



## CITY COUNCIL REGULAR MEETING PROPOSED AMENDED AGENDA

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Tuesday, June 22, 2021 at 6:00 PM

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

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### Agenda

#### VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/89604685070>

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

Webinar ID: 896 0468 5070

#### ROLL CALL ATTENDANCE

Jessica Perreault

Joe Borton

Brad Hoaglun

Treg Bernt

Liz Strader

Luke Cavener

Mayor Robert E. Simison

#### PLEDGE OF ALLEGIANCE

#### COMMUNITY INVOCATION

#### ADOPTION OF AGENDA

#### PUBLIC FORUM – Future Meeting Topics

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

#### PROCLAMATIONS [Action Item]

1. Juneteenth Day

2. USA Pickleball Championship Month

#### ACTION ITEMS

*Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present their project. Members of the public are then allowed up to 3 minutes each to address City Council*

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

- 3. Public Hearing** for Speedy Quick (CR-2021-0003) by Clark Wardle, Located at 2560 S. Meridian Rd.

***Application Requires Continuance***

A. Request: Council Review of the Planning Director's determination of denial for a reduced rear setback for a new accessory structure.

- 4. Public Hearing** for Roberts Annexation Easement Vacation (H-2021-0038) by Benjamin Semple of Rodney Evans and Partners, Located at 1630 E. Paradise Ln.

A. Request: Vacation of a 5-foot drainage, utility construction and maintenance easement platted between two lots (Lots 2 & 3, Block 1 of Heritage Subdivision No. 2).

- 5. Public Hearing** for Prevail North Subdivision (H-2021-0021) by Schultz Development, LLC, Located at 5150 S. Meridian Rd.

A. Request: Annexation and Zoning of 5.63 acres of land with an R-8 zoning district.

B. Request: A Preliminary Plat consisting of 19 single-family residential lots and 4 common lots on 5.25 acres of land.

- 6. Public Hearing** for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.

A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

**ORDINANCES [Action Item]**

- 7.** First Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance, and Providing an Effective Date

**FUTURE MEETING TOPICS**

**ADJOURNMENT**



# AGENDA ITEM

ITEM **TOPIC:** Juneteenth Day



The Office of the Mayor

PROCLAMATION

WHEREAS, on June 19, 1865, Major General Gordon Granger of the Union Army landed in Galveston, Texas bringing news that the Civil War had ended and all slaves were free; and,

WHEREAS, one year after freedom was granted to Black men, women and children, the first celebration of Juneteenth, also known as Emancipation Day, Liberation Day and Jubilee Day in its early years was held; and,

WHEREAS, since then, Juneteenth has long been celebrated among the African American community for its historical significance; and,

WHEREAS, Juneteenth National Independence Day became a Federal Holiday in 2021 raising the public awareness of this date to all the people of the United States; and,

WHEREAS, it is important to recognize how Juneteenth has impacted the lives of all Americans, especially those in the African American community.

THEREFORE, I, Mayor Robert E. Simison, hereby proclaim June 19th, 2021

Juneteenth Day

in the City of Meridian, and encourage all citizens to recognize and observe the historical significance of this day.

Dated this 19th day of June, 2021

Robert E. Simison, Mayor



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



## AGENDA ITEM

ITEM **TOPIC:** USA Pickleball Championship Month



The Office of the Mayor

PROCLAMATION

WHEREAS, 2021 marks the 56th anniversary of pickleball, and in their 2020 Pickleball Participant Report, the Sports & Fitness Industry Association (SFIA) reported pickleball currently had 3.46 million players in the US; and,

WHEREAS, the City of Median has 26 Pickleball courts in our community with future plans to add another 12 in the next few years and it is estimated that every US state and all Canadian provinces now have pickleball venues including Senior residence communities, YMCAs, local community recreation centers, schools and parks; and,

WHEREAS, the USA Pickleball Association was formed in 2005 to promote the sport, and maintains the official rules, sanctions tournaments, provides player rankings and produces the annual USA Pickleball National Championships Tournament; and,

WHEREAS, the 2021 Pacific Northwest Regional Championship will be held at Settlers Park in the City of Meridian as the main event site hosting nearly 1,000 players and over 1,000 guests traveling from more than 30 US states; and,

WHEREAS, this event will have significant economic impact in Meridian and throughout the Treasure Valley through partnerships with the Meridian Chamber of Commerce and local Idaho businesses.

THEREFORE, I, Mayor Robert E. Simison, hereby proclaim June 2021 to be

USA Pickleball Championship Month

in the City of Meridian and encourage all citizens to learn more about this fast-growing sport, come out to watch this historic event and to seriously consider becoming a Pickleball player and begin take advantage of the health, exercise and social benefits of the sport.

Dated this 22nd day of June, 2021.

[Signature]
Robert E. Simison, Mayor

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





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Speedy Quick (CR-2021-0003) by Clark Wardle, Located at 2560 S. Meridian Rd.

*Application Requires Continuance*

A. Request: Council Review of the Planning Director's determination of denial for a reduced rear setback for a new accessory structure.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** June 22, 2021

**Topic:** **Public Hearing** for Speedy Quick (CR-2021-0003) by Clark Wardle, Located at 2560 S. Meridian Rd.

A. Request: Council Review of the Planning Director's determination of denial for a reduced rear setback for a new accessory structure.

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## Information Resources:

[Click Here for Application Materials](#)

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



June 9, 2021

**MEMORANDUM**

TO: Mayor and City Council

FROM: Alan Tiefenbach, Associate City Planner

CC: Legal and Clerk

RE: City Council Review of Director’s Determination Regarding a Reduced Side Setback to Construct a New Accessory Structure (CR-2021-0003)

Mayor and City Council,

A Certificate of Zoning Compliance (CZC) and Design Review approval was issued on May 5, 2021 to allow a mobile dispatch service to operate in the Limited Office Zoning District (L-O) located at 2560 S. Meridian Rd (Speedy Quick CZC, DES A-2020-0135) consistent with the conditional use permit approval in 2017 (H-2017-0031). The project includes an exterior facade improvement to an existing 1,700 sq. ft. residential structure, a new 27 space parking lot, outdoor storage yard, required landscaping and new 2,500 sq. ft. storage building.

During the review of the CZC’DES submittal, staff informed the applicant that the side setback for the new 2,500 sq. ft. storage building must comply with the 10’ interior side setback per the dimensional standards of the L-O zone district rather than the 5’ setback as is shown on the site plan. However, the applicant asserted that the 5’ setback as shown is correct. The applicant’s explanation for this setback reduction is that UDC Table 11-2B-3 in the commercial district (regarding dimensional standards), has the interior side setback in the L-O zoning district shown as "10/5” with a note below which states "minimum setback only allowed with reuse of existing residential structure." The applicant contends that because the project involves the reuse of the existing residential structure at the southwestern portion of the property (adjacent to S. Meridian Rd), all new structures on the property are also entitled to this reduced setback.

The applicant requested a Director's Determination regarding this matter, and in a letter dated May 5, 2021 the Director agreed with staff's interpretation of this standard. The letter explains the 5' setback allowance in UDC 11-2B-3 is to address the existing homes that may convert to office uses. In most of the residential districts, a typical side yard setback is 5 feet, therefore the reduced setback only applies to an existing structure to avoid creating non-conforming structures and does not extend to new structures that may be constructed on the property. Subsequently, the CZC was approved with a condition that the side setback of the accessory building be increased to 10'.

Pursuant to UDC 11-5A-7, the applicant requests City Council review of the decision of the Director to require a 10' side setback. By a simple majority vote, the City Council may uphold or overrule the decision.

### ATTACHMENTS

Approved Certificate of Zoning Compliance.

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230280&dbid=0&repo=MeridianCity>

Director's Determination Letter

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230115&dbid=0&repo=MeridianCity>

Applicants Narrative for Appeal to Council

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230116&dbid=0&repo=MeridianCity>



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Roberts Annexation Easement Vacation (H-2021-0038) by Benjamin Semple of Rodney Evans and Partners, Located at 1630 E. Paradise Ln.  
A. Request: Vacation of a 5-foot drainage, utility construction and maintenance easement platted between two lots (Lots 2 & 3, Block 1 of Heritage Subdivision No. 2).



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** June 22, 2021

**Topic:** **Public Hearing** for Roberts Annexation Easement Vacation (H-2021-0038) by Benjamin Semple of Rodney Evans and Partners, Located at 1630 E. Paradise Ln.

- A. Request: Vacation of a 5-foot drainage, utility construction and maintenance easement platted between two lots (Lots 2 & 3, Block 1 of Heritage Subdivision No. 2).

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**Information Resources:**

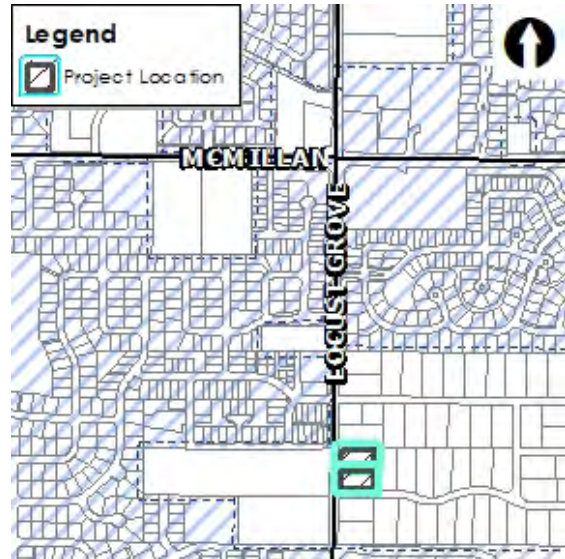
[Click Here for Application Materials](#)

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

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



HEARING DATE: 6/22/2021  
TO: Mayor & City Council  
FROM: Alan Tiefenbach, Associate Planner  
208-489-0573  
SUBJECT: H-2021-0038  
Roberts Annexation Easement Vacation  
LOCATION: 1630 E. Paradise Ln



**I. PROJECT DESCRIPTION**

Request to vacate a 5-foot drainage, utility construction and maintenance easement platted between two lots (Lots 2&3, Block 1 of the Heritage Subdivision No 2).

**II. APPLICANT INFORMATION**

A. Applicant / Representative:

Benjamin Semple, Rodney Evans and Partners – 1014 S. La Pointe St., Ste 3, Boise ID 83706

B. Owner:

Denton Roberts – 4461 N. Diamond Creek Ave, Meridian, ID, 83646

**III. STAFF ANALYSIS**

On May 18, 2021 the City Council approved an annexation and zoning to R-2 on the subject property to allow the applicant to construct a new home. The property is presently comprised of two lots, and the proposed house would straddle the internal lot lines. As part of this construction, the applicant intends to merge the two lots together. However, there is a 5-foot drainage, utility construction and maintenance easement platted between the subject lots (Lots 2 & 3, Block 1 of the Heritage Subdivision No 2). A vacation of this easement was required as a condition of approval of the annexation. This vacation and a parcel boundary adjustment (PBA) to merge the lots is required before the applicant can proceed with applying for a building permit.

The applicant has submitted letters from all potential easement holders (i.e. Sparklight, Idaho Power, Intermountain Gas, Century Link) who have all submitted written consent agreeing to vacate the easements (see Exhibit V.E.).

#### **IV. DECISION**

##### **A. Staff:**

Staff recommends approval of the vacation of easement request as proposed by the Applicant.

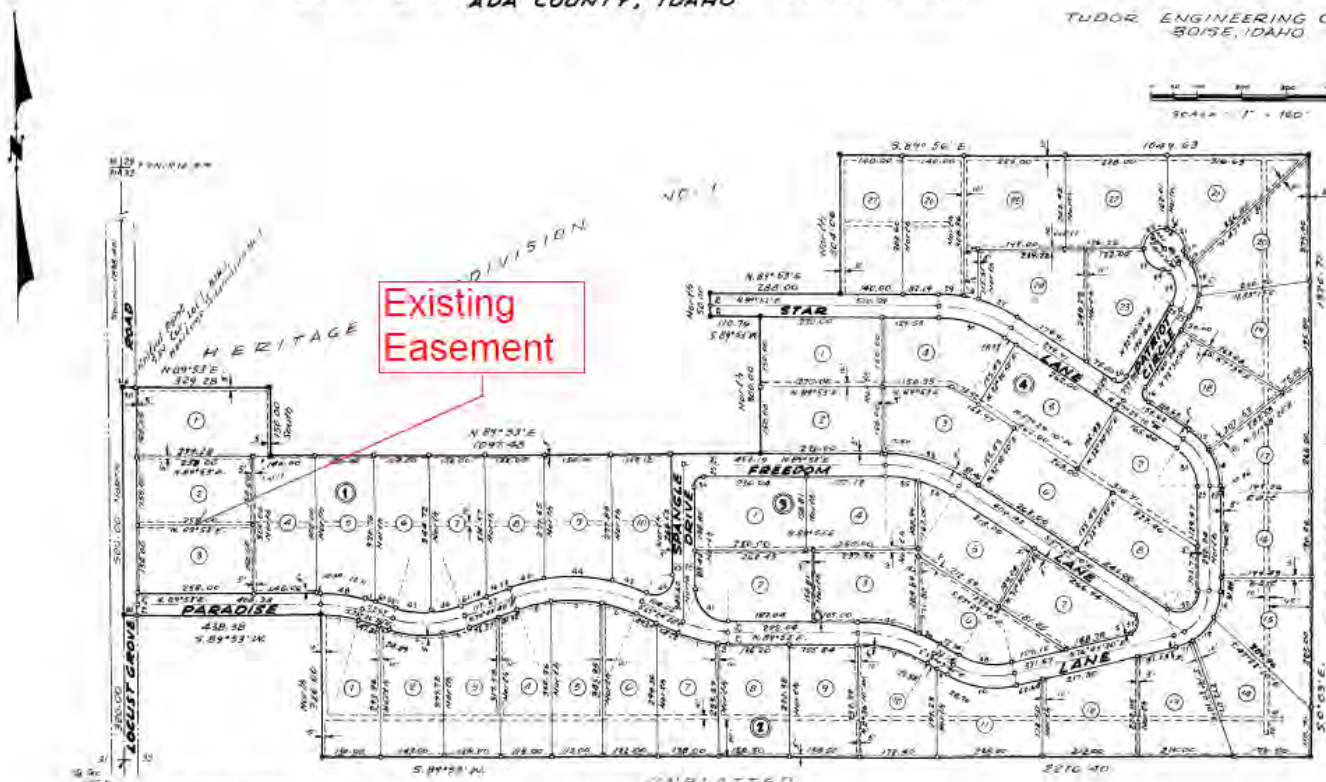
V. EXHIBITS

A. Recorded Plat (date: January 11, 1970)

**HERITAGE SUBDIVISION NO. 2**

A PART OF THE NW 1/4 Section 32, T.4N, R.1E, Boise Meridian  
ADA COUNTY, IDAHO

TUDOR ENGINEERING COMPANY  
BOISE, IDAHO



- LEGEND**
- 1/8" pin 30" long at boundary.
  - 1/8" pin 24" long on lot corners and points of curvature.
  - Easement line width as shown.
  - Ⓢ Circle Number = Data in Table.

**CURVE DATA TABLE**

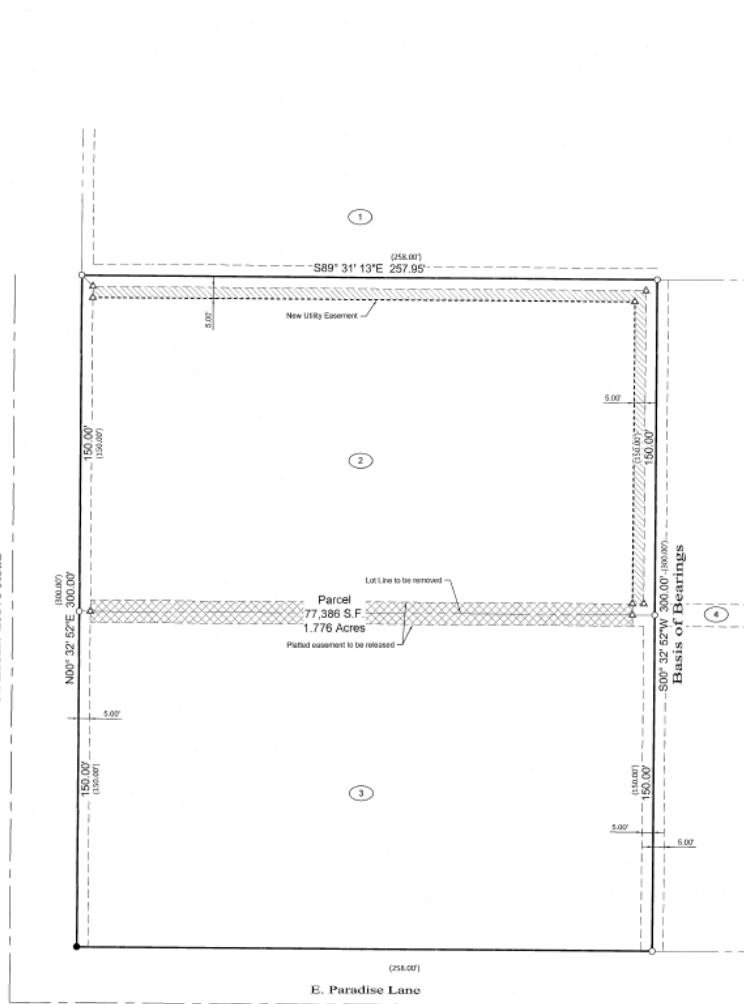
Cur. No.	Area	Δ	L	Lc	Brg.	Ch. No.	Area	Δ	L	Lc	Brg.
1	767.27	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
2	232.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
3	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
4	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
5	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
6	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
7	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
8	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
9	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
10	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
11	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
12	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
13	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
14	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
15	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
16	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
17	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
18	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
19	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
20	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
21	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
22	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
23	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"
24	220.00	28.00	100.00	100.00	S 89° 53' 14"	20	503.08	28.00	100.00	100.00	S 89° 53' 14"

**BUILDING SETBACKS**  
 Front - 25 Feet  
 Sides - 10 Feet  
 Rear - 25 Feet  
 \* Increase side setback 5 feet for each story above one.

**INSTRUMENT NO. \_\_\_\_\_**  
 Building and Occupancy shall conform to the Standards established by the Restrictive Covenants as filed in Book \_\_\_\_\_ of the Miscellaneous Records at Page \_\_\_\_\_, Ada County, Idaho.

Item #4.

B. Record of Survey (date: December 2019)



SCALE: 1"=30'

**LEGEND**

- Boundary
- Record Boundary
- Center Line
- New Easement
- Record Easement
- Tie/offset

○ Found 1/2" Rebar, Set Plastic Cap "F151 PLS8575"  
 Set 1/2" Rebar, Plastic Cap "F151 PLS" Calculation Point

**Record Data**

- Heritage Subdivision No. 2 Book 23, Page 1452; 05-06-1970
- New Utility Easement
- Platted Easement to be Released

RECORD OF SURVEY NO. 14150  
 Instrument No. 2019-131998  
 State of Idaho, County of ADA ss  
 Filed for record at the request of Denton and Ancher Roberts  
 45 Min. past 4 o'clock P.M. this 4 day of December, 2019  
 By Deputy Recorder Phil McGrane  
 Ex-Officio Recorder  
 Fee: \$5.

**NARRATIVE**  
 The purpose of the design survey was to provide support for the consolidation of Lots 2 & 3 of Heritage Subdivision No. 2 as described in Warranty Deed Instrument No. 114629285 into one buildable parcel. The relinquishment of the platted easement along the common lot line. The establishment of a new utility easement for underground lines. Five of the lot corners were found without caps in good condition to the calculated position. The SW corner was established by a bearing bearing intersection holding the north and east bearings as found.

- NOTES**
- The recording of this Record of Survey does not enable the owners of the parcels to convey ownership based solely on this map. A written conveyance must accompany such change in ownership. This Record of Survey does not serve as a legal description for the property shown on this map.
  - Fox Land Surveys, Inc., assumes no liability for current or future compliance with applicable planning and zoning ordinances and/or restrictions.
  - Certification and certify as used herein mean to state or declare a professional opinion of conditions regarding those facts or findings, which are the subject of the certification, and does not constitute a warranty or guarantee, either express or implied.

**BASIS OF BEARING**  
 The Basis of Bearings for this survey was established by GPS observations, projected to the Idaho state plane coordinate system, NAD 83 datum, West Zone. All bearings shown are on grid azimuth and all distances shown are at ground. Refer to the drawing for the specific line and monuments used.



**CERTIFICATE OF SURVEYOR**  
 I, Ronald M. Hodge, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and this map has been prepared from an actual survey made on the ground under my direct supervision, and is an accurate representation of said survey. It is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code §§ 1603 through 56-1612 and to the Idaho Code relating to Surveys.

INDEX# 411-32-4-3-0-23-1452

**PARCEL CONSOLIDATION - RECORD OF SURVEY**  
 FOR  
 Denton and Ancher Roberts

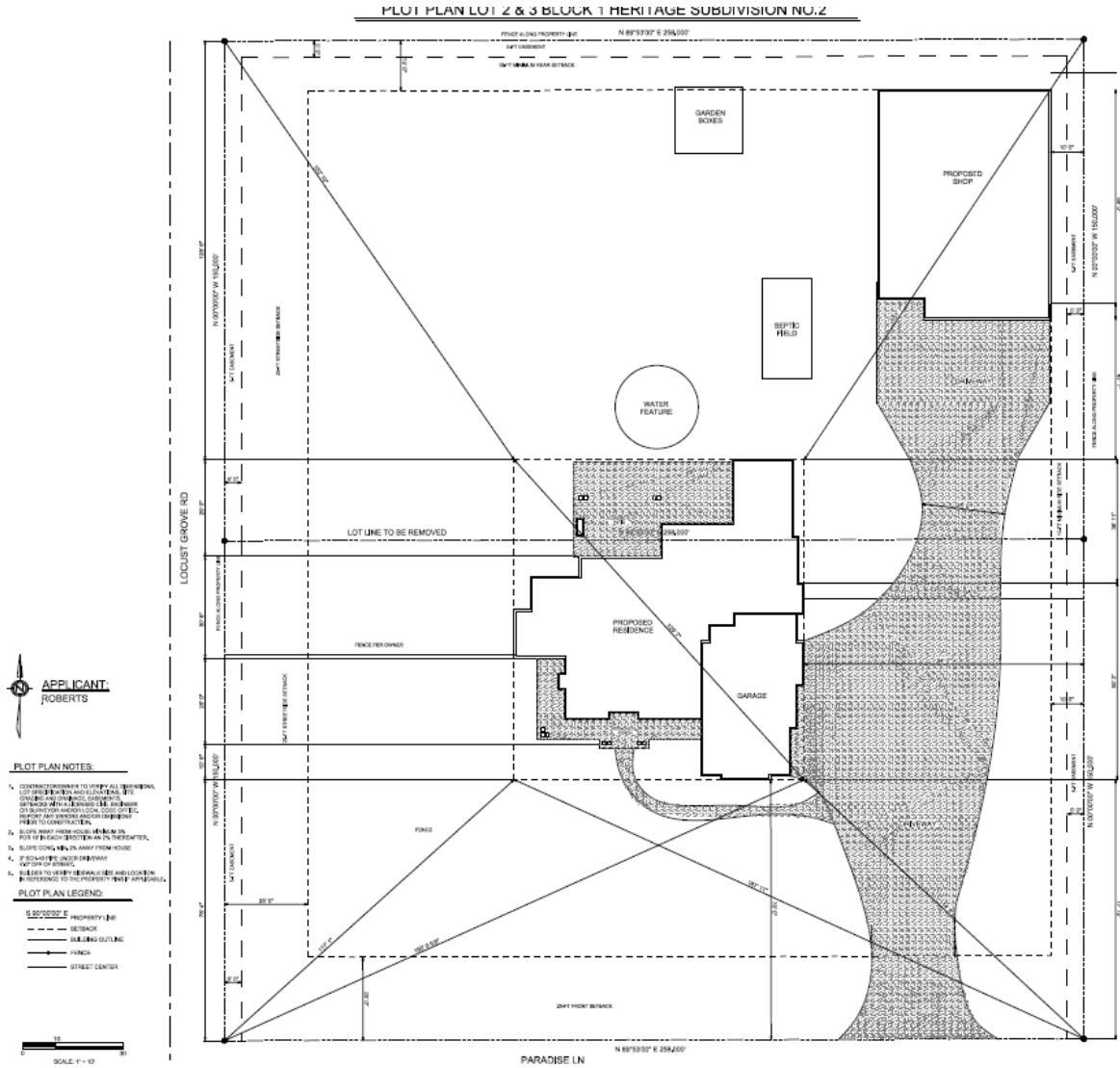
Lots 2 & 3, Block 1,  
 Heritage Subdivision No. 2,  
 Lying in Southwest 1/4 of the Northwest 1/4 of Section 32  
 Township 4 North, Range 1 East, Boise Meridian,  
 Ada County, Idaho

**FOX LAND SURVEYS, INC.**  
 1515 S. Shoshone Street Boise Idaho 83705  
 208-342-7957 - www.foxland surveys.com

ACAD DWG. FILE 19044MS DBL. TRC CK. RMH PLOT SCALE: 1:1  
 SCALE: 1"=30' DATE: December 2019 SHEET 1 OF 1



C. Approved Site Plan (date: February 26, 2021)



D. Legal Description of Easement Vacation (date: December 12, 2020)



Exhibit 'A'  
Denton and Ancheri Roberts  
5-Foot Public Utility Easement Description

A Public Utility Easement within a portion of Lots 2 and 3 as shown on Heritage Subdivision No. 2, Book 23 Page 1453, within the Southwest 1/4, of the Northwest 1/4, of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, being a (portion of Warranty Deed Instrument No. 113131269) more particularly described as follows:

COMMENCING at the Northeast corner of said Lot 2 as monumented by a found 1/2-inch rebar, placed cap stamped "FLSI PLS 8575", thence North 89°31'13" West, 257.95 feet, to the Northwest corner of said Lot 2 as monumented by a found 1/2-inch rebar, placed cap stamped "FLSI PLS 8575"; thence South 44°29'12" East, 7.07 feet to the **POINT OF BEGINNING**;

Thence South 89°31'13" East, 247.95 feet, along the south edge of existing utility easement;

Thence South 00°32'52" West, 140.00 feet, along the west edge of existing utility easement;

Thence North 89°31'37" West, 5.00 feet;

Thence North 00°32'52" East, 135.00 feet;

Thence North 89°31'13" West, 242.95 feet;

Thence North 00°32'49" East, 5.00 feet to the **POINT OF BEGINNING**.

Containing 1914.75 square feet more or less  
As shown on Exhibit 'B' Survey Map  
End of description

Prepared By:  
Ronald M. Hodge, PLS 8575  
Project Manager

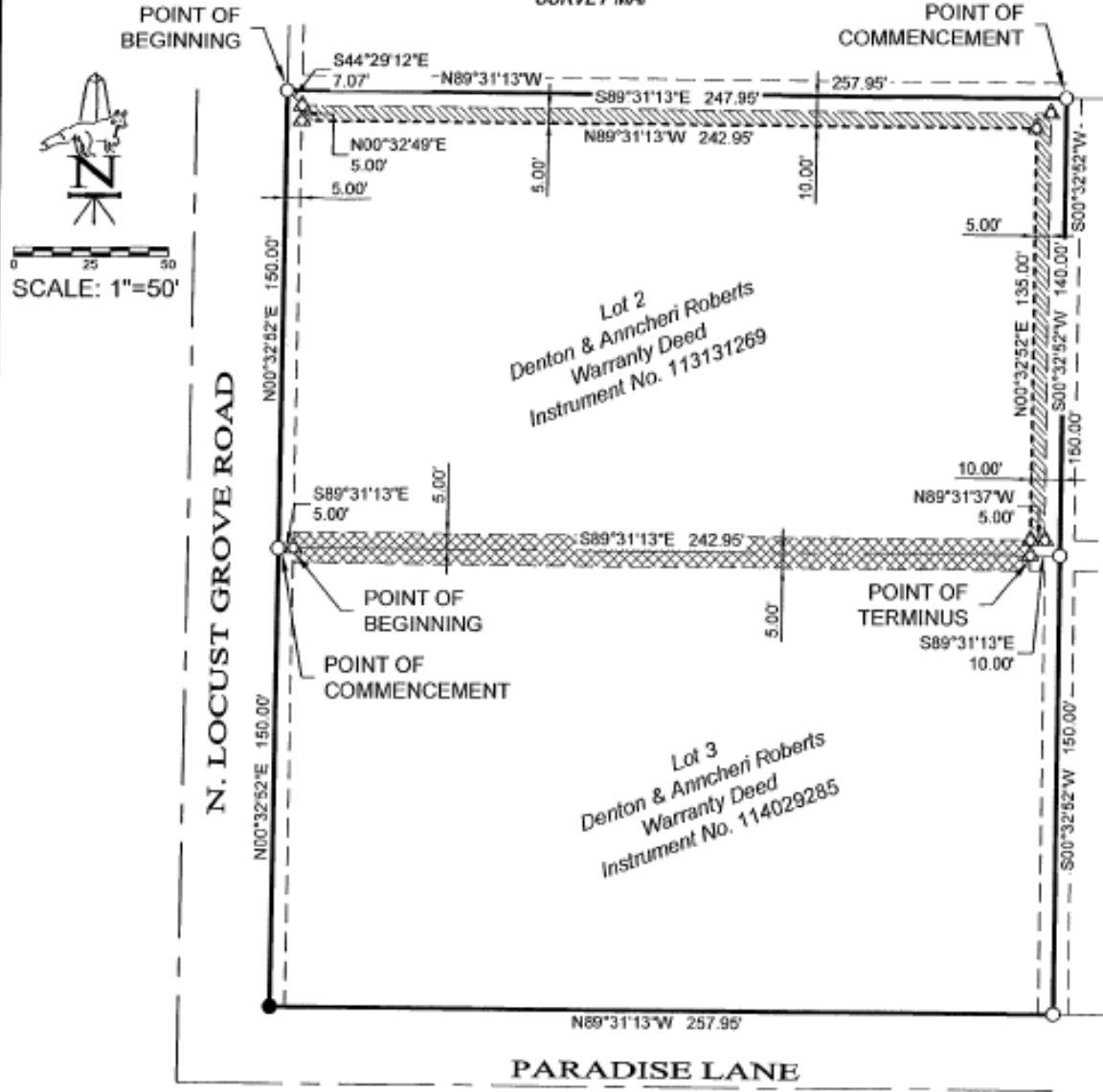


RH:JR

Item #4.

