the northeast corner of Lot 3, Block 2 of Black Cat Estates Subdivision No. 2;

Thence S00°32'04"W, 659.59 feet along the boundary of Lots 3 & 4 and the southerly extension thereof to the center line of W. Daphne St.;

Thence N89°16'00"W, 660.89 feet along the center line of W. Daphne St. to the southerly extension of the boundary of Lots 1 & 2, Block 2 of Black Cat Estates Subdivision No. 2, and the current boundary of the City of





IDAHO  
SURVEY  
GROUP

9955 W Emerald St  
Boise, ID 83704

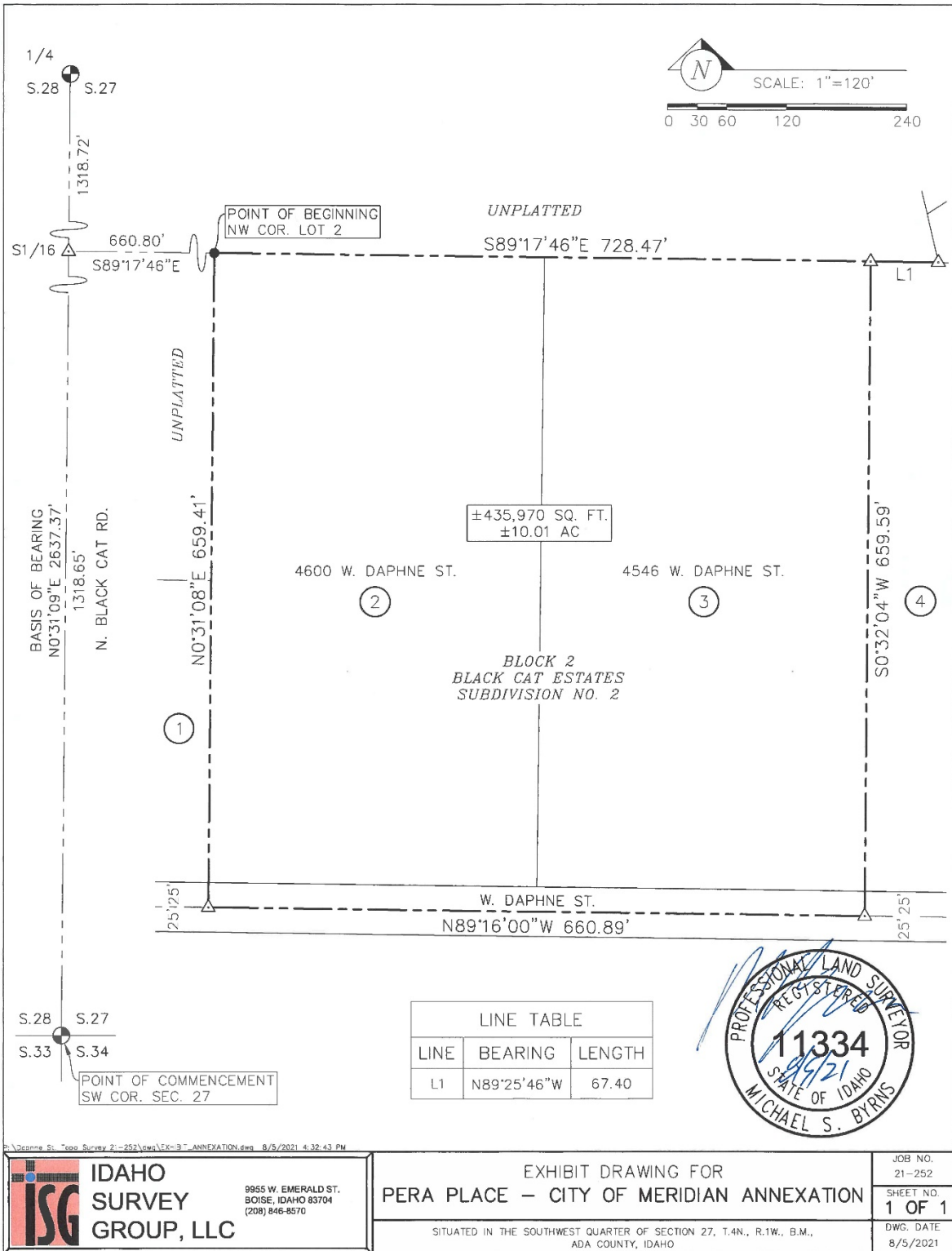
Phone: (208) 846-8570  
Fax: (208) 884-5399

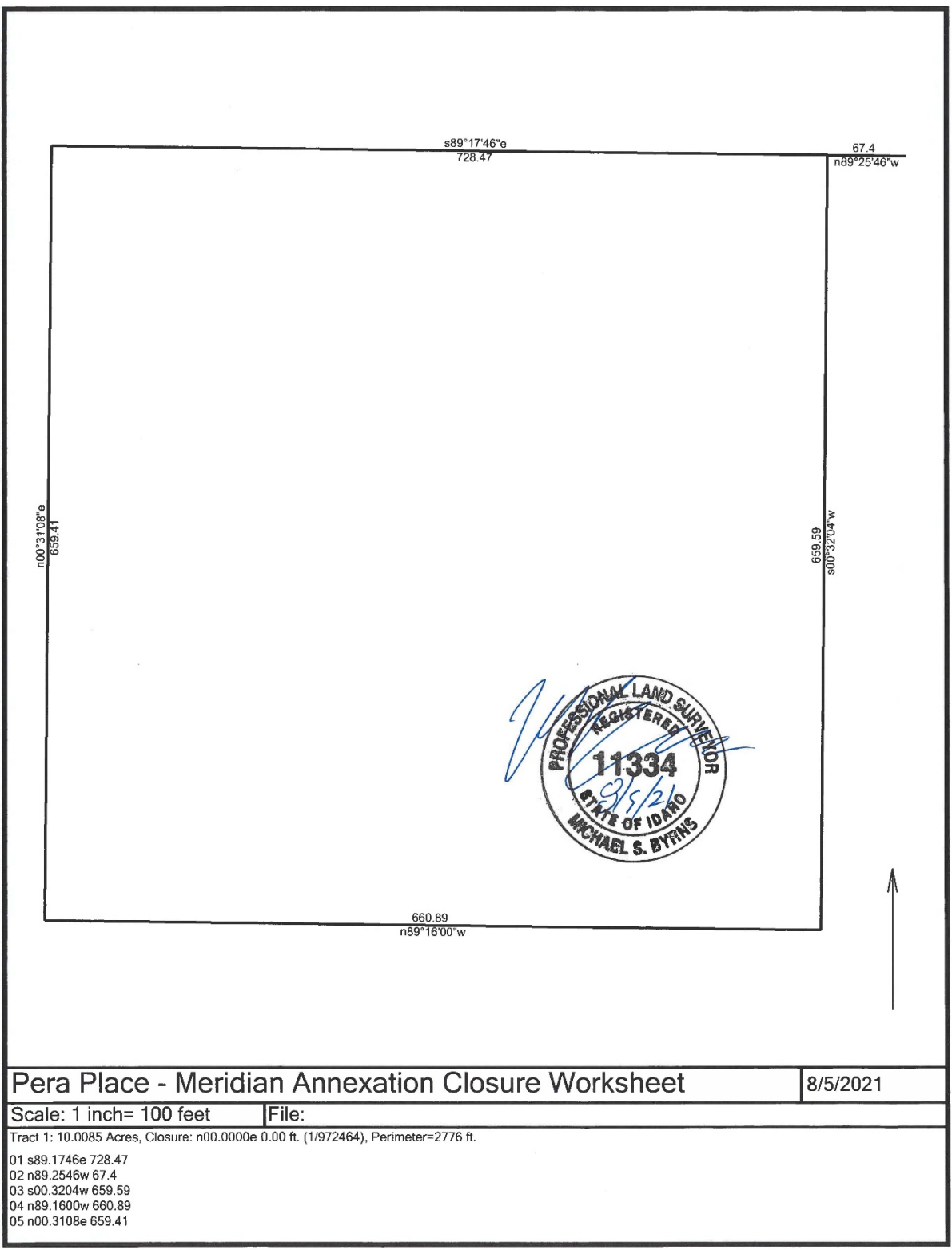
Meridian (City of Meridian annexation instrument number 2020-13811,  
records of Ada County, Idaho);

Thence N00°31'08"E, 659.41 feet along the boundary of Lots 1 & 2, the  
southerly extension thereof, and the current boundary of the City of  
Meridian to the POINT OF BEGINNING.

The above-described parcel contains 10.01 acres, more or less.

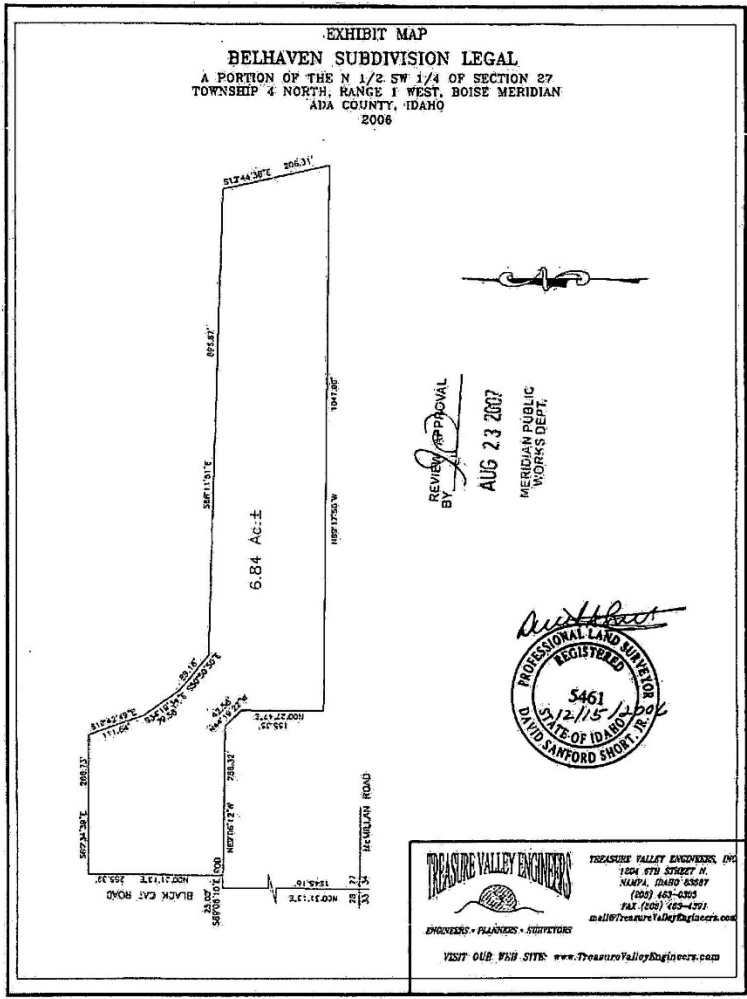




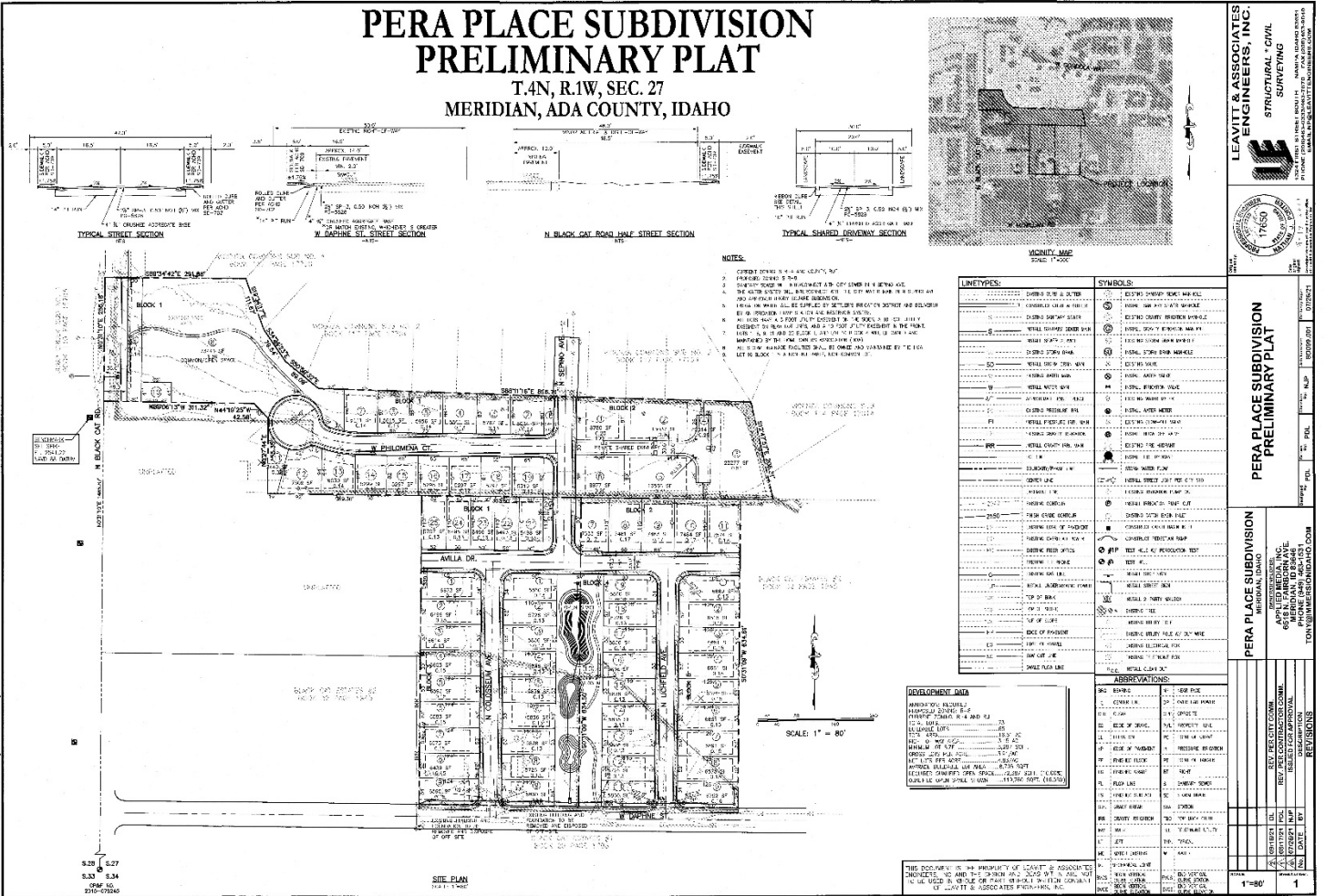


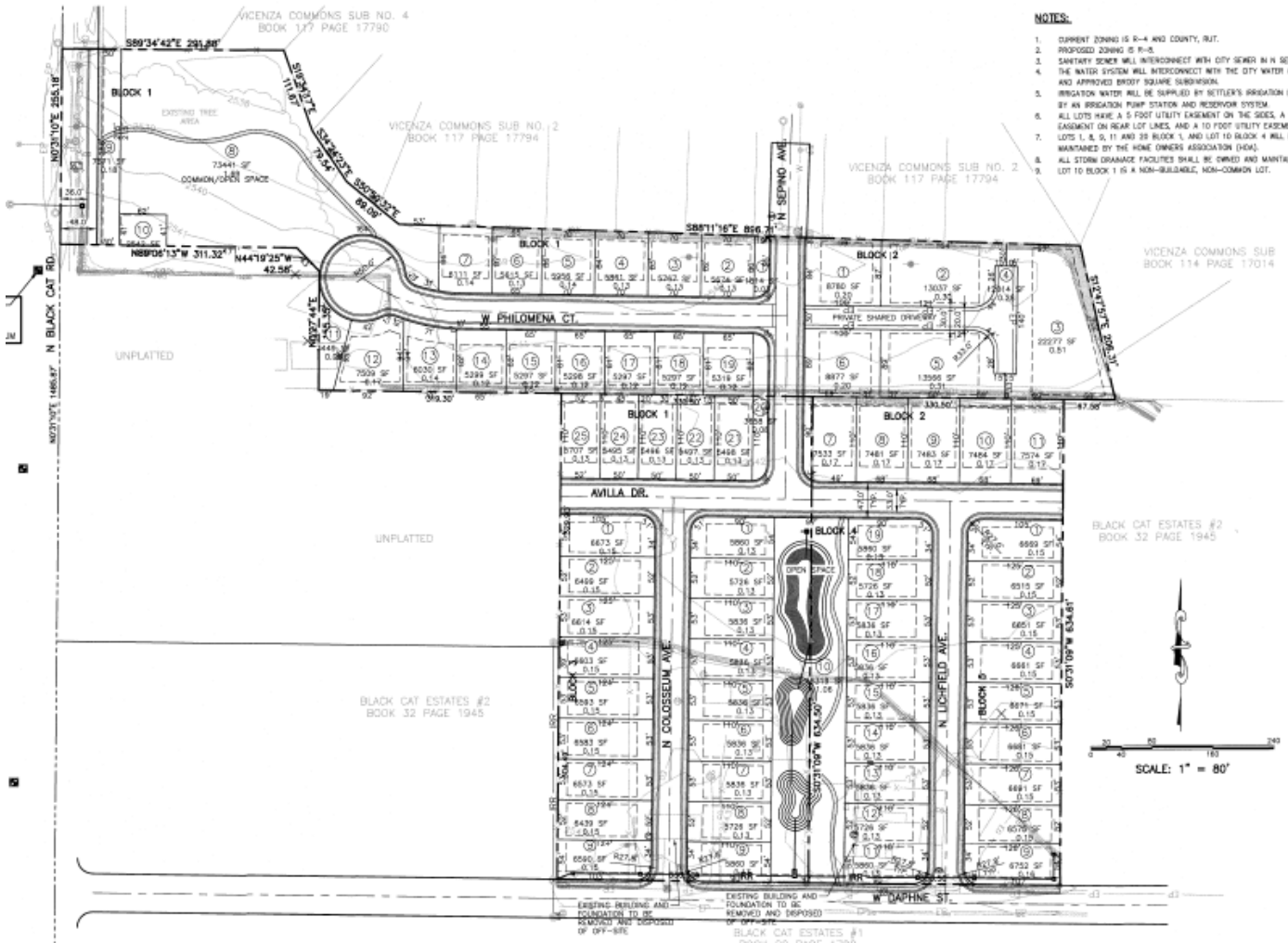






B. Preliminary Plat (dated: 9/17/2021)







NOTES:

1. CURRENT ZONING IS R-4 AND COUNTY, RUT.
2. PROPOSED ZONING IS R-10.
3. SANITARY SEWER WILL INTERCONNECT WITH CITY SEWER IN N SEPINO AVE.
4. THE WATER SYSTEM WILL INTERCONNECT WITH THE CITY WATER MAIN IN N AND APPROVED EXIST SQUARE SUBDIVISION.
5. IRRIGATION WATER WILL BE SUPPLIED BY SETTLER'S IRRIGATION DISTRICT A BY AN IRRIGATION PUMP STATION AND RESERVOIR SYSTEM.
6. ALL LOTS HAVE A 5 FOOT UTILITY EASEMENT ON THE SIDES, A 10 FOOT EASEMENT ON REAR LOT LINES, AND A 10 FOOT UTILITY EASEMENT IN THE LOTS 1, 8, 9, 11 AND 39 BLOCK 1, AND LOT 10 BLOCK 4 WILL BE OWNED MAINTAINED BY THE HOME OWNERS ASSOCIATION (HOA).
7. ALL STORM DRAINAGE FACILITIES SHALL BE OWNED AND MAINTAINED BY THE LOT TO BLOCK 1 IS A NON-BUILDABLE, NON-COMMON LOT.