# EXHIBIT 'B'

SURVEY MAP



## LEGEND

- BOUNDARY
- NEW EASEMENT
- RECORD EASEMENT PER HERITAGE SUB. No. 1
- TIE
- FOUND 1/2" REBAR, NO CAP, SET CAP "FLSI PLS8575"
- SET 1/2" REBAR, PLASTIC CAP "FLSI PLS8575"
- CALCULATION POINT
- NEW UTILITY EASEMENT AREA
- PLATTED EASEMENT AREA TO BE RELINQUISHED

NOTE: THIS DRAWING IS A VISUAL REFERENCE ONLY.



DS_JR	SCALE: 1"=30'	DATE: 12-31-2019	<b>DENTON AND ANNCHE RI ROBERTS</b> ADA COUNTY, IDAHO SEC.32, T.4N, R.1E, B.M.	<b>FOX LAND SURVEYS INC.</b> (208) 342-7957 
DR_TRC	SHT. 1/1	19044MS.dwg		
SV_RMH				

E. Relinquishment Letters from Easement Holders (service providers)

5/23/2019

Bench Partners NW  
1630 E Paradise Ln  
Meridian ID 83646



Parcel R3581510030  
No Reservations/No Objection

**SUBJECT: Release of Utility Easement**

To Whom It May Concern:

Qwest Corporation d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation, which is the public utility easement as described by the plat of Heritage Subdivision No 2, bordering Lot 3, Block 1.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

Sincerely yours,

Brad Baker  
Network Infrastructure Services  
CenturyLink  
P815746



August 7, 2020

*Sent via email to rhodge@foxlandssurveys.com*

Re: Partial relinquishment of the Public Utility Easement (PUE), Block 1, Lot 2 & 3, Heritage Subdivision, Ada County, Idaho

Dear Mr. Hodge:

This is in response to the relinquishment request submitted to Idaho Power Company on June 16, 2020, regarding the possible partial relinquishment of the above noted PUE. The attached Exhibits more specifically identify the "easement area" located within Block 1, Lot 2 & 3, of the Heritage Subdivision, Ada County, Idaho.

Idaho Power was granted a new easement for the new and existing facilities within the above described lots. As such, Idaho Power agrees to relinquish the public utility easement as described in the attached document.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,

Krista Englund  
Associate Real Estate Specialist  
Land Management and Permitting Department  
Corporate Real Estate  
Idaho Power Company

208-388-2245  
kenglund@idahopower.com

### EASEMENT VACATION

Intermountain Gas Company relinquishes any and all of their rights to the following described easement.

Any and all easements on Lot 3 Block 1 of the Heritage Subdivision #2 in T4N, R1E, Sec 32 Meridian, Ada County, Idaho

INTERMOUNTAIN GAS COMPANY

By: Roger Phillips

Name: Roger Phillips

Title: Dist Ops Manager

STATE OF IDAHO )  
                                  )  
COUNTY OF ADA )

On this 20 day of May, in the year of 2019, before me, the undersigned, personally appeared Roger Phillips, known to me to be the person whose name is subscribed to the within instrument, who, being by me first duly sworn, did depose and say that he is Dist Ops Manager of Intermountain Gas Company and the he executed the foregoing instrument on behalf of said firm for the use and purposes stated therein.

IN WITNESS WHEREOF, I have se my hand and affixed my official seal the day and year in this certificate first above written.



Bryce Ostler  
Notary Public for Idaho

Residing at: Boise, Ada County

Commission Expires: May 10, 2022

EASEMENT RELINQUISHMENT

By signing below, you agree to the relinquishment of any and all interest in the easement reserved by Heritage Subdivision No.2 (Bk. 23, Pg. 1453 Ada Co. Records), Township 4 North, Range 1 East, Section 32, Boise Meridian, Ada County, Idaho, by and for Sparklight, and certify that you have the vested authority to execute this request in the name of Sparklight.

By: [Signature]

Name: Cheryl Goettsche

Title: Sr. General Manager

Date: 5/18/21

State of Idaho )  
County of Canyon ) ss.

On this 18 day of April 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Cheryl Goettsche, known, or identified to me to be the Sr. General Manager of the Corporation known as **Sparklight**, who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said Company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Katie Christine Flores  
Notary Public for Idaho  
Residing at Canyon County Idaho  
My commission expires: 11-30-2026

EASEMENT RELINQUISHMENT

By signing below, you agree to the relinquishment of any and all interest in the easement reserved by Heritage Subdivision No.2 (Bk. 23, Pg. 1453 Ada Co. Records), Township 4 North, Range 1 East, Section 32, Boise Meridian, Ada County, Idaho, by and for Syringa Networks, and certify that you have the vested authority to execute this request in the name of Syringa Networks, LLC, an Idaho Limited Liability Company.

By: [Signature]

Name: Michael DeWitt

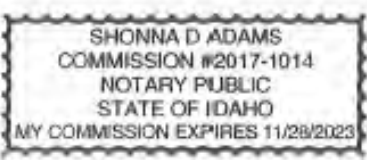
Title: OSP Manager

Date: 5/17/21

State of Idaho )  
County of \_\_\_\_\_ ) ss.

On this 18 day of May, 2021, before me, the undersigned, a Notary Public in and for said state, personally appeared Michael DeWitt, known, or identified to me to be the OSP Manager of the Limited Liability Company known as **Syringa Networks, LLC**, who executed the foregoing instrument, and acknowledged to me that he executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]

Notary Public for Idaho  
Residing at Mountain Home, Id.  
My commission expires: 11/28/2023





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Prevail North Subdivision (H-2021-0021) by Schultz Development, LLC, Located at 5150 S. Meridian Rd.

A. Request: Annexation and Zoning of 5.63 acres of land with an R-8 zoning district.

B. Request: A Preliminary Plat consisting of 19 single-family residential lots and 4 common lots on 5.25 acres of land.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** June 22, 2021

**Topic:** **Public Hearing** for Prevail North Subdivision (H-2021-0021) by Schultz Development, LLC, Located at 5150 S. Meridian Rd.

- A. Request: Annexation and Zoning of 5.63 acres of land with an R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 19 single-family residential lots and 4 common lots on 5.25 acres of land.

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**Information Resources:**

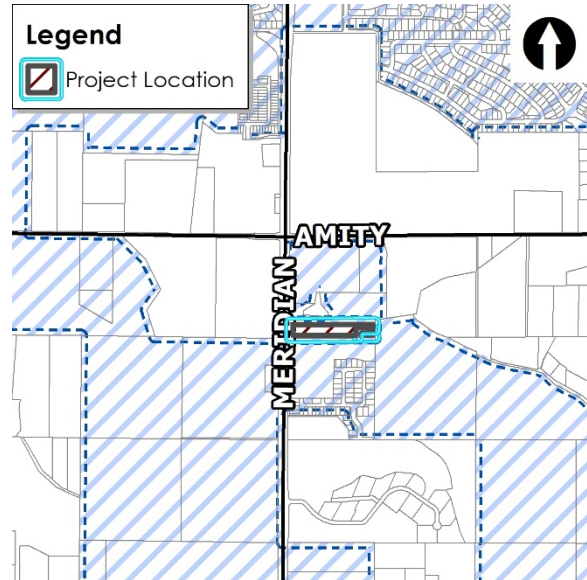
[Click Here for Application Materials](#)

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

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



HEARING DATE: 6/22/2021  
 TO: Mayor & City Council  
 FROM: Joe Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: H-2021-0021  
 Prevail North Subdivision  
 LOCATION: The site is located at 5150 S. Meridian Road, on the east side of Meridian Road and approximately ¼ mile south of E. Amity Road, in the NW ¼ of the NW ¼ of Section 31, Township 3N., Range 1E.



**I. PROJECT DESCRIPTION**

Annexation & Zoning of 5.63 acres of land with an R-8 zoning district and a preliminary plat consisting of 18 single-family residential lots and 3 common lots on 5.25 acres of land.

**II. SUMMARY OF REPORT**

A. Project Summary

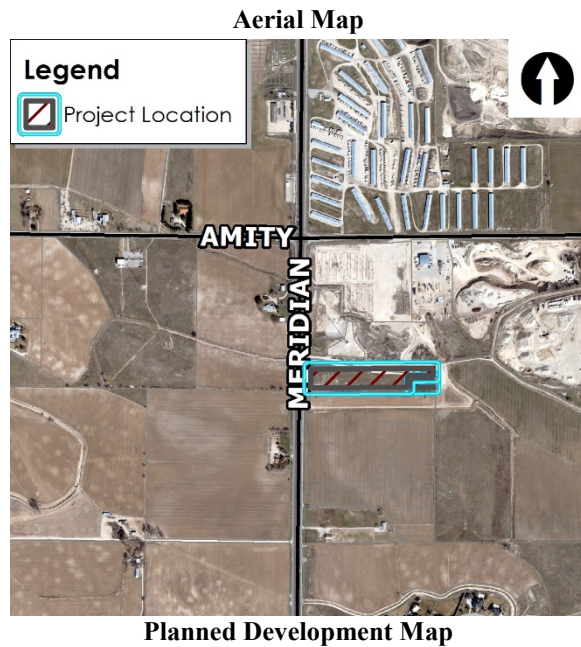
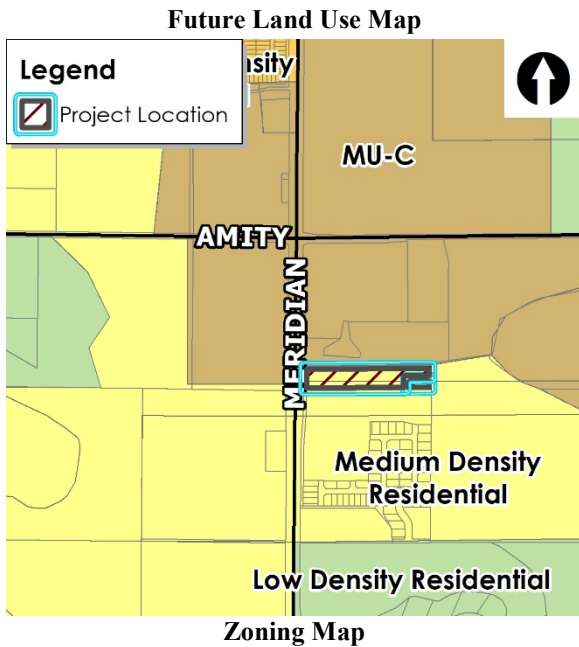
Description	Details	Page
Acreage	AZ – 5.63; Plat – 5.25 acres	
Future Land Use Designation	Medium Density Residential (3-8 du/ac)	
Existing Land Use(s)	Vacant land	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	18 residential building lots	
Phasing Plan (# of phases)	Proposed as one phase (essentially the third phase of the Prevail Subdivision)	
Number of Residential Units	18 single-family units	
Density	Gross – 3.42 du/ac	
Open Space (acres, total [%]/buffer/qualified)	0.83 acres (36,185 square feet), or 15.82% total open space; 0.75 acres, or 14.3% qualified open space	
Amenity	Multi-use Pathway	
Physical Features (waterways, hazards, flood plain, hillside)	Carlson Lateral crosses north property boundary twice. Applicant is proposing to reroute and pipe this lateral. See further analysis in Section V.N.	
Neighborhood meeting date; # of attendees:	March 30, 2021 – No attendees	
History (previous approvals)	N/A	

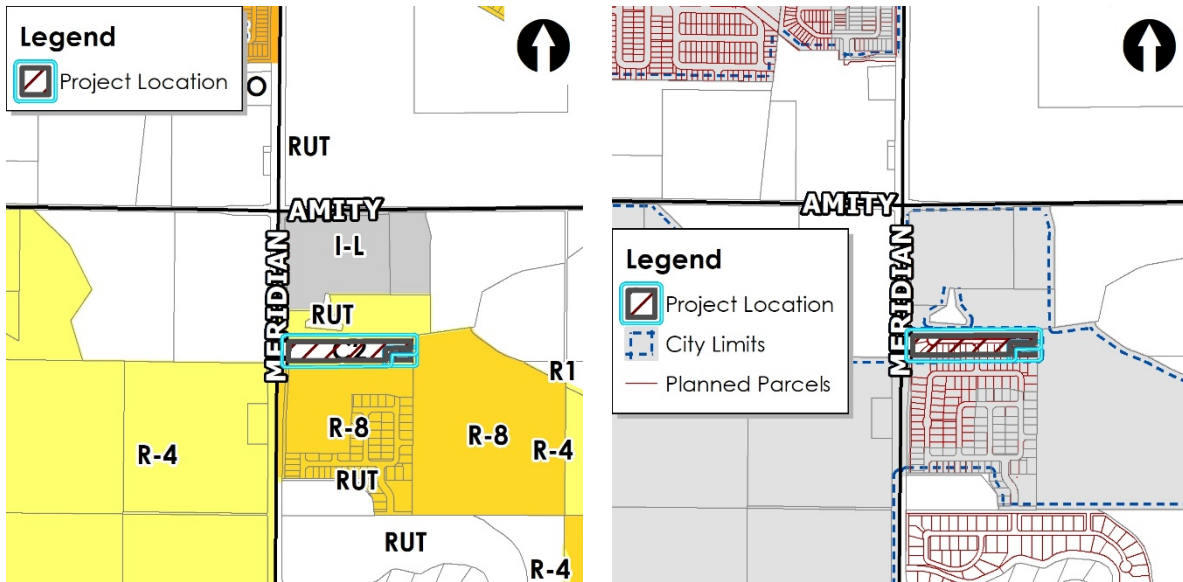
B. Community Metrics

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)	Access is proposed via extension of an existing local street from Prevail No. 2 to the south. Through Prevail No. 2 and a segment of collector street (Quartz Creek Street), access is then to S. Meridian Road/SH 69.	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing internal local streets to end in two cul-de-sacs, one to the east and one to the west. The western cul-de-sac would extend right-of-way to the northern property line for possible future extension through a city owned property. The eastern cul-de-sac is shown with a stub to the east property line for future connectivity to the east.	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	No. Applicant will be required to construct the buffer, noise abatement, and detached multi-use pathway segment along Meridian Road/SH 69.	
Proposed Road Improvements	<p>No road improvements are required with this application.</p> <p>CIP/Five Year Work Plan for nearby roads:</p> <ul style="list-style-type: none"> <li>Amity Road is listed in the CIP to be widened to 5-lanes from Meridian Road (SH-69) to Locust Grove Road between 2036 and 2040.</li> <li>Lake Hazel Road is listed in the CIP to 5-lanes from Meridian Road (SH-69) to Locust Grove Road between 2036 and 2040.</li> <li>The intersection of Amity Road and Meridian Road (SH-69) is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 7-lanes east, and 7-lanes on the west leg, and signalized between 2031 and 2035.</li> <li>The intersection of Lake Hazel Road and Meridian Road (SH-69) is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 7-lanes on the east, and 7-lanes on the west leg and signalized between 2036 and 2040.</li> </ul>	
Distance to nearest City Park (+ size)	1.8 miles to Discovery Park	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	3.1 miles from Fire Station #6 (2.1 miles from proposed new fire station in South Meridian; response time <b>would</b> be approximately 3 minutes from <b>proposed</b> station).	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	A portion of 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 #6 reliability is 87% (above the goal of 80%)	
<ul style="list-style-type: none"> <li>Risk Identification</li> </ul>	Risk Factor 2 – Residential with hazards (open waterway)	
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Proposed project meets all required road widths, and turnaround dimensions.</li> <li><b>Emergency access in Prevail No. 2 to the south is meant to be temporary; additional access to the east or north is preferred by the Meridian Fire Department.</b></li> </ul>	
Police Service		
<ul style="list-style-type: none"> <li>Concerns</li> </ul>	None/no comments	
Wastewater		

Description	Details	Page
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	N/A	
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	South Black Cat Trunkshed	
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	14.09	
<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>Flow is committed</li> </ul>	
<b>Water</b>		
<ul style="list-style-type: none"> <li>Distance to Services</li> </ul>	0'	
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	5	
<ul style="list-style-type: none"> <li>Estimated Project Water ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>Water Quality Concerns</li> </ul>	None	
<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>Water main will need to be installed in S Keyport Ave to connect to the existing water stub from Prevail Sub Phase 2</li> <li>The water main in S Scandia Ave that stubs to the City of Meridian property will need to be discussed with Public Works.</li> </ul>	

C. Project Area Maps





**III. APPLICANT INFORMATION**

**A. Applicant:**

Matt Schultz, Schultz Development, LLC – PO Box 1115, Meridian, ID 83680

**B. Owner:**

Carl Reiterman – 2697 S. Linder Road, Meridian, ID 83642

**C. Representative:**

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	4/30/2021	
Radius notification mailed to properties within 500 feet	4/27/2021	
Site Posting	5/7/2021	
Nextdoor posting	4/27/2021	

**V. STAFF ANALYSIS**

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

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 site is an approximate five (5) acre parcel in between multiple parcels that are already annexed into the City of Meridian. The site to the North is a city owned property reserved for a future well site that currently only has access to Meridian Road. To the South is the 113-lot*

*Prevail Subdivision (approved in 2019) zoned R-8 with a future access to Meridian Road via a collector street, E. Quartz Creek Street, and a temporary emergency-only access to Meridian Road. The Applicant on this application is the same as who received approvals for the Prevail Subdivision to the south therefore making Prevail North a continuation of the already approved Prevail Subdivision.*

*Commensurate with the future land use designation of MDR, the Applicant is proposing Prevail North with a gross density of 3.42 units per acre; therefore, proposing a residential project at the low end of the allowable density. Because this is an extension of the Prevail Subdivision to the south, the Applicant is aligning the proposed lots of Prevail North with those to the south to ensure compatibility of lot sizes. Furthermore, due to the constraints of the site being deep but relatively narrow and having a waterway along the north boundary, the Applicant is only proposing homes along the south boundary of the site.*

*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 pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation. A final plat will not be accepted until the DA is executed and the AZ ordinance is 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 that mirrors that to the south. Because of the relatively small lot size, strict adherence to this policy is not feasible and not in the best interest of the City when considering the constraint of the city owned property to the north. Staff finds the addition of 18 more lots matching the already approved project to the south as merely an extension of that project.*

*“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 south within the right-of-way of the local street, S. Keyport Avenue. This project also lies within the Fire Department response time goal. However, the singular public road access is through the Prevail Subdivision to the south, currently under development. Fire code only allows 30 homes off of one access and with the two projects combined, there will be 135 homes off of this access. This is why, as seen on the plat and in previous approvals, an emergency-only access is required to Meridian Road and is located adjacent to the southern boundary of this plat. Despite meeting Fire Code, Meridian Fire has concerns over the approved access points and recommends requiring stub streets to both the north and east of this plat for future connectivity. West Ada School District has not made comments on this application but an additional 18 homes are expected to generate approximately 14 school age children which can be easily absorbed into the school system, according to the ratio of 0.8 kids per household.*

*Staff finds that the existing and planned development of the immediate area create conditions for levels of service to and for this proposed project that meet code requirements.*

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *The Applicant is proposing this project with .75 acres of qualified open space, or 14.3%. The area chosen for the open space currently contains an irrigation lateral that is to be rerouted and placed on the shared property line between this property and the city owned property to the north—the Applicant has discussed this with Public Works and received approval to do this work.*

*Placing the open space in this location allows for a relatively long and large open space area on one side of the new local street and preserves the area above the lateral for maintenance and for adequate recreation.*

“Promote area beautification and community identity through context sensitive building and site design principles, appropriate signage, and attractive landscaping.” (5.01.02C). *As discussed above, the area of most notable open space is the large open space lot along the north property boundary. This open space area is proposed with adequate open area, a detached sidewalk, and appropriate landscaping to beautify the space while not being overwhelmed with trees that would otherwise limit the open area uses of the space. In addition, the Applicant will be required to continue the multi-use pathway and landscaping along Meridian Road adding to the area beautification along a major roadway.*

“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 that match those directly abutting the site to the south. This proposed density and lot placement should provide a cohesive project with Prevail Subdivision to the south.*

“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 the abutting local street, S. Keynote, into the site and then “T” off the street by heading east and west with new streets for access to the proposed homes. In order to meet this policy as well as city development code, the Applicant is also proposing stub streets to the east and to the north. Further discussion and analysis on this are below in Section F, Access. Staff finds the Applicants proposed street connections comply with this policy.*

***Staff finds this development to be generally consistent with the Comprehensive Plan.***

C. Existing Structures/Site Improvements:

There are no existing structures on site beyond the existing irrigation lateral that bends south into the site from the north and runs along nearly the entire north property boundary line.

D. Proposed Use Analysis:

The proposed use is detached single-family residential with an average lot size of 6,677 square feet and a minimum lot size of 5,362 square feet. This use is a permitted use in the requested R-8 zoning district per UDC Table 11-2A-2. Due to the relatively small size of the development (5 acres), the project is proposed to be constructed in one phase but will be phase 3 of the Prevail Subdivision to the south.

*The proposed use, lot sizes, and lot alignment should provide for a development that is cohesive with the adjacent development to the south.*



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.*

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 majority two-story homes with two-car garages and varying home styles noted as “Traditional,” “Craftsman,” and “Contemporary.” The elevations depict differing field materials of lap siding and stone with varying roof profiles offering an overall array of potential homes.

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

Access is proposed via extension of Keyport Avenue, a local street stubbed to the southern boundary from the Prevail Subdivision. The submitted plans show Keyport extending into the site and then heading both east and west as Liberator Street to end in permanent cul-de-sacs at both ends of the site, in alignment with ACHD policy. The extension of all local streets is proposed as 33-foot wide street sections with the exception of a bulb-out along the north side of Liberator Street at the terminus of Keyport Avenue. This bulb-out is intended to be a traffic calming measure because the overall Liberator street, east-west, is greater than 750’ in length (Liberator is proposed as approximately 908’ in length from the center of the western cul-de-sac to the east property line). ACHD notes in their staff report that this type of traffic calming is acceptable but has not given a definitive approval of the location proposed on the revised preliminary plat. The Applicant will continue working with ACHD following any approvals received from the City and will likely be finalized with the final plat submittal at a future date. Staff is not concerned with the proposed location of the bulb-out and believes it will provide the desired traffic calming effects.

**Although, the length of the street from east to west is greater than 750’ in length, S. Keyport intersects this street approximately half way to break up the block length. In addition, UDC 11-6C-3 notes that a dead-end street cannot be greater than 750’ in length without an intersecting street. Because of S. Keyport intersecting Liberator, neither the west or east cul-de-sac is greater than 500’ therefore not requiring any Council Waiver. It is admittedly an unusual road design but Staff considers it the most efficient design for livability and access when considering the site constraints of a large irrigation facility along nearly the entire northern boundary and topography throughout the site.** Furthermore, there are no homes fronting along the north side of the proposed local street which further mitigates any Staff concern regarding its length on one side.

The Applicant is also proposing two stub streets to adjacent properties; one to the north boundary out of the west cul-de-sac and one to the east boundary out of the east cul-de-sac. The original plat proposed both of these stub streets in the east quarter of the site but following conversations with Public Works the Applicant moved the stub street to the north to the west quarter of the site due to future plans for the City well site and topography issues. In congruence with this premise, the Applicant has also sited major topography issues with stubbing a street to the east boundary of the site and has specifically noted there could be a ten (10) foot elevation difference between the east stub street finish grade and the current grade of the Brighton owned property to the east.

Furthermore, the Applicant has also provided a conceptual drawing from the land owner to the east in order to show that a stub street to the east is not necessary—the submitted concept plan for the adjacent property does not show a street abutting the east property boundary of the subject site and instead appears to show an open space lot (see Exhibit VII.F). It should be noted that this concept plan is an older concept plan and the adjacent land owners do not have a solid plan in place for the area abutting the proposed plat.

*Staff supports the overall road layout and stub street locations as proposed on the revised preliminary plat. Though there is potential for topography to complicate the future road extension to the east, Staff highly recommends maintaining the stub street to the east for added future connectivity through the Brighton parcel to the east. This recommendation is based both in code (UDC 11-3A-3) and from recommendations of the Meridian Fire Department for better neighborhood connectivity and emergency response access as properties to the southeast develop in the future.*

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 and where there is no bulb-out. Furthermore, no on-street parking is allowed within any part of either cul-de-sac at the end of the new local streets.

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

5-foot wide attached sidewalks are proposed along the proposed streets except for that sidewalk adjacent to the large open space lot where 5-foot detached sidewalks with an 8-foot landscaped parkway are proposed instead. These sidewalks will be an extension of the pedestrian circulation of Prevail Subdivision to the south. The proposed sidewalks and parkway meet UDC 11-3A-17 standards and ACHD standards.

In addition to the internal sidewalks, the Applicant is required to construct a segment of 10-foot wide multi-use pathway along Meridian Road, per the Master Pathways Plan. The Applicant is showing this required pathway segment within a landscaped common lot, per code requirements.

J. Development Along State Highways ([UDC 11-3H](#)):

The proposed project has frontage along Meridian Road/SH 69 which requires noise abatement per UDC 11-3H-4. The Applicant is proposing to construct a 4-foot berm with a 6-foot wall on top of it to total 10’ above SH 69 centerline height, as required by code. This proposal matches what was approved in Prevail Subdivision to the south. Due to this segment of the wall being less than 300’ in length, code does not require modulation in the wall plane.

Other analysis regarding access standards of this code section are analyzed above in Section F.

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

The required landscaping regulated by code within the proposed development are the following areas: that area within the proposed parkways along the local street extension (UDC 11-3A-17 and UDC 11-3B); the common open space lot, and; the required landscape buffer to Meridian Road. The submitted landscape plans show landscaping in these areas as proposed.

*The proposed 8-foot wide parkway is approximately 740’ in length on the revised plat requiring at least 21 trees (1 per every 35 linear feet). The submitted landscape plan does not show compliance with this requirement because it is shown with less than 21 trees. In addition, the plat*

*has been revised since the original application submittal and the submitted landscape plans have not been revised to match the new road layout. Regardless, the Applicant should revise the landscape plans prior to the City Council hearing to ensure they match the revised preliminary plat and show compliance with the landscaping requirements.*

*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 is shown as 32,709 square feet in the development table on the preliminary plat. However, Staff's area analysis shows a figure closer to 36,500 square feet. Based on Staff's calculation, the minimum number of trees that are required within the open space lot is five (5) trees. The submitted landscape plans show six (6) trees proposed exceeding the minimum UDC requirements.*

*The landscape buffer along Meridian Road is required to be 35' wide and contain the required multi-use pathway within it. The submitted landscape plans show compliance with UDC requirements for the number of trees, tree spacing/grouping, and additional vegetative ground cover. However, the Applicant is only showing a 25' wide common lot on the preliminary plat for the required street buffer. Therefore, the Applicant should correct both the plat and the landscape plans to depict the required 35' wide buffer.*

*The Applicant is also proposing a micro-pathway from the western cul-de-sac to the multi-use pathway and does not appear to have the correct landscaping. UDC 11-3B-12 requires that trees be placed on both sides of the pathway; the Applicant has only proposed trees on the south side of the pathway. Staff is not aware of any easements encumbering the north side of the pathway and the landscape strip appears to be the minimum 5-foot width. Therefore, the Applicant should move one of the trees to the other side of the micro-path; Staff recommends the center tree of the three currently shown on the south side of this pathway.*

*Although there is no code requirement for this change, Staff also recommends removing the shrub bed located in the center of the large open space lot. By removing this planter bed and the shrubs there would be an unobstructed area in the center of the open space lot that is at least 9,000 square feet in size; it is rare for a subdivision to provide an area this large for children to play in without obstruction. If the Applicant desires to still include the same number of shrubs as currently shown, they could disperse them to the planter beds shown further to the west and east on the landscape plan.*

L. Qualified Open Space and Amenities (UDC 11-3G):

*The subject site is 5.63 acres in size with a plat over 5.25 acres in size requiring at least one (1) amenity and 0.536 acres of qualified open space per UDC 11-3G-3. The Applicant is continuing a segment of multi-use pathway along the Meridian Road frontage which qualifies as the required amenity. Because this plat would be an extension of the already approved Prevail Subdivision, the Applicant has indicated these future residents will be able to use the other amenities and open space in Prevail. The closest amenity to this phase is an open space lot with a playground that is located due south from the Keyport Avenue extension and has a micro-path in direct alignment with that amenity lot. Should Commission/Council find that this distance is too great for the future residents of Prevail North to walk to utilize the playground, Staff recommends they require an additional amenity with the large open space lot proposed on this subject site. To help ensure the amenities and open spaces are shared, Staff is including a DA provision that all of the common areas be owned and maintained by the same homeowner's association.*

*As discussed previously, the Applicant is proposing open space in excess of the code required 0.536 acres. Overall, the Applicant is proposing the large open space lot along the north property boundary, a micro-path lot, and the landscape buffer to Meridian Road as qualifying open space—cumulatively these areas amount to 49,878 square feet, or 1.15 acres, approximately 22%*

of the 5.25 plat area. However, not all of this area is qualifying after receiving the revised landscape plan that fences off a section of the open space lot that is impeded by the irrigation easement for the rerouted Carlson Lateral. After removing this area, the area of qualified open space is 32,120 square feet (0.74 acres) or 14% of the plat area. The proposed qualified open space still exceeds the minimum code requirements by approximately 10,000 square feet. Furthermore, this calculation uses the 25' landscape buffer width along Meridian Road instead of the required 35' width. Therefore, the actual amount of qualified open space should be slightly larger. The Applicant should correct the open space exhibit to reflect both the revised layout and the correct amount of qualified open space.