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C. Landscape Plans (date: 10/7/2021)

 <p><b>LEAVITT &amp; ASSOCIATES</b> ENGINEERS, INC. STRUCTURAL &amp; CIVIL SURVEYING</p>		<p><b>OVERALL LANDSCAPE PLAN</b></p>	<p>PROJECT: PERA PLACE SUBDIVISION DATE: 10/7/2021 DRAWN BY: JCM CHECKED BY: JCM SCALE: AS NOTED</p>	<p>APPLICABLE PERMITS: PERA PLACE SUBDIVISION MERIDIAN, IDAHO</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	REVISION			
NO.	DATE	REVISION									

**VICINITY MAP**



A PARCEL OF LAND LOCATED IN THE WESTERN 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27, T. 4N., R. 1W., BOISE MERIDIAN, ADA COUNTY IDAHO  
JULY 2021

**SITE DEVELOPMENT FEATURES**


DATE: 10/7/2021  
DRAWN BY: JCM  
CHECKED BY: JCM  
SCALE: AS NOTED

**LANDSCAPING INFORMATION**

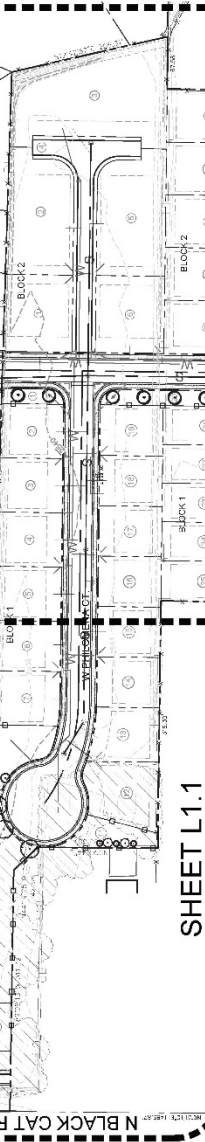
ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.  
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PLANTINGS SHALL BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

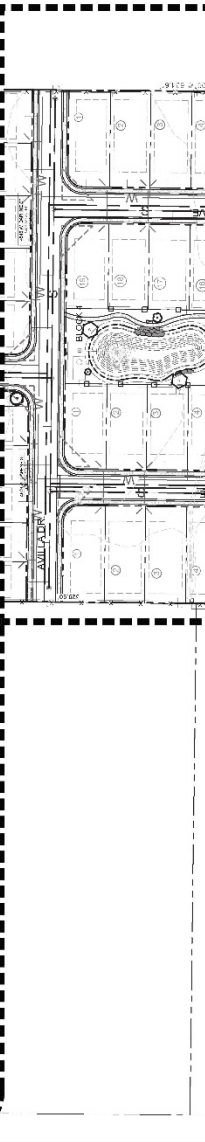
**SHEET L1.2**



**SHEET L1.3**



**OVERALL LANDSCAPE PLAN**



**SEE SHEET L1.1-L1.4 FOR DETAILED LANDSCAPE PLANS.**  
**SEE SHEET L2.0 FOR LANDSCAPE NOTES AND DETAILS.**

**SOUTH BECK & BAIRD**  
ARCHITECTS P.C.  
2025 MALDEN  
BOISE, IDAHO 83725  
PH: 208.333.8888  
WWW.SOUTHBECKANDBAIRD.COM

**PERA PLACE SUBDIVISION**  
MERIDIAN, IDAHO

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### LANDSCAPE PLAN - AREA ONE

#### LANDSCAPE LEGEND

- 1" 1/4" - 1" 1/2" - 2" - 2 1/2" - 3" - 4" - 4 1/2" - 5" - 6" - 8" - 10" - 12" - 15" - 18" - 21" - 24" - 27" - 30" - 36" - 42" - 48" - 54" - 60" - 72" - 84" - 96" - 108" - 120" - 144" - 168" - 192" - 216" - 240" - 270" - 300" - 360" - 420" - 480" - 540" - 600" - 720" - 840" - 960" - 1080" - 1200"
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#### CALLOUT LEGEND

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LANDSCAPE PLAN - AREA ONE

SCALE: 1" = 80'-0"

#### PLANT SCHEDULE

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#### REVISIONS

NO.	DATE	DESCRIPTION
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2		
3		

**LEAVITT & ASSOCIATES**  
ENGINEERS, INC.  
STRUCTURAL - CIVIL  
SURVEYING

1500 FIRST STREET SOUTH  
NAPLES, FLORIDA 34109

**PERA PLACE SUBDIVISION**  
APPLIED MEDIA, INC.  
MERIDIAN, IDAHO  
PHONE (609) 483-1831  
TONGUEMENSINGIDAHO.COM

**REGISTERED PROFESSIONAL ENGINEER**  
STATE OF FLORIDA  
NO. 12427  
EXPIRES 12/31/2021

**SOUTH BECK & BAIRD**  
ARCHITECTS P.C.  
2023 N. W. 13th Ave.  
Suite 200  
Fort Lauderdale, FL 33304  
Phone: (754) 467-4400  
www.southbeckandbaird.com

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D. Open Space Exhibit





E. Conceptual Building Elevations



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation and rezone of this property. Prior to approval of the annexation and rezone ordinances, a new DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation and rezone ordinance adoption, and the developer. **Prior to the City Council hearing being scheduled, the Applicant shall submit for a Development Agreement Modification to replace the existing DA for the R-4 parcel and incorporate the entire rezoned and annexed property under a new DA. A fee of \$502.00 shall be paid at the time of application submittal.**

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 and rezone. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be consistent with the approved plat, landscape plan, and conceptual building elevations included in Section VII and the provisions contained herein.
  - b. The Applicant shall install and maintain lights along the micro-path proposed within the large open space lot in the northwest corner of the site (Lot 8, Block 1) to help with pedestrian safety and use of this open space area.
  - c. With final plat submittal, the Applicant shall provide a copy of the executed agreement with the Poorman outparcel (Parcel #S0427325830) outlining the use, maintenance, and termination of the septic drain field that is part of the large open space lot in the northwest corner of the project, shown as Lot 8, Block 1.
  - d. The Applicant shall construct an interim 5-foot wide sidewalk along the Poorman outparcel (Parcel #S0427325830) to eliminate the sidewalk gap on the east side of N. Black Cat Road and provide safe pedestrian access along this corridor. Coordinate with the transportation authority on approved construction methods for this interim sidewalk.
2. Prior to the City Council hearing, the Applicant shall provide a revised Rezone legal description and exhibit map for the existing R-4 parcel noting the rezone request to the R-8 zoning district.
  3. The revised preliminary plat included in Section VII.B, dated September 17, 2021, shall be revised as follows prior to submitting for Final Plat approval:
    - a. Add a plat note stating that direct lot access to N. Black Cat Road is prohibited.
    - b. Remove the non-buildable lot (Lot 10, Block 1) for the Poorman outparcel septic drain field and show it as part of the larger common lot (Lot 8, Block 1).
  4. The landscape plan included in Section VII.C, dated October 7, 2021, shall be revised as follows prior to submitting for Final Plat approval:
    - a. Any landscaping within the ACHD right-of-way shall be landscaped in accord with UDC 11-3B-7C.5.
  5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.

6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
9. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
10. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

## **B. PUBLIC WORKS**

### **Site Specific Conditions of Approval**

1. The blow off at the west boundary of the subdivision must be removed.
2. The new blow off at the east boundary of the subdivision should be called out using Standard Drawing W13.
3. City requires developers to provide sewer to and through this project to adjacent properties. In accordance with the to-and-through policy, sewer must be extended to 4448, 4500, and 4520 W. Daphne Street.
4. Ensure no sewer service lines pass through infiltration trenches.
5. Ensure that angles of pipe into and out of manholes is a minimum of 90 degrees in the direction of flow.

### **General Conditions of Approval**

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.

18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

**C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=236733&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237247&dbid=0&repo=MeridianCity>

**E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237895&dbid=0&repo=MeridianCity>

**F. WEST ADA SCHOOL DISTRICT (WASD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=238205&dbid=0&repo=MeridianCity>

**G. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237323&dbid=0&repo=MeridianCity>

**H. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239277&dbid=0&repo=MeridianCity>

**I. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240450&dbid=0&repo=MeridianCity>

## IX. FINDINGS

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

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

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

*Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-8 zoning district and Rezone a portion of the project from R-4 to the R-8 zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-8 zoning district and is consistent with the purpose statement of the requested zone.*

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

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

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

*Staff finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.*

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

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

### 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;**

*Staff finds that the proposed plat 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;**

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

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

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

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

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

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

*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has offered their support of the proposed development with the proposed road layout in mind.*

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

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





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Meridian Swim School (H-2021-0069) by CSHQA, Located at 2730 E. State Ave.

A. Request: Conditional Use Permit for an indoor recreation facility on 1.1 acres of land in the I-L zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** November 4, 2021

**Topic:** **Public Hearing** for Meridian Swim School (H-2021-0069) by CSHQA, Located at 2730 E. State Ave.

A. Request: Conditional Use Permit for an indoor recreation facility on 1.1 acres of land in the I-L zoning district.

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## Information Resources:

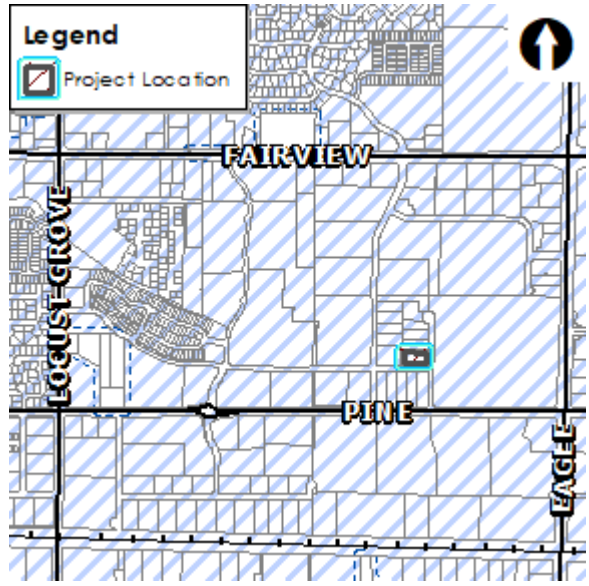
[Click Here for Application Materials](#)

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

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: November 4, 2021  
TO: Planning & Zoning Commission  
FROM: Sonya Allen, Associate Planner  
208-884-5533  
SUBJECT: H-2021-0069  
Meridian Swim School  
LOCATION: 2730 E. State Ave., in the NE ¼ of Section 8, T.3N., R.1E. (Parcel #R3073780100)



**I. PROJECT DESCRIPTION**

Conditional use permit (CUP) for an indoor recreation facility on 1.1 acres of land in the I-L (Light Industrial) zoning district.

**II. SUMMARY OF REPORT**

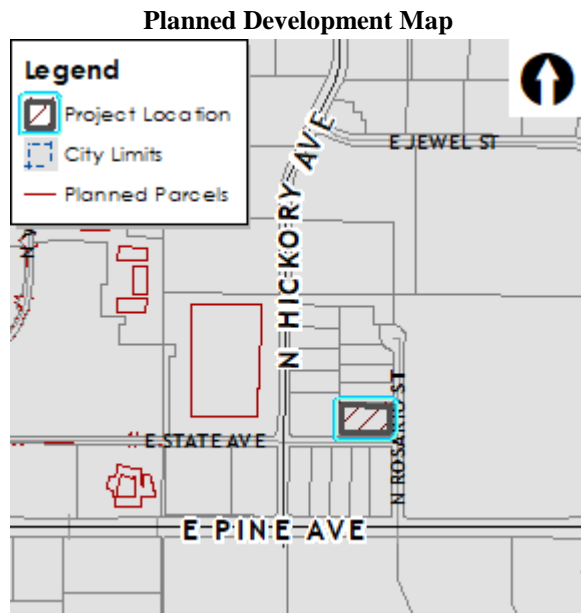
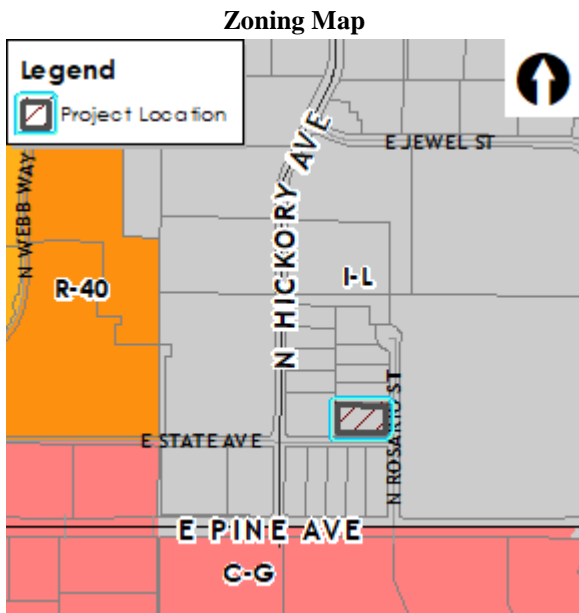
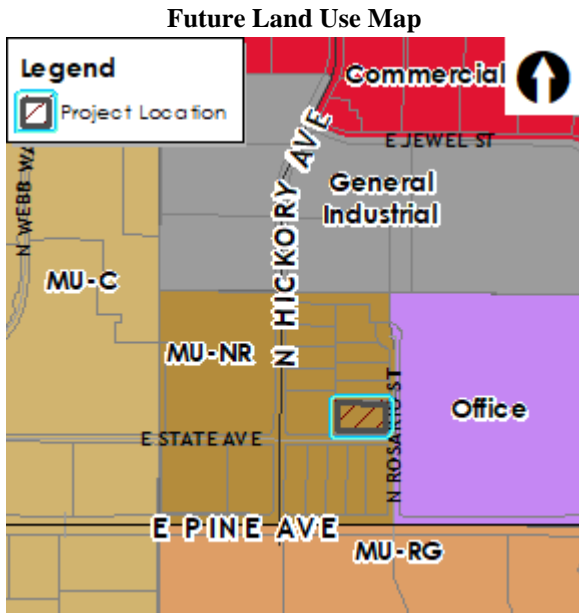
A. Project Summary

Description	Details	Page
Acreage	1.1-acres	
Future Land Use Designation	Mixed Use – Non-Residential (MU-NR)	
Existing Land Use(s)	Vacant/undeveloped land	
Proposed Land Use(s)	Indoor recreation facility/swim school	
Neighborhood meeting date; # of attendees:	Sept. 7, 2021; one (1) attendee	
History (previous approvals)	A CUP was approved in 1991 for a PUD – General (Gemtone Inc.). Platted as Lot 1, Block 2, Gemstone Center No. 2.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) access via E. State Ave. and one (1) access via N. Rosario St., both local streets.	
Existing Road Network	Yes	

C. Project Area Maps



**III. APPLICANT INFORMATION**

A. Applicant:

Mandie Brozo, CSHQA – 200 Broad Street, Boise, ID 83702

B. Owner:

Brock & Sarah Ward, Adventures in Aquatics, LLC – 2730 E. State Ave., Meridian, ID 83646

C. Representative:

James Marsh – CSHQA – 200 Broad Street, Boise, ID 83702

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/19/2021	
Radius notification mailed to properties within 300 feet	10/12/2021	
Site Posting Date	10/23/2021	
NextDoor posting	10/15/2021	

**V. COMPREHENSIVE PLAN** (*Comp. Plan*)

This property is designated Mixed Use – Non-Residential (MU-NR) on the Future Land Use Map (FLUM) in the Comprehensive Plan.

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).

The Applicant proposes to develop the site with an indoor recreation facility (i.e. swim school). Because the use is non-residential adjacent to office and flex space uses and is located approximately 570 feet from industrial uses to the north, it should be an appropriate use in the MU-NR FLUM designation.

In reviewing development applications, the following items will be considered in MU-NR areas: (*Staff’s analysis in italics.*)

- No new residential uses will be permitted (existing residential may remain). *No residential uses are proposed.*
- All developments should have a mix of at least two types of land uses. *At 1.1-acres, the size of the subject property is too small to allow the development of two land use types. The overall MU-NR designated area will have a mix of uses; offices, flex space and a church exist to the north and northwest of this site within the MU-NR area.*
- Development is not required to comply with the minimum number of uses in the general mixed-use standards. *Noted.*
- Street sections consistent with the Ada County Highway District Master Street Map are required within the Unified Development Code. *No new streets are proposed.*

- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, food service/restaurants, industry, or warehouse uses. *Noted.*
- A transitional use is encouraged on the perimeter of the MU-NR areas between any existing or planned residential development. *Although this site is on the east perimeter boundary of the MU-NR area, no residential uses exist or are planned to the east.*

The following goals and policies in the Comprehensive Plan are supported by the proposed development:

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)  
*The proposed use will contribute to the mix of uses in this area that ensure livability and economic vitality of the community.*
- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)  
*The subject mixed-use area currently contains office and church uses and will eventually include other non-residential uses. The proposed use will provide a service in close proximity to residential neighbors to the west.*
- “Provide, partner, and preserve public and private indoor and outdoor recreation amenities for a diverse range of physical activities.” (5.01.01C)  
*The proposed private recreation facility offering swim lessons to the public will contribute to the range of physical activities offered in the City.*

## VI. UNIFIED DEVELOPMENT CODE ([UDC](#))

The proposed use, an indoor recreation facility, is listed as a conditional use in the I-L (Light Industrial) zoning district per UDC Table [11-2C-2](#). Compliance with the dimensional standards listed in UDC Table [11-2C-3](#) is required.

## VII. STAFF ANALYSIS

As discussed above in Section V, the proposed swim school is considered an appropriate use and meets the development guidelines listed for the MU-NR designation. The use is also consistent with the Planned Unit Development approved in 1991 for Gemtone Inc., which approved a mix of commercial and light industrial uses in the I-L zoning district.

The proposed building for the swim school will be one-story tall and approximately 8,788 square feet (s.f.). A covered patio with a seating area is proposed on the west side of the building.

The proposed use is subject to the following Specific Use Standards ([UDC 11-4-3-2](#)) - Arts, Entertainment or Recreation Facility, Indoors and Outdoors: (*Staff analysis in italics*)

### A. General Standards:

1. All outdoor recreation areas and structures that are not fully enclosed shall maintain a minimum setback of one hundred feet (100') from any abutting residential districts. The playing areas of golf courses, including golf tees, fairways, and greens, are an exception to this standard. (Ord. 07-1325, 7-10-2007). *No outdoor recreation areas are proposed; all activities will take place within the structure.*

2. No outdoor event or activity center shall be located within fifty feet (50') of any property line and shall operate only between the hours of six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. *No outdoor events or activities are proposed.*
  3. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only.
  4. Outdoor speaker systems shall comply with section 11-3A-13, "Outdoor Speaker Systems", of this title. *No outdoor speakers are proposed.*
- B. Additional Standards for Swimming Pools: Any outdoor swimming pool shall be completely enclosed within a six foot (6') non-scalable fence that meets the requirements of the building code in accord with title 10, chapter 1, of this code. *An indoor swimming pool is proposed; therefore, this standard is not applicable.*
- C. Additional Standards for Outdoor Stage or Musical Venue: Any use with a capacity of one hundred (100) seats or more or within one thousand feet (1,000') of a residence or a residential district shall be subject to approval of a conditional use permit. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005). *No outdoor stage or musical venue is proposed.*

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

Two (2) driveway accesses are depicted on the site plan – one (1) via E. State Ave. and one (1) via N. Rosario St., both existing local streets. ACHD has approved the location of both access driveways.

Because local street access is available to this site and adjoining properties and a cross-access easement was not provided to this property with development of the property to the west (A-2021-0021 Hickory Flex Building), Staff is not recommending cross-access easements are required to adjoining properties.

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

There are existing 5-foot wide attached sidewalks along E. State Ave. and N. Rosario St. that meet UDC standards. Any damaged curb, gutter or sidewalk is required to be replaced by ACHD.

**A 5-foot wide continuous internal pedestrian walkway is required to be provided from the perimeter sidewalk to the main building entrance(s); the walkway should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#). The plans should be revised to reflect compliance with this standard.**

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

Based on 8,788 s.f. of gross floor area, a minimum of 17 off-street parking spaces are required. A total of 48 parking spaces are proposed, exceeding UDC standards. Based on 48 parking spaces provided, a minimum of one (1) bicycle parking space is required to be provided. **Bicycle parking facilities should be designed in accord with the standards listed in UDC [11-3C-5C](#). A detail demonstrating compliance with these standards should be included on the plans.**

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

A 10-foot wide street buffer is required to be provided along E. State Ave. and N. Rosario St., both local streets, landscaped per the standards listed in UDC [11-3B-7C](#). **Shrubs should be added within the street buffers in accord with UDC 11-3B-7C.3a.**

There are no residential uses abutting this site that require buffering.

Parking lot landscaping is required per the standards listed in UDC [11-3B-8C](#). **Staff recommends adding a tree within the planter area where the two rows of parking converge at the southeast corner of the site.**

**Outdoor Lighting (UDC [11-3A-11](#)):**

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C unless otherwise approved through alternative compliance. Light fixtures that have a maximum output of 1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

**Details of the lighting proposed on the site that demonstrate compliance with the standards listed in UDC 11-3A-11 should be submitted with the Certificate of Zoning Compliance application.**

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

A privacy fence is depicted on the site plan along portions of the north and west property boundaries. A detail of the proposed fencing should be included on the plans that demonstrates compliance with the standards in UDC 11-3A-7.

**Building Elevations:**

Conceptual building elevations and perspectives were submitted for the proposed structure as shown in Section IX.C. Building materials consist primarily of EIFS and stone with glazing and wood accents/trim and metal roofing. The elevations appear to generally comply with the standards in the Architectural Standards Manual; however, a detailed review will take place with the administrative Design Review application.

**Certificate of Zoning Compliance (UDC [11-5B-1](#)):**

A Certificate of Zoning Compliance (CZC) is required to be submitted for the proposed use prior to submittal of a building permit application to ensure compliance with UDC standards and the conditions listed in Section X.

**Administrative Design Review (UDC [11-5B-8](#)):**

An application for administrative Design Review is required to be submitted concurrent with the CZC application. The design of the site and structures is required to comply with the standards listed in UDC 11-3A-19 and in the Architectural Standards Manual ([ASM](#)).

**VIII. DECISION****A. Staff:**

Staff recommends approval of the proposed conditional use permit with the conditions in Section X per the Findings in Section XI.



Item 10.

505

IX. EXHIBITS

A. Site Plan (date: 9/10/2021)

MERIDIAN SWIM SCHOOL | 10 SEPTEMBER, 2021

**CONTACT INFORMATION**

OWNER: BROCK WARD ADVENTURES IN AQUATICS LLC 2750 EAST STATE AVENUE MERCER, NJ 08842 P: (908) 666-4048	ARCHITECT: JAMES MARSH CSHQ 300 BROAD ST. ROSELAND, NJ 07068 P: (201) 429-4044
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**SITE PLAN INFORMATION**

PROJECT ADDRESS: 2750 E. STATE AVE. MERCER, NJ 08842

PARCEL: 8207780100  
ZONE CODE: I4

TOTAL ACRES: 3.1 = 47,903 SQ.FT.  
PROPERTY DESCRIPTION: LOT 1 & 2 & 3 GEMSTONE CENTER #2

TOWNSHIP/RANGE/SECTION: 3RD/08

**DIMENSIONAL STANDARDS IN THE LIGHT INDUSTRIAL DISTRICTS**

FROM TABLE 11-28-3 OF THE MERCER CITY CODE	
FRONT SETBACK (IN FEET)	0
REAR SETBACK (IN FEET)	0
INTERIOR SIDE SETBACK (IN FEET)	0
STREET SETBACK (IN FEET)	30'
STREET LANDSCAPE BUFFER (IN FEET)	30'
LOCAL (N. ROXBORO ST.)	30'
LOCAL (E. STATE AVE.)	30'
COLLECTOR	20'
ARTERIAL	25'
LANDSCAPE BUFFER TO RESIDENTIAL	25'
LANDSCAPE BUFFER TO NONINDUSTRIAL USES	0
MAXIMUM BUILDING HEIGHT (IN FEET)	50'

**SITE AREA CALCULATIONS:**

BUILDING AREA:	8,788 SQ. FT.
LANDSCAPE AREA:	14,742 SQ. FT.
PERCENTAGE OF SITE DEVOTED TO BUILDING:	33.3%
PERCENTAGE OF SITE DEVOTED TO LANDSCAPE:	30.3%
PERCENTAGE OF SITE DEVOTED TO PAVING:	36.4%

**PARKING REQUIREMENTS - SECTION 11-36-6-B.1:**

ONE PARKING SPACE REQUIRED FOR EVERY 500 SQ. FT. OF GROSS FLOOR AREA  
8,788 SF / 500 = 18 = 18 PARKING STALLS REQUIRED  
= 48 PARKING STALLS PROVIDED

LANDSCAPE REQUIREMENTS: REFER TO LANDSCAPE PLAN

**LEGEND:**

---	SUBJECT: FINISH BOUNDARY
- - - -	ADJACENT LOT BOUNDARY
- . - . -	PROPERTY LINE
- - - -	EXISTING EASEMENT
- - - -	EXISTING CONDUIT
- - - -	NEW 120V LIGHT FIXTURE
- - - -	NEW 240V LIGHT FIXTURE
- - - -	NEW 480V LIGHT FIXTURE
- - - -	NEW 120V LIGHT FIXTURE
- - - -	NEW 240V LIGHT FIXTURE
- - - -	NEW 480V LIGHT FIXTURE
- - - -	NEW 120V LIGHT FIXTURE
- - - -	NEW 240V LIGHT FIXTURE
- - - -	NEW 480V LIGHT FIXTURE
- - - -	NEW 120V LIGHT FIXTURE
- - - -	NEW 240V LIGHT FIXTURE
- - - -	NEW 480V LIGHT FIXTURE

**SHEET NOTES:**

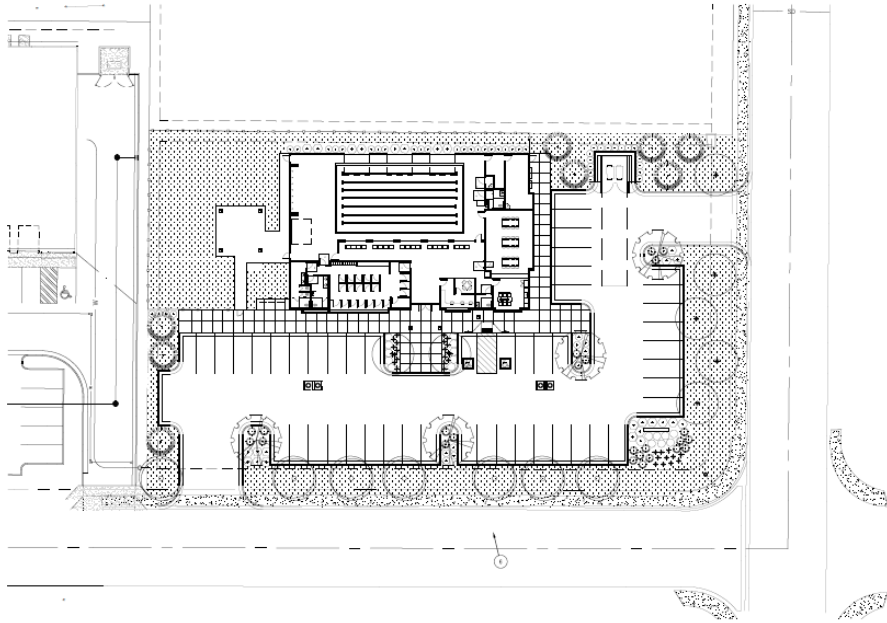
1. PROJECT BOUNDARY	12. NEW CONCRETE PAVING
2. EXISTING CONC. AND CURB	13. NEW TRUCK BAY
3. EXISTING CONC. DRIVE	14. NEW CONC. DRIVE
4. EXISTING CONC. DRIVE	15. NEW CONC. DRIVE
5. EXISTING CONC. DRIVE	16. NEW CONC. DRIVE
6. NEW LANDSCAPE LIGHT	17. PROPOSED ELECTRICAL AND GAS METER ENCLOSURE
7. NEW CONC. AND CURB	18. PROPOSED TRUCK BAY
8. NEW CONC. AND CURB	19. EXISTING TRUCK BAY
9. NEW CONC. AND CURB	20. EXISTING TRUCK BAY
10. NEW CONC. AND CURB	21. NEW TRUCK BAY AND CURB
11. NEW CONC. AND CURB	

Scale: 1"=20'-0"  
21161.000

CONCEPT SITE PLAN  
SCHEMATIC DESIGN | pg. 1

Page 7

B. Landscape Plan (date: 9/17/2021)



**CONTACT INFORMATION**  
 OWNER: BROCK WARD  
 ADVENTURES IN AQUATICS LLC  
 275 EAST STATE AVENUE  
 MERIDIAN, ID 83642  
 P: (208) 366-6666  
 ARCHITECT: JAMES MARSH  
 CSH6A  
 300 BRAD ST.  
 BOISE, ID 83703  
 P: (208) 462-4666

**PLANT SCHEDULE**

SYMBOL	COMMON NAME	SCIENTIFIC NAME	HEIGHT / SPREAD
	Japanese Maple	Acer japonicum	10-12' H x 8' W
	Japanese Maple	Acer japonicum	10-12' H x 8' W
	Japanese Maple	Acer japonicum	10-12' H x 8' W
	Japanese Maple	Acer japonicum	10-12' H x 8' W

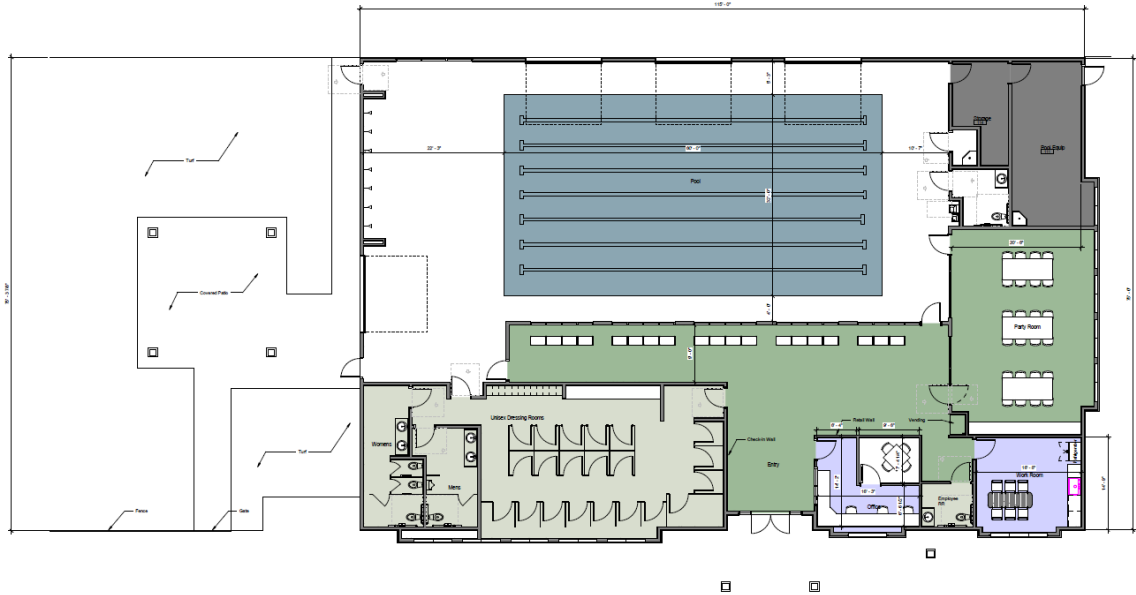
SYMBOL	COMMON NAME	SCIENTIFIC NAME	HEIGHT / SPREAD
	Perennial Ryegrass	Lolium perenne	2' H x 4' W
	Perennial Ryegrass	Lolium perenne	2' H x 4' W
	Perennial Ryegrass	Lolium perenne	2' H x 4' W
	Perennial Ryegrass	Lolium perenne	2' H x 4' W

**GENERAL NOTES**

ALL PLANTING BEDS SHALL RECEIVE A 3" DEPTH OF ORGANIC MULCH.  
 THE SITE WILL BE MAINTAINED THROUGHOUT THE YEAR BY PROFESSIONAL LANDSCAPE MAINTENANCE CREW. SUCH MAINTENANCE SHALL INCLUDE BUT WILL NOT BE LIMITED TO WEEKLY MOWING AND TRIMMING OF THE TURF, REGULAR FERTILIZATION, ANNUAL TREE AND SHRUB PRUNING, WEEDING AND TRASH OR DEBRIS REMOVAL.  
 FINISH GRADES FOR LANDSCAPE AREAS TO BE SMOOTH AND EVEN GRADIENTS WITH POSITIVE DRAINAGE IN ACCORDANCE WITH SITE GRADING PLAN. SLOPES FOR TURF AREAS SHALL NOT EXCEED 4:1.  
 ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE RECEIVED IF NOT IN A SOUND AND HEALTHY CONDITION.  
 PROTECT LANDSCAPE WORK AND MATERIALS FROM DAMAGE DUE TO LANDSCAPE OPERATIONS, OPERATIONS BY OTHER CONTRACTORS AND TRUCKS, AND TRESPASSERS. MAINTAIN PROTECTION DURING INSTALLATION AND MAINTENANCE PERIODS. TREAT, REPAIR, OR REPLACE DAMAGED LANDSCAPE WORK AS DIRECTED.  
 CONTRACTOR IS RESPONSIBLE TO VERIFY ALL QUANTITIES PROVIDED ON ALL PLANS. IF QUANTITIES LISTED DO NOT CORRELATE WITH WHAT IS SHOWN ON THE PLAN, THE QUANTITIES SHOWN ON THE PLAN SHALL GOVERN. THIS INCLUDES BUT IS NOT LIMITED TO TREE, SHRUB, ROCK, TOPSOIL, MULCH, SEED OR SOIL, EDGING, AND DRIP LINE QUANTITIES.  
 IRRIGATION STATEMENT:  
 THIS DESIGN AS SHOWN IS INTENDED TO BE PERMANENTLY IRRIGATED BY MEANS OF AN AUTOMATIC IRRIGATION SYSTEM COMPOSED OF OVERHEAD SPRAY AND ROTOR SPRINKLER HEADS AND/OR LOW-VOLUME DRIP LINE. THE SYSTEM SHALL BE CONTROLLED WITH AN PROGRAMMABLE IRRIGATION CONTROLLER, CAPABLE OF ADJUSTING FOR CLIMATIC VARIANCES.

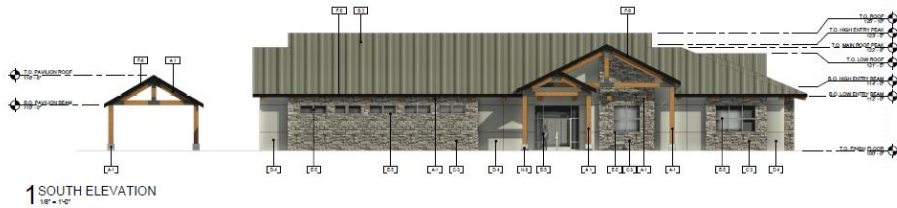
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### C. Floor Plan & Building Elevations (dated: 8/31/21)

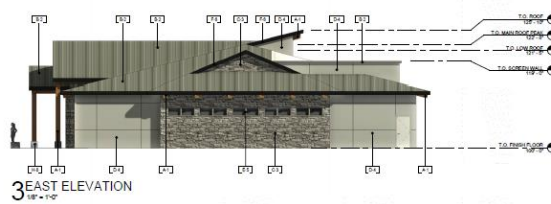
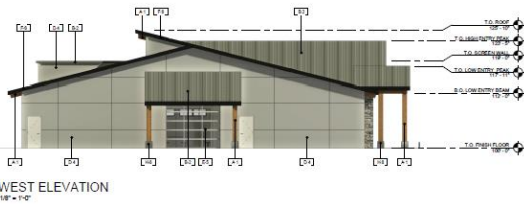


Scale: 3/16" = 1'-0"  
21161

FLOOR PLAN  
DRAWN BY: CHEEK/ROTH SCHEMATIC DESIGN | pg. SD51



MATERIALS & FINISH SCHEDULE:	
MATERIAL	FINISH/COLOR
[Symbol] WOOD	[Symbol] HEAVY TIMBER STONES - STAINED
[Symbol] METAL - ROOF	[Symbol] BERRIDGE STANDING SEAM METAL ROOF - COLOR: 700
[Symbol] STONE	[Symbol] FLOOR-HOOD STONE - SILVER LINING
[Symbol] PAINT DRIFT OUTFALLATION	[Symbol] PAINT - INTERIORS: PURE WHITE
[Symbol] ALUMINUM EXTRUSION	[Symbol] CLEAR-ANODIZED ALUMINUM
[Symbol] PAINT	[Symbol] PAINT - EXTERIORS: BLACK
[Symbol] SMART WOOD	[Symbol] CERAM - CLEAR SEALER
[Symbol] CONCRETE	[Symbol] CAST-IN-PLACE LIGHT GRAY



Scale: As indicated  
21161

ELEVATIONS  
SCHEMATIC DESIGN | pg. SD53



Scale:  
21161

PERSEPECTIVES  
SCHEMATIC DESIGN | pg. SD54

## X. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning

1. Future development shall substantially comply with the site plan, landscape plan and building elevations in Section IX.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-2 – Arts, Entertainment or Recreation Facility, Indoors and Outdoors, including but not limited to the following:
  - a. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only, and not the general public.
3. Outdoor lighting shall comply with the standards listed in UDC [11-3A-11](#). Lighting details shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with these standards.
4. The site/landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
  - a. A detail of the proposed fencing shall be included on the plan that demonstrates compliance with the standards listed in UDC [11-3A-7](#).
  - b. A detail of the bicycle rack that demonstrates compliance with the standards listed in UDC [11-3C-5C](#) shall be depicted on the plan.
  - c. Depict a 5-foot wide continuous internal pedestrian walkway from the perimeter sidewalk to the main building entrance(s); the walkway shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#).
  - d. Shrubs should be added within the street buffers in accord with UDC [11-3B-7C.3a](#).
  - e. Add a tree within the planter area where the two rows of parking converge at the southeast corner of the site in accord with UDC [11-3B-8C.2d](#).
5. Submit a detail of the trash enclosure that complies with the standards listed in UDC [11-3A-12](#).
6. A Certificate of Zoning Compliance and administrative Design Review application is required to be submitted to the Planning Division and approved prior to submittal of a building permit application.