*Staff utilized the lot sizes shown on the revised preliminary plat to obtain the above calculations so Staff is comfortable stating the Applicant is proposing qualified open space in vast excess of code requirements.*

*Staff supports the proposed and revised open space exhibit and believes it offers adequate area for recreation and relaxation.*

M. Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is proposed as shown on the landscape plan and appears to meet UDC standards as proposed. **Should any fencing locations need to be revised to accommodate any irrigation easement requirements, the Applicant should notify Staff and submit revised drawings at the applicable future application submittals (i.e. final plat and/or final plat signature).**

N. Waterways (UDC 11-3A-6):

The subject site contains a large section of the Carlson Lateral, an irrigation lateral maintained by Boise Project Board of Control (BPBC). The Applicant is proposing to both reroute and pipe this lateral consistent with the desires of the City Engineer for the purpose of benefiting both this Applicant and the City owned property bordering the subject site on the north boundary. Upon further discussions with BPBC and in coordination with Public Works, the Applicant is proposing to pipe the entire segment of the lateral on both properties from Meridian Road east to nearly the east property boundary, as shown on the submitted preliminary plat in Exhibit VII.B. Piping this lateral will allow for more buildable area of the subject site, fix some of the topography issues for the City owned property, and allow for easier maintenance by BPBC. Staff supports the piping of this irrigation lateral and the proposed plan complies with UDC 11-3A-6.

O. Pressurized Irrigation (UDC [11-3A-15](#)):

The Applicant is required to provide a pressurized irrigation system for the development in accord with 11-3A-15. The Applicant is showing a pressurized irrigation system on the landscape plans commensurate with code requirements. Land Development will review these plans in more detail at a later date when specific irrigation plans are submitted with the Final Plat application.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and approval of the requested preliminary plat application per the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on May 20, 2021. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning and Preliminary Plat requests.

1. Summary of Commission public hearing:
  - a. In favor: Matt Schultz, Applicant
  - b. In opposition: None
  - c. Commenting: Matt Schultz
  - 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. Purpose of rerouting and piping Carlson Lateral and how does its placement affect any future road extensions on adjacent properties;
4. Commission change(s) to Staff recommendation:
  - a. None
5. Outstanding issue(s) for City Council:
  - a. None

C. City Council:

To be heard at future date.

**VII. EXHIBITS**

**A. Annexation and Zoning Legal Descriptions and Exhibit Maps**

**EXHIBIT \_\_**

**DESCRIPTION FOR  
PREVAIL NORTH SUBDIVISION  
CITY OF MERIDIAN ANNEXATION AND REZONE**

A portion of Government Lot 1 of Section 31, T.3N., R.1E., B.M., Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the NW corner of said Section 31 from which the W1/4 corner of said Section 31 bears South 00°37'56" West, 2641.54 feet;

thence along the West boundary line of said Section 31 South 00°37'56" West, 1,113.77 feet to the **REAL POINT OF BEGINNING**;

thence leaving said West boundary line North 89°39'29" East, 1,184.97 feet to a point on the East boundary line of said Government Lot 1;

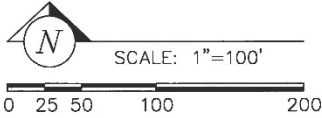
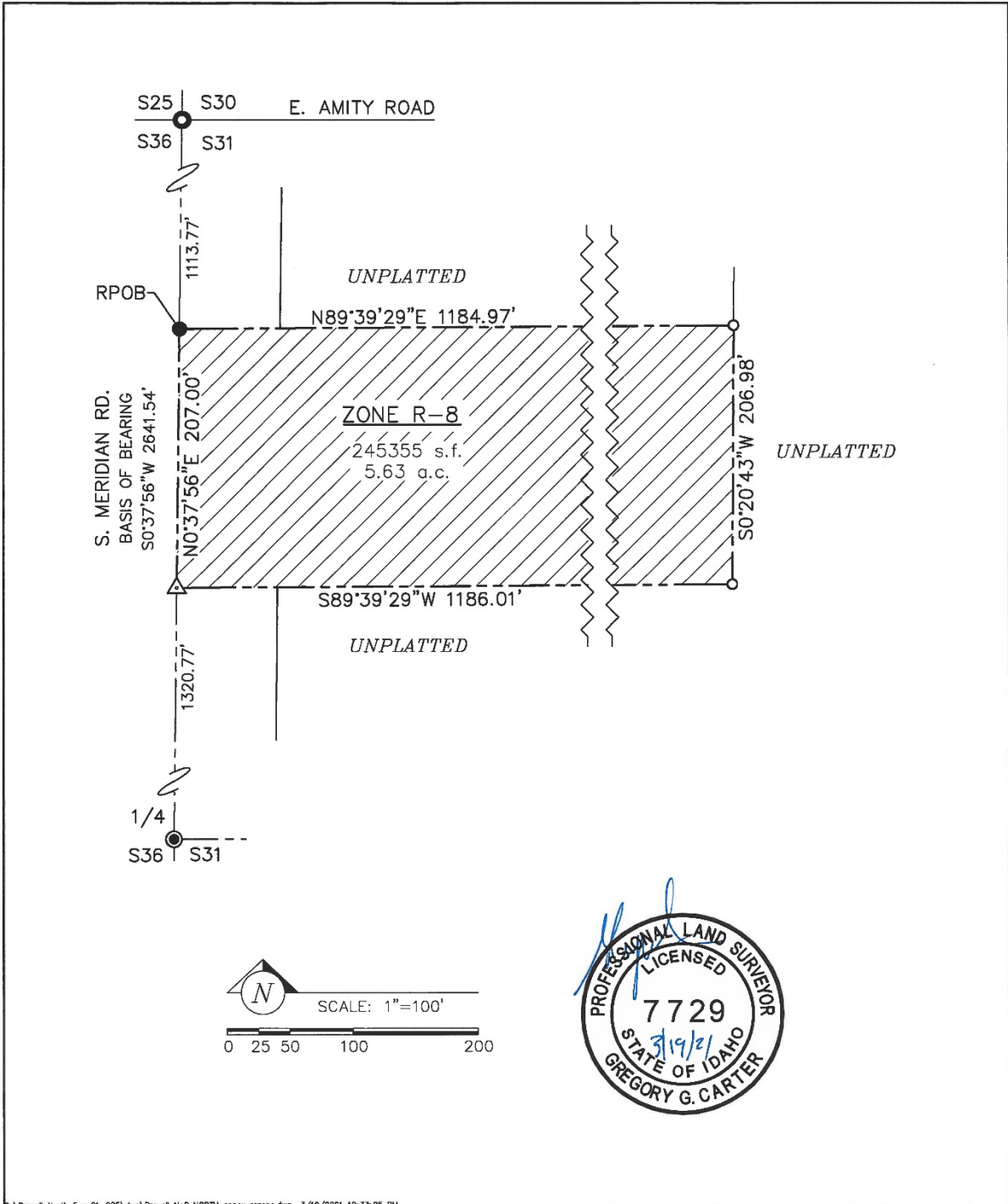
thence along the East boundary line of said Government Lot 1 South 00°20'43" West, 206.98 feet to the SE corner of said Government Lot 1;

thence along the South boundary line of said Government Lot 1 South 89°39'29" West, 1,186.01 feet to the SW corner of said Government Lot 1;

thence along the West boundary line of said Section 31 North 00°37'56" East, 207.00 feet to the **REAL POINT OF BEGINNING**. Containing 5.63 acres, more or less.



Item #5.

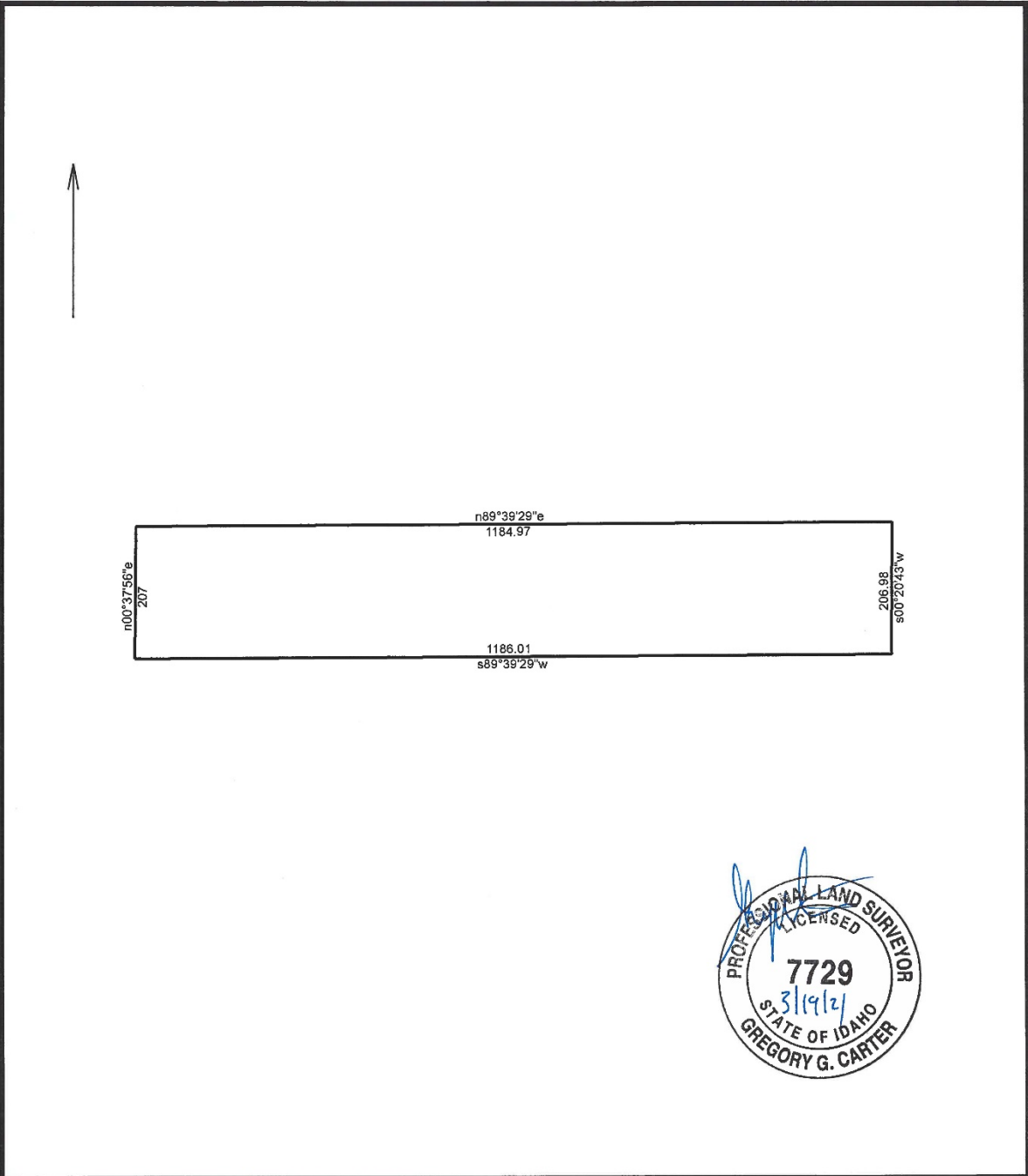


P:\Prevail\_North\_Spc 21-025\dwg\Prevail\_No2\_NORTH annex rezone.dwg 3/19/2021 12:33:05 PM

	<b>IDAHO SURVEY GROUP, LLC</b> 9955 W EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570
	EXHIBIT ___ DRAWING FOR <b>PREVAIL NORTH SUBDIVISION</b> <b>CITY OF MERIDIAN ANNEXATION AND RE-ZONE</b>

LOCATED IN GOVERNMENT LOT 2 OF SECTION 31, T.3N., R.1E., B.M.,  
 MERIDIAN, ADA COUNTY, IDAHO

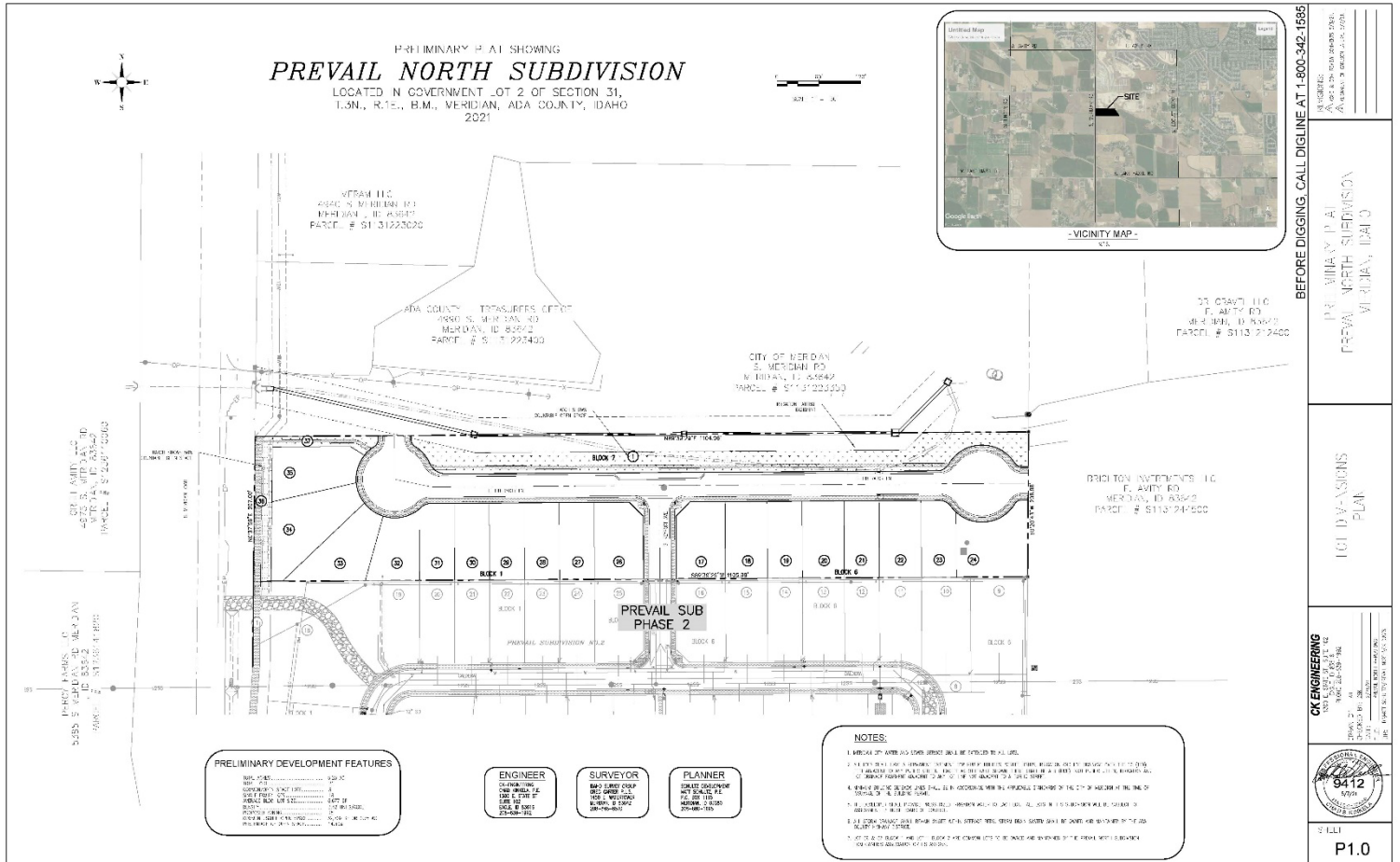
JOB NO. 21-025
SHEET NO. 1
DWG. DATE 3/19/2021

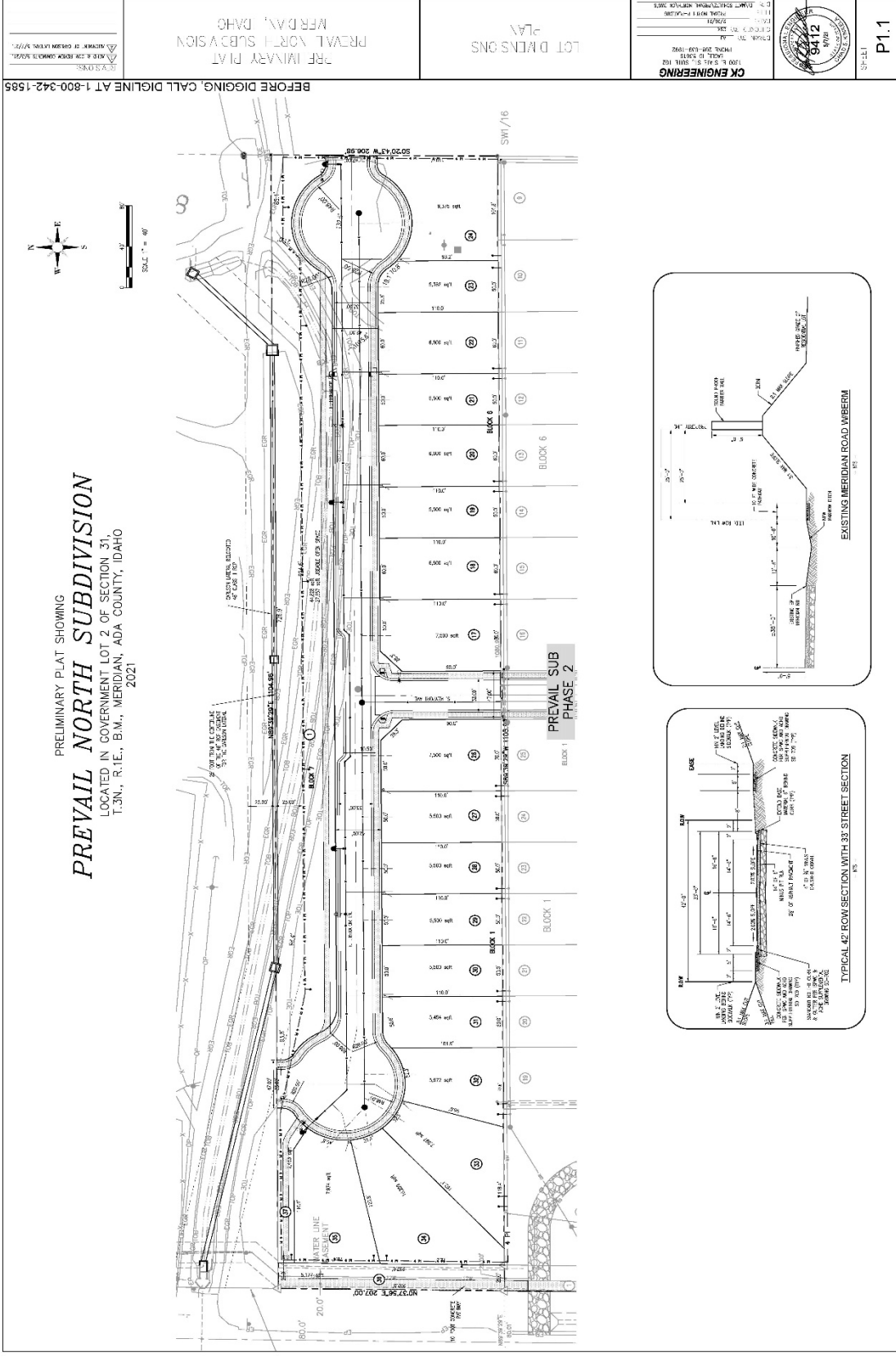


Prevail North Sub. Annexation Closure Sheet		3/19/2021
Scale: 1 inch= 200 feet	File:	
Tract 1: 5.6326 Acres (245358 Sq. Feet), Closure: s33.0139e 0.01 ft. (1/471643), Perimeter=2785 ft.		
01 n89.3929e 1184.97		
02 s00.2043w 206.98		
03 s89.3929w 1186.01		
04 n00.3756e 207		

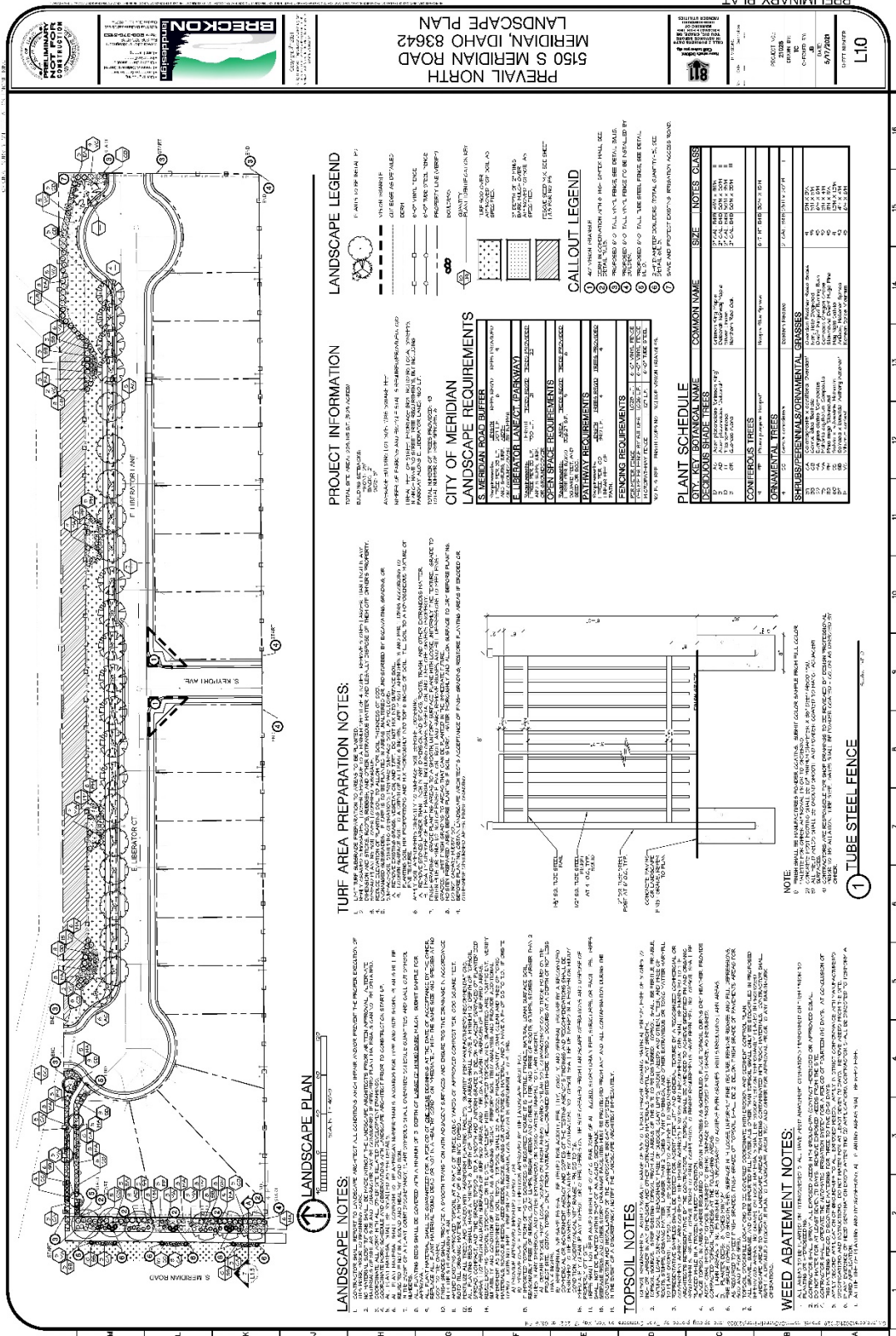


B. Preliminary Plat (dated: 5/7/2021)





C. Landscape Plans (date: 35/17/2021) NOT APPROVED



**PRELIMINARY PLAN**  
 BRECKON  
 510 S MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 PREVAL NORTH  
 LANDSCAPE PLAN

SCALE: 1" = 10'-0"  
 DATE: 5/17/2021  
 L10

**LANDSCAPE NOTES:**

1. ALL PLANTINGS SHALL BE INSTALLED AS SHOWN UNLESS OTHERWISE NOTED.
2. ALL PLANTINGS SHALL BE INSTALLED AS SHOWN UNLESS OTHERWISE NOTED.
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**TURF AREA PREPARATION NOTES:**

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**TOPSOIL NOTES:**

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**WEED ABATEMENT NOTES:**

1. WEED ABATEMENT SHALL BE PERFORMED AS SHOWN UNLESS OTHERWISE NOTED.
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20. WEED ABATEMENT SHALL BE PERFORMED AS SHOWN UNLESS OTHERWISE NOTED.

**PROJECT INFORMATION**

TOTAL SITE AREA: 28,000 SQ. FT. (APPROX.)  
 SITE NO.: 100-010000  
 ADDRESS: 510 S MERIDIAN RD, MERIDIAN, ID 83642  
 CLIENT: PREVAL NORTH  
 DESIGNER: BRECKON LANDSCAPE ARCHITECTURE, LLC  
 DATE: 5/17/2021  
 SHEET NO.: L10

**LANDSCAPE LEGEND**

SYMBOLS FOR PLANTINGS, HATCHES FOR TURF, AND OTHER LANDSCAPE ELEMENTS.

1. 4" SP. 1/4" DIA. ASPEN  
 2. 4" SP. 1/4" DIA. SPRUCE  
 3. 4" SP. 1/4" DIA. FIR  
 4. 4" SP. 1/4" DIA. LARCH  
 5. 4" SP. 1/4" DIA. PINE  
 6. 4" SP. 1/4" DIA. CEDAR  
 7. 4" SP. 1/4" DIA. JUNIPER  
 8. 4" SP. 1/4" DIA. YEW  
 9. 4" SP. 1/4" DIA. REDWOOD  
 10. 4" SP. 1/4" DIA. DOGWOOD  
 11. 4" SP. 1/4" DIA. BIRCH  
 12. 4" SP. 1/4" DIA. WALNUT  
 13. 4" SP. 1/4" DIA. CHERRY  
 14. 4" SP. 1/4" DIA. PLUM  
 15. 4" SP. 1/4" DIA. PEACH  
 16. 4" SP. 1/4" DIA. APRicot  
 17. 4" SP. 1/4" DIA. ALMOND  
 18. 4" SP. 1/4" DIA. PISTACHIO  
 19. 4" SP. 1/4" DIA. CASHEW  
 20. 4" SP. 1/4" DIA. WALNUT

**CALLOUT LEGEND**

SYMBOLS FOR CALLOUTS, HATCHES FOR TURF, AND OTHER LANDSCAPE ELEMENTS.

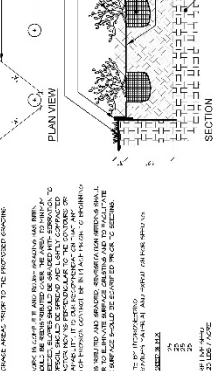
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 17. 4" SP. 1/4" DIA. ALMOND  
 18. 4" SP. 1/4" DIA. PISTACHIO  
 19. 4" SP. 1/4" DIA. CASHEW  
 20. 4" SP. 1/4" DIA. WALNUT

**PLANT SCHEDULE**

CITY KEY BOTANICAL NAME	COMMON NAME	SIZE	NOTES	CLASS
1. 4" SP. 1/4" DIA. ASPEN	ASPEN	4" SP. 1/4" DIA.	PLANTING	T
2. 4" SP. 1/4" DIA. SPRUCE	SPRUCE	4" SP. 1/4" DIA.	PLANTING	T
3. 4" SP. 1/4" DIA. FIR	FIR	4" SP. 1/4" DIA.	PLANTING	T
4. 4" SP. 1/4" DIA. LARCH	LARCH	4" SP. 1/4" DIA.	PLANTING	T
5. 4" SP. 1/4" DIA. PINE	PINE	4" SP. 1/4" DIA.	PLANTING	T
6. 4" SP. 1/4" DIA. CEDAR	CEDAR	4" SP. 1/4" DIA.	PLANTING	T
7. 4" SP. 1/4" DIA. JUNIPER	JUNIPER	4" SP. 1/4" DIA.	PLANTING	T
8. 4" SP. 1/4" DIA. YEW	YEW	4" SP. 1/4" DIA.	PLANTING	T
9. 4" SP. 1/4" DIA. REDWOOD	REDWOOD	4" SP. 1/4" DIA.	PLANTING	T
10. 4" SP. 1/4" DIA. DOGWOOD	DOGWOOD	4" SP. 1/4" DIA.	PLANTING	T
11. 4" SP. 1/4" DIA. BIRCH	BIRCH	4" SP. 1/4" DIA.	PLANTING	T
12. 4" SP. 1/4" DIA. WALNUT	WALNUT	4" SP. 1/4" DIA.	PLANTING	T
13. 4" SP. 1/4" DIA. CHERRY	CHERRY	4" SP. 1/4" DIA.	PLANTING	T
14. 4" SP. 1/4" DIA. PLUM	PLUM	4" SP. 1/4" DIA.	PLANTING	T
15. 4" SP. 1/4" DIA. PEACH	PEACH	4" SP. 1/4" DIA.	PLANTING	T
16. 4" SP. 1/4" DIA. APRicot	APRICOT	4" SP. 1/4" DIA.	PLANTING	T
17. 4" SP. 1/4" DIA. ALMOND	ALMOND	4" SP. 1/4" DIA.	PLANTING	T
18. 4" SP. 1/4" DIA. PISTACHIO	PISTACHIO	4" SP. 1/4" DIA.	PLANTING	T
19. 4" SP. 1/4" DIA. CASHEW	CASHEW	4" SP. 1/4" DIA.	PLANTING	T
20. 4" SP. 1/4" DIA. WALNUT	WALNUT	4" SP. 1/4" DIA.	PLANTING	T

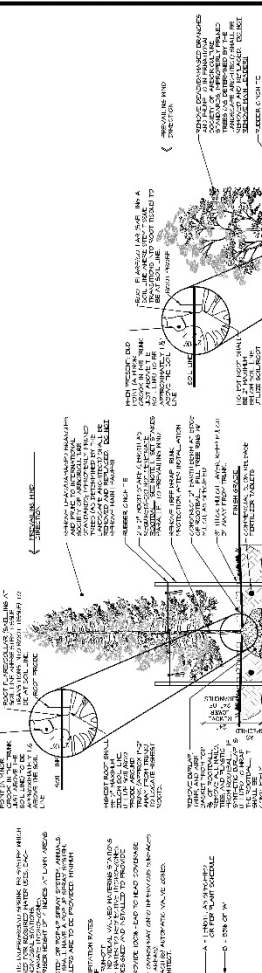
### IRRIGATION NOTES:

- REFER TO PRELIMINARY IRRIGATION PLAN FOR DETAILED IRRIGATION DESIGN.
- THE IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATED IN ACCORDANCE WITH THE IRRIGATION MANUAL.
- ALL IRRIGATION SYSTEMS SHALL BE DESIGNED TO PROVIDE UNIFORM WATER DISTRIBUTION TO ALL PLANTS.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE UNIFORM WATER DISTRIBUTION TO ALL PLANTS.
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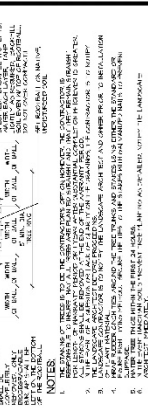
### PERENNIAL & GROUND COVER PLANTING

- PLANT PERENNIALS AND GROUND COVERS IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
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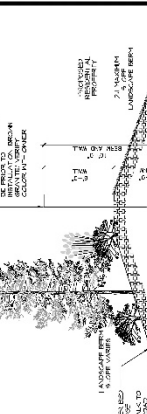
### DECIDUOUS TREE PLANTING

- PLANT DECIDUOUS TREES IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
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### CONIFEROUS TREE PLANTING

- PLANT CONIFEROUS TREES IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.



### BOULDER INSTALLATION ON SLOPE

- INSTALL Boulders IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL Boulders SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL Boulders SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.



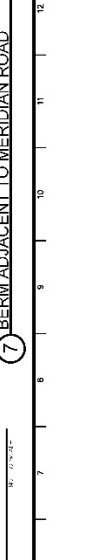
### BERM ADJACENT TO MERIDIAN ROAD

- CONSTRUCT BERM IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.



### VINYL FENCE PANEL

- INSTALL VINYL FENCE PANELS IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL PANELS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL PANELS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.



### SHRUB PLANTING

- PLANT SHRUBS IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL SHRUBS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
- ALL SHRUBS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### DRYLAND SEEDING REQUIREMENTS

SEEDING SHALL BE PERFORMED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:

- SEEDS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
- SEEDS SHALL BE STORED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- SEEDS SHALL BE APPLIED AT THE RATE SPECIFIED ON THE SEED LABEL.
- SEEDS SHALL BE APPLIED TO THE SOIL SURFACE AND COVERED WITH A THIN LAYER OF SOIL.
- SEEDS SHALL BE WATERED REGULARLY TO MAINTAIN MOISTURE IN THE SOIL.
- SEEDS SHALL BE APPLIED TO THE SOIL SURFACE AND COVERED WITH A THIN LAYER OF SOIL.
- SEEDS SHALL BE WATERED REGULARLY TO MAINTAIN MOISTURE IN THE SOIL.

### PLANTING

PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### PERENNIAL & GROUND COVER PLANTING

PLANT PERENNIALS AND GROUND COVERS IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### DECIDUOUS TREE PLANTING

PLANT DECIDUOUS TREES IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### CONIFEROUS TREE PLANTING

PLANT CONIFEROUS TREES IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### BOULDER INSTALLATION ON SLOPE

INSTALL Boulders IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### BERM ADJACENT TO MERIDIAN ROAD

CONSTRUCT BERM IN ACCORDANCE WITH THE PLANTING SCHEDULE.

### VINYL FENCE PANEL

INSTALL VINYL FENCE PANELS IN ACCORDANCE WITH THE PLANTING SCHEDULE.

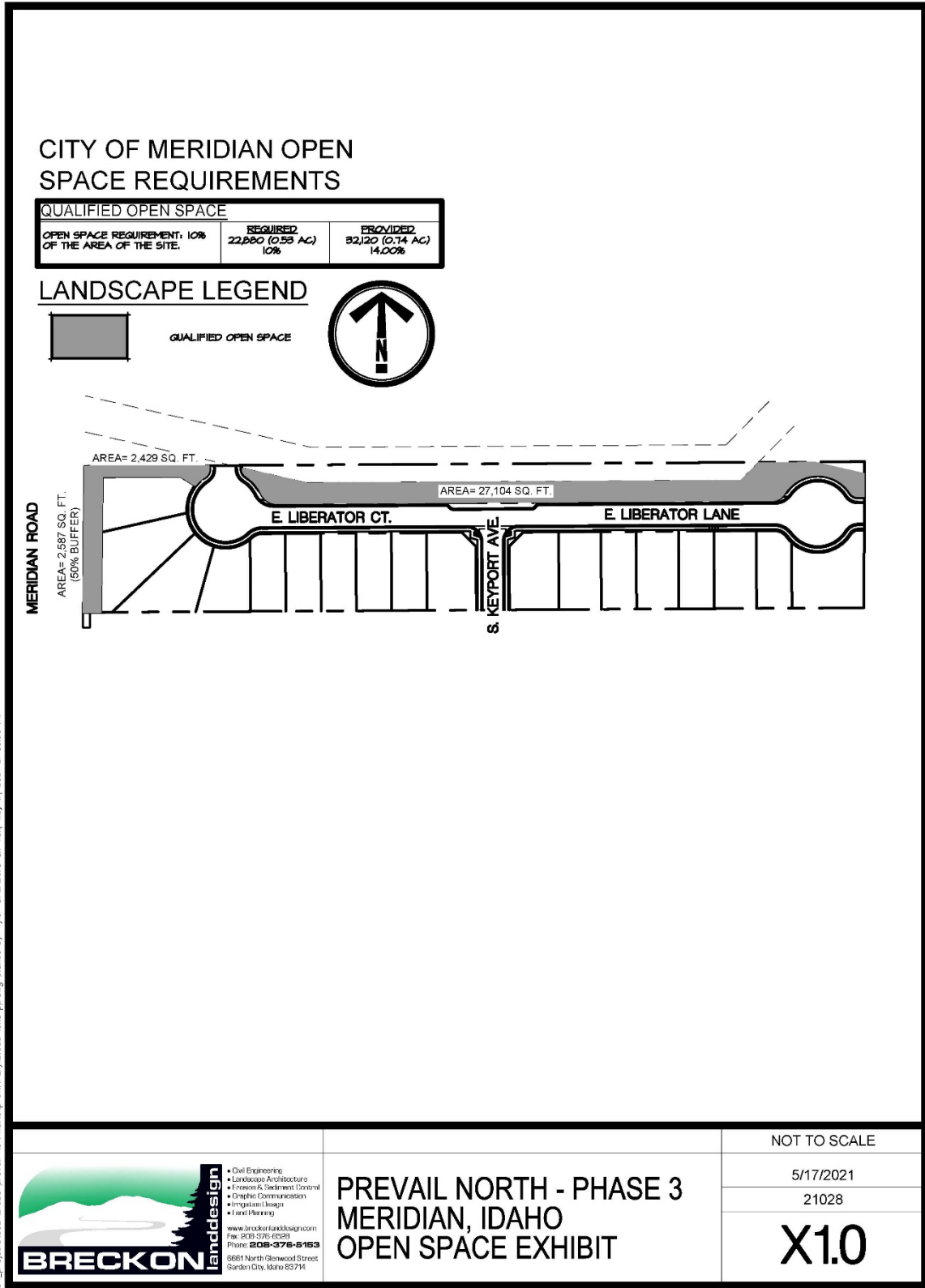
### SHRUB PLANTING

PLANT SHRUBS IN ACCORDANCE WITH THE PLANTING SCHEDULE.

D. Color Landscape Plan – Prevail Subdivision Overall



E. Open Space Exhibit — ~~NOT APPROVED~~ dated: 5/17/2021



S:\projects\21021028 prevail north\CAD\pre-approve\21028 land paving planets by Tyler Chambers on May 17, 2021 at 09:36 PM

• Civil Engineering  
 • Landscape Architecture  
 • Process & Sediment Control  
 • Graphic Communication  
 • Project Management  
 • Land Planning

www.breckonlandesign.com  
 Fax: 208-578-6028  
 Phone: 208-376-5183  
 3661 North Glenwood Street  
 Sandon City, Idaho 86745

**PREVAIL NORTH - PHASE 3**

**MERIDIAN, IDAHO**

**OPEN SPACE EXHIBIT**

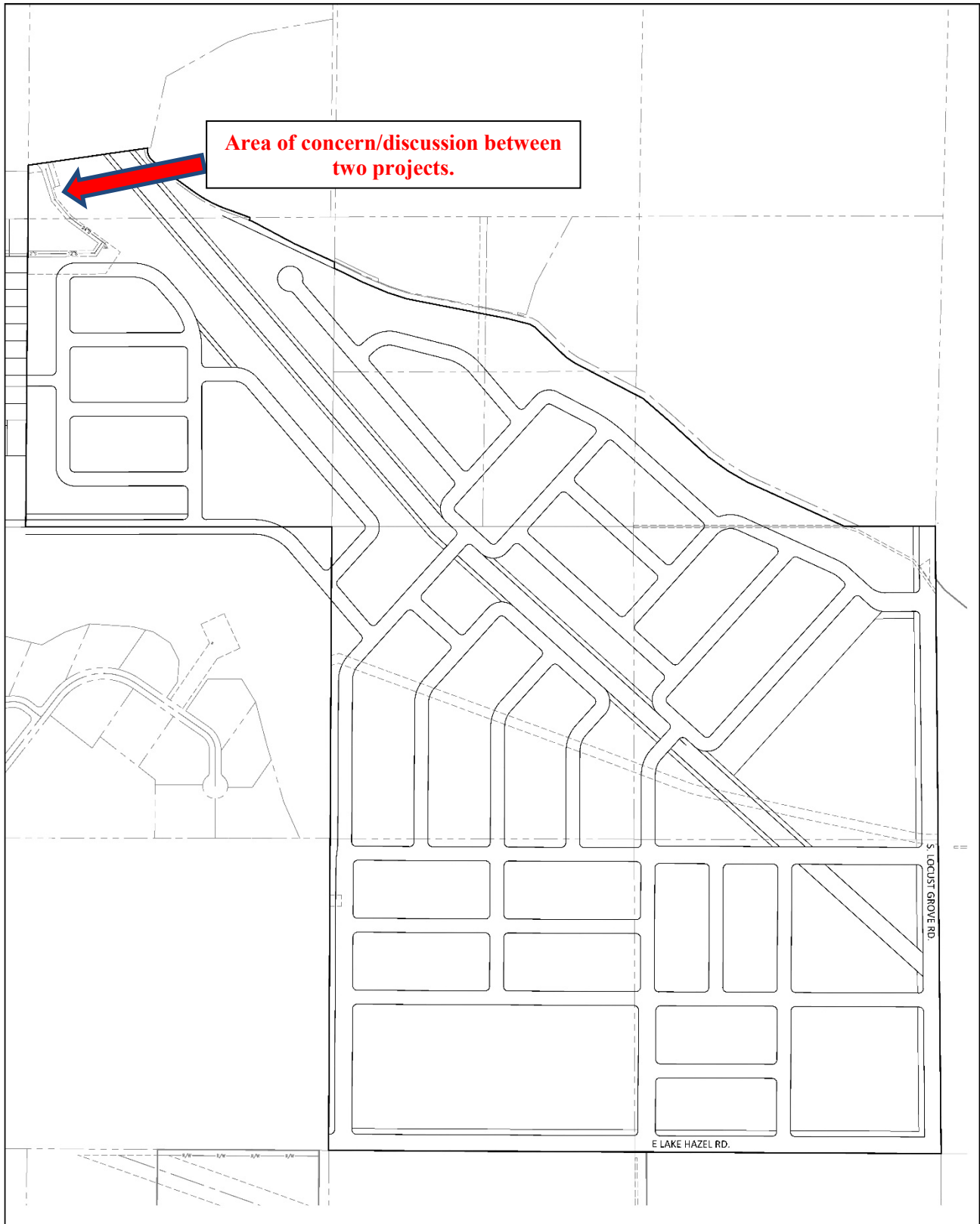
NOT TO SCALE

5/17/2021

21028

X1.0

F. Concept Plan – Brighton Parcel (S1131244500)



G. Conceptual Building Elevations

Sample Elevations



— Traditional —



— Traditional —



— Traditional —



— Craftsman —



— Farmhouse —



— Craftsman —



— Contemporary —



— Contemporary —



— Contemporary —



# Sample Elevations



— Traditional —



— Traditional —



— Traditional —



— Farmhouse —



— Craftsman —



— Craftsman —



— Contemporary —



— Contemporary —



— Contemporary —

## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the approved plat, landscape plan, and conceptual building elevations included in Section VII and the provisions contained herein.
  - b. The rear and/or sides of 2-story structures that face S. Meridian Rd., an entryway corridor, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.
  - c. All amenities and common open space within Prevail Subdivision (aka Percy Subdivision) and Prevail North Subdivision shall be owned and maintained by the same homeowner's association to ensure shared use in perpetuity.
2. The preliminary plat included in Section VII.B, dated May 7, 2021, shall be revised as follows prior to submitting for Final Plat approval:
    - a. Revise the plat to show the landscape buffer common lot along Meridian Road to be at least 35 feet wide consistent with the required dimensional standards along an entryway corridor or apply for Alternative Compliance, per UDC 11-5B-5.
    - b. Add a plat note stating that direct lot access to S. Meridian Road/SH 69 is prohibited.
  3. ~~Revise the landscape plans, open space exhibit, and all other relevant plans to reflect the revised preliminary plat layout and provide revised plans to staff **at least fifteen (15) days prior to the City Council hearing.**~~
  4. The landscape plan included in Section VII.C, dated ~~March~~ May 17, 2021, shall be revised as follows prior to submitting for Final Plat approval:
    - a. Revise the plan to show the required landscape buffer along Meridian Road to be 35' instead of 25' or apply for Alternative Compliance, per UDC 11-5B-5.
    - b. ~~Move one of the trees located on the south side of the micro pathway in the northwest corner of the site to the north side of the pathway consistent with UDC 11-3B-12.~~
    - c. ~~Remove the center planter bed within the large open space lot, shown as Lot 1, Block 7.~~
    - d. ~~Plant the proposed 8 foot wide parkway along the north side of Liberator Street with at least one (1) tree per 35 linear feet consistent with UDC 11-3B-7C.~~

- e. Any landscaping within the ITD 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. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit a public access easement for the multi-use pathway segment along Meridian Road to the Planning Division for approval by City Council and subsequent recordation. The easement shall be a minimum of 14' in width (10' pathway and 2' shoulder on each side).
10. 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.
11. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

## **B. PUBLIC WORKS**

### **1. Site Specific Conditions of Approval**

- 1.1 Services must tie into sewer mains at a 90-degree angle from the main. Lot 33, Block 1 either needs to be modified to a 90-degree angle into the main, or should be connected to SSMH 2.
- 1.2 Install water main in S Keyport Ave to connect to the existing water stub from Prevail Subdivision No. 2.
- 1.3 Contact Public Works Engineering to discuss the water stub to the City of Meridian property to the North.
- 1.4 A streetlight plan is required to be submitted with the Final Plat application.
- 1.5 A future streetlight installation agreement is required for the streetlights on Meridian Road.

## 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 then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any 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 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

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

**C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=226061&dbid=0&repo=MeridianCity>

**D. BOISE PROJECT BOARD OF CONTROL (BPBC)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=226128&dbid=0&repo=MeridianCity>

**E. PARKS DEPARTMENT – PATHWAYS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=227571&dbid=0&repo=MeridianCity>

**F. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=226096&dbid=0&repo=MeridianCity>

**G. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=226020&dbid=0&repo=MeridianCity>

**H. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=226474&dbid=0&repo=MeridianCity>

**I. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228248&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

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

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

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

*Commission finds the proposed zoning map amendment to annex the property into the City of Meridian with 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;**

*Commission 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;**

*Commission 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**

*Commission 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.**

*Commission 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;**

*Commission 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;**

*Commission finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)*

**3. The plat is in conformance with scheduled public improvements in accord with the City’s capital improvement program;**

*Because City water and sewer and any other utilities will be provided by the development at their own cost, Commission finds that the subdivision will not require the expenditure of capital improvement funds.*

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

*Commission 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,**

*Commission is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has offered their support of the proposed development with the proposed road layout in mind.*

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

*Commission is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.*



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 is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The clerk will call the names individually of those who have signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come to the microphone 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 we establish 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, you will have up to ten minutes. After all those who have signed in advance have spoken we will invite any others who wish -- 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 listening on a 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, be sure to mute those 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 you will 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 -- the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns, we will close the public hearing and Commissioners will have the opportunity to discuss and, hopefully, be able to make a final decision or recommendations to City Council as needed.

## **ACTION ITEMS**

- 6. Public Hearing for Prevail North Subdivision (H-2021-0021) by Schultz Development, LLC, Located at 5150 S. Meridian Rd.**
  - A. Request: Annexation and Zoning of 5.63 acres of land with an R-8 zoning district.
  - B. Request: A Preliminary Plat consisting of 19 single-family residential lots and 4 common lots on 5.25 acres of land.

Seal: At this time I would like to open the public hearing for Prevail North Subdivision, H-2021-0021. We will begin with the staff report.

Dodson: Thank you, Mr. Chair. Can everybody hear me all right?

Seal: We can, Joe. Go ahead.

Dodson: Perfect. Thank you, guys. As noted, the first item on the Action Items for tonight is Prevail North Subdivision. It is a request for annexation and zoning and a preliminary plat. The site consists of 5.6 acres of land, currently zoned C-2 in the county and is

located at 5150 South Meridian, which is approximately a quarter mile south of Amity. I will go ahead and share my screen now. To the north is R-4 zoning and an undeveloped city property. There is also -- it's kind of a weird triangle shape that you can kind of see. It's actually a county dispatch tower, which is also north of the subject site. To the east is R-8 zoning and undeveloped land. To the south is R-8 zoning and the Prevail Subdivision, which was approved under the Percy name a couple of years ago. To the west is Meridian Road and further west of that is RUT or some additional R-4 zoning. There is no history with the city on this property until now. The future land use designation out here is medium density residential, which allows three to eight dwelling units per acre. This map here -- I don't know if I have presented it to Commission before, but I use it for Council, but I just wanted to give you guys a bigger overview of the site and what's around it and any improvements that might be there. Currently there aren't any, except for the Amity and -- I believe that's Locust Grove intersection in 2023. As noted, the subject site is 5.63 acres that's being annexed, but the plat is 5.25 acres. It's between multiple parcels -- parcels that are already annexed into the city and the site -- the north is a city-owned property reserved for a future well site and only -- that site currently only has access to Meridian Road. To the south is the 113 lot Prevail Subdivision, which was approved in 2019. It is zoned R-8 and has a future access to Meridian Road via a collector street, which will be constructed along the boundary here. That is both -- that would be this phase -- or I should say Prevail North and the regular Prevail. That would be their only access out to Meridian Road, other than an emergency access. The applicant for this application is the same as that for Prevail, making Prevail North a continuation of that subdivision. Consistent with the future land use designation of medium density residential, the applicant is proposing a density of 3.3 -- .4 acres -- sorry -- 3.4 units per acre. Because this is an extension of the Prevail Subdivision, the applicant is aligning the proposed lots of this phase, Prevail North, with those of the lots to the south to ensure compatible -- compatibility in lot sizes. Furthermore, due to the constraints of the site being deep, but relatively narrow, and having a waterway along the north boundary, the applicant is only proposing homes along the south side of the site. The proposed use is detached single family, with an average lot size of 6,677 square feet and a minimum lot size of 5,362 square feet. The use is permitted within the R-8 zoning district by right. The project is proposed as one phase, but will, essentially, be phase three of the Prevail Subdivision to the south. The revised plat is proposed as 18 building lots and three common lots on 5.25 acres and appears to meet all UDC dimensional standards for the requested zoning district. The applicant has submitted conceptual elevations of the proposed detached single family. Detached single family does not require design review, but the elevations depict a majority of two story homes with two -- two car garages and varying home styles that are noted as traditional, craftsmen, and contemporary. The elevations depict differing layouts of the same field materials of lap siding and stone and varying roof profiles, which overall offer an array of potential home facades. The subject site contains a large section of the Carlson Lateral, which you can see here, and this. The site plan shown before you now has the original position, which would be all this topography here, and, then, the new location here. The proposed location. It is an irrigation lateral that is maintained by the Boise Project Board of Control. The applicant is proposing to both reroute and pipe this lateral consistent with desires of the city engineer for the purpose of benefiting both this applicant and the city-owned property

bordering the site on the north. On further discussions with Boise Project Board of Control and in coordination with Public Works, the applicant is proposing to pipe the entire segment of the lateral on both properties from Meridian Road, which would be the culvert here, almost all the way to the eastern property boundary. Piping this lateral will allow for more buildable area of the subject site and will help fix some of the topography issues for the city-owned property to the north and allow for easier maintenance by Boise Project Board of Control. Staff supports the piping of this irrigation lateral and the proposed plan complies with city code. The proposed public streets are proposed as 33 foot street sections with attached and detached five foot sidewalks, allowing for on-street parking where no driveways exist, including the entire north side of the new east-west street, minus the bulb out, which is right in the center. Attached sidewalks are proposed along the new street, except for along the north where a detached sidewalk and parkway is proposed. Access is proposed via extension of Keyport Avenue, which is currently stubbed to the southern property boundary in Prevail No. 2. The submitted plans show Keyport extending into the site and, then, heading both east and west as shown as Liberator Street and ends in permanent cul-de-sacs at both ends of the site, which is in alignment with ACHD policy. Liberator Street is approximately 908 feet in length from the center of the western cul-de-sac to the east property line. Although the length of the street from east to west is greater than 750 feet in length when you measure it that way, South Keyport intersects this street approximately halfway, which breaks up the block length so there are no code issues with the proposed block length. In addition, UDC 11-6-C3, which is our subdivision design standards, notes that a dead end street cannot be greater than 500 feet in length with an intersecting street or by requesting Council waiver. Because South Keyport Avenue intersects Liberator Street as shown, neither the west, nor the east cul-de-sac is greater than 500 feet when measured from the nearest edge of right of way as code notes. It is -- therefore, it does not require any waiver by Council. It is admittedly an unusual road design, but staff does consider it to be the most efficient design for livability and access when considering the site constraints of the irrigation facility along the -- almost the entire northern boundary and the overall topography throughout the site. Furthermore, there are no homes fronting along the north side of the proposal of the street, which -- which further mitigates any staff concern regarding the length on the north side of the proposed street. The applicant is also proposing two sub streets to the adjacent properties, one to the north property out of the west cul-de-sac, and one to the east out of the east cul-de-sac. The original plat proposed both of these stub streets in the east quarter, which was basically one here and, then, a stub street to the east. But following conversations with Public Works the applicant moved the stub street that is proposed to the north to be out of the west cul-de-sac, which would help with future plans for the city well site and also help mitigate some of the topography issues, because there is a lot of topography on the city site in this quadrant over here. Staff supports the overall road layout and the stub street locations as proposed on the revised preliminary plat. Though there is potential for topography to complicate the future road -- future road extension to the east, staff highly recommends maintaining the stub street to the east for added future connectivity through the Brighton parcel. This recommendation is based both in code and from recommendations of the Meridian Fire Department for better neighborhood connectivity and emergency response access when properties to the southeast develop and, frankly, even as the city property develops to the

north. With a revised landscape plan received following publication of the staff report, their proposed landscaping complies with all UDC requirements and, therefore, staff will strike some of the conditions of approval noted in the staff report following the hearing tonight. This includes landscaping within the common open space lot within the proposed parkway and the landscaping along Meridian Road. Along Meridian Road the applicant is required to construct a ten foot multi-use pathway within the street buffer and construct noise abatement, which requires a berm combination that is at least ten feet in height and -- ten feet in height above the centerline elevation of Meridian Road. The proposed landscape plan shows the multi-use pathway, adequate landscaping, and the required berm allowing noise abatement, therefore complying with all of the code requirements. As noted, the subject site is greater than five acres in size, requiring at least ten percent qualified open space and one amenity. The applicant is continuing the segment of the multi-use pathway as noted and that is going to be within the landscape buffer along Meridian Road and qualifies as a required amenity. Because this plat would be an extension of the already approved Prevail to the south, the applicant has indicated these future residents will be able to use the other amenities and open space within that subdivision. The closest amenity to this phase is an open site with a playground that is south of Keyport Avenue, which for reference this is Keyport and, then, you have the micro path and, then, you have the tot lot with more open space. That is the closest amenity to the proposed subdivision. The minimum amount of qualified open space that should be provided is .53 acres based on the plat size of 5.25 acres. For the revised landscape plan, the numbers discussed within the staff report are not accurate. The applicant is proposing approximately 1.15 acres of overall open space, which is approximately 22 percent, but .74 acres of that area is actually qualifying open space, which is approximately 14 percent. The change that occurred is this fencing along the irrigation. So, now per code and the irrigation district we need to fence off the irrigation easement, which makes that area nonqualifying. That -- that's why the numbers do not match and I will make those adjustments in my staff report following the Commission hearing. Despite being less than previously throughout the proposed -- previously thought -- the proposed open space still exceeds the minimum requirements and staff is still in support of the proposed open space and open space landscaping. There was no written testimony and I made this slide for you guys, just to have a quick little overview. Staff does recommend approval of the requested project with the conditions of approval noted in the staff report. After that I will stand for any questions you may have. Thank you.

Seal: Thank you, Joe. Would the applicant like to come forward.

Schultz: Good evening, Commissioners.

Seal: Go ahead and state your name and address for the record.

Schultz: Matt Schultz. 8421 South Ten Mile. Glad to be here instead of on a Zoom meeting. Kind of flipped a coin and decided to come down and be social. So, good to be here after all that time. It's been a while. So, yeah, this is an interesting -- interesting piece of property. It's a little sliver of property north of the Prevail Subdivision, which we

are -- we just recorded phase one and we are getting ready to pave phase two pretty soon and it's moving right along and got the berm -- not quite landscaped, but built along Meridian Road and we originally looked at this piece a couple of years ago, because it was pretty obvious why not buy it when it was for sale and, to be honest with you, it didn't make sense given the -- the constrained geometry, the topography. There is about 20 feet of fall from the -- from the north in -- down to the lower end of Prevail, so it drops about ten feet from the city property down to the Prevail North and another ten feet down to Prevail. So, if you can picture there is a third dimension in here as well -- as well as the extensive piping and single loaded lots on one side of the road. It didn't make much sense. Well, about six months ago it was still for sale and we thought, well, maybe it makes sense now with things escalated as they have and what that does is, obviously, it's -- it's a positive enterprise we think right now to move forward on it, but also lets us control -- I was a little bit scared of who was going to build in there potentially if it would have sold in that year that we didn't buy it and who was going to build there and if I would have to come down and protest them and if they were going to do something quirky or whatever, but this kind of solves that problem as well. We know what's going to go there. It fits in and it's going to be in our HOA and we are going to share the -- the PI system and just -- just be one big happy subdivision and kind of clean up what is kind of an odd challenge piece and really clean up that property in line with the city property. We will put in the full fence. We are going to pipe the whole length in exchange for shifting a little bit of that easement onto the city property. We are going to put it right on the property line, the pipe itself. Boise Project Board of Control wants 25 feet either side, flat and graveled, and that's why that fence moved 25 feet into ours and I just sent the Public Works an e-mail tonight that we would like to deed them that extra 25 feet that -- that's shown as that -- that tan area there to the city, because we have no use out of it and if they could park on it or drive on it. It's just an option, you know. Don't have to, but they could, you know. So, that tan area there could -- could be usable by the city later, because it's on the other side of our fence that we don't care about anymore. So, it fits because we have made it fit. We have got the proper bermage, which is an extension along Meridian Road. ITD actually -- the right of way pops out an extra 20 feet from the south end of Prevail to the north, because there used to be a slope down to the fields and they had the right of way out there to catch the slope. Well, we ended up filling it up 15 feet and putting a berm and taking away the need for the extra right away, but ITD wasn't giving it back. In fact, our sidewalk have to wow out, you know, an extra 20 feet to stay out of that right of way. But we are going to landscape the whole thing all the way to the borrow ditch and so in front of this Prevail North there is actually going to be 30 -- I just looked at it tonight and it's not accurately shown. It's actually more I think that's shown here even. I think it's like an extra 30 feet in front of it. So, it will be 55 feet of buffer from our fence of grass and shrubs and trees, 30 feet within the right of way that we don't think ever will be taken away and, then, 25 feet behind it with the ten foot pathway. So, we think it works. Appreciate Joseph's very thorough staff report. We have worked with staff, we have worked with ACHD to get these details finalized for you tonight from what we submitted and we think this reflects a -- an accurate representation of what we are going to build. It's tight, there is a lot of fill, there is a lot of piping, but as an engineer -- or an ex-engineer it's -- it's just good to clean these things up instead of having this awkward little sliver piece that people think they can put a mini storage on it, because that's what it got approved for originally.

So, they can still keep thinking that, but it's access challenged, because you can't get access to it from Meridian Road any longer and so we have provided that down on the south end of Prevail and that road is now in. We are getting ready to put in a turn bay out in the median to -- to make it a left-in only and a right-in, right-out down there at that intersection, so -- and there is that emergency access you can see in phase two going out to Meridian Road just south of the site. That provides a secondary access until Brighton's world continues to develop to the east and connect over to Locust Grove and Lake Hazel and all that. It's the only access you -- we are the first people in and have the only access at the mid mile right now. So, with that I will stand for any questions and I don't think we have anybody protesting us tonight. So, hopefully it goes pretty quick. Thanks.

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

Cassinelli: Mr. Chair, this is Bill. I don't know if you can hear me and if I have got a bunch of background noise or not.

Seal: Go ahead, Bill.

Cassinelli: Matt, what -- what's the fence material that's on top of the berm?

Schultz: It's just -- it's a -- it's a Simtech -- about three times the cost of vinyl. It is plasticky, but it's a -- it's a -- it's filled -- it's filled with foam and it has some -- some noise reduction capability, but the berm that we have that that sits on provides a lot of noise reduction as well. But it's a Simtech composite fence is what it is.

Cassinelli: Okay. So, it does -- it's got a lot more sound than -- sound deadening than a -- than a vinyl fence or something?

Schultz: It does. In fact, I was out there before we built the berm and it's quite loud off Meridian Road, as you can imagine.