### B. Public Works

1. Site Specific Conditions of Approval
  - 1.1 A geotechnical report must be submitted and reviewed with the building permit application.
  - 1.2 Utility plans must be submitted and reviewed by Public Works prior to building permit approval.
  - 1.3 The proposed pool must not be connected to the sewer system for drainage.
  - 1.4 Any existing water or sewer services or mains that will be unused must be abandoned back to the main that is to remain in service.

## 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. 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.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 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 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.10 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.
- 2.11 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.

- 2.12 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.13 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.14 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.15 The 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.
- 2.16 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.
- 2.17 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.
- 2.18 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](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.19 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. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239067&dbid=0&repo=MeridianCity>

*A Traffic Impact Study (TIS) was not required for this project.*

D. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239641&dbid=0&repo=MeridianCity>

E. Settler's Irrigation District (SID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=238539&dbid=0&repo=MeridianCity>

## XI. FINDINGS

### A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

*The site meets all the dimensional and development regulations of the I-L zoning district for the proposed use. Therefore, Staff finds the site is large enough to accommodate the proposed use.*

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

*Staff finds the proposed use will be harmonious with the Comprehensive Plan in that it will provide an indoor recreation use which will contribute to the mix of uses desired in the MU-NR designation.*

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

*Staff finds the design, construction, operation and maintenance of the proposed use with the conditions imposed, should be compatible with other uses in the general vicinity and shouldn't adversely change the character of the area.*

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

*If the proposed use complies with the conditions of approval in Section X as required, Staff finds the proposed use should not adversely affect other properties in the vicinity.*

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

*Staff finds the proposed use will be serviced adequately by all of the essential public facilities and services listed.*

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

*Staff finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.*

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*Although traffic will increase in this area due to the proposed use, it shouldn't be excessive. The proposed use shouldn't involve any other activities that would be detrimental to any persons, property or the general welfare.*

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.*





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Outer Banks Subdivision/The 10 Meridian (H-2021-0063) by J-U-B Engineers, Inc., Located at the Southwest Corner of W. Franklin Rd. and S. Ten Mile Rd.  
A. Request: Preliminary Plat consisting of 25 buildable lots on 36+/- acres of land in the R-40 and C-C zoning districts.

B. Request: Conditional use permit for a multi-family development containing a total of 516 residential dwelling units consisting of (364) high-density apartment, (126) flat and (26) townhome style units in the R-40 and C-C zoning districts.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** November 4, 2021

**Topic:** **Public Hearing** for Outer Banks Subdivision/The 10 Meridian (H-2021-0063) by J-U-B Engineers, Inc., Located at the Southwest Corner of W. Franklin Rd. and S. Ten Mile Rd.

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- B. Request: Conditional use permit for a multi-family development containing a total of 516 residential dwelling units consisting of (364) high-density apartment, (126) flat and (26) townhome style units in the R-40 and C-C zoning districts.

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**Information Resources:**

[Click Here for Application Materials](#)

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

# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



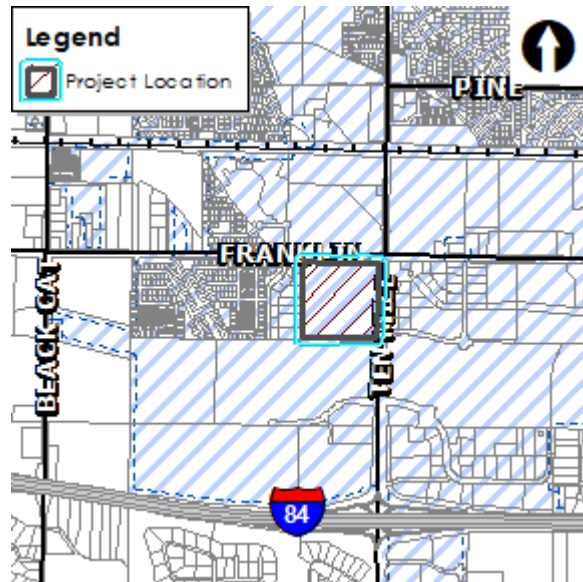
HEARING DATE: November 4, 2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0063 – Outer Banks Subdivision/The 10 Meridian

LOCATION: SWC of W. Franklin Rd. & S. Ten Mile Rd., in the NE ¼ of Section 15, Township 3N., Range 1W. (Parcel: S1215110058)



## I. PROJECT DESCRIPTION

Preliminary plat (PP) consisting of 25 buildable lots on 36+/- acres of land in the R-40 and C-C zoning districts for Outer Banks Subdivision; and a Conditional use permit (CUP) for a multi-family development containing a total of 516 residential dwelling units consisting of (364) high-density apartment, (126) flat and (26) townhome style units in the R-40 and C-C zoning districts for The 10 Meridian.

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details	Page
Acreage	36-acres (plat boundary)	
Future Land Use Designation	Mixed Use – Commercial (MU-COM); High Density Residential (HDR); and Mixed Use – Residential (MU-RES) in the Ten Mile Interchange Specific Area Plan (TMISAP)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Commercial, multi-family development, vertically integrated residential	
Current Zoning	Community Business (C-C) & High-Density Residential (R-40)	
Proposed Zoning	NA	
Lots (# and type; bldg/common)	25 buildable lots/0 common lots	
Phasing plan (# of phases)	2	
Number of Residential Units (type of units)	516 units [(364) high density apartments, (126) flat and (26) townhome style units]	

Density (gross & net)	23.07 (gross) units/acre
Open Space (acres, total [%] / buffer / qualified)	4.74 acres
Amenities	A clubhouse with a swimming pool, fitness center, dog wash facilities, internet café, co-working center, game room; (6) BBQ's; (2) plazas; a fire pit;(2) sports courts (i.e. bocce ball, pickle ball); children's play equipment; open grassy areas of at least 50' x 50' in size; a dog park; a plaza; and a children's play structure.
Physical Features (waterways, hazards, flood plain, hillside)	The Kennedy Lateral bisects this site.
Neighborhood meeting date; # of attendees:	July 26, 2021; no attendees other than the Applicant
History (previous approvals)	H-2021-0025 (DA Inst. #2021-132704 – The 10 at Meridian)

### B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via W. Franklin Rd., S. Ten Mile Rd. and W. Cobalt Dr. as shown on the plat.	
Traffic Level of Service	W. Franklin Rd. – better than “D”/existing plus project “F”; S. Ten Mile Rd. – Better than “D” (acceptable level of service is “E”)	
Stub Street/Interconnectivity/ Cross Access	No stub streets exist to this site from the property to the west; therefore, none can be extended.	
Existing Road Network	There are no existing internal roadways within the site; W. Franklin Rd. and S. Ten Mile Rd. are existing arterial streets that border the site along the north and east boundaries.	
Existing Arterial Sidewalks / Buffers	Curb, gutter and a 7-foot wide attached asphalt path exists along S. Ten Mile Rd. Curb, gutter and a 7-foot wide attached (near the intersection) and 5-foot wide detached (outside of the influence area of the intersection) concrete sidewalk exists along W. Franklin Rd. No buffers exist on this site along either roadway.	
Proposed Road Improvements	There are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	1.9 mile from Station #2	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	Within 5-minute response time goal	
<ul style="list-style-type: none"> <li>Resource Reliability</li> </ul>	85% (goal is 80% or greater)	

Description	Details	Page
• Risk Identification	4 – current resources would <i>not</i> be adequate to supply service to this project.	
• Accessibility	Meets all required access, road widths and turnarounds	
• Special/resource needs	Will require an aerial device – can meet this need in the required time frame if a truck company is required.	
• Water Supply	Will vary depending on building size and occupancy types.	
• Other		
Police Service	See Section IX.D	

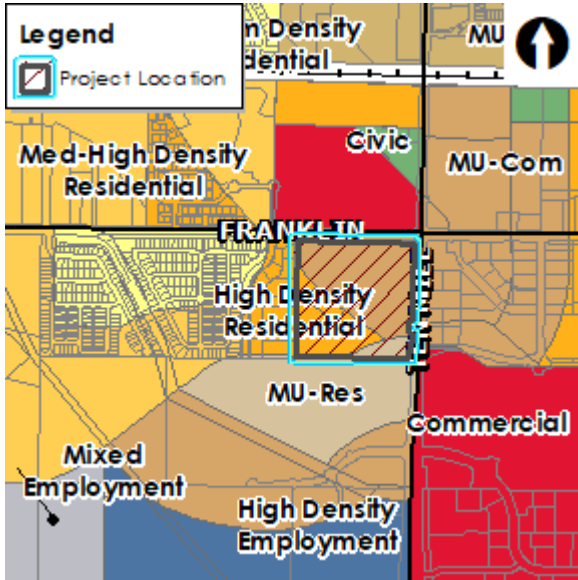
West Ada School District		Projected 21-22	Capacity	Miles
• Distance (elem, ms, hs)		Enrollment		(Dev. to School)
• Capacity of Schools	Chaparral Elementary	494	700	1.1
	Meridian Middle School	1062	1250	3.3
• # of Students Enrolled	Meridian High School	1831	2075	2.0
• Predicted # of students generated from proposed development	56			
Community Development School Impact Table	<a href="https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241147&amp;dbid=0&amp;repo=MeridianCity">https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241147&amp;dbid=0&amp;repo=MeridianCity</a>			

Wastewater	
• Distance to Sewer Services	Directly adjacent
• Sewer Shed	South Black Cat Trunk Shed
• Estimated Project Sewer ERU's	See Application
• WRRF Declining Balance	14.21
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/Concerns	<ul style="list-style-type: none"> <li>• Flow is committed</li> <li>• See Public Works Site Specific conditions in Section IX.B</li> </ul>

Water	
• Distance to Water Services	Directly adjacent
• Pressure Zone	2
• Estimated Project Water ERU's	See application
• Water Quality	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	See Public Works Site Specific Conditions in Section IX.B

C. Project Maps

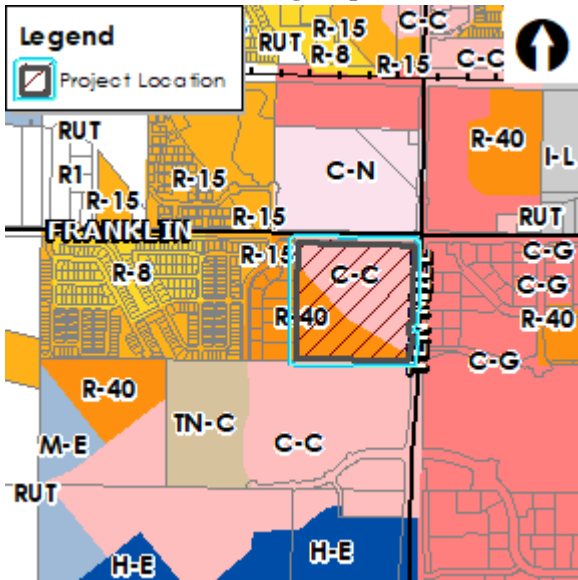
Future Land Use Map



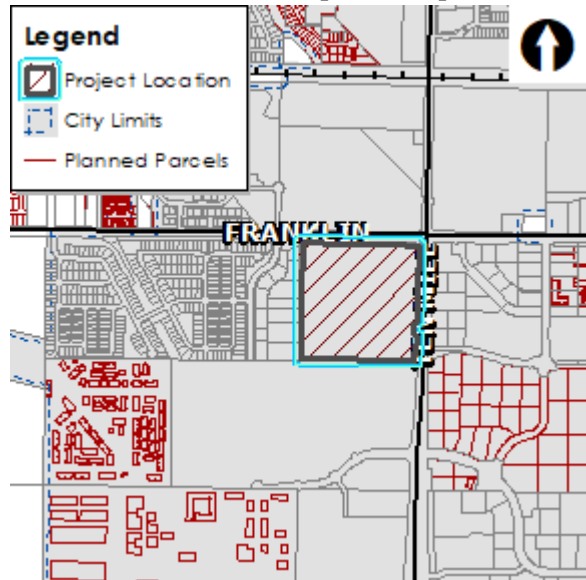
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Wendy Shrief, JUB Engineers, Inc. – 250 S. Beechwood Ave., Ste. 201, Boise, ID 83709

B. Owner:

Erik Pilegaard, Elk Ventures – 10981 Olana Dr., Truckee, CA 96161

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	10/19/2021	
Radius notification mailed to properties within 300 feet	10/12/2021	
Public hearing notice sign posted on site	10/22/2021	
Nextdoor posting	10/15/2021	

V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPPLAN](https://www.meridiancity.org/compplan)):

**LAND USE:** The majority of this property is designated Mixed Use Commercial (MU-COM) (northeast 22+/- acres) and High Density Residential (HDR) (southwest 11+/- acres) on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#) with a narrow sliver of Mixed Use Residential (MU-RES) (3+/- acres) along the southern boundary which will be mostly be right-of-way for W. Cobalt Dr. This property is located within the area governed by the [Ten Mile Interchange Specific Area Plan](#) (TMISAP).

The purpose of the MU-COM designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multi-family or single-family attached residential uses (see pg. 3-9 in the TMISAP for more information).

HDR designated areas are multiple-family housing areas where relatively larger and taller apartment buildings are the recommended building type. HDR areas should include a mix of housing types that achieve an overall average density target of at least 16-25 dwelling units per gross acre (see pg. 3-7 in the TMISAP for more information).

The purpose of the MU-RES designation is to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, employment, and other miscellaneous uses (see pg. 3-8 in the TMISAP for more information).

Mixed use designated areas in the TMISAP are recommended locations for development of activity centers that are specifically planned to include both residential and non-residential uses. Mixed use areas are anticipated to have 3 or more significant income producing uses (i.e. retail, office, residential and lodging facilities) with significant functional and physical integration in conformance with a coherent plan (pgs. 3-7 & 3-8).

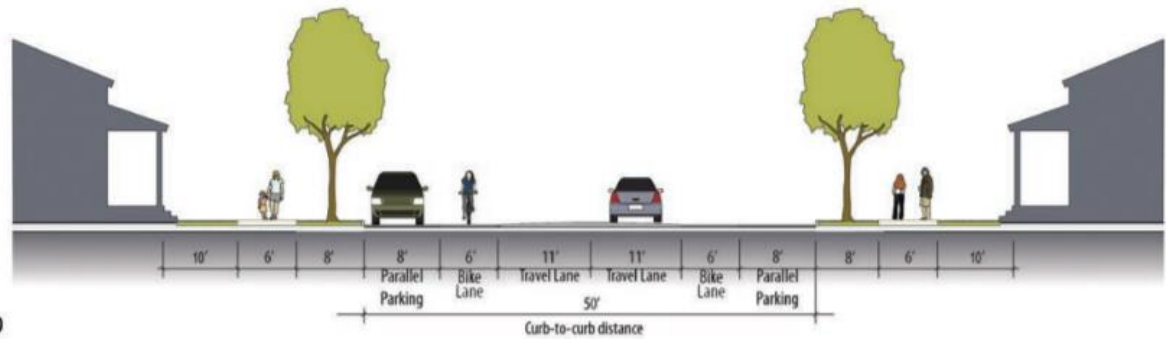
The site is proposed to develop with a mix of uses (horizontal and vertical) as shown on the site plan in Section VIII.D. High-density 4-story multi-family residential apartments (200 1-bedroom & 164 2-bedroom units) are proposed in the HDR designated area on the southwest portion of the site. Four-story multi-family flats (68 1-bedroom and 58 2-bedroom units) and 3-story multi-family townhouse style (26 3-bedroom units) units with a 15,525 square foot clubhouse/recreation center, 2-story vertically integrated mixed use [primarily retail uses on the 1<sup>st</sup> floor (28,600 s.f.) with residential (22 1-bedroom and 11 2-bedroom units) on the 2<sup>nd</sup> floor], commercial (113,200 s.f.) and QSR (i.e. fast food restaurant) with drive-throughs (8,450 s.f.) are proposed in the MU-COMM designated portion of the site adjacent to W. Franklin Rd. and S. Ten Mile

Rd. A total of 549 residential units and 150,250 s.f. of commercial uses are proposed to develop on the overall site.

Staff finds the mix of income producing uses proposed as well as the vertical and horizontal integration of such uses and residential densities interconnected by pedestrian walkways and amenities is generally consistent with the goals of the TMISAP for this area.

**Transportation:** W. Franklin Rd. and S. Ten Mile Rd. are existing 5-lane arterial streets that run along the north and east boundaries of the site that are fully built out.

Cobalt Drive is proposed to be extended as a collector street from S. Ten Mile Rd. at the southeast corner and off-site along the southern boundary of the site to the project’s west boundary consistent with the Master Street Map in the Comprehensive Plan and the Transportation System Map in the TMISAP. The Transportation System Map depicts the Ten Mile intersection with Cobalt as right-in/right out. The Street Section Map depicts this segment of Cobalt as Street Section D, which is a residential collector street per the Transportation System Map. Buildings on such streets have limited setbacks behind the sidewalk and a tree-lawn is required. A 5-foot wide dry-utilities corridor should be provided along both sides of the street curb. Both wet utilities may be located in the street. Streetlights should be placed in the dry utilities corridor on either side of the street.



Street Section D

*Note: ACHD has requested the City and ITD consider requiring the Applicant to extend the southbound left turn lane at the I-84/Ten Mile Rd. intersection to 700 feet and modify the landscape median to accommodate additional vehicle stacking. ACHD has not accepted the right-of-way for the segment of Ten Mile Rd. that would encompass the extension of the southbound left turn lane so this is not within their right-of-way. Staff believes the City does not have the authority to require a roadway improvement that is not on the Applicant’s property and is not directly related to the application. However, staff encourages the applicant to mitigate the concerns raised and seek ITD approval to make the necessary modifications as noted above.*

**Design:** Conceptual building elevations were submitted for the high density, flats and townhome style multi-family residential and mixed-use/vertically integrated structures and the associated clubhouse. The design of the proposed multi-family structures appears to be of a high quality and are generally consistent in style, materials and colors. Elevations weren’t submitted for the commercial portion of the development as tenants are unknown at this time. **Final design of the site and all structures is required to comply with the design elements of the TMISAP per the Application of Design Elements matrix on pg. 3-49 of the TMISAP and the design standards in the Architectural Standards Manual in accord with the Development Agreement (Inst. #2021-132704, provision #5.1b). The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.**

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



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

*A variety of multi-family housing is proposed in this development consisting of flats, townhome and high-density apartment style units, which will contribute to the variety of housing types in the City, specifically in the Ten Mile area as desired, that should cater to different financial capabilities.*

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

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

*The school impact table prepared by the Community Development Dept. shows capacity at area schools below capacity although only slightly so for the middle and high school currently serving this area.*

- “Locate higher density housing near corridors with existing or planned transit, Downtown, and in proximity to employment centers.” (2.01.01H)

*The site is located at a major intersection along two major mobility arterials (Franklin and Ten Mile Roads) and in close proximity to employment centers. Transit services exist in the Ten Mile Crossing development to the east at the intersection of Vanguard/Wayfinder to serve this area – other transit stops may be added in the future. Transit services are available to serve this site via Route 40.*

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

*The proposed project with multi-family residential and a grocery store with nearby employment (retail/office uses) and restaurant uses, should provide a good mix of uses that residents won’t have to travel far for, thus reducing vehicle trips and enhancing overall livability and sustainability.*

- “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)

*This property is an enclave surrounded by City annexed land. Annexation and development of this property will maximize public services.*

- “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 for this property through the Comprehensive Plan; the developer will extend public services and infrastructure as needed for the development.*

*Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan as discussed above and is consistent with the approved Development Agreement.*

**VI. STAFF ANALYSIS**

**A. PRELIMINARY PLAT**

A preliminary plat (PP) consisting of 25 buildable lots on 36+/- acres of land in the R-40 and C-C zoning districts is proposed for Outer Banks Subdivision (see Section VIII.A). The plat is proposed to develop in two (2) phases; the first phase is the high-density apartments in the R-40 district on the southwest

portion of the site (southwest of the Kennedy Lateral) and the second phase is the mixed-use area in the C-C district on the northeast portion of the site (northeast of the Kennedy Lateral).

Right-of-way (ROW) for the extension of W. Cobalt Dr. on the subject property is proposed to be dedicated with the plat; ROW for the portion on the property to the south will be dedicated separately via deed with approval from that property owner.

**Existing Structures/Site Improvements:**

There are no existing structures on this site. Curb, gutter and a 7-foot wide attached asphalt path exists along S. Ten Mile Rd. Curb, gutter and 7-foot wide attached (near the intersection) and 5-foot wide detached (outside the influence area of the intersection) sidewalk exists along W. Franklin Rd.

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

The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-8](#) for the R-40 zoning district and [Table 11-2B-3](#) for the C-C zoning district. In the C-C district, there are no minimum setback requirements; however, future buildings may not encroach within required street buffers and residential structures must have minimum 20-foot separation between structures per Building Code.

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

Access is proposed via W. Franklin Rd., a commercial arterial; S. Ten Mile Rd., a residential mobility arterial; and the future extension of W. Cobalt Dr., a residential collector street, as shown on the plat.

Two (2) access driveways are proposed via W. Franklin Rd. – one (1) full-access, 930’ west of Ten Mile Rd. and one (1) right-in/right-out only, 450’ west of Ten Mile Rd. *ACHD has approved the full access as a temporary full access and the right-in/right-out only as proposed with an eastbound right-turn lane.*

Two (2) access driveways are proposed via S. Ten Mile Rd. – one (1) right-out only, 375’ south of Franklin Rd. and one (1) right-in/right-out only, 775’ south of Franklin Rd. *ACHD has approved the right-out and the right-in/right-out only as proposed with an eastbound right-turn lane.*

Two (2) full-access access driveways are proposed via W. Cobalt Dr. – one (1) 388’ west of Ten Mile Rd. and one (1) at the site’s west boundary. A cul-de-sac meeting Fire Dept. standards is required to be constructed at the terminus of the road. The Applicant has been working with the property owner to the south on the location and design of the portion of Cobalt Drive that’s on their property (Parcel #S1215131400) (see road plan in Section VIII.B). A [Road Construction and Cooperative Development Agreement](#) has been signed by the two property owners in accord with the Development Agreement (provision #5.1f) but is in the process of being amended. The extension of Cobalt will be constructed prior to or with the first phase of development.

The abutting property to the west has recently developed and no streets, driveways or pathway stubs were provided to this site. For this reason, Staff isn’t recommending a cross-access easement/driveway is provided.

A Fire Protection Access/Phasing plan was submitted with this application, which is included in the Fire Dept. comments in Section IX.C.

**Based on ACHD’s traffic counts, with development of this property Franklin Rd. will still operate at an acceptable level of service (i.e. “D”) but Ten Mile Rd. will not (it’ll go from “D” to “F”). An acceptable level of service is “E”. The improvements requested by ACHD (i.e. the extension of the southbound left turn lane at the I-84/Ten Mile Rd. intersection to accommodate additional vehicle stacking) would not change the level of service.**

**Road Improvements:** Ten Mile Rd. and Franklin Rd. are fully improved with 5-lanes; road widening is not required.

ACHD is requiring additional ROW to be dedicated for the extension of the eastbound right-turn lane storage on Franklin Rd. with the first phase of development; the intersection of Cobalt/Ten Mile is restricted to right-in/right-out/left-in; and a dedicated southbound right-turn lane is required to be constructed on Ten Mile Rd. at Cobalt Dr.

Cobalt Dr. is proposed to be extended from Ten Mile Rd. to the west boundary of the site within 70 feet of ROW (46-foot back of curb to back of curb, see Section VIII.B). Cobalt will be partially on this site and partially on the abutting property to the south and will include a bridge across the Kennedy Lateral.

As noted above in Section V, the Transportation System Map in the TMISAP depicts a right-in/right out collector street at the intersection at Cobalt/Ten Mile. ACHD has approved Cobalt as a public street with a right-in/right-out/left-in only from Ten Mile Rd. based on the TIS. Because the TIS supports this access, Staff is amenable to this change from the TMISAP.

As noted above in Section V, Cobalt is designated as Street Section D, a residential collector street, on the Street Section Map in the TMISAP. As such, it should have (2) 11-foot wide travel lanes, 6-foot wide on-street bike lanes and 8-foot wide parallel parking within 50-foot curb to curb, 8-foot wide planter strips (i.e. tree lawn/parkway) and detached 6-foot wide sidewalks as shown on the diagram above. The proposed street section reflects 3-lanes (2-travel lanes with a center turn lane), 3.5-foot wide bike lanes, curb, gutter, 7-foot wide planter strips and 5-foot wide detached sidewalks.

ACHD's staff report states if parallel parking is required by the City, it should be located to the west of the horizontal curve for Cobalt Dr. and be located beyond the sight distance required for the access proposed on Cobalt Dr. (parking is not allowed to be striped on ACHD roadways). Bike lanes are required to be a minimum of 6-feet wide. **Staff recommends Cobalt is constructed in accord with Street Section D in the TMISAP, as recommended by ACHD.**

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

There are no multi-use pathways depicted on the Pathways Master Plan for this site. However, a pathway is proposed through the common area that separates the high-density apartments from the mixed-use area within the Kennedy Lateral easement. Walkways are proposed throughout the site for pedestrian access and interconnectivity.

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

A 7-foot wide attached sidewalk exists along Franklin Rd. abutting the site within the influence area of the intersection transitioning to a 5-foot wide detached sidewalk for the remaining site frontage. **A 7-foot wide attached asphalt pathway exists along Ten Mile Rd. which should be replaced with a minimum 6-foot wide detached sidewalk, separated from the curb by a minimum 8-foot wide tree lawn/parkway, consistent with Street Section A in the TMISAP (see pg. 3-20). A 10-foot wide pathway is preferred based on ACHD's adopted Livable Streets Performance Measures but not required.**

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

Street buffer landscaping is required to be provided with the subdivision in accord with the widths specified in UDC [Table 11-2A-8](#) for the R-40 zoning district and [11-2B-3](#) for the C-C zoning district based on the street classification and planted in accord with the standards listed in UDC [11-3B-7C](#). A landscape plan was submitted for the proposed subdivision landscaping, included in Section VIII.B.

Required street buffer widths are as follows: 25-feet along W. Franklin Rd., an arterial street; 35-feet along S. Ten Mile Rd., an arterial street and entryway corridor; and 20-feet along W. Cobalt Dr., a collector street. The street buffers along Franklin Rd., Cobalt Dr. and the portion along Ten Mile Rd. north of the driveway access nearest the intersection appear to meet the minimum width standard; **however, the portion along Ten Mile Rd. south of the driveway nearest the intersection does not meet the minimum width standard and needs to be widened (see UDC [11-3B-7C.1a](#) for measurement standards); the plans should be revised accordingly. A common lot or a permanent**

**dedicated buffer for the street buffers should be depicted on the plat and should be maintained by the property owner or business owners' association in accord with UDC 11-3B-7C.2b.**

**The number of trees proposed in buffers meets the minimum standard; however, a mix of trees and shrubs with lawn or other vegetative groundcover is required – shrubs should be added to the buffers in accord with UDC 11-3B-7C.3a. Tree lawns need to be provided along Franklin Rd., Ten Mile Rd. and Cobalt Dr. consistent with the TMISAP where not proposed.**

Landscaping is required along all pathways per the standards listed in UDC 11-3B-12C, which requires a mix of trees, shrubs, lawn, and/or other vegetative ground cover – a minimum of one (1) tree per 100 linear feet of pathway is required. **The landscape plan should be revised accordingly to include shrubs along the pathway.**

Landscaping is required in common open space areas in the R-40 portion of the development in accord with the standards listed in UDC [11-3G-3E](#).

With development of the C-C zoned portion of the site, a 25-foot wide buffer to residential uses is required along the west boundary of the site landscaped per the standards in UDC [11-3B-9C](#).

**A calculations table should be included on the landscape plan submitted with the final plat application that demonstrates compliance with the above standards.**

**Common Open Space & Site Amenities (UDC [11-3G-3](#)):** The standards for common open space & site amenities listed in UDC 11-3G-3 only apply to residential districts; therefore, only the R-40 zoned portion of the site is required to comply with these standards.

A minimum of 10% qualified open space is required to be provided within the multi-family development in the R-40 district, which consists of approximately 13 acres. Therefore, a minimum of 1.3 acres of qualified open space area is required.

A minimum of one (1) qualified site amenity is required to be provided for every 20 acres of development area. Based on 13 acres, a minimum of one (1) qualified site amenity is required.

The proposed open space and site amenities meet and exceed the minimum standards; see CUP analysis below for details on the open space & site amenities proposed.

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

The Kennedy Lateral bisects this site and is proposed to be piped throughout the development in accord with UDC 11-3A-6, which requires laterals to be piped unless improved as a water amenity or linear open space.

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

Connection to City water and sewer services is required in accord with UDC 11-3A-21.

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. **Pedestrian-scale street lights consistent with Street Sections A and B in the TMISAP are required along W. Franklin Rd. and S. Ten Mile Rd. (see pg. 3-22). Streetlights shall be placed in the dry utilities corridor on either side of the Cobalt in accord with Street Section D in the TMISAP (pg. 3-23).**

Dry utilities should be located at the back of the curb in the dry utilities corridor along S. Ten Mile Rd. and W. Franklin Rd. in accord with Street Sections A and B in the TMISAP (pg. 3-22).

A 5-foot wide dry-utilities corridor should be provided along both sides of Cobalt Dr.; both wet utilities may be located in the street.

**Pressurized Irrigation System** (UDC [11-3A-15](#)):

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

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

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. A [Preliminary Geotechnical Engineering Report](#) dated 12/11/2018 was submitted with this application; **an updated copy should be submitted prior to or with the first final plat application.**

**B. CONDITIONAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT**

Conditional use permit (CUP) for a multi-family development containing a total of 516 residential dwelling units consisting of 364 high-density apartments (200 1-bedroom and 164 2-bedroom units), 126 flats (68 1-bedroom and 58 2-bedroom units) and 26 townhome (3-bedroom units) style units in the R-40 and C-C zoning districts for The 10 Meridian. *Note: A vertically integrated residential project is also proposed that contains 33 dwelling units; however, it’s a principal permitted use in the C-C zoning district so it’s not included in the CUP request.*

The proposed development plan is in substantial compliance with the conceptual development plan and building elevations included in the Development Agreement (Inst. #[2021-0025](#)) as required.

**Specific Use Standards** (UDC 11-4-3):

The proposed use is subject to the following standards: *(Staff’s analysis/comments in italic text)*

**11-4-3-27: MULTI-FAMILY DEVELOPMENT:**

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Flats F-3 and the garages along the west boundary do not meet the minimum setback requirement of 10'; revise accordingly.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The site plan depicts screened trash enclosures not visible from a public street; all proposed transformer/utility vaults and other service areas shall comply with this requirement.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *The floor plans submitted with this application depict patios and balconies that meet this standard. Floor plans should be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with this standard.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*

5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *The proposed parking meets and exceeds UDC standards (see parking analysis below).*
7. Developments with twenty (20) units or more shall provide the following:
  - a. A property management office. *Located in clubhouse.*
  - b. A maintenance storage area. *Located in clubhouse.*
  - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access. *Depict on site plan.*
  - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018) *Depict on site plan.*

***The site plan submitted with the Certificate of Zoning Compliance application should depict the location of these items in accord with this standard.***

C. Common Open Space Design Requirements:

1. A minimum area of outdoor common open space shall be provided as follows:
  - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *NA*
  - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *All 516 multi-family units are between 500 and 1,200 square feet.*
  - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *NA*

*At a minimum, a total of 129,000 s.f. (or 2.96-acres) of outdoor common open space is required to be provided in the proposed development. A total of 206,622 square feet (or 4.74-acres) is proposed to be provided in excess of UDC standards. Note: Although street buffers along the arterial & collector streets do not qualify toward the open space standards in UDC 11-4-3-27C, they do qualify toward the open space standards in UDC 11-3G-3 (i.e. half the buffer along arterials and the entire buffer along collectors qualify). Overall, the proposed qualified open space complies with the standards in UDC 11-3G-3 and 11-4-3-27C.*

2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *The common open space areas depicted on the open space exhibit in Section VIII.E meet this requirement.*
3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *The Applicant shall comply with this requirement.*
4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *All of the common open space area required for the multi-family development is located internally.*

D. Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
  - a. Quality of life:
    - (1) Clubhouse.
    - (2) Fitness facilities.
    - (3) Enclosed bike storage.
    - (4) Public art such as a statue.
  - b. Open space:
    - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
    - (2) Community garden.
    - (3) Ponds or water features.
    - (4) Plaza.
  - c. Recreation:
    - (1) Pool.
    - (2) Walking trails.
    - (3) Children's play structures.
    - (4) Sports courts.
2. The number of amenities shall depend on the size of multi-family development as follows:
  - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
  - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
  - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
  - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*A total of 516 units are proposed. The following amenities are proposed from each category: a clubhouse with a swimming pool, fitness center, dog wash facilities, internet café, co-working center, game room; (6) BBQ's; (2) plazas; a fire pit; (2) sports courts (i.e. bocce ball, pickle ball); children's play equipment; open grassy areas of at least 50' x 50' in size; a dog park; a plaza; and a children's play structure. Staff is of the opinion the proposed amenities are appropriate for the development proposed and doesn't recommend any additional amenities are provided.*

E. Landscaping Requirements:

1. Development shall meet the minimum landscaping requirements in accord with [chapter 3](#), "Regulations Applying to All Districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
  - a. The landscaped area shall be at least three feet (3') wide.
  - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
  - c. Ground cover plants shall be planted in the remainder of the landscaped area.

*The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping along the street facing elevations adjacent to W. Cobalt Dr. in accord with these standards.*

- F. Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. *The Applicant shall comply with this requirement.*

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

Street buffer landscaping is required to be provided with the subdivision improvements as noted above in Section VI.A.

Landscaping is required to be provided along pathways per the standards listed in UDC [11-3B-12C](#). **A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway is required all pathways.**

**Parking:** Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). Based on (268) 1-bedroom units, (248) 2- and 3-bedroom units, a minimum of 898 off-street spaces are required with 516 of those being in a covered carport or garage. **A total of 902 spaces are proposed, including 530 covered and 62 compact spaces – compact stalls are discouraged but may be used for any parking above the number of required spaces per UDC [11-3C-5A,6](#). Because there are four (4) extra spaces above the minimum required, a minimum of 58 compact spaces should be converted to full-size spaces in order to meet the minimum parking standards. Although the proposed parking meets the minimum standards, Staff is concerned there may not be adequate parking for the site to accommodate guests. The Commission and Council should determine if additional parking should be provided as a condition of approval of the CUP.**

Off-street parking is required for the clubhouse as set forth in UDC [11-3C-6B.1](#) for non-residential uses. Based on 15,525 square feet, a minimum of 31 spaces are required to be provided; 37 spaces are proposed in excess of the minimum standard. Overall, a *minimum* of 646 spaces are required.

Bicycle parking is required per the standards listed in UDC [11-3C-6G](#) and should comply with the standards listed in UDC [11-3C-5C](#). One bicycle parking space is required for every 25 proposed vehicle parking spaces or portion thereof. Based on 902 spaces, a minimum of 36 spaces are required. The site plan states a total of 50 spaces are proposed for the overall development which includes commercial and vertically integrated/mixed use portions of the development. **Bike racks should be provided in central locations for each building as proposed and comply with the standards listed in UDC [11-3C-5C](#).**

**Fencing (UDC [11-3A-7](#)):** No fencing is depicted on the landscape plan for this development.

**Building Elevations (UDC [11-3A-19](#); [Architectural Standards Manual](#); [TMISAP](#))**

Conceptual building elevations were submitted for the various types of multi-family units proposed in this development as shown in Section VIII.F. All of the structures appear to be of a high quality of



design and consist of a complementary mix of materials, including wood-look siding, Hardie siding, metal siding, stucco, tile, stone veneer and glazing, and colors.