Cassinelli: Yeah.

Schultz: When the berm and the fence went in -- I mean, obviously, you could still hear that -- that white noise, but it's -- it was a huge reduction on site in terms of blocking that noise.

Cassinelli: Thank you.

Schultz: Yeah.

Seal: Commissioner Lorcher.

Lorcher: The only question I had was if the lateral -- irrigation lateral is going to be behind your fence why did you discuss to pipe it in?

Schultz: Good question. It's very large and it's on the -- on the top of a hill above us, so every once in a while if it's large and not on top of a hill we will ask for a waiver to not pip it, you just have to leave the easement. In this case it kind of meanders across our site in its existing condition and we wanted to straighten it out, so we could actually -- you could kind of see it in the contours there and we want to straighten it out so we could actually get our road in and some other things. So, in order to do that and to make it safe. It's 48 inches. It's quite large and quite expensive, but it's -- it needs to be done up on top of that hill.

Lorcher: Thank you.

Seal: Any other questions? Okay. At this time we will take public testimony. Madam Clerk, do we have anybody signed up?

Weatherly: Mr. Chair, we do not.

Seal: Anybody on Zoom would like to raise their hand or anybody in chambers would like to come forward? Okay. Seeing none, would the applicant like to come back and close or are we good? Okay. Good -- good move. At this time can I get a motion to close the public hearing for Item No. H-2021-0021, Prevail North Subdivision.

Lorcher: Motion.

Yearsley: Second.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0021. All those in favor say aye. Any opposed? Okay. Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Seal: Okay. Who wants to start us off?

Cassinelli: Mr. Chair, this is Bill.

Seal: Go ahead, Commissioner Cassinelli.

Cassinelli: Thank you. I have got a question and then -- well, I will do my comments first and, then, a question. Comments are I would say perfect -- perfect -- perfect application of a fill that are always difficult to do and, you know, I -- I couldn't have asked for it done better. Like the applicant was saying, we could have had a mini storage or something else that would have brought a lot of opposition to it, but I think this is the perfect use of -- of that little sliver. So, I'm definitely in favor of the project. I do have a -- I do have a question maybe towards staff and that is in a situation where the lateral is piped and the road -- the stub street to the north that would eventually go over that, is there -- is there an additional cost to putting in that road over a piped lateral, unlike a -- I mean if it's open it has to be bridged, which would be a cost to somebody down the road to finish that stub

street. But in this situation are there any kind of issues with putting in a street over a piped lateral?

Dodson: Commissioner Cassinelli, Members of the Commission, I honestly do not know the answer to that. You should ask Matt, he probably would know better than me. My assumption is there might be some kind of additional cost, but that will be incurred by the city and, frankly, the city's getting a deal out of how much piping this applicant is doing already. So, it's -- not to mention that site -- the city site is not going to get developed for probably quite some time. At least five years from what I understand. So, all those costs would be incurred at a later date. But I -- I assume there will be some additional cost on the standard road over no irrigation lateral.

Cassinelli: Okay. Thank you.

Dodson: You are welcome, sir.

Yearsley: Mr. Chair?

Seal: Go ahead.

Yearsley: So, for -- just to help you answer your question, Bill, more than likely they are going to have an appropriate cover over that pipe, so they wouldn't have any issue building a road over that pipe for the future stub out to this city's property. So, I don't see that being an issue. I have to echo Commissioner Cassinelli's comments. When I first looked at the property it looked kind of weird, you know, the way it was laid out, but as you put it with the rest of the subdivision it actually fits really well. So, I think they have done a great job with this and how -- and making that -- not a weird, but just a different size lot to fit in that space and so I think they have done a great job and I don't see any issues with it.

Wheeler: Mr. Chair?

Seal: Go ahead, Commissioner Wheeler.

Wheeler: Joe, I have got a question for -- for staff here. I'm just trying to make sure that the piping is -- is -- the whole canal is being put underground clear from Meridian Road and back underneath the -- or toward the property line of this and moving forward; is that right?

Dodson: Is that Commissioner Wheeler?

Wheeler: Yes.

Dodson: Got you. Thank you. Good to meet you virtually, sir. It -- my understanding is that that is true, because there are some irrigation facilities over here already and that's where it's going to end and, then, they are going to pipe it all the way to the culvert in



Meridian Road. It -- right now you can see it kind of goes along this road anyways, this route when it bends down to the thing, so it's -- it's going to go to there. That's where we have -- the city and say Public Works and the applicant decided that's the best place for it.

Wheeler: Okay. Thank you.

Dodson: You are welcome.

Seal: Would anybody like to take a stab at a motion on this?

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2021-0021 as presented in the staff report for the hearing date of May 20th, 2019 -- or 2021 with no modification.

Wheeler: I second.

Seal: It's been moved and seconded to approve Item No. H-2021-0021 with no modifications. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**7. Public Hearing for Gem Prep South (H-2021-0020) by Paradigm Design, Located Approximately 1/8 of a Mile East of S. Locust Grove Rd., on the South Side of E. Lake Hazel Rd.**

- A. Request: Conditional Use Permit for an educational institution on 5.95 acres of land in the C-C zoning district that proposes direct access via a collector street and where there is not a safe, separate pedestrian and bikeway access between the neighborhood and the school site.

Seal: Okay. Now, we will open the public hearing for Item No. H-2021-0020, Gem Prep South. We will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you tonight is a request for a conditional use permit. This site consists of 5.95 acres of land. It's zoned C-C and is located approximately an eighth of a mile east of the South Locust Grove and East Lake Hazel Road intersection on the south side of Lake Hazel. The Comprehensive Plan future land use map designation is mixed use community. A conditional use permit is requested for an education institution in the C-C zoning district that proposes direct access via collector street and where there is not as safe, separate



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc.,  
Located at 75 S. Ten Mile Rd.

A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres)  
zoning districts.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** June 22, 2021

**Topic:** **Public Hearing** for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc.,  
Located at 75 S. Ten Mile Rd.

A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

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**Information Resources:**

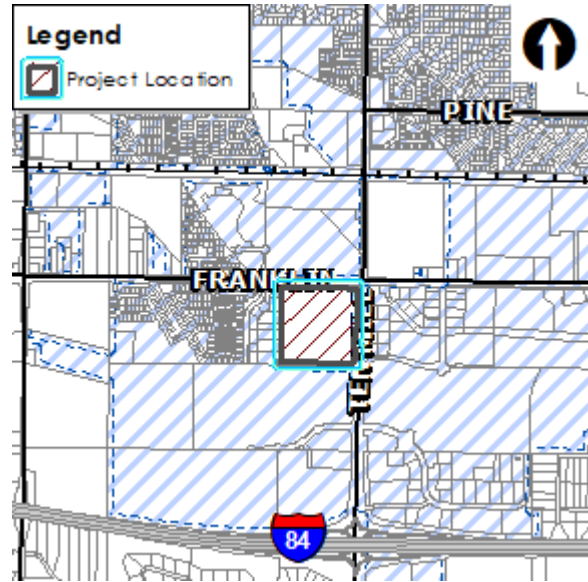
[Click Here for Application Materials](#)

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

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



HEARING DATE: June 22, 2021  
 TO: Mayor & City Council  
 FROM: Sonya Allen, Associate Planner  
 208-884-5533  
 SUBJECT: H-2021-0025  
 The 10 at Meridian – AZ  
 LOCATION: 75 S. Ten Mile Rd. at the southwest corner of W. Franklin Rd. and S. Ten Mile Rd., in the NE ¼ of Section 15, Township 3N., Range 1W.



**I. PROJECT DESCRIPTION**

The Applicant requests annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

**II. SUMMARY OF REPORT**

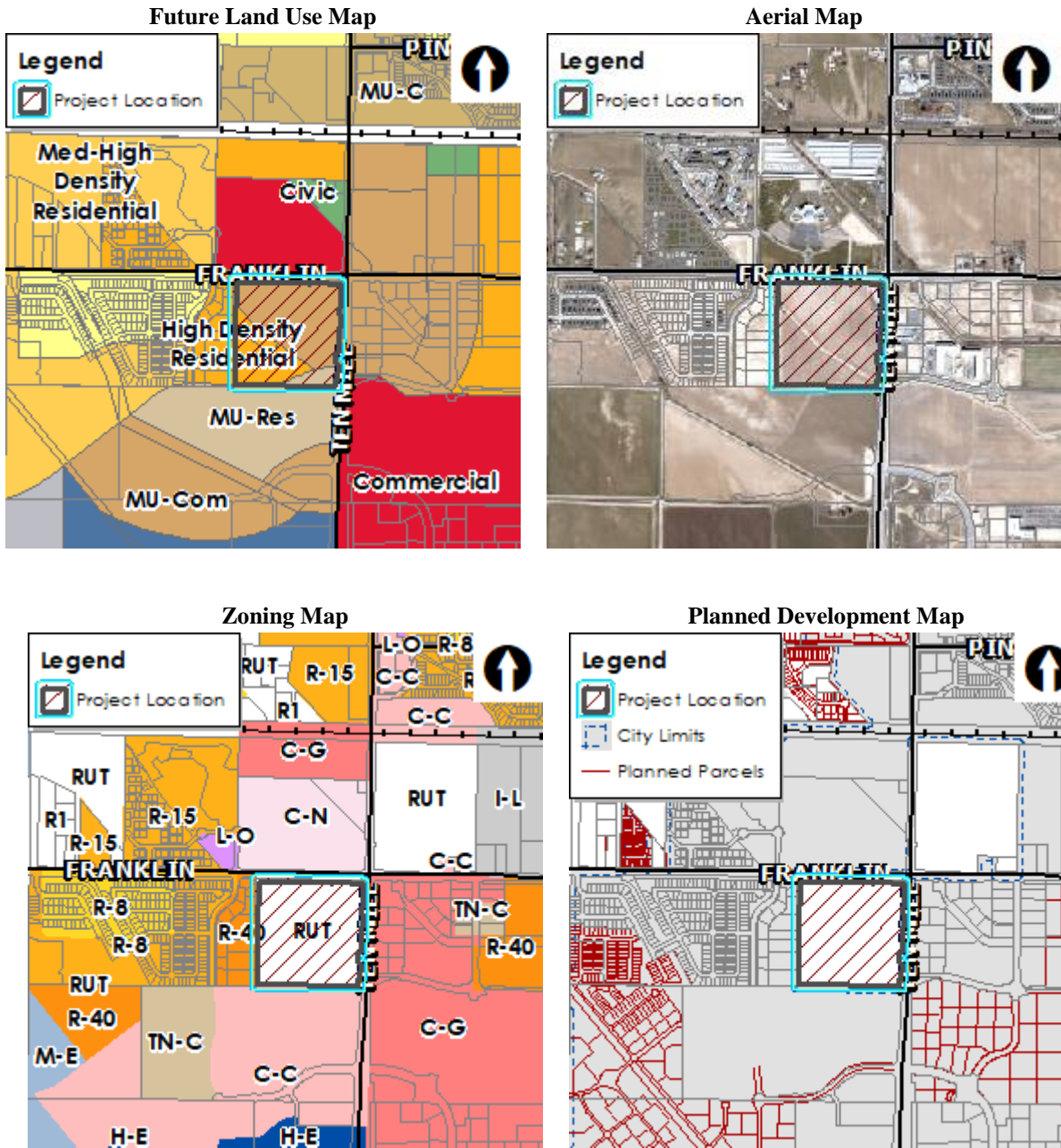
A. Project Summary

Description	Details	Page
Acreage	40.30-acres	
Future Land Use Designation	Mixed Use Commercial (22+/- acres); High Density Residential (11+/- acres); Mixed Use Residential (3+/- acres)	
Existing Land Use	Undeveloped agricultural land	
Proposed Land Use(s)	Mixed use (residential/commercial)	
Current Zoning	RUT in Ada County	
Proposed Zoning	R-40 (High-Density Residential) (13.04-acres) and C-C (Community Business) (27.25-acres)	
Neighborhood meeting date; # of attendees:	3/29/2021; no attendees other than property owner	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
<b>Ada County Highway District</b>		
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> </ul>	No	
<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)	Two (2) accesses are proposed via Franklin Rd., two (2) accesses are proposed via Ten Mile Rd., and one (1) access is proposed via Cobalt Dr.	
Fire Service	<i>No comments were submitted.</i>	
Police Service	<i>See comments in Section IX.D.</i>	
<b>Wastewater</b>		
Distance to Sewer Services	Adjacent to parcel	
Sewer Shed	South Black Cat trunkshed	
Estimated Project Sewer ERU's WRRF Declining Balance	See application 14.14	
Project Consistent with WW Master Plan/Facility Plan	Yes	
Impacts/Concerns	None	
<b>Water</b>		
Distance to Water Services	Adjacent to parcel	
Pressure Zone	2	
Estimated Project Water ERU's	See application	
Water Quality	None	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	None	

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Wendy Shrief, J-U-B Engineers, Inc. – 250 S. Beechwood Ave., Ste. 201, Boise, ID 83709

B. Owner:

Erik Pilegaard, Elk Ventures, LLC – 5137 Golden Foothills Parkway, Ste. 100, El Dorado, CA 95762

C. Representative:  
Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper notification published in newspaper	4/30/2021	6/4/2021
Radius notification mailed to property owners within 300 feet	4/27/2021	6/2/2021
Public hearing notice sign posted on site	5/7/2021	6/9/2021
Nextdoor posting	4/27/2021	6/2/2021

**V. COMPREHENSIVE PLAN ANALYSIS**

**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 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 conceptual development plan in Section VIII.B. High-density 4-story multi-family residential apartments (380 1- and 2-bedroom units) are proposed in the HDR & MU-RES designated portions of the site with 3-story multi-family flats (137 1- and 2-bedroom units) and townhouse style (24 3-bedroom units) units with a clubhouse/recreation center [14,000 square feet (s.f.)], 3-story vertically integrated mixed use [primarily retail uses on the 1<sup>st</sup> floor (20,025 s.f.) with residential (42 1- and 2-bedroom units) on the 2<sup>nd</sup> and 3<sup>rd</sup> floors] and single-story financial institution (5,000 s.f.), mixed use service retail buildings (52,775 s.f.) and restaurants (9,250 s.f.) with drive-throughs with 2-story office buildings (46,600 s.f.) proposed in the MU-COM designated portion of the site adjacent to Franklin and Ten Mile Roads. A total of 559 residential units and 147,650 s.f. of commercial uses are proposed to develop in 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:** Cobalt Drive is proposed to be extended as a collector street from S. Ten Mile Rd. at the southeast corner and along the southern boundary of the site consistent with the Master Street Map in the Comprehensive Plan and the Transportation System Map in the TMISAP. *The proposed collector street network approved with the annexation of the Janicek property to the south (AZ-11-001, DA Inst. #112073616) depicts the extension of Cobalt as proposed with this application with the western segment lying off-site on the adjacent property to the south.*

**Design:** Conceptual building elevations were submitted for the multi-family residential structures and the associated clubhouse building. The design of the proposed multi-family structures appear 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. 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 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.*

- “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.*

- “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.*

## VI. STAFF ANALYSIS

### A. ANNEXATION & ZONING

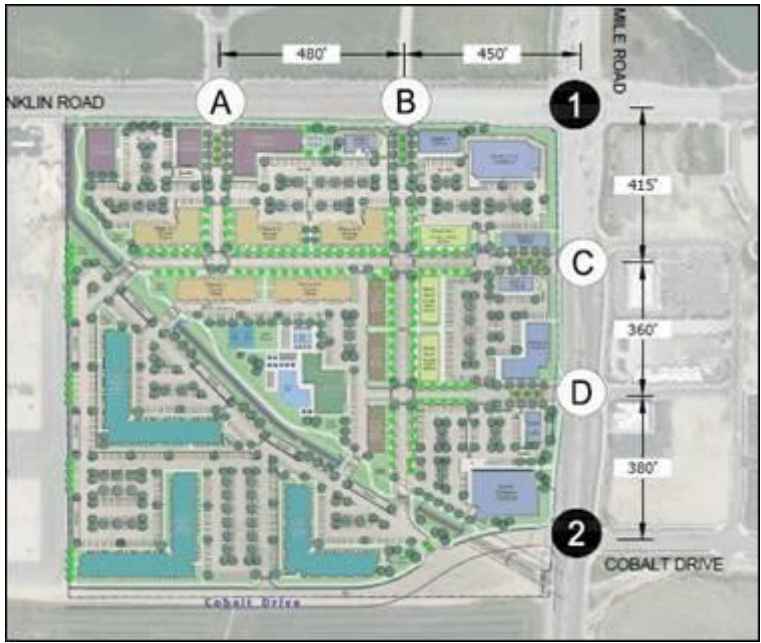
The Applicant proposes to annex 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts. A conceptual development plan was submitted as shown in Section VIII.B that proposes offices, a financial establishment, retail pads, a grocery store, vertically integrated residential and multi-family residential in accord with the associated MU-COM, HDR and MU-RES, FLUM designations for the property.

A phasing plan was not submitted; however, the Applicant states the 3-story flats and townhome style multi-family residential and clubhouse would develop in the first phase along with the associated infrastructure; the 4-story high-density multi-family would follow with the commercial last as tenants commit.

The proposed C-C zoning district is listed as a possible zoning choice in the MU-COM and MU-RES; and the R-40 zoning district is listed as the best choice in the HDR and possible choice in the MU-RES FLUM designation, per the Zoning District Compatability Matrix in the TMISAP (pgs. 2-4 & 2-5).

The Kennedy Lateral bisects this site and is proposed to be tiled in certain areas and left open in others as shown on the conceptual development plan. The UDC (11-3A-6B.3) required all laterals crossing or lying within the area being developed to be piped or otherwise covered unless left open and used as a water amenity or linear open space as defined in UDC 11-1A-1. The decision making body may waive the requirement for covering such lateral if it finds that the public purpose requiring such will not be served and public safety can be preserved. **A waiver from Council is requested for portions of the lateral proposed to be left open; if not approved, the lateral is required to be piped.**

Access to the site is proposed as shown on the conceptual development plan in Section VIII.B. ACHD has reviewed the proposed accesses and supports the following: Access A – full access; Access B – right-in/right-out only; Access C – right-out only; Access D – right-in/right-out only; and Cobalt – right-in/right-out/left-in only. **Staff recommends access is restricted through the Development Agreement as supported by ACHD per the comments in Section IX.K.**



Off-street parking is depicted on the concept plan to serve the mixed use development. Based on (291) 1-bedroom units, (250) 2- and 3-bedroom units and 42 vertically integrated residential units, a minimum of 979 spaces consisting of 541 covered spaces and 396 uncovered spaces are required per UDC Table 11-3C-6; a total of 1,034 spaces are depicted. Based on 138,400 s.f. of non-residential uses, a minimum of 277 spaces are required per UDC 11-3C-6B.1 and based on 9,250 s.f. of restaurant uses, a minimum of 37 spaces are required per UDC 11-4-3-49A.1, for a total of 314 spaces; a total of 448 spaces are proposed in excess of the minimum standards.

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. A legal description and exhibit map for the annexation area is included in Section VIII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure the site develops as proposed with this application, Staff recommends a DA is required as a provision of annexation (see provision in Section IX.A).**

**VII. DECISION**

A. Staff:

Staff recommends approval of the proposed Annexation & Zoning with the requirement of a Development Agreement per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard this item on May 20, 2021. At the public hearing, the Commission moved to recommend approval of the subject AZ request.

1. Summary of Commission public hearing:
  - a. In favor: Wendy Shrief, JUB Engineers; Lane Borges; Hethe Clark
  - b. In opposition: None
  - c. Commenting: Cody Black (representing property owner directly to the south)
  - d. Written testimony: Cody Black; Wendy Shrief, JUB Engineers
  - e. Staff presenting application: Sonya Allen
  - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:

- a. The property owner to the south requests the western portion of Cobalt Dr. be located on the subject property and not on their property.
3. Key issue(s) of discussion by Commission:
  - a. The location and alignment of Cobalt Dr. to the west.
  - b. Opinion that too much residential may be proposed – that the northern “flats” should be converted to commercial.
4. Commission change(s) to Staff recommendation:
  - a. None
5. Outstanding issue(s) for City Council:
  - a. The Applicant requests a waiver to UDC 11-3A-6B.3 for portions of the Kennedy Lateral, which bisects this site, to remain open and not be piped.

**VIII. EXHIBITS**

A. Annexation & Zoning Legal Description and Exhibit Map

**EXHIBIT \_\_**  
**DESCRIPTION FOR**  
**THE 10 AT MERIDIAN**  
**CITY OF MERIDIAN ANNEXATION**

The NE1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

**BEGINNING** at NE corner of said Section 15 from which the N1/4 corner of said Section 15 bears North 89°15'23" West, 2640.72 feet;

thence along the East boundary line of said Section 15 South 00°33'16" West, 1,329.09 feet to the N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NE1/4 of said Section 15 North 89°15'02" West, 1,321.18 feet to the NE1/16 of said Section 15,

thence along the West boundary line of NE1/4 of the NE1/4 of said Section 15 North 00°35'22" East, 1,328.96 feet to the E1/16 corner of said Section 15;

thence along the North boundary line of said Section 15 South 89°15'23" East, 1,320.37 feet to the **REAL POINT OF BEGINNING**. Containing 40.30 acres, more or less.



Item #6.

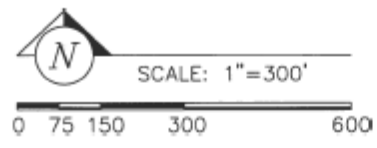
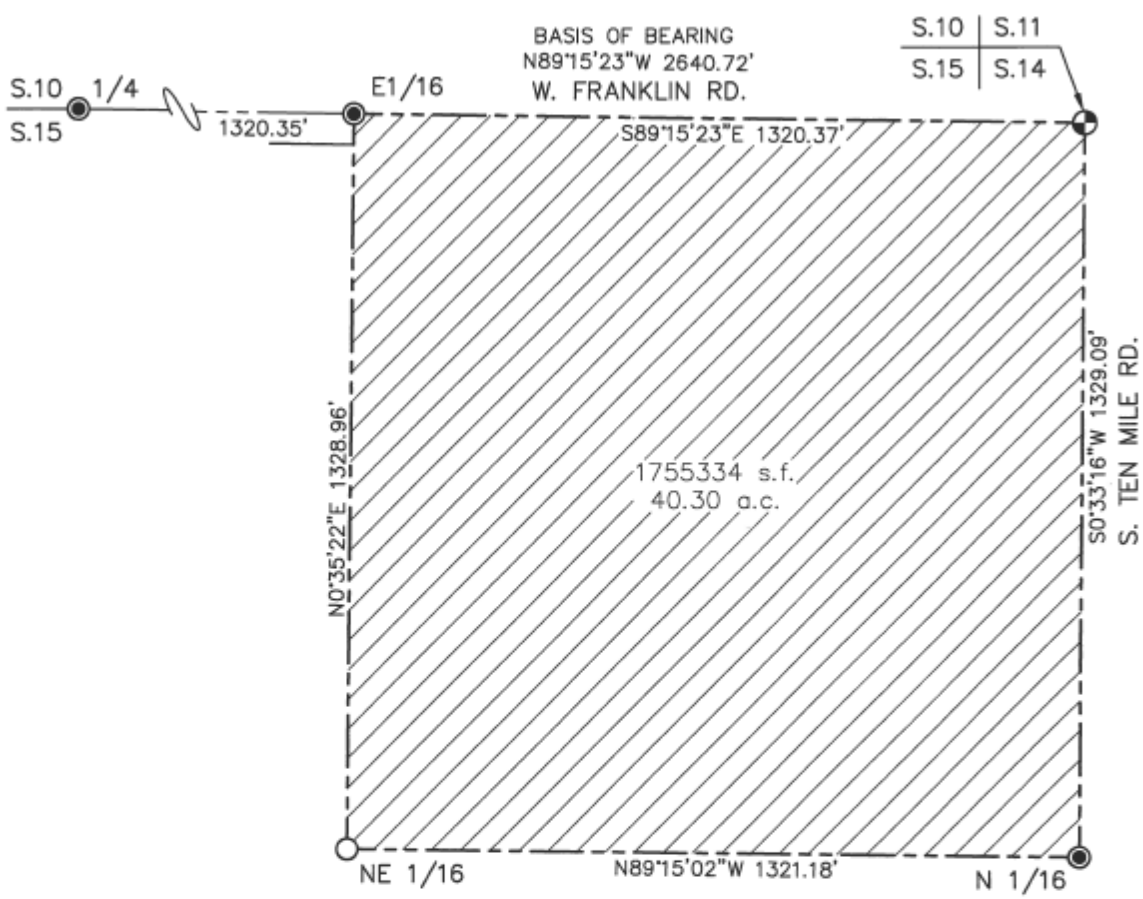


EXHIBIT \_\_  
DESCRIPTION FOR  
THE 10 AT MERIDIAN  
CITY OF MERIDIAN ZONE CC

A portion of land located in the NE1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

**BEGINNING** at NE corner of said Section 15 from which the N1/4 corner of said section 15 bears North 89°15'23" West, 2640.72 feet;

thence along the East boundary line of said Section 15 South 00°33'16" West, 1,329.09 feet to the N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NE1/4 of said Section 15 North 89°15'02" West, 20.27 feet;

thence leaving said South boundary line North 57°06'08" West, 149.94 feet;

thence North 60°22'50" West, 293.40 feet;

thence North 58°00'44" West, 371.54 feet;

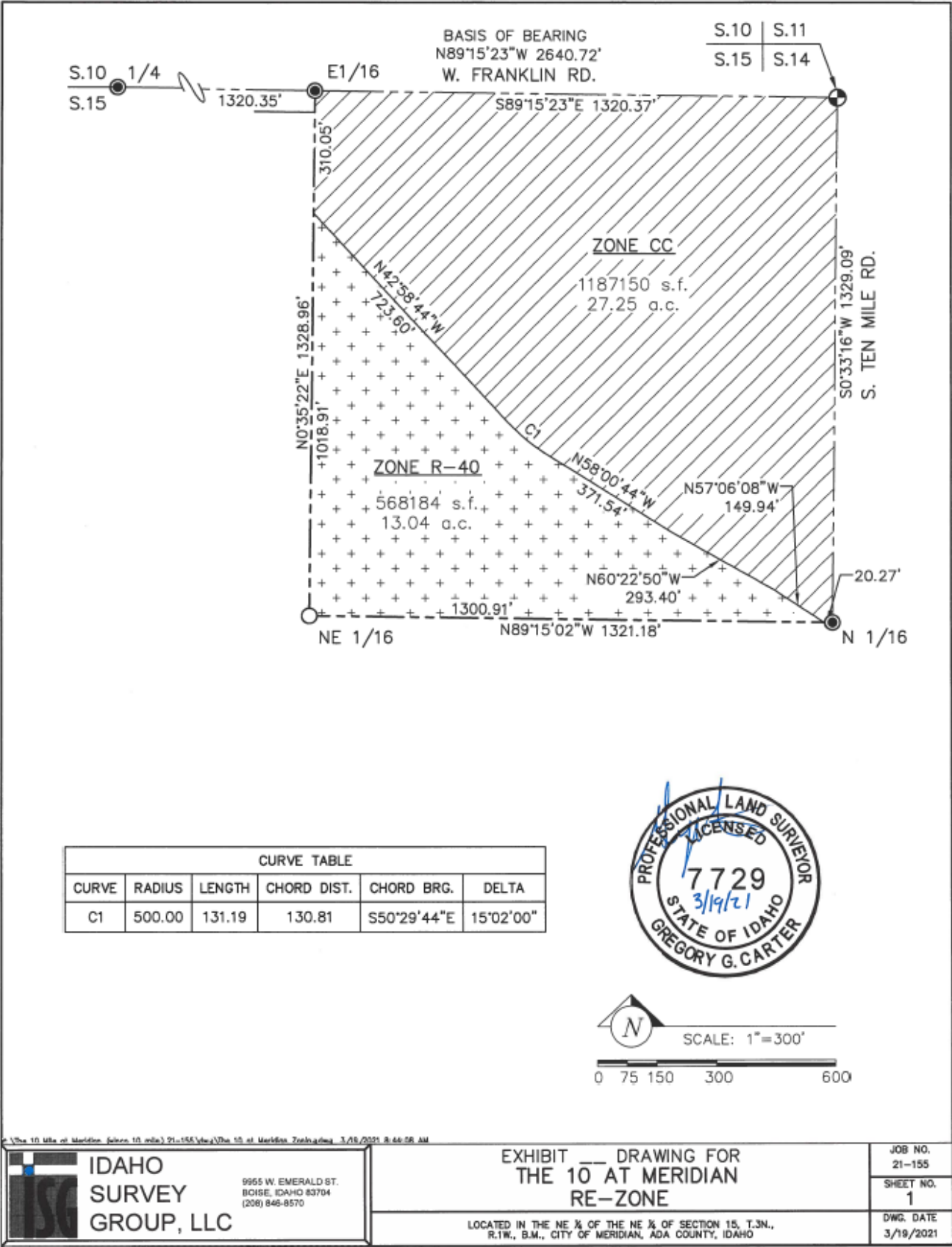
thence 131.19 feet along the arc of curve to the right, said curve having a radius of 500.00 feet, a central angle of 15°02'00" and a long chord which bears North 50°29'44" West, 130.81 feet;

thence North 42°58'44" West, 723.60 feet to a point on the West boundary line of NE1/4 of the NE1/4 of said Section 15;

thence along said West boundary line North 00°35'22" East, 310.05 feet to the E1/16 corner of said Section 15;

thence along the North boundary line of said Section 15 South 89°15'23" East, 1,320.37 feet to the **POINT OF BEGINNING**. Containing 27.25 acres, more or less.