The high-density and flats are 4-story buildings and the townhome style buildings are 3-stories in height. The high-density apartments will have secure entrances and be accessed by an internal hallway. **The Applicant should work with the Police Dept. on a plan for emergency police access into each building entry point using a multi-technology keypad (see Section IX.D for more information).**

**An administrative Design Review application is required to be submitted for approval of the design of the multi-family structures and clubhouse prior to submittal of building permit application for those structures. An application for Certificate of Zoning Compliance is also required to be submitted along with the Design Review application. The design of the structures is required to be consistent with the design standards in the Architectural Standards Manual and the design guidelines in the [TMISAP](#) as noted in the Development Agreement (Inst. #[2021-132704](#)) (see the Application of the Design Elements table on pg. 3-49 of the TMISAP).**

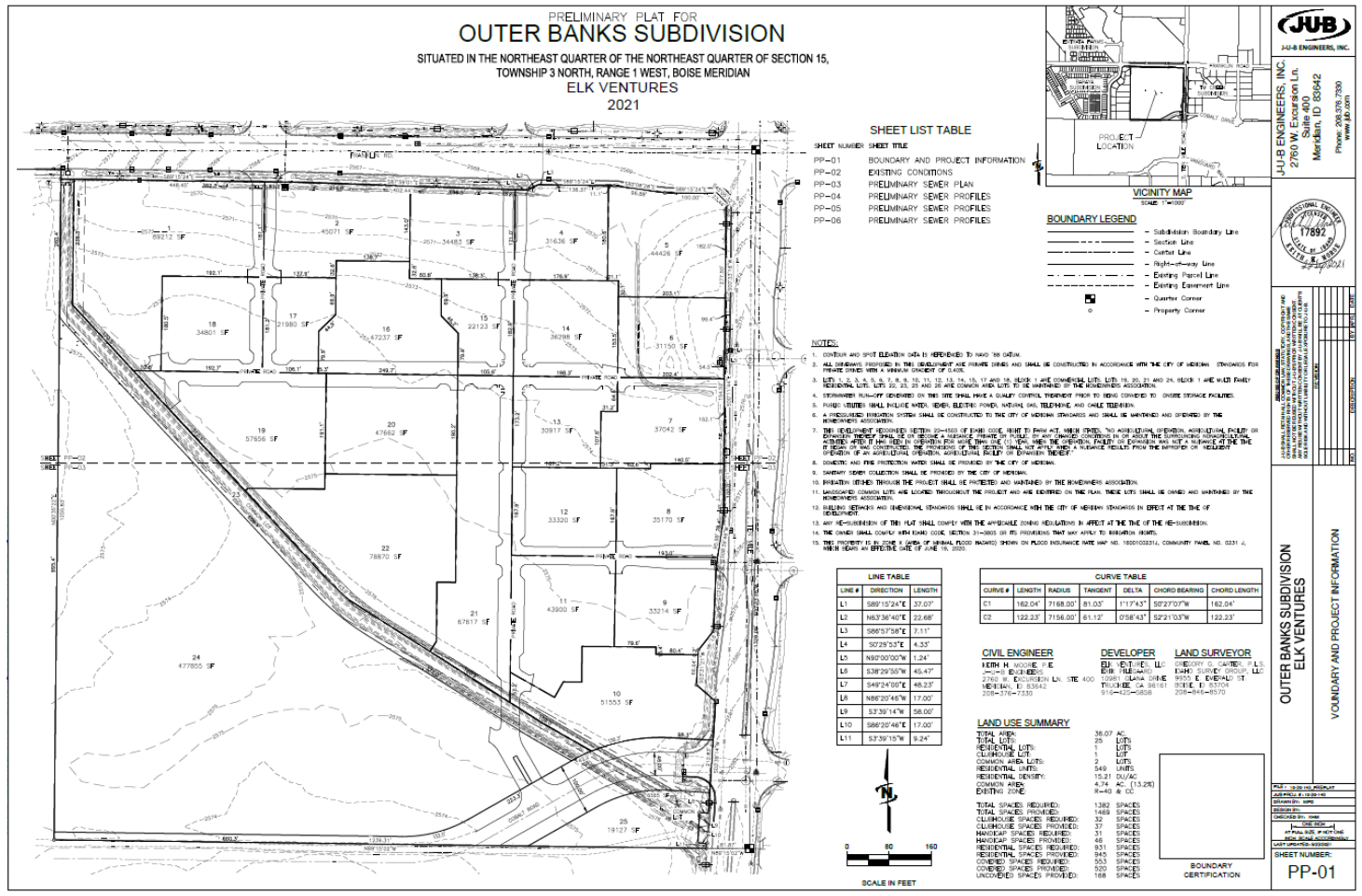
## VII. DECISION

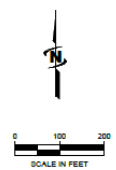
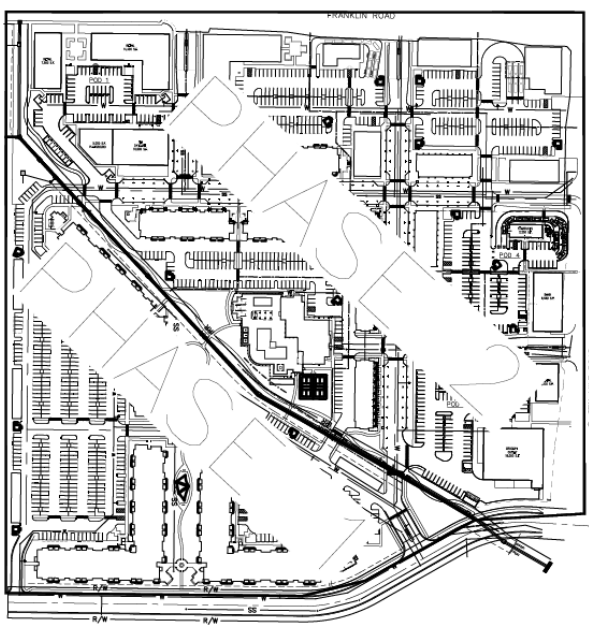
### A. Staff:

Staff recommends approval of the proposed Preliminary Plat and Conditional Use Permit per the provisions included in Section IX in accord with the Findings in Section X.

# VIII. EXHIBITS

## A. Preliminary Plat (date: 09/22/2021) & Phasing Plan





REVISIONS	
NO.	DESCRIPTION


**J-U-B ENGINEERS, INC.**  
 2760 W. Excursion Ln.  
 Suite 400  
 Meridian, ID 83642  
 Phone: 208.376.7330  
 www.jub.com

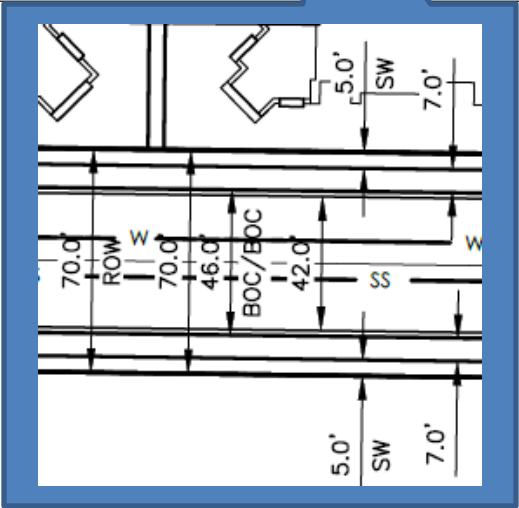
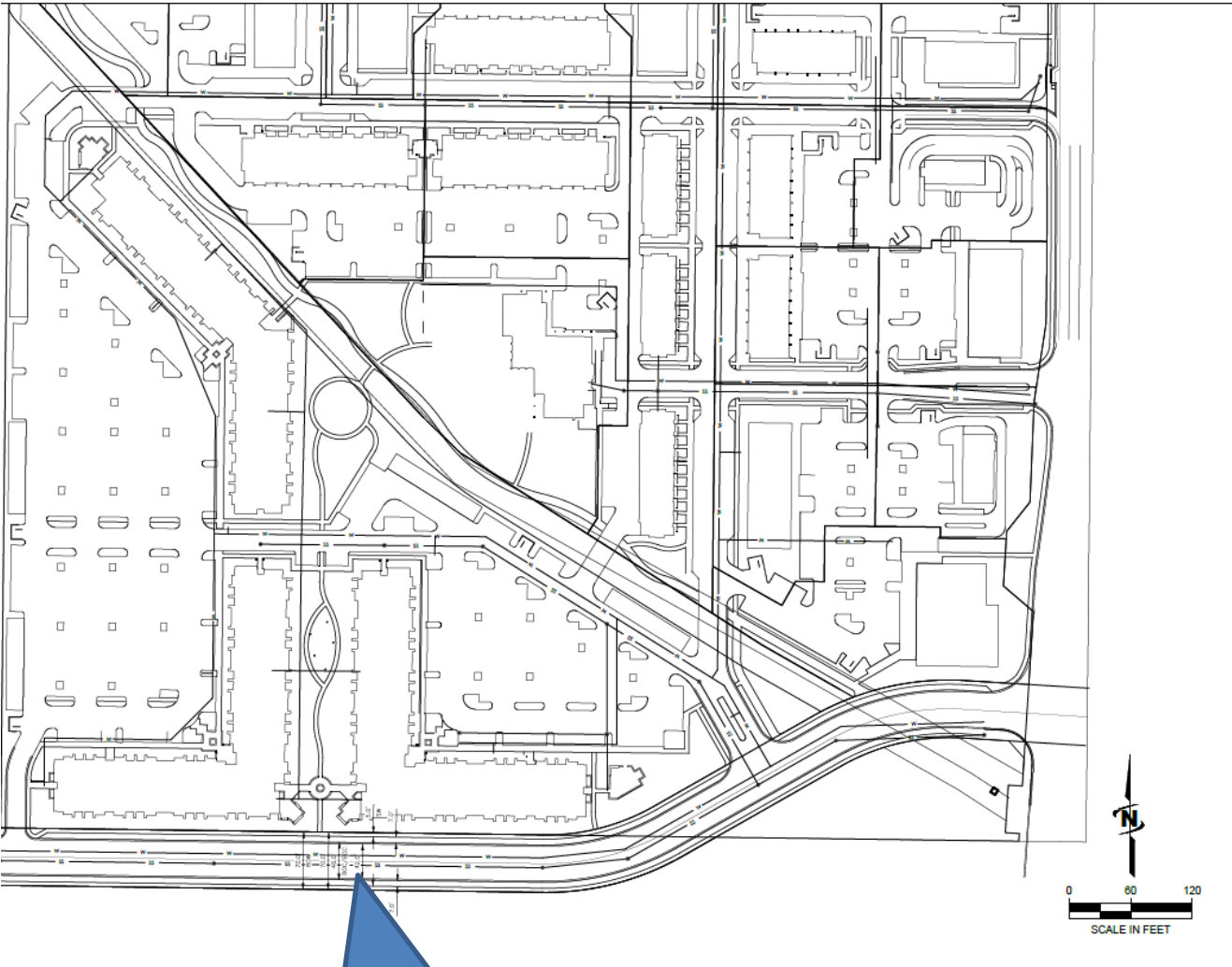
**J-U-B ENGINEERS, INC.**

P.L.C. # 000000 JOB NO. # 000000 DRAWING NO. SHEET NO. CHECKED BY
[ ] SHEET 1 OF 1 SHEETS (SEE TITLE BLOCK FOR ADDRESS)

**OUTER BANKS  
 ELK VENTURES**  
  
 PHASING EXHIBIT

SHEET NUMBER:  <b>1</b>
-------------------------------

B. Cobalt Road Plan and Road Construction & Cooperative Development Agreement

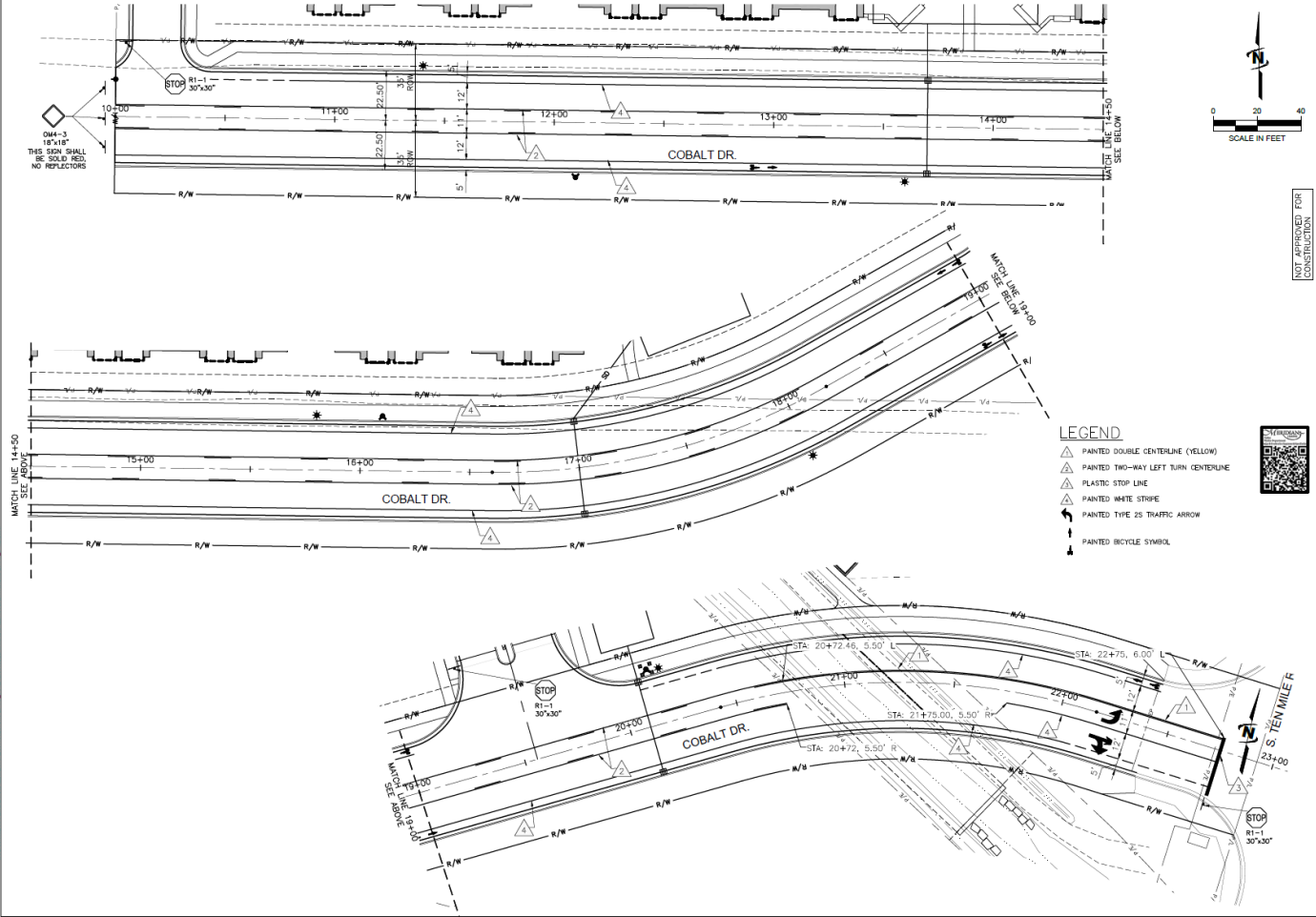


**JUB ENGINEERS, INC.**  
 2750 W. Excursion Ln.  
 Suite #100642  
 Meridian, ID 83642  
 Phone: 208.376.7399  
 www.jub.com

**PRELIMINARY PLANS**  
 NOT FOR CONSTRUCTION

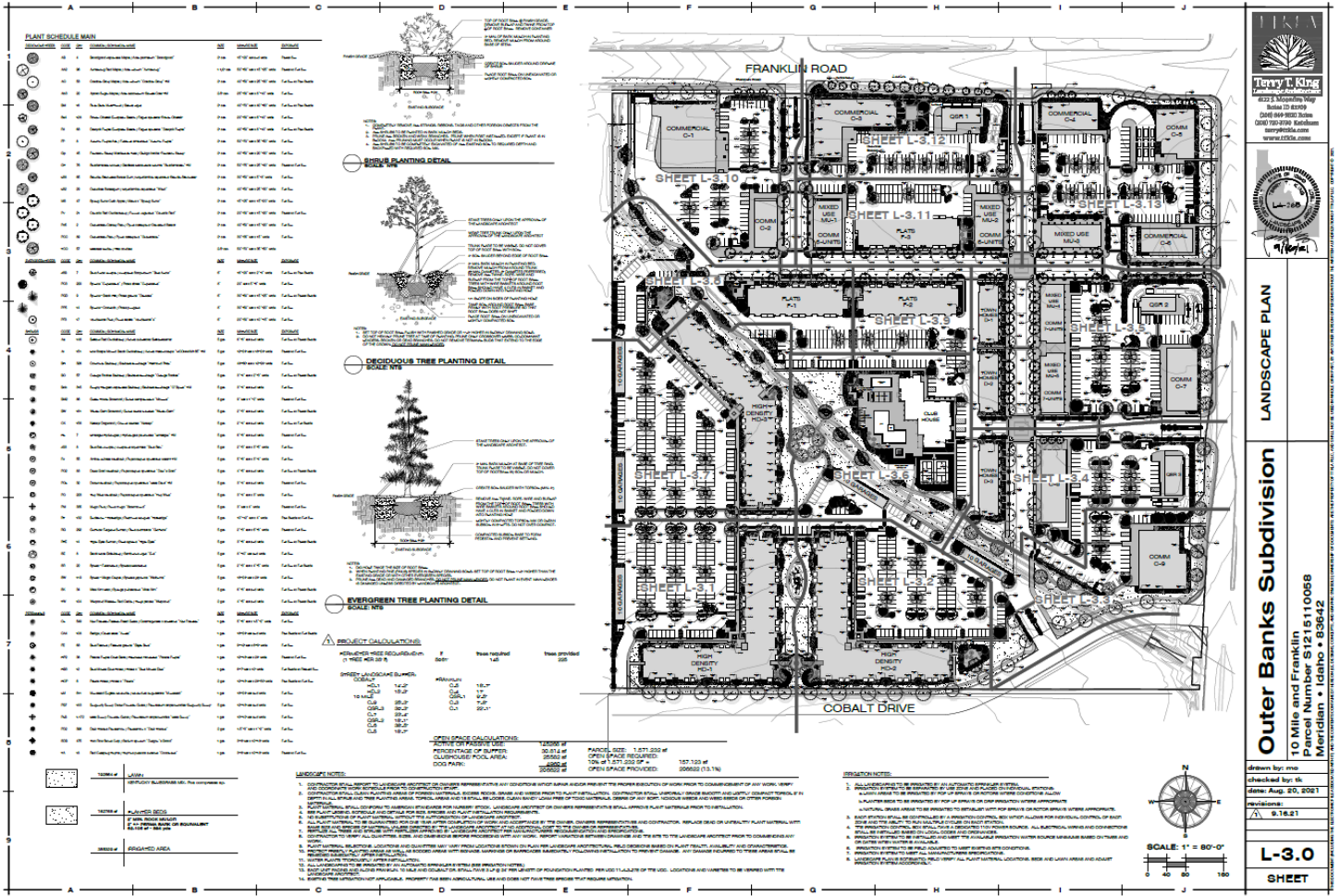
**OUTER BANKS MERIDIAN, IDAHO**  
 COBALT ROAD PLAN

**SHEET NUMBER: X-001**



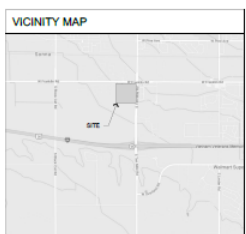
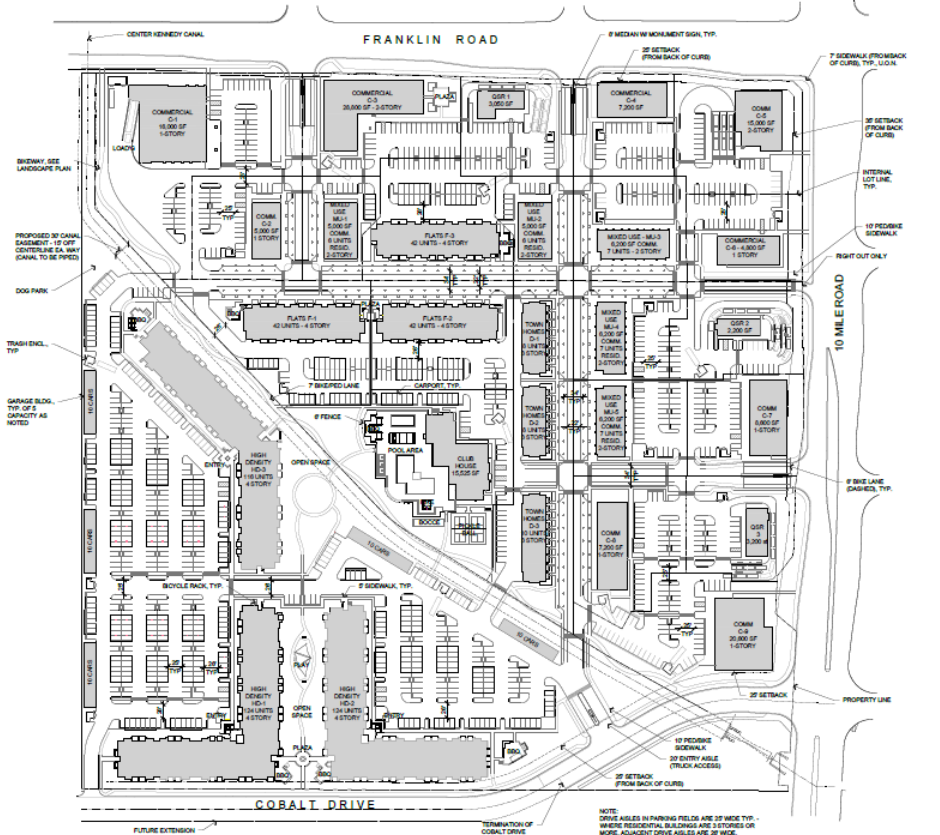
Road Construction and Cooperative Development Agreement