**EXHIBIT \_\_**  
**DESCRIPTION FOR**  
**THE 10 AT MERIDIAN**  
**CITY OF MERIDIAN ZONE R-40**

A portion of land located in the NE1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at NE corner of said Section 15 from which the N1/4 corner of said Section 15 bears North 89°15'23" West, 2640.72 feet;

thence along the East boundary line of said Section 15 South 00°33'16" West, 1,329.09 feet to the N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NE1/4 of said Section 15 North 89°15'02" West, 20.27 feet the **REAL POINT OF BEGINNING**;

thence continuing along said South boundary line North 89°15'02" West, 1,300.91 feet to the NE1/16 of said Section 15;

thence along the West boundary line of NE1/4 of the NE1/4 of said Section 15 North 00°35'22" East, 1,018.91 feet;

thence leaving said West boundary line South 42°58'44" East, 723.60 feet;

thence 131.19 feet along the arc of curve to the left, said curve having a radius of 500.00 feet, a central angle of 15°02'00" and a long chord which bears South 50°29'44" East, 130.81 feet;

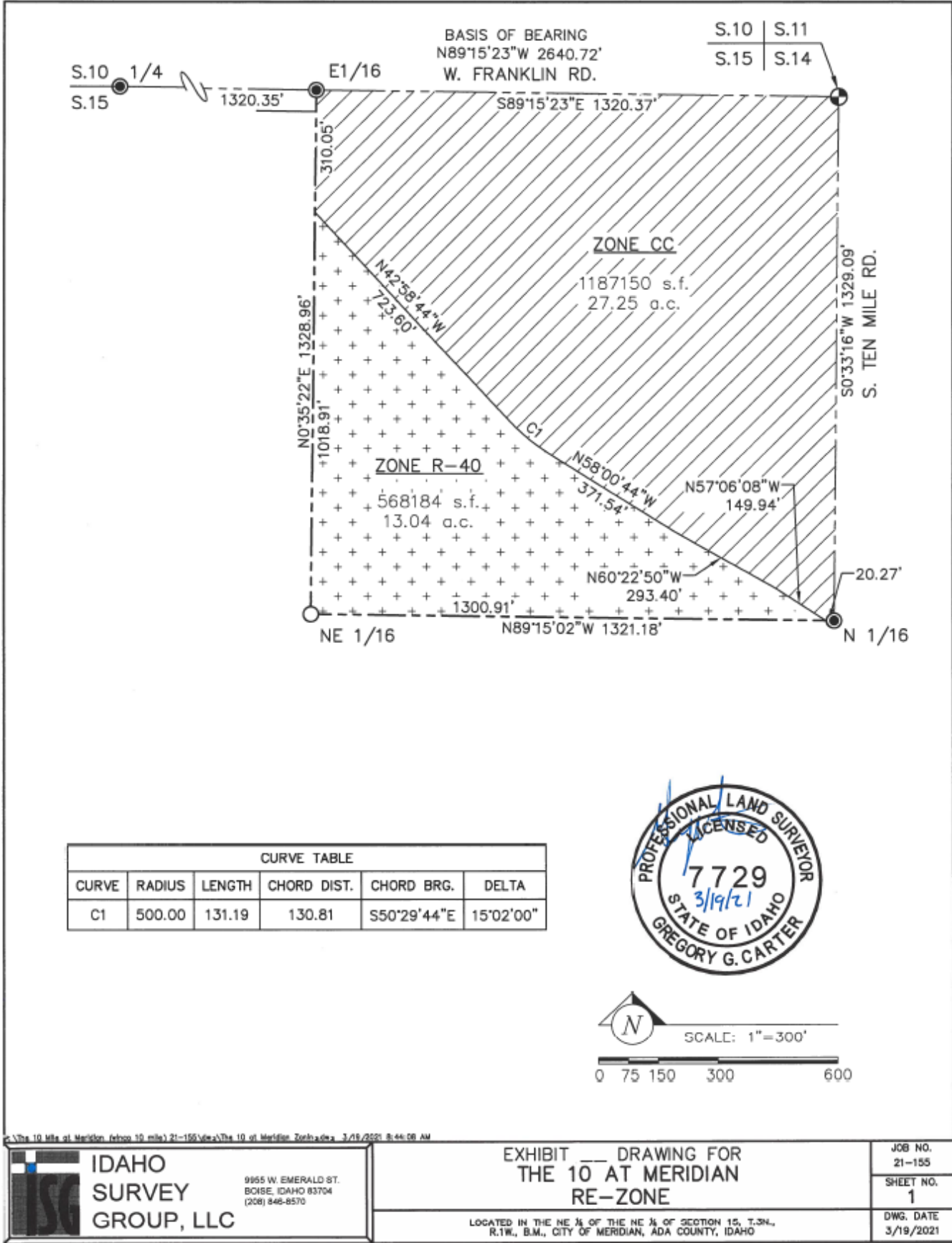
thence South 58°00'44" East, 371.54 feet;

thence South 60°22'50" East, 293.40 feet;

thence South 57°06'08" East, 149.94 feet to the **REAL POINT OF BEGINNING**.  
Containing 13.04 acres, more or less.







B. Conceptual Development Plan (dated: March 10, 2021)

Project Summary

Residential	
High Density Apartments	380 units
1 BR - 222 units = 58 %	
2 BR - 157 units = 42 %	
Flats	137 units
1 BR - 88 units = 50 %	
2 BR - 49 units = 50 %	
Townhomes	24 units
3 BR - 24 units	
Mixed Use Apartments	42 units
1 BR - 24 units = 57 %	
2 BR - 18 units = 43 %	
<b>Total Residential Units</b>	<b>559 units</b>
Parking Required	944 spaces
Parking Provided	1,034 spaces
Commercial	
QSR Pad Buildings 1-3	9,250 sf
Financial Pad w Drive Thru	5,000 sf
Office	46,600 sf
Retail	52,775 sf
Mixed Use Service Retail	20,025 sf
Recreation Center	14,000 sf
<b>Total Commercial Use</b>	<b>147,650 sf</b>
Parking Required	299 spaces
Parking Provided	448 spaces



10 Mile Road & Franklin Road Residential & Commercial Mixed Use Center

Scale: 1" = 80'

March 10, 2021

C. Conceptual Building Elevations  
Multi-Family (Flats):

**A-1** | BLDG



**B-1** | BLDG









Multi-Family (Townhome Style):





Multi-Family (High-Density Apartments):





Clubhouse:







**IX. CITY/AGENCY COMMENTS & CONDITIONS**

**A. PLANNING DIVISION**

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

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

- a. The subject property shall develop in substantial compliance with the conceptual development plan and building elevations in Section VIII.B and the land use, transportation, and design elements of the Ten Mile Interchange Specific Area Plan (TMISAP).
- b. The project shall comply with the applicable design elements as noted in the Application of Design Elements matrix in the TMISAP (see pg. 3-49) and the design standards in the Architectural Standards Manual.
- c. Access to the site via W. Franklin Rd., S. Ten Mile Rd. and W. Cobalt Dr. shall be restricted as recommended by ACHD in Section IX.K.
- d. The subject property shall be subdivided prior to any development occurring on the site.
- e. The Kennedy Lateral shall be piped in its entirety where it crosses the subject property as required by UDC 11-3A-6B.3 unless otherwise waived by City Council as set forth in UDC 11-3A-6B.3a.

**B. PUBLIC WORKS**

**1. Site Specific Conditions of Approval**

- 1.1 Any unused sanitary sewer and/or water services or mains must be abandoned.
- 1.2 Ensure no permanent structures (trees, bushes, carports, trash enclosures, etc.) are built within any utility easements.

**C. FIRE DEPARTMENT**

*No comments were received.*

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=227946&dbid=0&repo=MeridianCity>

**E. PARK’S DEPARTMENT**

*No comments were received.*

**F. NAMPА & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228197&dbid=0&repo=MeridianCity>

**G. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=227634&dbid=0&repo=MeridianCity>

**H. CENTRAL DISTRICT HEALTH**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228247&dbid=0&repo=MeridianCity>

**I. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228703&dbid=0&repo=MeridianCity>

**J. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228965&dbid=0&repo=MeridianCity>

**K. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229278&dbid=0&repo=MeridianCity>

**L. WEST ADA SCHOOL DISTRICT (WASD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228985&dbid=0&repo=MeridianCity>

**X. FINDINGS**

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

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

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

*The Commission finds the Applicant’s proposal to annex the subject 40.30-acre property with R-40 and C-C zoning districts consistent with the MU-COM, HDR and MU-RES FLUM designations for this property. (See section V above for more information.)*

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

*The Commission finds the proposed map amendment complies with the regulations outlined for the R-40 and C-C zoning districts and the purpose statements of the residential and commercial districts.*

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

*The Commission finds the proposed map amendment will not be detrimental to the public health, safety and welfare in this area.*

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

*The Commission finds the proposed map amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services.*

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

*The Commission finds the proposed annexation is in the best interest of the City.*

Yearsley: I -- I echo everybody else's. I think it's a good design, good layout, and I'm supportive of the project.

Seal: I'm right there with you, so I won't belabor the point. I think it looks like a good project. Always welcoming schools coming in and I mean the flow seems to work for me. I actually kind of like the parking lot off to the side. My son goes to Compass. They don't have that there. It would be -- and some of the parking gets a little strange there sometimes during pick up and drop off, so the parking lot outside of that flow seems to work a little better. In my mind anyway, as I'm envisioning it. If there is nothing else at this time I would like to get a motion.

Lorcher: I will give it a go.

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff, applicant, and public testimony, I move to approve file H-2021-0020 as presented in the staff report for the hearing date of May 20th, 2021, with no modifications.

Seal: It's been -- oh. Do I have a second?

Yearsley: Second.

Seal: Now it's been moved and seconded to approve Item H-2021-0020 for Gem Prep South, with no modifications. All those in favor say aye. Any opposed? Motion carries. Thank you.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**8. Public Hearing for The 10 at Meridian (H-2021-0025) by J-U-B Engineers, Inc., Located at 75 S. Ten Mile Rd.**

- A. Request: Annexation of 40.30 acres of land with R-40 (13.04-acres) and C-C (27.25-acres) zoning districts.

Seal: All right. So, now we will open Item No. H-2021-0025, The 10 at Meridian. We will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for annexation and zoning. This site consists of 40.3 acres of land. It's zoned RUT in Ada county and is located at 75 South Ten Mile Road at the southwest corner of West Franklin Road and South Ten Mile Road. The Comprehensive Plan future land use map designation is mixed use commercial in the Ten Mile Interchange Specific Area Plan. The applicant proposes to annex 40.3 acres of land with R-40, which is 13.04 acres and C-C zoning, which consists of 27.25 acres, consistent with the Comprehensive Plan. I have the site up there. A conceptual development plan was submitted as shown

that proposes a mix of offices, a financial establishment, retail pads, a grocery store, the vertically integrated residential, drive-through restaurants and multi-family residential, in accord with the associated mixed use commercial, high density residential, and mixed use residential future land use map designations for the property. A phasing plan was not submitted. However, the applicant states that three story flats and townhome style multi-family residential and clubhouse would develop in the first phase, along with the associated infrastructure. The four story high density multi-family would follow with the commercial last as tenants will commit. Access is proposed as shown on the concept development plan. ACHD supports the following accesses. Access A, full access. Access B, right-in, right-out only. Access C, right-out only. And Access D, right-in, right-out only. And Cobalt with a right-in, right-out, left-in only. Staff recommends access is restricted through the development agreement as supported by Ada County Highway District. Cobalt Drive is proposed to be extended to the west from Ten Mile Road. The eastern portion lies entirely on the subject property and includes a crossing across the Kennedy Lateral and stubs to the south to be extended entirely on the adjacent property to the south and to the west. The applicant requests Council approval of a waiver to UDC 11-3A-6B3 for portions of the Kennedy Lateral, which bisect this site to remain open and not be piped. Written testimony has been received from Cody Black, representing the property owner immediately to the south. He objects to the western portion of Cobalt Drive being located entirely on their property, leaving them responsible for its construction. He requests Cobalt be located entirely north of their property on the subject property. Wendy Shrief, JUB, the applicant, submitted written testimony. They are in agreement with the staff report provisions as included in the staff report. Staff is recommending approval with the requirement of a development agreement.

Seal: Thank you, Sonya. Would the applicant like to come forward -- applicants as they come forward.

Shrief: I'm Wendy Shrief and I'm a planner with JUB Engineers. My business address is 2760 West Excursion Lane in Meridian, Idaho. 83642. And it's so nice to be here in person and it's so nice to not have masks. It's a huge difference from six, nine months ago.

Seal: Absolutely.

Shrief: This is great. First I want to thank Sonya. She's been a really big part of helping to steer this project and making sure that we are really meeting the intent of the Comprehensive Plan for this area and the Ten Mile Interchange Specific Plan. So, Sonya has been integral. Bill helped a lot, but Sonya really helped a ton. They have been a huge resource and really have helped this project. We have got a team here tonight. I'm just going to talk a little bit about the Comprehensive Plan and, then, we have our architect is here and, then, we also have someone who is going to follow up with the conditions and talk a little bit about Cobalt. Hethe is here. So, we are requesting -- it's a pretty straightforward application tonight. We are just requesting annexation and zoning. We have 40 acres. We -- I think perfectly match up with what your Comprehensive Plan shows for the area. We have -- Sonya, if we can get the Comprehensive Plan up. Or

can I do it with the mouse? Get my PowerPoint? Let's see. So, I think this -- this shows the future land use map. We can go ahead and use this. The majority of this property has been designated for mixed use commercial. That's the 22 acres in the northeast of the property and in the southwest we have 11 acres designated for high density residential. So, this really dovetails with what we are showing. We have -- on the other side of the canal where we have our mixed use commercial we are showing different types of retail, commercial, and I think it will be a really -- potentially office space. A really great mixed use where we have a lot of pedestrian connections. Our architect is going to show you that later. But I think we have really really met the intent of what you want to see in this area where it's a true mixed use area. We are showing -- where your Comprehensive Plan shows high density residential, we are showing -- that's where we are going to have several different types of multi-family housing in that area, which I think also meets the intent of this plan. So, I'm going to have Lane get up. He is our architect and he is going to walk you through the concept plan, but I -- I think we really do meet the Comprehensive Plan and Sonya really kind of put our feet to the fire, we have gone through a couple of iterations and really reworked this plan with staff to make sure we meet what the city wants from this area, so -- thank you. Team member number two is going to be up.

Seal: Thank you. Come up and state your name and address for the record.

Borges: Good evening, Mr. Chairman, Members of the Commission. My name is Lane Borges. I'm representing Elk Ventures. My address 11500 Armor Court in Gold River, California. Happy and excited to be here tonight to present this project to you, which I think is an important one for the City of Meridian. The project as we are proposing has been heavily influenced by both the comp plan and the Ten Mile Specific Plan, with the particular goal to create a dynamic place in which people can live, work, shop and play, with an emphasis on managing pedestrian, bike and vehicular circulation. If I can -- let's see. I guess just click on this. Okay. The overall site plan consists of approximately 559 units of residential housing, horizontally and vertically integrated mixed use with four different kinds of housing stock. In addition, we have around the perimeter along Franklin Road -- see if I can get my cursor here to show you. Along Franklin and Ten Mile is approximately 150,000 square feet of single and multi-story office, retail, commercial and recreational uses that will support the residential components of the project, as well as the neighboring community. While we currently are unable to make any firm commitments to our commercial tenants because of the fact that we are still in the approval process, we are actively working and have active interest with grocery store, drugstore, coffee house, dental office, a bank and a couple of restaurants and we are hopeful that as we work our way through the approval process we will be able to make firm commitments with each of those and bring them and additional commercial tenants to the project when we begin construction. The commercial side, obviously, is a little different than the residential side. The residential side you build them and they will come and on the commercial side in today's economy it's kind of the other way around. They have to come first and, then, we build to suit their -- their particular needs. The project consists, as Sonya mentioned just briefly earlier, of five access points, two on Franklin, two on Ten Mile and one on Cobalt and we worked fairly extensively with both ACHD and



with the staff to workout some of the issues with all of the access points and with Cobalt Drive itself. The alignment of Cobalt Drive was a little bit of a challenge, because to the east we have an existing connection point on Ten Mile Road at the intersection and to the west the road -- which would typically occur, you know, splitting a property line, which would be the convention, isn't possible, because there is actually a development directly to the west of our property and if we were to build Cobalt Drive straddling the property line it would terminate into somebody's parking lot. So, we worked with ACHD to come up with a proposed alignment, which does have to, basically, connect to the south of our property line and what we -- what we attempted to do -- we looked at an option of curving the road south from Ten Mile along our property and, then, dipping it again in order to clear the boundary and make the proper connection, but the multiple curves in the road over a fairly short distance really wasn't a suitable engineering design for smooth and proper traffic flow. So, the next thing we took a look at was what's an equitable solution in terms of overall cost sharing and what we have is effectively about 37 percent of Cobalt Drive -- the square footage of it occurs on -- within our property, 63 percent on the property to the south. You might ask, well, why is there a differential there, why isn't it 50/50. We looked at it actually from more than just a square footage standpoint, we looked at it from what's the actual cost to construct, because we have some extenuating costs on the west side where we make the connection, the road has to be brought up, because the existing grade is significantly below Ten Mile and the fact that we have to build basically a bridge structure there in order to bring Cobalt Drive over the canal. That brings that portion of the roadway's construction cost basically into -- at a similar basis as the remaining portion that would eventually be built on the south side. So, in order to help promote the goal that we were trying to achieve of meeting the needs of the specific plan -- if I can get back to -- let's see now how do I -- there we go. Oops. This wheel is very sensitive. Okay. So, one of the elements of the plan that we tried to incorporate was the concept in the specific plan of kind of complete streets and when you look at the parameters and you look at the intent of a complete street in the specific plan, it's to help manage the circulation of vehicles, of bicycles, of pedestrians and although the concepts of the complete street were really dictated in the specific plan more for public roadways and public streets, we have kind of adopted them within our project, which is a series of basically private roadways, but we have duplicated the concept, so what you see in red here represents what we call our complete streets or our major roadways. We kind of call them like little mini main streets and so we have one that runs north-south and we have one that runs east-west and, then, we have the smaller connectors that provide access from those out to Franklin and Ten Mile. Each of those roadways is consistent with the design guidelines in the specific plan and that they provide for two way traffic. They provide for designated and separated bike lanes. They provide for parallel parking, as opposed to perpendicular parking. They provide for street trees along both sides of those roadways. So, what we are trying to emulate is the concept for a standard that was developed for public streets onto our private roadway system in order to create the effect that the specific plan envisions within our development itself. The other -- one of the other elements that's important in this specific plan is pedestrian connectivity and it might be a little hard to see from this, but, basically, all of the yellow lines on there represent pedestrian circulation in our project. So, the goal here is to, obviously, encourage people to move from the residential side to the recreational area, which is in the middle of the

project or to the commercial side. So, there is kind of a spider web network of pedestrian activity that will occur within the site to help promote connectivity from the commercial elements to the residential elements. I want to walk you just quickly through, because I know we don't have unlimited time here, some of the residential elements of the project, since we are able to fairly clearly define them at this point. The area highlighted here is our high density housing portion, three, four story buildings. These are the design images of the proposed architecture of those. You can see there is a variation in architectural elements and vocabulary, a term that we use. Varying materials. Massing and articulation to try to break down these fairly large buildings into something that's architecturally interesting. The second portion that's highlighted in this side is part of our -- what we call flats. These are three story residential buildings that are internally loaded so it's kind of like going into in a hotel or something like that where you access your apartment from a corridor inside. These have parking at the ground level, we call tuck under parking, and they face the street. So, this is a good depiction where you can see we have three buildings, which we designate A to the north and two to the south and one of our little mini main streets that passes in between those. So, this is a blow up just to give you an idea of how the idea of this complete street works. You can see that we have vehicular traffic. Just above that we have bike lanes. We have parallel parking. We have street trees and wide sidewalks. We, then, have landscape buffers and we have residential units that interface closely with the street. Each unit, although it is internal loaded, also has secondary access from the street through a small patio or a porch. So, these have connectivity directly from the public space, as well as internally. And, then, all of the parking is accessed from the rear of the building, which is also the parking area for the commercial components of the project. So, these are some architectural elevations of the three story flat buildings. Again, a lot of variation in design elements and materials, colors, and textures. This is the backside. Shows some of the parking garages. And, then, across the street is, basically, the same concept, just a slightly different shaped building. A linear, as opposed to an L-shaped. Same architectural style used on the flats buildings. Some of the outdoor public spaces. The last residential element that I will show you tonight are our townhomes. These are three story attached units that are three bedrooms with a garage. Again, the same concept along the street frontage. Their access is from the front or from the garage and this is the proposed architectural design. Backside of the townhomes. And, then, the last element I will share tonight is our recreation center. Our clubhouse that's kind of the hub for all of the residents here on the project. This building has a lot of the conventional amenities that you would see in a clubhouse gymnasium. A lot of interior meeting spaces, lounge areas, fitness center, a childcare center, a cafe. But in addition we also have on the second level an extensive work center, a co-working area where people who are now working from home don't necessarily have to spend all their working time doing it from their living room or their bedroom. We have private workspaces and group spaces on the second level. Probably about 5,000 square feet of that available for the residents of the community to use. We, of course, have an outdoor pool area, fire pits, pergolas, outdoor lounge seating, a children's pool separated from an adult's pool and that will wrap up my portion. I'm going to turn it over to Hethe Clark, who will speak for a little -- a little bit about the conditions of approval.

Seal: Okay. Hethe, you have about a minute.

Clark: So I better go fast.

Seal: Name and address real quick and use your best warranty talk.

Clark: I will do my best. Hethe Clark. 251 East Front Street in Boise, representing the applicant. Just briefly, you know, this property is squarely within the city's future plans for development. We are proposing high density mixed use at two principal arterials. It's the perfect location and you can see that Lane and the rest of the group has done a lot of work to make sure that this is appropriate for the city. It's putting high density housing, office, commercial right where we want it. This is the part where I usually stand up here and I show you guys a slide with my red lines of the conditions of approval and all the things that I want to have changed and tonight I don't have that slide, because we are in perfect agreement with the staff report. We are not asking for any changes there. The only point that I would raise that I think is probably going to come up tonight is this question of Cobalt and I would just make three points on that. First, the layout of Cobalt is consistent with the Ten Mile Interchange Specific Area Plan. In fact, it's consistent with the development agreement on the property to the south of our -- of our property. It's also consistent with ACHD's master street map. ACHD reviewed that layout and you will see in their action that they approved it. But beyond that it's fair. And Lane really hit that for you. The portion that is going to be built on our part of the property is going to require much more cost and expense. So, we are not just looking at this from, hey, the die is cast, we are looking at it from a -- from a fairness perspective and that's the reason that it was proposed the way it was. So, with that we would be happy to answer any questions.

Seal: Okay. Thank you. Are there any questions for applicant or staff? Commissioner Yearsley, go ahead.

Yearsley: Mr. Chair. On the townhome facilities, were those with -- is that just -- you know, are they apartments on multiple floors or is the townhome encompassing all three floors?

Borges: The townhome encompasses all three floors. On the ground level is the parking garage -- the garage and a office or bedroom. The second level is the living area, the kitchen, and the dining area and, then, the top level is two additional bedrooms.

Yearsley: Okay. But the other -- the other facilities were one room per floor type situation; is that correct?

Borges: Yes. The other buildings are -- the flats as we call them is -- they are three stories, there is multiple units, but they are on a single level within that floor. They don't extend up or down from -- from that level that they are on.

Yearsley: And, then, the -- the large multi -- like the four -- or the four story apartments --

Borges: Yes.

Yearsley: -- they actually also will share that one common -- what do you call it? The -- geez, I lost it. The clubhouse.

Borges: Yeah. Yes. All the units will share that. That's an approximately 19,000 square foot facility. So, it's fairly substantial facility in order to support the needs of all the residents and the project.

Yearsley: Yeah. It seems pretty large. But given the number of homes it will fill up fast I would imagine. Thank you.

Seal: Quick question for you. Is there any access to the roof or is there plans to put any access to the roof -- roof gardens, roof --

Borges: At this point that's something we have not discussed, no.

Seal: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to Cobalt, looking at a map and knowing that Cobalt also extends to the east, I don't know if the applicant can address this, but is -- there is already a streetlight at Vanguard, but it would probably be too close to put a light so that you can continue across. Does it meet together or is it more like this where it's kind of staggered?

Clark: Mr. Chair, Commissioner Lorcher, I think that this map might illustrate your question. You know, at Cobalt we have the -- we have the -- obviously, the obligation to make those match up and so we expect that in the future that there may be some access control there that it would be right-in, right-out, left-in, but it does -- our -- our alignment matches up with Cobalt across the street at Ten Mile. Is that what your question was pointed to?

Lorcher: Thank you.

Seal: More questions? Okay. Thank you very much. At this time we will take public testimony. Madam Clerk?

Weatherly: Mr. Chair, first we have online Cody Black.

Seal: And, Cody, if you want to go ahead and unmute yourself, state your name and address for the record.

Black: My name is Cody Black. My address is 3432 West Bay Oak Street. And let me get my screen on here. Sorry. Can you guys see my screen?

Seal: I cannot.

Black: I think I'm getting closer.

Seal: We can see you now.

Black: Okay. I'm having a hard time sharing my screen here.

Weatherly: Cody, we can help you on this end. Give us just a minute.

Black: Okay. Thank you. I'm sorry, I haven't done this before. I thought it would just start once I went -- sorry, I don't know why I can't get this to go over.

Seal: That's okay. I think we are going to try and load it up on this end.

Weatherly: Cody, we had three slides from you; is that correct?

Black: Yeah. That will do just fine. I think the Ten Mile interchange site plan is fine, too. I had a couple other, but I think that will be fine to illustrate our concerns. So, I represent the southern property and our main concern is Cobalt. We are worried about -- I guess can you guys see the Ten Mile Interchange Plan or should I wait?

Seal: I would wait just a minute.

Black: Okay. Oh. Okay. Great.

Seal: There we go.

Black: Okay. Awesome. Thank you. Sorry. So, I think this probably looks familiar to everybody. So, these purple lines here are the collector roads that are -- that were stopped for the Ten Mile Interchange Plan and I work for the people who own this property right below. The thin grey lines are the parcel boundaries. So, we -- we have got concerns, I guess, with how much burden our property has as far as building the infrastructure for this Ten Mile Interchange Area. Cobalt, the way it's drawn with the Ten Mile plan, was originally designed to go through this northern parcel and like the applicant mentioned, the subdivision to the west of their development has made it so that Cobalt can't carry through. We understand that you can't have a road going straight into a parking lot. With that in mind, though, I think we would see it being more fair if there was some sort of accommodation for this road at least carrying further west on their property before it comes down and accommodating the burden that we already have with the other road systems that we are required to put in. If you go down to number two, please. Maybe I can do it. Slide two. Oh, thank you. So, here is kind of a map of all the different properties that are around here in the northern tenant, Meridian, and, then, all this white

is ours. We kind of -- I whited out some of the stuff we have, because it's conceptual. But these orange roads are all the collectors that are starting to be designed and going through a review and this big red one here is Vanguard, which connects to Ten Mile. So, we already have a lot of east-west connections here through our property and with Cobalt being mostly on our property we are just worried about the increased burden and also with it not being really in line with the Comprehensive Plan. We -- we would like it to be considered for denial and rejected until we could have it more accommodating for both parties. I also wanted to comment on the different maps that I have seen during this application process. I think there was two different maps. One map showed Cobalt struggling and last we spoke with ACHD regarding the matter that's the map that they see -- they had seen. They -- they hadn't seen the one with Cobalt just stubbing right it into our property and so I don't know for sure if they have reviewed the new map with Cobalt being solely on ours once it comes down from Ten Mile and that's -- I mean that's our main thing, I think following more of what the City of Meridian has as far as the Comprehensive Plan also benefits us, because Cobalt right now, the way it's designed, we only get the benefit of one side of the road as far as our development and it being pushed all the way down on our property line that's kind of -- what's happened here on Snow Canyon with Corey Barton in that roundabout that was supposed to be more north, everything's just slowly being pushed onto our property from each area and it's creating an increased burden for us. That's all.

Seal: Okay. Thank you. Does anybody have any questions for Mr. Black?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Yeah. Do you know why that roundabout was pushed so far south?

Black: Are you asking me?

Cassinelli: Yeah. Yeah. Or whoever has -- I guess whoever -- Brian, maybe you -- you know more, but -- on this, but if staff -- whoever may have an answer.

Black: From what I understand, if I can answer, Corey Barton had submitted for approval for that neighborhood and, then, the City of Meridian came up with the Comprehensive Plan and so there is kind of a timing issue I think with -- he got approved for it and, then, the City of Meridian designed their Comprehensive Plan and didn't include that in, at least that's how it's been explained to me.

Allen: Mr. Chair?

Seal: Sonya, go ahead.

Allen: If I may. So, to back up a little bit, the -- the collector streets shown on the master street map are conceptual, they are not a specific location, so there is one shown in this

conceptual location. If it were to go exactly as shown on the master street map it would stub into the Baraya Subdivision that he mentioned. There is a buildable lot that it would run directly into. So, the alignment of Cobalt needs to shift to the south. The question is is where. So, again, the -- the concept plan that was approved with the Janicek property, which is the property to the south that Cody's representing, did include a map that showed a conceptual location -- actually on the adjacent property, but there was a letter associated with that approval that was from our deputy planning director at the time that said that the location of this east-west collector street would be determined at the time a development application was submitted. So, that's where we are at tonight. It is under the Commission's purview whether -- where that lies. The other side of it is -- the eastern side of this street is entirely located on this property. So, it makes some sense, you know, for the -- the property -- or the western portion of it to be on the adjacent property, but it could also be located on the -- on the property line, so -- thank you.

Seal: Mr. Black, the Cobalt Drive is -- is that a road that your -- your -- the people that you represent, is that something that they are going to use for access to their business?

Black: It wasn't in the plan to, no. We weren't developing or designing our site plan based on Cobalt coming through our property at all.

Seal: Right. But knowing that it's going to be there will it be used?

Black: No. It still won't be. It doesn't really work -- fit with how we have designed and if we were further along I would have shown more of our site plan, but it's too preliminary I think to share. But it doesn't serve very much purpose or any purpose for us at all. It actually causes a little bit of issue I think with what our planners have told us for traffic and what we can do with the frontage along Ten Mile here. We are worried about who is going to be interested in it -- in putting stuff right on the front with a collector road so close to all that, especially with Vanguard being just -- just south of it.

Seal: Okay. Thank you. Is there anymore questions? All right. Thank you very much.

Weatherly: Mr. Chair, next in house we have Larry. No? Okay.

Seal: All right. If there is anybody else out there that would like to come up, please, raise your hand on Zoom or raise your hand in chambers. Okay. If the applicant would like to come back up and have closing remarks.

Clark: Members of the Commission, Hethe Clark. 251 East Front Street. So, it sounds like we are down to the one issue and, again, I would just reiterate that this location -- and as Sonya mentioned is in conformance with all of the planning, including all the maps that show Cobalt extending through, including on the Ten Mile Interchange Specific Area Plan. That is part of the planning for this area roadway network is for Cobalt to continue on through there. ACHD has reviewed and approved this map. The -- if you look at the ACHD action it specifically states that Cobalt would stub to the property to the south, not that it would straddle the line. So, ACHD is very clear on what the proposal is and has

approved it and, again, I would just emphasize the fairness question. This -- the remaining portion of Cobalt is flat ground, straight up road development, whereas the portion that we are going to be developing, that eastern more than a third, is going to require a box culvert, grading, fill, raising the elevation, all of that. So, we think what we have proposed is fair and so as we move forward we would ask for your recommendation of approval, including on the request to allow the Kennedy Lateral to remain open in -- in locations. That's something that Council has to approve, but I think that would be part of the recommendation tonight and, then, if there is a question about this -- the location of Cobalt, I think I would just ask the Commission to include that in the recommendation, but we think that what we have proposed is -- is something that's fair. With that I'm happy to answer any follow-up.

Seal: I will -- yeah, I will start with a question, just -- I mean if Planning and Zoning or Council would recommend more of a 50/50, is that something that you guys are prepared to accommodate?

Clark: Commissioner Seal, you know, we are, obviously, happy to continue the conversation. If there is, you know, a compelling reason to adjust that, you know, we are happy to consider that. As we said, we think that this is -- is a -- is a fair accommodation, but if the Planning and Zoning Commission disagrees, you know, we would ask you to include that in the recommendation and we will keep working on it between now and -- and the Commission -- or the City Council meeting.

Seal: Any questions?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead..

Cassinelli: Yeah. This is -- I don't know if Hethe can answer this or the applicant. I wanted to talk a little bit -- get a little bit more idea -- a better idea, I guess, of some of the commercial that's going in. We talked mainly about the residential portion and, then, Cobalt, but I would like to get -- he did mention there is talks with the grocery store and a drugstore, but I would like to get a little bit more idea of what the overall plan is, what -- you know, maybe some of the descriptions of the buildings, elevation -- heights of some of the buildings and how they are going to front Franklin and Ten Mile and that sort of thing.

Borges: Well, we have some information available, obviously, until we actually secure particular tenants, especially major anchors for some of the buildings. We don't have specific buildings already designed. The office buildings that are proposed currently located along Franklin are two story buildings. The retail buildings -- the smaller retail buildings that are along both Franklin and Ten Mile are single story buildings. The larger box buildings we expect from a massing perspective to be somewhere between one and two stories in appearance, but we have not yet developed specific elevations, although the architecture of the commercial buildings will clearly be reflective of the architecture



that you see in the residential buildings. So, same times -- so, the same type of detailing, same types of scale, same type of massing. We want everything to be compatible architecturally throughout the entire project.

Cassinelli: If I may ask another question, Mr. Chair?

Seal: Go ahead, Commissioner Cassinelli.

Cassinelli: Are there any other -- you have got the clubhouse for the residential, but what other kind of open space areas do you have? I don't -- can you touch some of that? And even within some of the commercial.

Borges: Yeah. Between some of the commercial buildings we have patios for either -- depending upon the ultimate use of the building, whether it's office or whether it's retail or commercial, for outdoor dining, we have widened -- like, for example, at our mixed use buildings where we have retail or service commercial on the first floor, we have like 18 to 20 foot sidewalks there. So, each of those buildings has the ability to have outdoor dining patios and still provide adequate circulation along the roadways. All of the residential buildings have common areas that are scattered throughout the project. The high density buildings usually have small patios and barbecue areas usually at each end of the building. So, throughout the project there are small areas that are interspersed. We do meet the requirements for the open space in terms of the large 50 by 100 square foot recreational spaces and those are all located over in the vicinity of the clubhouse and community center. But, otherwise, spaces are scattered throughout the project and they will, obviously, be developed in more detail as specific tenants and building designs get prepared as part of our design review applications moving forward.

Cassinelli: Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Is it relevant that we know what's happening on the south and why Mr. Black is objecting to the road? I mean he said it doesn't fit into the plan of what he was doing, but is the burden a financial burden or a physical burden? Is it because they feel -- Mr. Black feels that they have to be responsible for the road, as opposed to The 10? I guess I'm unclear of what the objection is to have access between these parcels compared to the Comprehensive Plan when The Ten Mile Interchange you are going to have mixed use development anyway; right?

Seal: Right. But I think the -- the financial burden of building that road and should it be completely on the southern property falls -- that portion of the road falls upon the -- the owner of that property when it -- when it becomes developed I guess.

Clark: Mr. Chair -- and maybe something to point to that and -- and circling back to your comment about 50/50, I think the way my -- I think the way I would prefer to have responded to that is the 50/50 really should be looked at in terms of overall costs, not linear feet, and we think that we have proposed something that is very close to 50/50 in terms of the overall cost. So, if that helps in terms of kind of evaluating and weighing those burdens. Again, we have the box culvert, we have the grade that needs to be increased, we have all the -- all the heavy lifting on the 37 percent that's on our side.

Lorcher: But your southern neighbor disagrees; is that right?

Clark: It sounds like he does. Yes.

Seal: All right. Thank you.

Yearsley: Mr. Chair, I have a question for Sonya. So, they are just asking for annexation and zoning. They still have to come back for a preliminary plat approval for what they are ultimately wanting to do; is that correct?

Allen: Chairman, Commissioner -- Commissioner Yearsley, that is correct. They have to come back with a subdivision application.

Yearsley: Okay. So, we get a chance to review what they are proposing. At this point what they are proposing is just conceptual.

Allen: Yes, it is.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: To -- to add on to Commissioner Yearsley, what we are voting on tonight is annexation, not really conceptual design; is that right? Based on your comment?

Seal: Annexation and zoning.

Lorcher: Okay.

Allen: But, Chairman and Commissioners, the -- the concept plan is associated with that annexation and it will be included in a development agreement. And since this is a topic of discussion and an issue, I would recommend that you nail down where that road is going to go.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Maybe before we close the -- the public hearing -- Sonya, what -- historically speaking when a -- when a road -- when this is an issue -- and I don't know if you -- if there is something you can pull up top of mind, but how is something like this typically dealt with in the -- in the city where -- you know, where a road is -- I mean is it usually split 50/50? Is it -- you know, in terms of cost, in terms of where the road lies? Because, you know, I mean half it on -- on one? I mean ideally if they can run it right down the middle of the property line, but that's -- that's -- we don't live in that world on this. What -- you know, historically what's your experience with -- with situations like this?

Allen: Chairman, Commissioner Cassinelli, typically -- it depends on the location and the situation and whether the road is needed for access to the property. Typically it is -- if it's needed for access it's typically put on the property line and the first one in does half plus 12 on the street.

Cassinelli: When you say half -- half plus 12 --

Allen: Half of the street plus another additional 12 feet.

Cassinelli: Okay.

Seal: More questions?

Yearsley: I just -- Sonya, will you bring up that slide that they -- Mr. Black brought up that showed his development as well -- kind of showed the overall roadway?

Allen: Yes. When I can find it. Just a moment.

Yearsley: If you -- if you look at this -- this drawing here, he's showing that road being half on their property and half on his, but you end up having two separate jogs in the roadway. I have to -- you know, the -- the -- the applicant is asking for -- you know, that they have to put in a box culvert and thinking that that's fair for their half of the road. I'm not quite sure. Box culverts aren't that expensive, in particular with -- you know, building a quarter mile of road. I don't know what the exact breakdown would be on the two. My looking at it is I think as a roadway having one swoop come in and, then, having a straight shot and not having a second jog for me personally looks a little bit better and having it all on the property to the south, so --

Allen: Mr. Chair, if I may. The applicant just pointed out a section in the ACHD report that said that they were in agreement with the proposed alignment of Cobalt, if that makes a difference to you. That is in the public record and the ACHD report.

Seal: Was that referring -- and I will chime in here. Is that -- which -- which -- which image are they -- which image are they using when they do that? Because one of their images shows that completely to the south and one of them shows it dissected and right down the middle, so --

Allen: That's a good point. I assume that they were going off of the concept plan submitted by the applicant. I'm not sure the reason for the discrepancy in the plan that they submitted back with the access. I can't explain that.

Seal: Okay. Because that has me somewhat confused, to be perfectly honest.

Allen: The recommendation, though, is -- should be based on this -- the plan that was submitted by the applicant.

Seal: Okay. Hethe, go ahead.

Clark: Thank you, Mr. Chair. And I will just point to page ten of the ACHD action. You know, it says that the applicant is proposed to extend Cobalt Drive from the existing approach on Ten Mile Road that aligns with Cobalt Drive on the east side of Ten Mile Road into the site to stub to the site south property line and, then, ACHD approved that proposal. So, ACHD is looking at the correct map and approved it with a stub to the south property line not straddling, not sharing.

Seal: Okay. So, I will play Devil's advocate a little bit here. So, they -- basically they want one -- one side to connect to the other side and where the jog goes in is completely up in the air.

Clark: Commissioner Seal, they have reviewed the layout that we have proposed and indicated that that is -- complies with the master street map and the Ten Mile Interchange Specific Area Plan. So, they reviewed our specific layout and approved it. They didn't -- there were no hypotheticals about where it could go left or right. They reviewed our -- our proposal and approved it.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I'm curious to know if the property to the south had submitted their proposal would ACHD approve it as well, because they didn't see any -- you know, point, counterpoint of where it should be. Do you know what I mean? Like they -- they saw yours, which was -- they are like, okay, this looks great, but did they know of any object -- they probably didn't know any of the objections of the property to the south of the time when they said this looks fine; correct?

Clark: Commissioner Seal, Commissioner Lorcher, I don't know what -- whether they looked at anything on the south, but, to be clear, the -- the way that this has essentially always worked is that ACHD only has an application that's in front of them and they rule only on that application that's in front of them. This application is there first. As you heard from the neighbor to the south, they don't have a design.

Lorcher: Okay.

Clark: So, that's very much like the property to the west of ours having the parking lot there that blocks Cobalt going there, that -- you know, we have to react to their site design. You know, we are -- we have proposed a design that is consistent with all of the mapping and, as I said, proposes an equitable split of the costs and so they reacted to that, they approved it, they said it's consistent with the master street map and the Ten Mile Interchange Specific Area Plan, which is a big mouthful and we got to come up with a better acronym.

Lorcher: Thank you.

Seal: Commissioner Wheeler, go ahead.

Wheeler: Thank you, Mr. Chair. Sonya, I have a question. I think in -- when you were giving the staff report you mentioned that the road Cobalt Drive has to move south in order for an alignment with the development over to the west. Did I hear that right?

Allen: Chairman, Commissioner Wheeler, at the southwest corner of this property, if the road was -- if Cobalt was to be entirely on this property it would stub into Baraya Subdivision into a buildable lot at the west boundary, so that would not work. At some point it has to go down --

Wheeler: Okay. And --

Allen: -- south.

Wheeler: -- and how far down are we going to -- to get to -- Commissioner Yearsley's point, is it going to have to make two in order to align with -- with it?

Allen: I'm not an engineer, I don't know.

Seal: Go ahead, Commissioner Yearsley.

Yearsley: If you look at the plan on the deal it shows that this plan showed it as half on the line, so you would end up having two jogs. If you put it all on his south property it wouldn't have a separate jog is what I was referring to.

Wheeler: Thank you, Commissioner Yearsley, that's what I was seeing, too, is that this looks like that -- what we are seeing here shows that it's shared equally between the two parcels, is that how I'm seeing that one?

Yearsley: Yeah. And this is Cody Black's --

Wheeler: Drawing?

Yearsley: -- drawing that he provided.

Allen: The problem with -- I can't tell from this drawing, but it appears that it would stub into that residential property to me --

Wheeler: Okay. Thank you, Sonya.

Allen: -- and not work.

Seal: Any further questions? All right. With that can we get a motion to close the public hearing for Item No. H-2021-0025, The 10 at Meridian?

Wheeler: So moved.

Cassinelli: Second.

Seal: It's been moved and seconded to close the public hearing on Item No. H-2021-0025 for The 10 at Meridian. All those in favor say aye. Any opposed? Okay. Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Seal: Would anybody like to -- I guess I haven't said too much, so I will lead off a little bit here. So, you know, it's the great debate. I -- I understand how it seems equitable when you have the property that has more cost to it. That said, the neighbor to the south didn't pick your lot, you did, and that's basically where you are at. That said, I find it hard to believe that they are going to build something in there that never uses Cobalt Road. So, I think, you know, them having to provide for the build out of that road is -- is more than fair. To me the only thing -- as far as the rest of it, I really like it. I like the way that it's laid out. I like the way that they have provided for foot traffic. There is -- there is a lot -- in my mind, especially on the corner that it's on, they have proposed extremely high capacity residential in there and we have nobody here to dispute that, which is probably the first time ever I have heard of that in Meridian, to be perfectly honest. So, there is a lot of good things that are going on in here. The only thing that really is -- you know, that we are really discussing here is that Cobalt Drive. So, you know, obviously, I'm not going to make a motion tonight. I think if we do move this along to City Council that we should have something in there that provides, you know, some thought as to what is truly equitable for that portion of the drive, whether it needs to be 50/50 -- I mean in looking at it I think that the road could slide a little bit further. You might have to give up a little bit of parking in order to move the buildings around a little bit to accommodate that. You know, obviously, I'm -- I'm talking, you know, as somebody that doesn't have to spend any money to make it show like that on a map, but at the same time, you know, we are still in kind of the conceptual planning portion of it, so -- and with that I will let the rest of Planning and Zoning Council to -- or Commission discuss what they would like to see in it.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: For me the -- I like the layout, too. I think it's really well thought out. You have transitional zones, good uses, on the transitions there throughout. I like the way that -- I do like the lateral staying exposed there, it makes it a little more of a green area. Also you got a pathway that's going around there. That's good. Good bike lane usage. Parallel parking. Just a lot of space in between. My -- my only thought is when it comes down to the Cobalt Drive, I'm more concerned with it lining up with the adjacent property and stubby in without having a couple little moves in there and I know that there is an expense definitely to get over that lateral, but to what the -- what chairman said here, you know, that's that lot and that's the issue that comes with it is just that expense to get over that lateral. So, yeah, I just -- I see that as a good -- a good use of everything. I'm one that likes to see roundabouts in some of these internal things, but -- but that's me on that.

Seal: Anybody else want to jump in here?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Yeah. I -- on Cobalt -- well, let's go back to the -- everything else I like about it. So, I'm in favor of the project. What -- if -- we didn't have any other people speaking out against this, other than the property owner to the south and what -- what -- you know, what -- what scares me about -- about this whole thing is Franklin and Ten Mile in that area is already a disaster. We can -- I will just thank ACHD for the lack of vision on -- on those roads and making them like everything else when the density at this corner was coming the way it was coming. So, it's -- but it is what it is. Overall the project is -- looks like a neat project. My added -- my thoughts on Cobalt Drive -- first of all, I like the other -- I like having less straightaway and another jog. I'm not a -- I'm not an engineer in that -- in that standpoint, but to me it seems like it would work for some traffic calming and, you know, the longer straighter road you get the faster people tend to drive on it. So, I like that -- the aspect if that -- you know, if that's workable to have jogs, which may help to solve some of this. The other comment I have, Mr. Chair, kind of -- it goes a little bit of what you have. I think if the -- I think if -- if the attorney representing the applicant here -- I think if the shoe were on the other foot they would have a -- a real different view of -- of what's equitable. I like -- and would be in favor of what Sonya pointed out as far as, you know, the first one is usually half plus 12 and I don't know, you know, if we can take that all the way to the edge of their western boundary or not, but they are the first ones in and -- and I think the road is -- to that point is -- is their responsibility at this point. So, I would be in favor of -- of going half plus 12 on it. I -- you know, I would -- again, I would like to see another jog, but if it's straight in my mind I think, you know, I would want to see us condition for -- for that half plus 12 to the western boundary.

Seal: Okay. Thanks, Bill. I had a quick question just on the open waterway segment of this. Just for comparison, how -- how much of the waterways are left open on the east property there of Ten Mile? I know there is actually a considerable amount over there,

but does it compare to this? And are we looking at -- I mean conceptually we are looking at the same kind of layout.

Allen: Chairman, Commissioners, as far as I know Brighton is the developer of the property east of Ten Mile and as far as I know they are planning to pipe it all.

Seal: Oh. I thought they were keeping some of that open.

Allen: I could be mistaken, but I don't believe so.

Seal: Okay.

Yearsley: I think -- I think the lateral to the -- to the north of this one is the one they were leaving open as part of their -- there is -- because there is another lateral to the northeast of this one that they left open as part of their initial design, I believe.

Lorcher: So far it looks open.

Yearsley: Yeah.

Lorcher: There is a few bridges over some of those laterals.

Yearsley: Yeah.

Allen: It is open along -- near the intersection I know.

Seal: Okay. Just trying to get a sense of -- I mean because there is a considerable amount of this that seems to be left open and so I just wanted to make sure that that's going to fit in -- blend in with what -- what else we have going on around there. I mean not that you want everything to look the same, but some of the look and feel of it is good, especially if it transfers -- you know, I kind of come back to that little path that we have through -- from Ten Mile to Linder, kind of wish all the paths would look like that, and it's an open waterway. It's beautiful, so -- just want to make sure that we have got something like that going on in here.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Is there going to be a requirement for fencing along that lateral? I'm being assumptive here, Sonya, or -- do you know?

Allen: Yes. Chairman, Commissioner Wheeler, there will be requirement for fencing in accord with UDC standards.

Wheeler: Thank you.



Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: You know, I like the overall look and the layout. My -- my personal feeling is I think it's a little heavy on the -- the multi-family housing and not enough retail. I would like to see a little bit more retail. Maybe those apartments to the north to be retail situation, but -- but the overall look I think is looking fine. I actually like the way that Cobalt Drive looks now. I understand Commissioner Cassinelli's thought about having a second jog for traffic calming, but -- you know, which can be done, so -- I don't know. I don't -- I don't know if I have preference one way or the other.

Seal: Okay. At some point in time we have got to make a motion on this. So, we kind -- well, do we have some consensus on the Cobalt Drive portion of this? I mean we -- essentially, we need to make a recommendation to City Council as to what our thoughts are on it. So, I'm -- I'm a little bit torn on it. I mean I -- I like the way it flows, the way that it looks right there on the picture. That said I understand, you know, what seems equitable to the property owner to the south compared to the property owner or the applicant to the north -- so, I'm not quite sure where to land on that. But, luckily, I don't have to make the motion, so --

Cassinelli: Mr. -- Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Commissioner Yearsley brought up a great point. I like -- I like what he said about a little bit heavy on -- on the multi-family and I don't know -- just a thought for -- for him. If they knocked down maybe two of the three buildings to three story instead of four story, but on the -- on the -- on Cobalt can we -- I know sometimes there is -- there is not a lot of teeth to this, but is there a way that we can condition it to where it -- that they can only move forward on this when those two landowners are in agreement? And maybe either legal or staff can answer that.

Seal: Go -- go right ahead.

Baird: A theme of the presentation tonight is you -- you have to act on what's in front of you. You have this application. You don't have the application on the property to the south. You can't -- you can't force them to agree. You have to tell this applicant what you would like to see in your condition of approval.

Seal: Yeah. I tend to agree with that. That's -- I mean, essentially, we got to let Council know what we want to see with this. So, do we want to leave it as is in the application? Do we want them to, you know, extend that jog out, so it's literally, you know, half plus 12 or half or do we want to -- you know, do something completely different, so -- I mean those are, essentially, the three things that we can recommend up to City Council that I can see in front of us, so --

Lorcher: Mr. Chair?

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Could we have something with the modification to say further review of Cobalt Drive to have an equitable space and cost between applicant and southern neighbor? Because that just --

Seal: Yes. But I think the dispute is -- for right now is what is equitable between the two neighbors. So, that's what we have to figure out. What do you think is equitable and from that -- and put that in the form of a motion and that's -- that's the task at hand.

Yearsley: Yeah. And -- and that's what -- like I said, that -- you know, I'm willing to make a motion, but I will make the motion that we leave it as is. So, the other motion would be to split Cobalt Drive -- you know, the centerline of the road be on the property line until it hits the end of their property and, then, jugs onto the other property would be the other motion, so -- I think those are kind of the two motions that we have in front of us.

Wheeler: Mr. Chair, if I -- if I'm tracking correctly, it's -- also there is two conditions that we want to put on. One was a required DA, if I remember correctly, and then --

Yearsley: That's already --

Seal: That's already --

Wheeler: That's already there. And, then, the one that the applicant was requesting was -- was stating that Kennedy Lateral to remain open. I think that was the other one.

Seal: Right. And that's for Council to decide, but if you have any recommendations on that that does need to go into the motion as well. I personally -- on the lateral being open I'm -- especially if it's fenced and made into, you know, something usable, walkable, I -- I actually prefer that personally, so --

Wheeler: I agree.

Seal: Nobody from the irrigation district is here to throw things at me, but that's just my preference.

Yearsley: So, Mr. Chair, I'm going to throw this out here.

Seal: Feel free.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of File No. H-2021-0026 as presented in the staff report for the hearing date of May 20th, 2021, with no modifications.

Seal: Do I have a second?

Wheeler: I will second.

Seal: It has been moved and seconded to approve Item No. H-2021-0025, The 10 at Meridian.

Yearsley: We may want to do roll call.

Seal: Yeah. With no modifications. All those in favor say aye. Opposed?

Cassinelli: Nay.

Seal: So, for the record that was Commissioner Cassinelli as the nay.

Cassinelli: That is correct.

Seal: All right. Motion carries.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

Seal: Thank you very much. Okay. Can I get one more motion?

Yearsley: Mr. Chair, I move we adjourn.

Wheeler: Second.

Cassinelli: I will second that.

Seal: All right. It has been moved and seconded to adjourn. All those in favor say aye. Any opposed? All right. Motion carries. Thank you all very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:08 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
ANDREW SEAL - VICE-CHAIRMAN  
ATTEST:

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

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



## AGENDA ITEM

**ITEM TOPIC:** First Reading of Ordinance No. 21-1933: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance, and Providing an Effective Date



# MEMO TO CITY COUNCIL

## Request to Include Topic on the City Council Agenda

**From:** Cameron Arial, Community Development      **Meeting Date:** June 22, 2021

**Presenter:** Cameron Arial      **Estimated Time:** 15 minutes

**Topic:** First Reading of Ordinance No. 21-\_\_\_: An Ordinance of the City Council of the City of Meridian, Approving the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project, Which Second Amendment Seeks to Deannex Certain Areas From the Existing Meridian Revitalization Project Area; Which Second Amendment Amends a Plan That Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to the County, Affected Taxing Entities, and State Officials; Providing Severability; Approving the Summary of the Ordinance and Providing an Effective Date

### Background

The proposed Second Amendment to the Meridian Revitalization Plan (“Second Amendment”) provides for the deannexation of two areas from the original downtown Meridian Revitalization District (“original District”) which will sunset in 2026.

Meridian Development Corporation (“MDC”) has been engaged in urban renewal efforts in the original District since its adoption in late 2002. New private investment has been hampered by the 2008-2009 recession and, more recently, by uncertainties surrounding COVID-related changes in the commercial real estate market and rising development costs.

With development costs rising and commercial rents stable, it is difficult for property owners to justify meaningful redevelopment of the small, infill sites that make up the majority of the original District. Without intervention, many properties will likely remain underutilized in the foreseeable future since the current market cannot support the rents required to justify private investment. The assemblage of parcels can spread soft development costs over a larger area and, coupled with MDC’s ability to fund public infrastructure improvements to accommodate redevelopment, can spur development interest and the likelihood of securing private equity and financing.

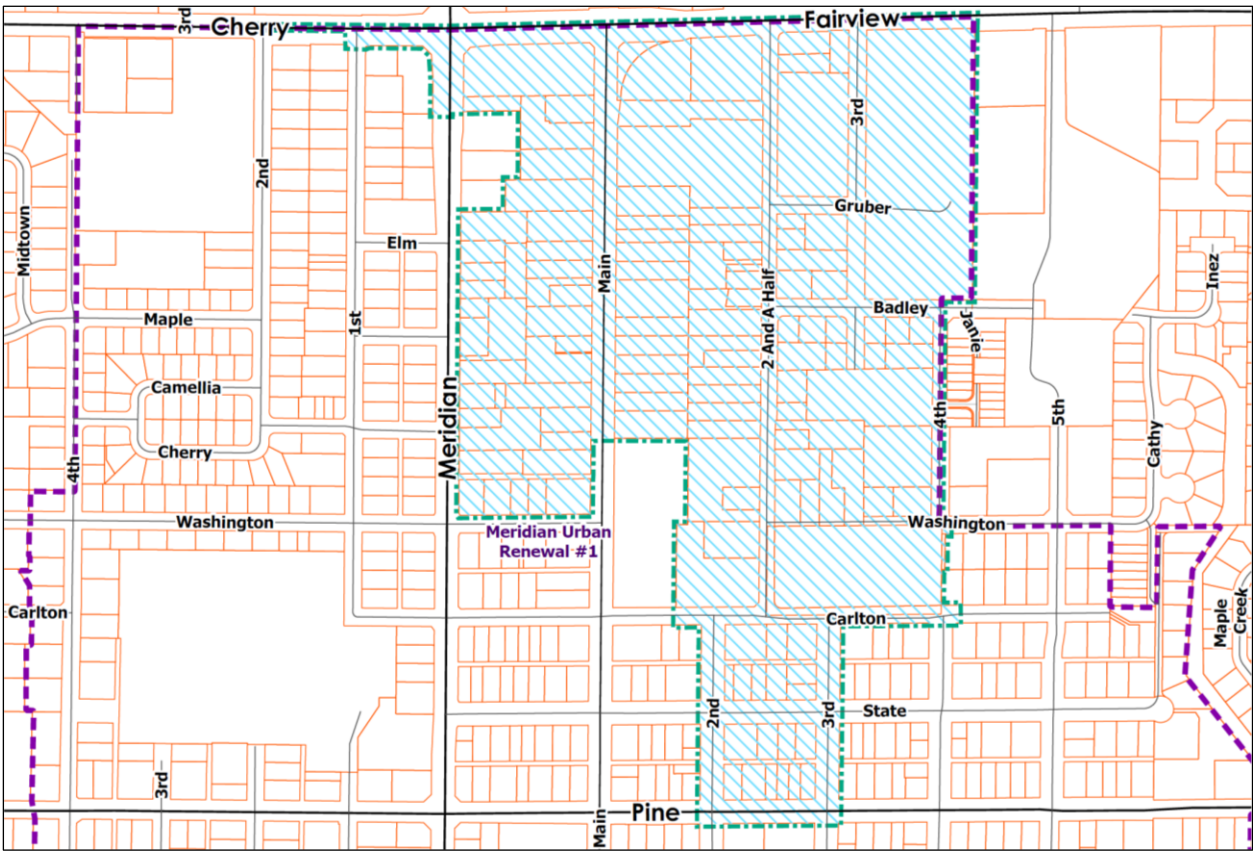
Ultimately, this deannexation will lead to the designated areas being included in a new urban renewal district and an existing urban renewal district, providing continued redevelopment opportunities that are otherwise improbable within the remaining lifespan of the original District.

The establishment of a new Northern Gateway district and an amended Union District will allow for continued public-private partnerships in an area of the City with infrastructure deficiencies.

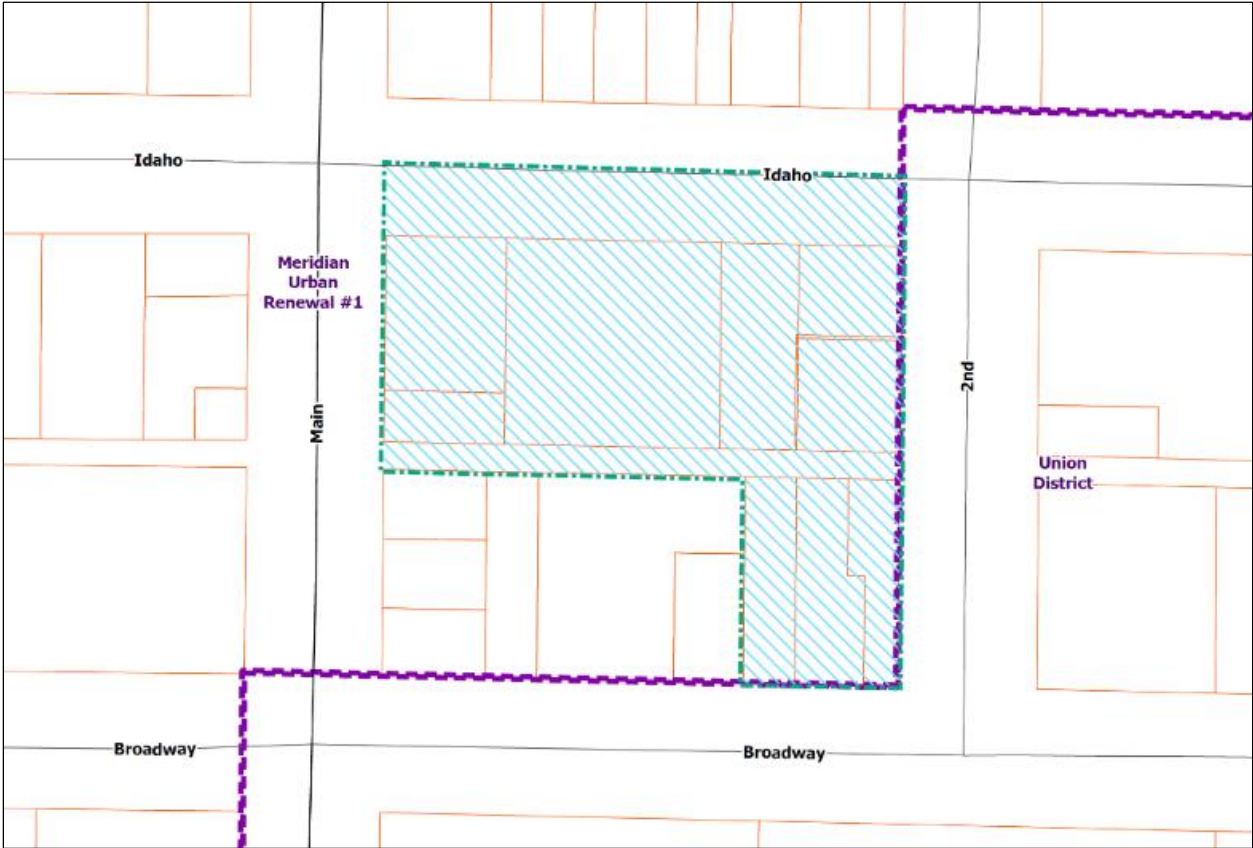
Deannexation Summary

Geographic Area	Parcels	Size (appx.)	Future Action
Northern Gateway	133	77.1 Acres	Include as a portion of proposed new Northern Gateway District, which will also include parcels not currently within a URD
Idaho Block	11	1.5 Acres	Annex into Union District

The map below illustrates the Northern Gateway designated properties to be deannexed from the original District. Ultimately, these properties will be included in a proposed new Northern Gateway District, along with other parcels not currently in an urban renewal district.