### C. Landscape Plan for Preliminary Plat (dated: 9/16/21)





D. Site Plan for Multi-Family Portion of Development (date: 8/23/2021)



**OWNER / DESIGN TEAM**

**OWNER:**  
 10 MILE FRANKLIN LLC  
 1081 CLARA DRIVE  
 TROCKEE, CA 95965  
 LONDON FLEGGARD  
 (530) 854-0000  
 lf@10milefranklin.com

**ARCHITECT:**  
 BORGES ARCHITECTURAL GROUP, INC.  
 1478 STONE POINT DRIVE, SUITE 300  
 ROSEVILLE, CA 95661  
 RICHARD SAMBUKETTI  
 (916) 784-6447  
 rs@borgesarch.com

**LANDSCAPE ARCHITECT:**  
 TITOLA PLLC  
 1715 N. BISHOPPIE WAY  
 BOISE, ID 83724  
 TERRY DODD  
 (208) 388-3630  
 ter@dtd.com

**SITE SUMMARY**

LOT SIZE: 1,571,383 SF (36.0 AC)  
 ZONING: R-40 (SOUTH OF CANAL, CO NORTH OF CANAL)  
 USE: RESIDENTIAL AND COMMERCIAL MIXED USE

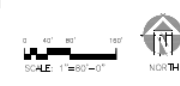
RESIDENTIAL COMPONENTS	UNITS
HIGH DENSITY (HD-1 - HD-3)	390
3 BRN	35
40 TOTAL	355
FLATS (F-1, F-3)	60
3 BRN	55
FLATS TOTAL	110
TOWNHOMES (D-1 - D-3)	30
3 BRN	25
MIXED USE	30
3 BRN	25
MU TOTAL	55
<b>TOTAL RESIDENTIAL UNITS</b>	<b>540</b>

COMMERCIAL COMPONENTS	FLOOR AREA
USE: BLEND (COM-1 - COM-3)	8,400 SF
COMMERCIAL (C-1 - C-3)	115,000 SF
MIXED USE COMM (MU-1 - MU-3)	30,000 SF
RECREATION CENTER	15,000 SF
<b>TOTAL COMMERCIAL USE</b>	<b>168,400 SF</b>

**PARKING CALCULATIONS**

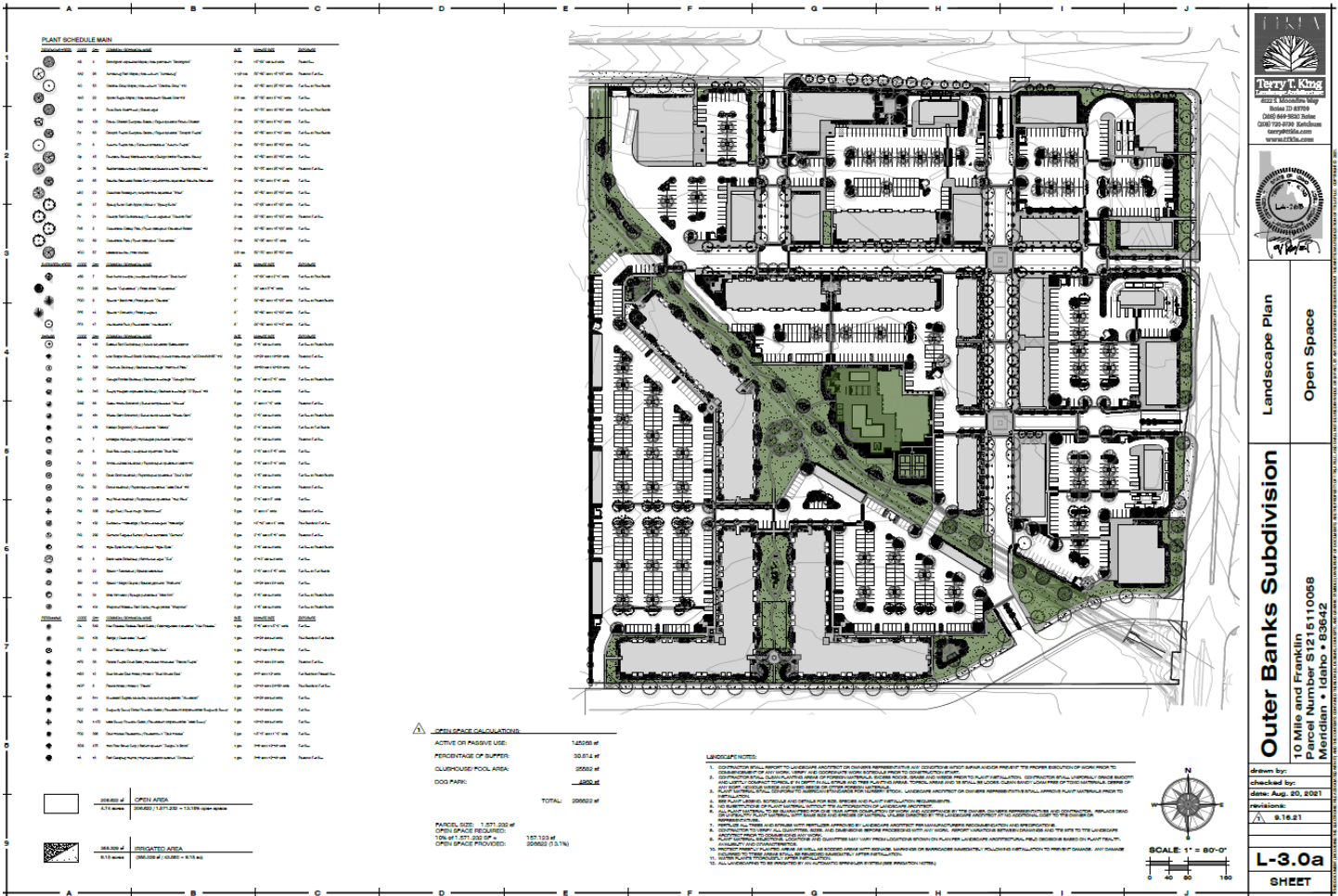
UNIT TYPE AND FACTOR	REQUIRED STALLS		STALLS PROVIDED	
	TOTALS	ACC/PROV	TOT	ACC/PROV
RESIDENTIAL				
HD-1 BR	1,000/ST	390	100	110
HD-2 BR	2,000/ST	780	200	200
F-1 BR	1,000/ST	390	100	100
F-3 BR	2,000/ST	780	200	200
D-1 BR	1,000/ST	390	100	100
D-3 BR	2,000/ST	780	200	200
MU ALL	1,000/ST	390	100	100
<b>TOTAL RES.</b>		<b>3,210</b>	<b>900</b>	<b>910</b>
COMMERCIAL				
COM-1	4,000/ST	210	70	70
COM-2	2,000/ST	105	35	35
COM-3	2,000/ST	105	35	35
REC	2,000/ST	105	35	35
<b>TOTAL COMM.</b>		<b>525</b>	<b>175</b>	<b>175</b>
<b>TOTAL SITE</b>		<b>3,735</b>	<b>1,075</b>	<b>1,085</b>
BIKES	1/25 VEH	50	50	50

SHADED COLUMNS INDICATE OVERALL TOTALS, INCLUDING ACCESSIBLE AND PROTECTED STALLS, AND COMPACT (COM) STALLS WHICH ARE DACKNOWLEDGED SEPARATELY.





E. Qualified Open Space Exhibit (dated: 9/16/21)



F. Conceptual Building Elevations & Renderings for Multi-Family Structures & Clubhouse



1 FRONT ELEVATION  
18'-11"



2 REAR ELEVATION  
18'-11"

	P1 - STUCCO (WHITE) T.B.D.		P2 - STUCCO (LIGHT TAN) T.B.D.		P3 - PATIO & GARAGE DOORS (LIGHT TAN) T.B.D.		M1 - METAL SIDING (GRAY) T.B.D.		M2 - TRIM (SILVER) T.B.D.		S1 - STACKED STONE VENEER (GRAY) ELDORADO STONE - ROUGH CUT - LOIRE VALLEY		M3 - METAL (DARK GRAY) T.B.D.		STOREFRONT FRAME (GRAY) T.B.D.		STOREFRONT GLAZING T.B.D.		SD1 - HARDIE SIDING (GREEN) HARDIE PLANK - MOUNTAIN SAGE		SD2 - WOOD-LOOK SIDING (MEDIUM TONE) T.B.D.		K1 - WALL PANEL		K2 - METAL PANEL		K3 - METAL PANEL		K4 - WOOD PANEL		K5 - WOOD PANEL		K6 - BUILDING MATERIAL
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	SD1 - HARDIE SIDING (GREEN) HARDIE PLANK - MOUNTAIN SAGE		SD2 - WOOD-LOOK SIDING (MEDIUM TONE) T.B.D.		S1 - STACKED STONE VENEER (GRAY) ELDORADO STONE - ROUGH CUT - LOIRE VALLEY		M3 - METAL (DARK GRAY) T.B.D.		STOREFRONT FRAME (GRAY) T.B.D.		STOREFRONT GLAZING T.B.D.		KEYNOTES 18'-11"
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**OUTER BANKS SUBDIVISION BUILDING F - EXTERIOR ELEVATIONS**

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013      08.23.2021      1478 STONE POINT DRIVE SUITE 350 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com

**A-203**



1 LEFT ELEVATION  
18'-11"



2 RIGHT ELEVATION  
18'-11"

	P1 - STUCCO (WHITE) T.B.D.		P2 - STUCCO (LIGHT TAN) T.B.D.		P3 - PATIO & GARAGE DOORS (LIGHT TAN) T.B.D.		M1 - METAL SIDING (GRAY) T.B.D.		M2 - TRIM (SILVER) T.B.D.		S1 - STACKED STONE VENEER (GRAY) ELDORADO STONE - ROUGH CUT - LOIRE VALLEY		M3 - METAL (DARK GRAY) T.B.D.		STOREFRONT FRAME (GRAY) T.B.D.		STOREFRONT GLAZING T.B.D.		SD1 - HARDIE SIDING (GREEN) HARDIE PLANK - MOUNTAIN SAGE		SD2 - WOOD-LOOK SIDING (MEDIUM TONE) T.B.D.		K1 - WALL PANEL		K2 - METAL PANEL		K3 - METAL PANEL		K4 - WOOD PANEL		K5 - WOOD PANEL		K6 - BUILDING MATERIAL
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	SD1 - HARDIE SIDING (GREEN) HARDIE PLANK - MOUNTAIN SAGE		SD2 - WOOD-LOOK SIDING (MEDIUM TONE) T.B.D.		S1 - STACKED STONE VENEER (GRAY) ELDORADO STONE - ROUGH CUT - LOIRE VALLEY		M3 - METAL (DARK GRAY) T.B.D.		STOREFRONT FRAME (GRAY) T.B.D.		STOREFRONT GLAZING T.B.D.		KEYNOTES 18'-11"
--	---	--	--	--	---	--	----------------------------------	--	-----------------------------------	--	------------------------------	--	---------------------

**OUTER BANKS SUBDIVISION BUILDING F - EXTERIOR ELEVATIONS**

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013      08.23.2021      1478 STONE POINT DRIVE SUITE 350 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com

**A-204**



**OUTER BANKS SUBDIVISION** FLATS (F-1) FRONT VIEW **A-901** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 BOISEVILLE, IDAHO 83801 T: 819 762 7200 borgesarch.com



**OUTER BANKS SUBDIVISION** FLATS (F-1 & F-2) FROM NORTHWEST **A-901.1** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 BOISEVILLE, IDAHO 83801 T: 819 762 7200 borgesarch.com



1 FRONT ELEVATION



2 RIGHT ELEVATION


**KEYNOTES**

- 1 WALL BRICK
- 2 METAL BRICK
- 3 METAL BRICK
- 4 BRICK TRIM
- 5 BRICK BRIMING

**OUTER BANKS SUBDIVISION BUILDING HD-1 & HD-2 - EXTERIOR ELEVATIONS** A-205

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1476 STONE POINT DRIVE SUITE 300 ROSELVILLE, CA 95891 T 916 782 7200 borjesarch.com



1 REAR ELEVATION



2 LEFT ELEVATION


**KEYNOTES**

- 1 WALL BRICK
- 2 METAL BRICK
- 3 METAL BRICK
- 4 BRICK TRIM
- 5 BRICK BRIMING

**OUTER BANKS SUBDIVISION BUILDING HD-1 & HD-2 - EXTERIOR ELEVATIONS** A-206

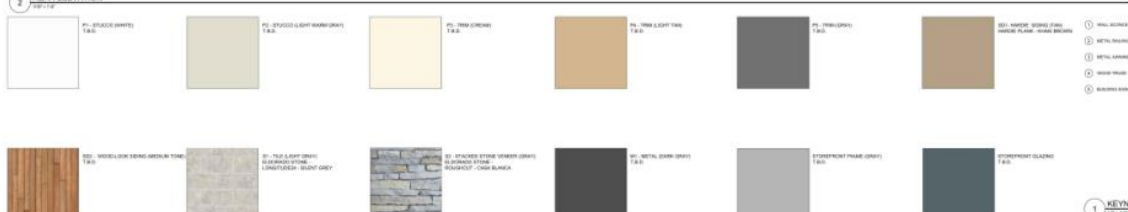
A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1476 STONE POINT DRIVE SUITE 300 ROSELVILLE, CA 95891 T 916 782 7200 borjesarch.com



1 FRONT ELEVATION



2 REAR ELEVATION



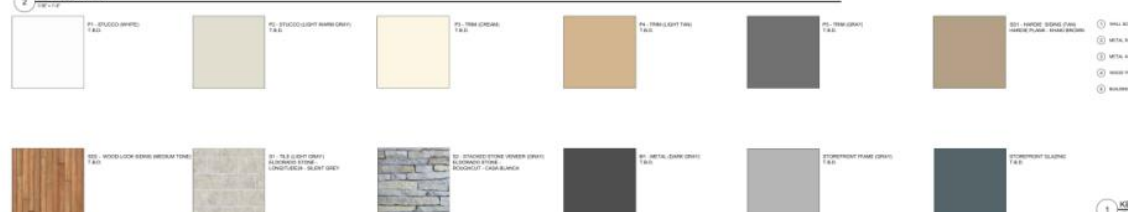
**OUTER BANKS SUBDIVISION BUILDING HD-3 - EXTERIOR ELEVATIONS** A-207  
 A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T 916 782 7200 borjesarch.com



1 RIGHT ELEVATION



2 LEFT ELEVATION



**OUTER BANKS SUBDIVISION BUILDING HD-3 - EXTERIOR ELEVATIONS** A-208  
 A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T 916 782 7200 borjesarch.com



**OUTER BANKS SUBDIVISION** HIGH DENSITY (HD-1 & HD-2) FROM COBALT **A-902** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7200 borjesarch.com



**OUTER BANKS SUBDIVISION** HIGH DENSITY (HD-1 FROM COBALT) **A-902.1** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7200 borjesarch.com



**OUTER BANKS SUBDIVISION** HIGH DENSITY (HD-1) ENTRY **A-902.2** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1476 STONE POINT DRIVE SUITE 338 ROSEVILLE, CA 95661 T 916 782 7200 borgesarch.com



**OUTER BANKS SUBDIVISION** HIGH DENSITY (HD-3) FROM SOUTHEAST **A-902.3** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1476 STONE POINT DRIVE SUITE 338 ROSEVILLE, CA 95661 T 916 782 7200 borgesarch.com



**OUTER BANKS SUBDIVISION** HIGH DENSITY (HD-3) FROM EAST (OPEN SPACE) **A-902.4** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 762 7200 borgesarch.com



**OUTER BANKS SUBDIVISION** HIGH DENSITY (HD-3) WEST ENTRY **A-902.5** 

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 762 7200 borgesarch.com





1 FRONT ELEVATION



2 RIGHT ELEVATION

							① WALL BRICK
							② METAL PANEL
							③ METAL PANEL
							④ WOOD PANEL

1 KEYNOTES

**OUTER BANKS SUBDIVISION BUILDING D-1, D-2, & D-3 - EXTERIOR ELEVATIONS**  
 A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1476 STONE POINT DRIVE SUITE 300 ROSELVILLE, CA 95881 T | 916 762 7200 borjessarch.com



1 REAR ELEVATION



2 LEFT ELEVATION

							① WALL BRICK
							② METAL PANEL
							③ METAL PANEL
							④ WOOD PANEL

1 KEYNOTES

**OUTER BANKS SUBDIVISION BUILDING D-1, D-2, & D-3 - EXTERIOR ELEVATIONS**  
 A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1476 STONE POINT DRIVE SUITE 300 ROSELVILLE, CA 95881 T | 916 762 7200 borjessarch.com





**OUTER BANKS SUBDIVISION TOWNHOMES (D-1) FRONT VIEW** A-903 **Borges**

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com



**1 FRONT ELEVATION**

**2 RIGHT ELEVATION**

101" STUCCO BRICK T&G	102" STUCCO BRICK T&G	103" STUCCO BRICK T&G	104" STUCCO BRICK T&G	105" STUCCO BRICK T&G	106" STUCCO BRICK T&G	107" STUCCO BRICK T&G	108" STUCCO BRICK T&G	109" STUCCO BRICK T&G	110" STUCCO BRICK T&G	111" STUCCO BRICK T&G	112" STUCCO BRICK T&G	113" STUCCO BRICK T&G	114" STUCCO BRICK T&G	115" STUCCO BRICK T&G	116" STUCCO BRICK T&G	117" STUCCO BRICK T&G	118" STUCCO BRICK T&G	119" STUCCO BRICK T&G	120" STUCCO BRICK T&G
121" STUCCO BRICK T&G	122" STUCCO BRICK T&G	123" STUCCO BRICK T&G	124" STUCCO BRICK T&G	125" STUCCO BRICK T&G	126" STUCCO BRICK T&G	127" STUCCO BRICK T&G	128" STUCCO BRICK T&G	129" STUCCO BRICK T&G	130" STUCCO BRICK T&G	131" STUCCO BRICK T&G	132" STUCCO BRICK T&G	133" STUCCO BRICK T&G	134" STUCCO BRICK T&G	135" STUCCO BRICK T&G	136" STUCCO BRICK T&G	137" STUCCO BRICK T&G	138" STUCCO BRICK T&G	139" STUCCO BRICK T&G	140" STUCCO BRICK T&G

**KEYNOTES**

**OUTER BANKS SUBDIVISION CLUB HOUSE - EXTERIOR ELEVATIONS** A-211 **Borges**

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com



**OUTER BANKS SUBDIVISION CLUB HOUSE - EXTERIOR ELEVATIONS** A-212 



**OUTER BANKS SUBDIVISION CLUB HOUSE FRONT FROM SOUTHEAST** A-904 



**OUTER BANKS SUBDIVISION CLUB HOUSE FROM EAST ACROSS POOL** **A-904.1**

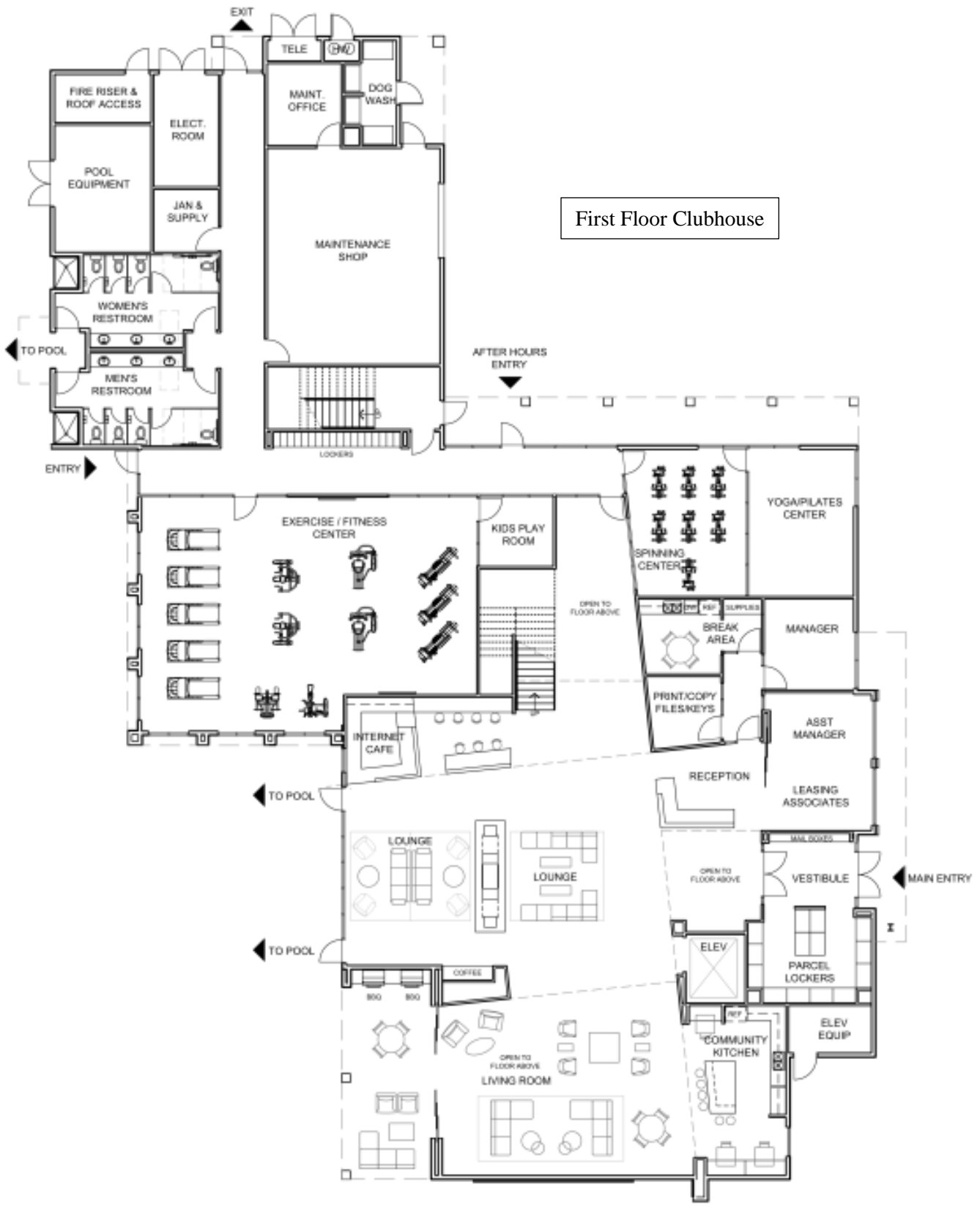
A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1479 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com



**OUTER BANKS SUBDIVISION CLUB HOUSE POOL AREA** **A-904.2**

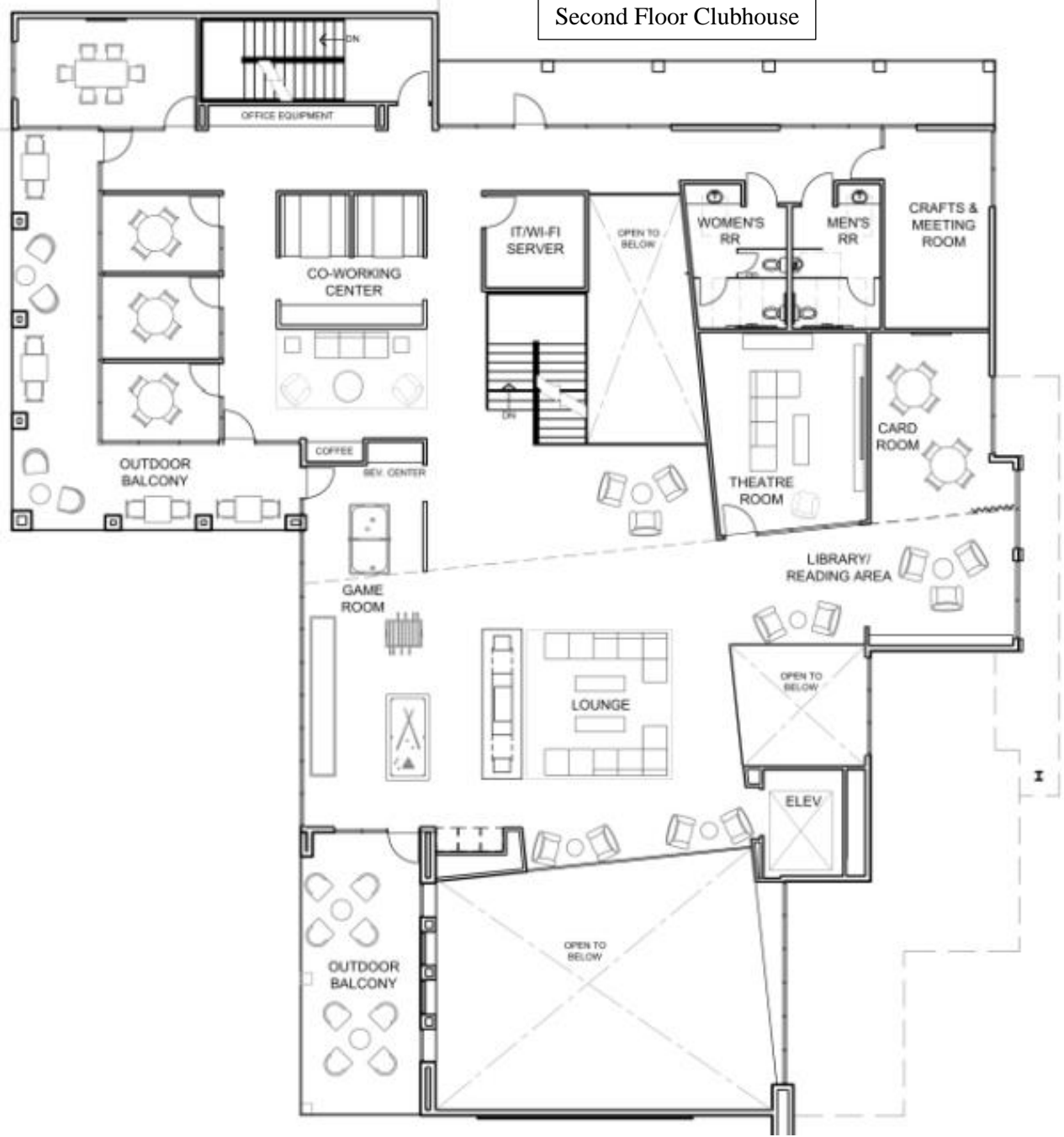
A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1479 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com





First Floor Clubhouse

Second Floor Clubhouse



## IX. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. Future development shall comply with the provisions in the existing Development Agreement (Inst. #[2021-132704](#), H-2021-0025) and the conditions in this report.

#### Preliminary Plat:

2. The final plat shall include the following revisions:
  - a. All street buffers are required to be placed in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association, as set forth in UDC [11-3B-7C.2b](#). *Required street buffers are as follows: minimum 25-foot wide along W. Franklin Rd., an arterial street; minimum 35-foot wide along S. Ten Mile Rd., an entryway corridor; and minimum 20-foot wide along W. Cobalt Dr., a collector street. Street buffers are measured from the back of sidewalk where attached sidewalks are provided and from the back of curb where detached sidewalks are provided per UDC 11-3B-7C.1a.*
  - b. The extension of W. Cobalt Dr. from the east to the west property boundary shall be included in the construction drawings for the first phase of development; or, may be included in a separate submittal to ACHD.
  - c. Depict the Irrigation District's easement for the Kennedy Lateral.
  - d. The street section for Cobalt Dr. shall include (2) 11-foot wide travel lanes, 6-foot wide bike lanes, 8-foot wide parallel parking, curb, gutter, 8-foot wide planter strips (i.e. tree lawn/parkway) and detached 6-foot wide sidewalks consistent with Street Section D in the [TMISAP](#) (see Pg. 3-21). Parallel parking shall be located to the west of the horizontal curve for Cobalt Dr. and be located beyond the sight distance required for the access proposed on Cobalt Dr. as required by ACHD.
  - e. A 5-foot wide dry-utilities corridor shall be provided along both sides of Cobalt Dr.; both wet utilities may be located in the street. Streetlights shall be placed in the dry utilities corridor on either side of the street in accord with Street Section D in the [TMISAP](#) (pg. 3-23).
  - f. Provide a minimum 8-foot wide tree lawn/parkway along S. Ten Mile Rd. in accord with the TMISAP.
  - g. Dry utilities shall be located at the back of the curb in the dry utilities corridor along S. Ten Mile Rd. and W. Franklin Rd. in accord with Street Sections A and B in the TMISAP (pg. [3-22](#)).
3. The landscape plan included in Section VIII.C shall be revised as follows:
  - a. Include shrubs (along with the trees and lawn or other vegetative groundcover) in the proposed street buffers as set forth in UDC [11-3B-7C.3a](#) and along pathways as set forth in UDC [11-3B-12C.2](#).
  - b. Street buffers at the required width are required to be placed in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association as set forth in UDC [11-3B-7C.2](#) (see #2a above for required widths).
  - c. Include a calculations table on the landscape plan that demonstrates compliance with the landscape standards for street buffers listed in UDC [11-3B-7C.3b](#); common open space areas listed in UDC [11-3G-3E.2](#); and pathways listed in UDC [11-3B-12C](#).
  - d. Depict a minimum 5-foot wide detached sidewalk along S. Ten Mile Rd. in accord with UDC [11-3A-17A](#).

- e. Depict a tree lawn along S. Ten Mile Rd. (minimum 8-foot wide) and W. Franklin Rd. and pedestrian-scale street lights consistent with Street Sections A and B in the TMISAP (see pg. [3-22](#)).
  - f. Depict a minimum 8-foot wide tree lawn along W. Cobalt Dr. with street lights in the dry utilities corridor on either side of the street consistent with Street Section D in the TMISAP (see pg. [3-23](#)).
  - g. Depict a minimum 6-foot wide detached sidewalk within the street buffer along S. Ten Mile Rd. consistent with Street Section A in the TMISAP (see pg. [3-20](#)). A 10-foot wide pathway is preferred based on ACHD's adopted Livable Streets Performance Measures but not required.
4. The subject property shall be subdivided prior to issuance of the first Certificate of Occupancy for the development as set forth in the Development Agreement (Inst. #2021-132704, provision #5.1d).
  5. Submit an updated Geotechnical Engineering Report prior to or with the first final plat application.
  6. The entirety of Cobalt Dr. from the east to the west property boundary, on-site and off-site, shall be constructed prior to or with the first phase of development in accord with the specifications noted herein.
  7. A Certificate of Zoning Compliance and Design Review application shall be submitted for each structure (or group of structures if desired) and approved prior to submittal of application(s) for building permits. The plans submitted shall comply with the design elements of the Ten Mile Interchange Specific Area Plan (TMISAP) and the design standards in the Architectural Standards Manual (see the Application of Design Elements matrix on pg. 3-49 of the Plan) as required by the Development Agreement. The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.

**Conditional Use Permit:**

8. The multi-family development shall have an ongoing obligation to comply with the specific use standards listed in UDC 11-4-3-27.
9. For each of the multi-family units, a minimum of eighty (80) square feet of private, usable open space shall be provided for each unit as set forth in UDC 11-4-3-27B.3. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. **Floor plans with square footage noted for patios and balconies shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with this standard.**
10. The multi-family development shall record a legally binding document that states the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC 11-4-3-27F. **A recorded copy of said document shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development.**
11. Comply with building code requirements for separation between structures within the development.
12. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
  - a. Landscaping is required along all pathways per the standards listed in UDC [11-3B-12C](#); depict shrubs in addition to the trees along the pathways.
  - b. Depict the locations of the property management office, maintenance storage area, central mailbox location (including provisions for parcel mail, that provide safe pedestrian and/or



- vehicular access), and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC 11-4-3-27B.7.
- c. All transformer and utility vaults and other service areas shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC 11-4-3-27B.2.
  - d. The configuration/location of the Flats F-3 building and the garage structures along the project's west boundary need to be revised to comply with the minimum setback requirement of 10-feet in UDC [11-4-3-27B.1](#); the configuration of Lot 16 may be revised on the plat in order for the building (i.e. F-3) to meet the required setback.
  - e. Depict landscaping along the foundations of all street facing elevations adjacent to W. Cobalt Dr. in accord with the standards listed in UDC [11-4-3-27E.2](#).
  - f. Include a detail of the fire pit, BBQ's, public art and children's play structure.
  - g. A minimum of 902 off-street parking spaces shall be provided as proposed, including 530 covered spaces. Compact stalls are discouraged but may be used for any parking above the number of required spaces per UDC [11-3C-5A.6](#). *This does not include the 31 spaces required for the clubhouse, vertically integrated/mixed use or commercial uses.*
  - h. A minimum of 36 bicycle parking spaces that comply with the standards listed in UDC [11-3C-5C](#) shall be provided in central locations for each building (High Density, Flats and Townhomes).
12. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units as set forth in UDC [11-4-3-27C.3](#).
13. A Certificate of Zoning Compliance and Design Review application(s) shall be submitted for the multi-family development and approved prior to submittal of application(s) for building permits. The plans submitted shall substantially comply with those approved with this application and with any required modifications noted herein. The design of structures shall comply with the design elements of the Ten Mile Interchange Specific Area Plan (TMISAP) (see the Application of Design Elements matrix on pg. 3-49 of the Plan) and the design standards in the Architectural Standards Manual. *One application may be submitted for the entire multi-family development.*

## **B. PUBLIC WORKS**

### **1. Site Specific Conditions of Approval**

- 1.1 Extend water main to existing blow off to the west
- 1.2 Extend water main to the southern boundary in the right-of-way.
- 1.3 Eliminate dead ends by looping water through the development.
- 1.4 Dead end water mains must end in a hydrant.
- 1.5 Water and sewer mains require a minimum 20-foot-wide easement per utility or 30 foot combined with minimum separation maintained between mains. All easements must be free from permanent structures including but not limited to buildings, carports, streetlights, infiltration trenches, trees, bushes, trash enclosures, etc.
- 1.6 Manholes should not be placed in curb or gutter.
- 1.7 Proposed manhole SSWR-16 at the corner of Ten Mile and Cobalt should be removed from the sidewalk.
- 1.8 Access roads and easements are required for all manholes outside of right-of-way.
- 1.9 Angles in and out of manholes must be a minimum 90 degrees in the direction of flow.
- 1.10 No sewer service lines should pass through infiltration trenches.

### **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 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

- 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 wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 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 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.17 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and

approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.20 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

#### **C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=238635&dbid=0&repo=MeridianCity>

#### **D. POLICE DEPARTMENT**

The Police Department can service this area if the application is approved.

Do these units have climate-controlled hallways (not garden style) with controlled access entry points? If that is the case the applicant will be required to plan for emergency police access into each building entry point using a multi-technology keypad. This will allow police access, if there is an emergency, into the building if someone isn't able to come to the door to allow police entrance. Otherwise, police would have to breach the door to gain access which isn't ideal for anyone and delays our response. The Loft project at 10-mile/Franklin and the Bri at the Village use a product police recommend for this purpose. Police can work with the applicant on placement of the access. Police will have their own access code (same for each building) to use in an emergency.

All townhomes and or multi-family units shall be clearly marked with addresses and unit numbers visible day or night for emergency response. The applicant shall place a way-finding map at each entrance.

All qualified open space provided in the development, to include all amenities, must be in an open area in order to allow for natural observation opportunities. Pathways and landscaping should not create hiding spots or blind spots that would promote criminal opportunities.

#### **E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240473&dbid=0&repo=MeridianCity>

**F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240055&dbid=0&repo=MeridianCity>

**G. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239094&dbid=0&repo=MeridianCity>

**H. WEST ADA SCHOOL DISTRICT (WASD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241148&dbid=0&repo=MeridianCity>

**I. COMMUNITY DEVELOPMENT DEPARTMENT – SCHOOL IMPACT TABLE**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241147&dbid=0&repo=MeridianCity>

**J. ADA COUNTY HIGHWAY DISTRICT (ACHD) – DRAFT COMMENTS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241992&dbid=0&repo=MeridianCity>

**X. FINDINGS****A. Preliminary Plat (UDC 11-6B-6)**

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

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)  
*Staff finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions and conditions of approval in Section IX.*
2. Public services are available or can be made available and are adequate to accommodate the proposed development;  
*Staff finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.*
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;  
*Staff finds there are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.*
4. There is public financial capability of supporting services for the proposed development;  
*Staff finds there is public financial capability of supporting services for the proposed development.*
5. The development will not be detrimental to the public health, safety or general welfare; and  
*Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.*
6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)  
*Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.*

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

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

*Staff finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 and C-C zoning districts (see Analysis, Section V for more information).*

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

*Staff finds that the proposed use is consistent with the future land use map designations of HDR, MU-COM and MU-RES and is allowed as a conditional use in UDC Table 11-2B-2 in the R-40 and C-C zoning districts.*

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

*Staff finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.*

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

*Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area. The Commission and Council should weigh any public testimony provided to determine if the development will adversely affect other properties in the vicinity.*

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

*Staff finds that essential public services are available to this property and that the use should be adequately served by these facilities with the exception of Ten Mile Rd., which the ACHD report states will not function at an acceptable level of service upon development of this project based on traffic counts.*