The Idaho Block designated properties, shown below, will be deannexed from the original District and are proposed to be annexed into the adjacent Union District.



The fiscal impact of the deannexation on MDC’s annual revenue is highlighted in Exhibit 5B to the Second Amendment. The deannexation of these areas will result in a reduction of annual increment revenue derived from the original District. It has been determined that sufficient capacity remains to fund operations and obligations and implement the terms of the original Meridian Revitalization Urban Renewal Plan.

The deannexation will result in new annual revenue for all other taxing entities, as 2002 base year valuations will be updated to reflect current assessed values. This new revenue stream to other taxing entities will continue in perpetuity, a result of the updated values. When these properties are included in a future or amended urban renewal district, new base year values will be established.

The Second Amendment was adopted by MDC on May 12, 2021 and transmitted for City consideration. As required, the Second Amendment has been reviewed by the Planning and Zoning Commission. Since the Second Amendment only removes properties from the original District and does not include any proposed change of use, zoning, or any specific development, the Second Amendment remains consistent with and was found to be in conformance with the City Comprehensive Plan, as attested to in Resolution PZ 21-03, adopted June 3, 2021.

### **Future Actions**

This is the first of three required ordinance readings. The second reading and official public hearing are scheduled for July 6, 2021. The third reading and adoption of the Second Amendment are scheduled for July 13, 2021.

Other related actions are scheduled for July 6, 2021 when the Eligibility Reports for the proposed new Northern Gateway District and Amended Union District will be presented for Council consideration.

Following Council acceptance of the Eligibility Reports, staff and consultants will prepare urban renewal plans for the two areas. City and MDC staff will conduct public outreach efforts to inform and engage property owners; and the Planning and Zoning Commission must review the proposed plans and validate their conformity with the City Comprehensive Plan.

The urban renewal plans will then be brought to the City Council for consideration and adoption. Similar to this Second Amendment action, the final adoption of the Northern Gateway Urban Renewal Plan and First Amendment to the Union District Urban Renewal Plan will follow three ordinance readings and a public hearing. It is anticipated that these final actions will occur mid-November through early December 2021.



**CITY OF MERIDIAN ORDINANCE NO. 21-1933**

**BY THE CITY COUNCIL:**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, APPROVING THE SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN URBAN RENEWAL PROJECT, WHICH SECOND AMENDMENT SEEKS TO DEANNEX CERTAIN AREAS FROM THE EXISTING MERIDIAN REVITALIZATION PROJECT AREA; WHICH SECOND AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Urban Renewal Agency of the City of Meridian, Idaho, also known as Meridian Development Corporation (“MDC” or “Agency”) is an independent public body, corporate and politic, an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended and supplemented (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”);

**WHEREAS**, on October 8, 2002, the City Council (the “City Council”) of the City of Meridian, Idaho (the “City”), 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 on December 3, 2002, adopted Ordinance No. 02-987 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 First Amendment to the Meridian Revitalization Plan Urban Renewal Project (the “First Amendment to the Downtown District Plan”);

**WHEREAS**, following said public hearing, the City Council on June 9, 2020, adopted Ordinance No. 20-1881 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 Agency seeks to further amend the Existing Downtown District Plan to deannex two (2) areas from the Existing Downtown District Project Area as described in the Second Amendment defined below;

**WHEREAS**, the Agency has reviewed the financial impact of the deannexation on its allocation of revenue and has concluded the remaining allocation of revenue is sufficient to pay its operations and obligations and to continue to implement the terms of the Existing Downtown District Plan;

**WHEREAS**, the Agency has prepared the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project (the “Second Amendment”), as set forth in Exhibit 1 attached hereto, identifying the area to be deannexed from the Existing Downtown District Project Area;

**WHEREAS**, the Second Amendment amends the Existing Downtown District Plan, which contains provisions of revenue allocation financing as allowed by the Act;

**WHEREAS**, on May 12, 2021, the Agency Board passed Resolution No. 21-023 proposing and recommending the approval of the Second Amendment;

**WHEREAS**, the Agency submitted the Second Amendment to the Mayor and City;

**WHEREAS**, the Mayor and City Clerk have taken the necessary action in good faith to process the Second Amendment consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

**WHEREAS**, as of May 18, 2021, the Second Amendment was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

**WHEREAS**, notice of the public hearing of the Second Amendment was caused to be published by the Meridian City Clerk in the *Meridian Press* on May 21, 2021, and June 4, 2021, a copy of said notices are attached hereto as Exhibit 2;

**WHEREAS**, pursuant to the Law, at a meeting held on June 3, 2021, the Meridian Planning and Zoning Commission considered the Second Amendment and found by P&Z Resolution No PZ-21-03 that the Second Amendment is in all respects in conformity with the City of Meridian Comprehensive Plan, as may be amended (the “Comprehensive Plan”) and forwarded its findings to the City Council, a copy of which is attached hereto as Exhibit 3;

**WHEREAS**, as required by Idaho Code Section 50-2906, the Second Amendment was made available to the general public and all taxing districts at least thirty (30) days prior to the July 6, 2021, regular meeting of the City Council;

**WHEREAS**, appropriate notice of the Second Amendment and the impact on the revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code Sections 50-2008 and 50-2906;

**WHEREAS**, the City at its regular meeting held on July 6, 2021, held a public hearing and considered the Second Amendment as proposed, and made certain comprehensive findings;

**WHEREAS**, it is in the best interests of the citizens of the City to adopt the Second Amendment;

**WHEREAS**, the Second Amendment amends a pre-July 1, 2016, urban renewal plan containing a revenue allocation financing provision; and therefore, pursuant to Idaho Code Section 50-2903(4), there is no reset of the base assessment roll to the current values for the remaining Existing Downtown District Project Area;

**WHEREAS**, the City Council finds that the equalized assessed valuation of the taxable property in the Existing Downtown District Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Existing Downtown District Plan.

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

**SECTION 1:** The Second Amendment attached hereto as Exhibit 1 and made a part hereof, is hereby approved. As directed by the City Council, the City Clerk may make certain technical corrections or revisions in keeping with the information and testimony presented at the July 6, 2021, hearing, and incorporate changes or modifications, if any.

**SECTION 2:** No direct or collateral action challenging the Second Amendment shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Second Amendment.

**SECTION 3:** Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Ada County Assessor, and to the appropriate officials of Ada County Board of County Commissioners, City of Meridian, Ada County Highway District, Joint School District No 2, Ada County Ambulance/EMS, Meridian Cemetery District, College of Western Idaho, Meridian Library District, Mosquito Abatement District, the Western Ada Recreation District, and the State Tax Commission a copy of this Ordinance, a copy of the legal descriptions of the boundaries of the deannexed areas, and the maps indicating the boundaries of the areas to be deannexed from the Existing Downtown District Project Area.

**SECTION 4:** This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2021, to the extent permitted by the Law and the Act, with the remaining Existing Downtown District Project Area maintaining its base assessment roll as of January 1, 2002.

**SECTION 5:** The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

**SECTION 6:** The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

**SECTION 7:** All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

**SECTION 8: SAVINGS CLAUSE:** This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the City Council of the City of Meridian, Idaho, this \_\_\_\_ day of July 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this \_\_\_\_ day of July 2021.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Robert E. Simison, Mayor

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

Exhibit 1

SECOND AMENDMENT TO THE  
MERIDIAN REVITALIZATION PLAN  
URBAN RENEWAL PROJECT

**SECOND AMENDMENT TO THE  
MERIDIAN REVITALIZATION PLAN  
URBAN RENEWAL PROJECT  
MERIDIAN URBAN RENEWAL AGENCY  
(also known as the Meridian Development Corporation)**

**CITY OF MERIDIAN, IDAHO**

**Ordinance No. 02-987  
Adopted December 3, 2002  
Effective December \_\_\_\_\_ 2002, publication**

**First Amendment to the Plan  
Ordinance No. 20-1881  
Adopted June 9, 2020  
Effective June 19, 2020, publication**

**Second Amendment to the Plan  
Ordinance No. \_\_\_\_\_  
Adopted \_\_\_\_\_, 2021  
Effective \_\_\_\_\_, 2021, publication**

## BACKGROUND

This Second Amendment (“Second Amendment”) to the Meridian Revitalization Plan Urban Renewal Project (the “Plan”) amends the Plan for the following purposes: (1) to deannex approximately 77 acres (including right-of-way) generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4<sup>th</sup> Street if extended, over to E. 3<sup>rd</sup> Street. The southern boundary extends to E. Pine Avenue between E. 3<sup>rd</sup> Street and E. 2<sup>nd</sup> Street, and then travels up E. 2<sup>nd</sup> Street and over E. Washington Avenue to connect back to Meridian Road. This deannexation is from the plan area/revenue allocation area created by the Plan commonly referred to as the “Downtown District Project Area,” adopted by Meridian City Council Ordinance No. 02-987, on December 3, 2002, as amended by the First Amendment to the Plan in 2020, which deannexed approximately 16 acres from the Downtown District Project Area, as adopted by Meridian City Council Ordinance No. 20-1881, on June 9, 2020 (the “First Amendment”); and (2) to deannex approximately 1.46 acres (including right-of-way) from the Downtown District Project Area, as amended by the First Amendment, and generally bounded by E. Idaho Avenue on the north, NE 2<sup>nd</sup> Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west. The scope of this Second Amendment is limited to addressing the deannexation of certain parcels from the Downtown District Project Area, as amended by the First Amendment. It is important to note this Second Amendment to the Plan does not extend the Plan’s duration. The Plan terminates on December 31, 2026; however, revenue allocation proceeds will be received in 2027 pursuant to Idaho Code § 50-2905(7).

As a result of this second deannexation, in 2021 through the remaining years of the Plan, the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (the “MDC”) will cease receiving an allocation of revenues from the deannexed parcels. The increment value of the parcels deannexed from the Downtown District Project Area pursuant to this Second Amendment shall be included in the net taxable value of the taxing district when calculating the subsequent property tax levies pursuant to section 63-803, Idaho Code. The increment value shall also be included in subsequent notification of taxable value for each taxing district pursuant to section 63-1312, Idaho Code, and subsequent certification of actual and adjusted market values for each school district pursuant to section 63-315, Idaho Code. The Ada County Assessor’s Office maintains the value information, including the increment value, if any, included on the new construction roll for new construction associated with the deannexed parcels.

House Bill 606, effective July 1, 2016, amended the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”) firmly establishing “[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred.” Idaho Code § 50-2903(4). Though the provisions of Idaho Code § 50-2903A do not apply to the Plan, a plan amendment or modification to accommodate a de-annexation in the revenue allocation area boundary is a specifically identified exception to a base reset. Idaho Code § 50-2903A(1)(a)(iii). This highlights the legislative support for these types of amendments.

AMENDMENTS TO THE PLAN

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan, as amended by the First Amendment to the Plan.

2. The following defined terms are amended throughout the Plan, as amended by the First Amendment to the Plan, as follows:

(a) Delete “Amended Project Area” and replace with “Second Amended Project Area” except where specifically referenced in this Second Amendment.

(b) Delete references to “Attachment 5” and replace with “Attachment 5, as supplemented by Attachments 5A and 5B” except where specifically referenced in this Second Amendment.

3. Amendment to List of Attachments. The List of Attachments on page vi of the Plan, as amended by the First Amendment to the Plan, is further amended by deleting the list of attachments and replacing it as follows:

Attachment 1	Legal Description of the Project Area and Revenue Allocation Area Boundaries
Attachment 1A	Legal Description of the Boundary of the Deannexed Area
Attachment 1B	Legal Description of the Boundaries of the 2021 Deannexed Areas
Attachment 2	Project Area-Revenue Allocation Area Boundary Map
Attachment 2A	Boundary Map of the Deannexed Area
Attachment 2B	Boundary Maps of the 2021 Deannexed Areas
Attachment 3	Properties Which May be Acquired by the Agency
Attachment 4	Map Depicting Expected Land Uses and Current Zoning Within the Second Amended Project Area
Attachment 5	Economic Feasibility Study, Meridian Urban Renewal Area
Attachment 5A	Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2020 Deannexation
Attachment 5B	Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2021 Deannexation

4. Amendment to Section 100 of the Plan, as amended by the First Amendment to the Plan. Section 100, as amended by the First Amendment to the Plan, is amended by deleting the list of attachments and replacing it as follows:



Legal Description of the Project Area and Revenue Allocation Area Boundaries (Attachment 1);

Legal Description of the Boundary of the Deannexed Area (Attachment 1A);

Legal Description of the Boundaries of the 2021 Deannexed Areas (Attachment 1B);

Project Area-Revenue Allocation Area Boundary Map (Attachment 2);

Boundary Map of the Deannexed Area (Attachment 2A);

Boundary Maps of the 2021 Deannexed Areas (Attachment 2B);

Properties Which May be Acquired by the Agency (Attachment 3);

Map Depicting Expected Land Uses and Current Zoning Within the Second Amended Project Area (Attachment 4);

Economic Feasibility Study, Meridian Urban Renewal Area (Attachment 5);

Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2020 Deannexation (Attachment 5A);

Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2021 Deannexation (Attachment 5B).

5 Amendment to Section 102.1 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 102.1 entitled “CONFORMANCE WITH STATE OF IDAHO URBAN RENEWAL LAW OF 1965, AS AMENDED” is amended by adding new paragraphs to the end of the language added by the First Amendment to the Plan as follows:

Subsequent to the First Amendment, in 2021, the Agency and City reviewed two additional areas for deannexation from the original Project Area, as amended by the First Amendment, as follows: approximately 77 acres (including right-of-way) generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4<sup>th</sup> Street if extended, over to 3<sup>rd</sup> Street. The southern boundary extends to E. Pine Avenue between E. 3<sup>rd</sup> Street and E. 2<sup>nd</sup> Street, and then travels up E. 2<sup>nd</sup> Street and over E. Washington Avenue to connect back to Meridian Road; and approximately 1.46 acres (including right-of-way) generally bounded by E. Idaho Avenue on the north, NE 2<sup>nd</sup> Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west.

This Second Amendment to the Plan (the “Second Amendment”) deannexes certain parcels from the original Project Area, as amended by the First Amendment, resulting in a “Second Amended Project Area” as further described and shown in Attachments 1, 1A, 1B, 2, 2A, and 2B.

This Second Amendment was prepared and submitted to MDC for its review and approval. MDC approved the Second Amendment by the adoption of Resolution No. 21-023 on May 12, 2021 and submitted the Second Amendment to the City Council with its recommendation for adoption.

In accordance with the Law, this Second Amendment was submitted to the Planning and Zoning Commission of the City of Meridian. After consideration of the Second Amendment, the Commission filed Resolution PZ-21-03 dated June 3, 2021, with the City Council stating that the Second Amendment is in conformity with the Comprehensive Plan for the City of Meridian, adopted on December 17, 2019, by Resolution No. 19-2179.

Pursuant to the Law, the City Council, having published due notice thereof, held a public hearing on the Second Amendment. Notice of the hearing was duly published in a newspaper having general circulation in the City. The City Council adopted the Second Amendment on \_\_\_\_\_, 2021, pursuant to Ordinance No. \_\_\_\_\_.

6. Amendment to Section 200 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 200, as amended by the First Amendment to the Plan, entitled “DESCRIPTION OF THE AMENDED PROJECT AREA” is deleted and replaced as follows:

**DESCRIPTION OF THE SECOND AMENDED PROJECT AREA**

The boundaries of the Project Area and of the Revenue Allocation Area are described in Attachment 1, which is attached hereto and incorporated herein by reference, and are shown on the Project Area and Revenue Allocation Area Boundary Map, attached hereto as Attachment 2 and incorporated herein by reference. The Project Area includes several parcels of property which are located outside the geographical boundaries of the City but within the City’s impact area. MDC has an existing agreement with Ada County related to such parcels. The First Amendment and the Second Amendment have no impact on that agreement.

Pursuant to the First Amendment, the boundaries of the deannexed area are described in the Legal Description of the Boundary of the Deannexed Area in Attachment 1A and are shown on the Boundary Map of the Deannexed Area in Attachment 2A.

Pursuant to the Second Amendment, the boundaries of the deannexed areas are described in the Legal Description of the Boundaries of the 2021 Deannexed Areas in Attachment 1B and are shown on the Boundary Maps of the 2021 Deannexed Areas in Attachment 2B.

The attachments referenced above are attached hereto and are incorporated herein by reference.

7. Amendment to Section 302 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 302, as amended by the First Amendment to the Plan, is further amended by deleting the first sentence of the second paragraph and replacing it as follows:

The Second Amended Project Area includes the area as described in Section 200.

8. Amendment to Section 504 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504, as amended by the First Amendment to the Plan, is further amended by deleting the second sentence of the first paragraph and replacing it as follows: Revenue allocation financing authority for the deannexed parcels pursuant to the First Amendment was terminated effective January 1, 2020, and revenue allocation financing authority for the deannexed parcels pursuant to the Second Amendment will be terminated effective January 1, 2021.

(b) Section 504, as amended by the First Amendment to the Plan, is further amended by deleting the last sentence of the fourth paragraph and replacing it as follows: No modifications to the analysis set forth in Attachment 5 have been made as a result of the First Amendment or the Second Amendment. The estimated financial impact to the MDC as a result of the deannexation of certain underdeveloped parcels from the original Project Area pursuant to the First Amendment is set forth in Attachment 5A. The estimated financial impact to the MDC as a result of the 2021 deannexation of certain parcels from the Amended Project Area pursuant to the Second Amendment is set forth in Attachment 5B.

9. Amendment to Section 504.1 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504.1, as amended by the First Amendment to the Plan, is further amended by deleting the last sentence at the end of the paragraph and replacing it as follows: No modifications to the Study have been made as a result of the First Amendment or this Second Amendment; however, Attachment 5A includes the estimated financial impact to the MDC

prepared by Kushlan | Associates and SMR Development, LLC as a result of the first deannexation of certain underdeveloped parcels from the original Project Area pursuant to the First Amendment, and Attachment 5B includes the estimated financial impact to the MDC prepared by Kushlan | Associates as a result of the second deannexation of certain parcels from the original Project Area, as amended by the First Amendment, pursuant to the Second Amendment.

10. Amendment to Section 504.3 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504.3, as amended by the First Amendment to the Plan, is further amended by deleting the sentence at the end of the paragraph and replacing it as follows: The deannexation of parcels from the original Project Area pursuant to the First Amendment and the Second Amendment does not substantively change this analysis. As a result of the deannexations, the base assessment roll value will decrease.

11. Amendment to Section 504.4 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 504.4, as amended by the First Amendment to the Plan, is further amended by deleting the sentence at the end of the second paragraph and replacing it as follows: The deannexation of parcels from the original Project Area pursuant to the First Amendment reduced the amount of revenue generated by revenue allocation as set forth in Attachment 5A. The deannexation of parcels from the original Project Area pursuant to this Second Amendment is estimated to reduce the amount of revenue generated by revenue allocation as set forth in Attachment 5B.

(b) Section 504.4, as amended by the First Amendment to the Plan, is further amended by adding a new sentence at the end of the third paragraph as follows: Attachment 5B includes the estimated financial impact to the MDC as a result of the second deannexation of certain parcels from the original Project Area, as amended by the First Amendment to the Plan. Based on the findings set forth in Attachment 5B, the conclusion is the second deannexation of certain parcels from the original Project Area, as amended by the First Amendment to the Plan, does not materially reduce revenue allocation and the Project continues to be feasible.

12. Amendment to Section 800 of the Plan, as amended by the First Amendment to the Plan.

(a) Section 800, as amended by the First Amendment to the Plan, is further amended by adding a new sentence at the end of the first paragraph as follows: The deannexation of parcels from the original Project Area, as amended by the First Amendment, pursuant to this Second Amendment has no impact on the duration of this Plan.

13. Amendment to Plan, as amended by the First Amendment to the Plan, to add new Attachment 1B. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 1B entitled “Legal Description of the Boundaries of the 2021 Deannexed Areas,” attached hereto.

14. Amendment to Plan, as amended by the First Amendment to the Plan, to add new Attachment 2B. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 2B entitled “Boundary Maps of the 2021 Deannexed Areas,” attached hereto.

15. Amendment to Plan, as amended by the First Amendment to the Plan, to add new Attachment 5B. The Plan, as amended by the First Amendment to the Plan, is further amended to add new Attachment 5B entitled “Second Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2021 Deannexation,” attached hereto.

16. Downtown District Plan, as amended by the First Amendment to the Plan, Remains in Effect. Except as expressly modified in this Second Amendment, the Plan and the Attachments thereto, as amended by the First Amendment to the Plan, remain in full force and effect.

Item #7.

Attachment 1B  
Legal Description of the Boundaries of the 2021 Deannexed Areas

# ATTACHMENT 1B

## DE-ANNEXATION BOUNDARY DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION

### NORTHERN GATEWAY

A description for De-Annexation purposes located in the NE 1/4 of the NE 1/4 of Section 12, Township 3 North, Range 1 West, also being in the NW 1/4 of Section 7, and in the N 1/2 of the SW 1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the northeasterly corner of said NW 1/4 of Section 7, from which a brass cap monument marking the northwesterly corner of said Section 7 bears S 88°35'17" W a distance of 2404.78 feet;

Thence S 88°35'17" W along the northerly boundary of said Section 7 a distance of 630.19 feet to the POINT OF BEGINNING;

Thence continuing S 88°35'17" W a distance of 1774.59 feet to a point marking the northwesterly corner of said Section 7;

Thence leaving said northerly boundary N 89°26'54" W along the northerly boundary of said NE 1/4 of the NE 1/4 a distance of 357.11 feet to a point;

Thence leaving said northerly boundary S 0°33'06" W a distance of 57.00 feet to a point on the southerly right-of-way of W Cherry Lane;

Thence along said southerly right-of-way the following described courses:

Thence S 62°43'15" E a distance of 12.62 feet to a point on the westerly right-of-way of NW 1st Street;

Thence leaving said westerly right-of-way S 86°48'50" E a distance of 60.07 feet to a point on the easterly right-of-way of NW 1st Street;

Thence leaving said easterly right-of-way N 66°24'13" E a distance of 12.07 feet to a point;

Thence S 89°26'54" E a distance of 182.01 feet to a point;

Thence S 45°34'48" E a distance of 41.81 feet to a point on the westerly right-of-way of N Meridian Road;

Thence leaving said southerly right-of-way and along said westerly right-of-way the following described courses:

Thence S 3°25'19" E a distance of 81.40 feet to a point;

Thence S 0°23'29" W a distance of 119.26 feet to a point;

Thence leaving said westerly right-of-way S 89°36'31" E a distance of 57.50 feet to a point on the westerly boundary of said NW 1/4 of Section 7;

Thence N 0°23'29" E along said westerly boundary a distance of 9.32 feet to a point on the extension of the northerly boundary of *PARCEL A* as shown on Record of Survey No. 10448, instrument No. 2016-028560, found in said office of the Recorder;

Thence N 89°36'58" E along said extension a distance of 46.00 feet to a point marking the northwesterly corner of said *PARCEL A*;

Thence continuing N 89°36'58" E along the northerly boundary of said *PARCEL A* a distance of 194.02 feet to a point marking the northeasterly corner of said *PARCEL A*;

Thence S 0°23'29" W along the easterly boundaries of said *PARCEL A* and of *PARCEL B* of said Record of Survey No. 10448 a distance of 233.00 feet to a point marking the southeasterly corner of said *PARCEL B*;

Thence S 89°36'58" W along the southerly boundary of said *PARCEL B* a distance of 50.01 feet to a point;

Thence leaving said southerly boundary S 0°23'29" W a distance of 106.39 feet to a point;

Thence S 89°36'05" W a distance of 150.01 feet to a point on the easterly right-of-way of N Meridian Road;

Thence along said right-of-way the following described courses:

Thence S 0°23'29" W a distance of 1015.39 feet to a point;

Thence S 23°44'59" E a distance of 9.44 feet to a point on the northerly right-of-way of E Washington Street;



Thence leaving said easterly right-of-way N 89°36'04" E along said northerly right-of-way a distance of 440.45 feet to a point on the westerly right-of-way of N Main Street;

Thence leaving said northerly right-of-way N 0°33'24" E along said westerly right-of-way a distance of 256.24 feet to a point on the extension of the northerly boundary of that *PARCEL* as shown on Record of Survey No. 1171, Instrument No. 8761859, found in said office of the Recorder;

Thence leaving said westerly right-of-way N 89°58'13" E along said extension a distance of 80.00 feet to a point marking the northwesterly corner of said *PARCEL*;

Thence continuing N 89°58'13" E along the northerly boundary of said *PARCEL* a distance of 249.98 feet to a point marking the northeasterly corner of said *PARCEL*, said point being the northwesterly corner of *SCHOOL PLAZA SUBDIVISION NO. 1* as found in Book 64 of plats at Pages 6501 – 6502 in said office of the Recorder;

Thence along the easterly boundary of said *PARCEL* and the westerly boundary of said *SCHOOL PLAZA SUBDIVISION NO. 1* the following described courses:

Thence S 0°33'24" W a distance of 290.72 feet to a point;

Thence N 89°26'36" W a distance of 37.00 feet to a point;

Thence S 0°33'24" W a distance of 280.00 feet to a point marking the southeasterly corner of said *PARCEL* and marking the southwest corner of said *SCHOOL PLAZA SUBDIVISION NO. 1*;

Thence leaving said boundaries S 0°33'24" W along an extension of said boundaries a distance of 60.01 feet to a point on the northerly boundary of Block 5 of *F A NOURSE'S SECOND ADDITION* as found in Book 2 of plats at Page 64 in said office of the Recorder;

Thence leaving said extension N 89°35'47" E along said northerly boundary a distance of 87.19 feet to a point marking the northeasterly corner of said Block 5;

Thence S 0°31'57" W along the easterly boundary of said Block 5 a distance of 255.99 feet to a point marking the southeasterly corner of said Block 5;

Thence continuing S 0°31'57" W a distance of 80.01 feet to a point marking the northeasterly corner of Block 2 of said *F A NOURSE'S SECOND ADDITION*;

Thence continuing S 0°31'57" W along the easterly boundary of said Block 2 a distance of 256.02 feet to a point marking the southeasterly corner of said Block 2;

Thence S 0°32'08" W a distance of 80.01 feet to a point on the southerly right-of-way of E Pine Avenue as shown on Record of Survey No. 11653, Instrument No. 2018-119154, found in said office of the Recorder;

Thence along said southerly right-of-way the following described courses:

Thence N 89°35'22" E a distance of 80.01 feet to a point marking the northwesterly corner of that right-of-way vacated to adjoining owners, as described in Instrument No. 98218, of Block 7 of the amended plat of the *TOWNSITE OF MERIDIAN* as found in Book 1 of plats at Page 30 in said office of the Recorder;

Thence continuing N 89°35'22" E a distance of 308.78 feet to a point marking the northeasterly corner of said vacated right-of-way of Block 1 of the amended plat of *ROWAN ADDITION* as found in Book 2 of plats at Page 52 in said office of the Recorder;

Thence continuing N 89°35'22" E a distance of 80.04 feet to a point marking the northwesterly corner of said vacated right-of-way of Block 6 of said amended plat of *ROWAN ADDITION*;

Thence leaving said southerly right-of-way N 0°58'55" E a distance of 80.02 feet to a point marking the southwesterly corner of Block 3 of *COTTAGE HOME ADDITION* as found in Book 1 of plats at Page 42 in said office of the Recorder;

Thence N 0°37'13" E along the westerly boundary of said Block 3 a distance of 256.03 feet to a point marking the northwesterly corner of said Block 3;

Thence continuing N 0°37'13" E a distance of 80.01 feet to a point marking the southwesterly corner of Block 6 of said *COTTAGE HOME ADDITION*;

Thence continuing N 0°37'13" E along the westerly boundary of said Block 6 a distance of 255.93 feet to a point marking the northwesterly corner of said Block 6;

Thence N 89°35'47" E along the northerly boundary of said Block 6 a distance of 299.64 feet to a point marking the northeasterly corner of said Block 6;

Thence continuing N 89°35'47" E a distance of 99.67 feet to a point the northwesterly corner of Lot 1 of Block 1 of *EASTSIDE PARK SUBDIVISION* as found in Book 20 of plats at Pages 1312 – 1313 in said office of the Recorder;

Thence continuing N 89°35'47" E along the northerly boundary of said Lot 1 a distance of 12.32 feet to a point on an extension of the easterly boundary of Lot 1 of Block 3 of said *EASTSIDE PARK SUBDIVISION*;

Thence leaving said northerly boundary N 0°34'47" E a distance of 60.01 feet to the southeasterly corner of said Lot 1 of Block 3;

Thence S 89°35'47" W along the southerly boundary of said Lot 1 a distance of 71.98 feet to the southwesterly corner of said Lot 1;

Thence N 0°35'03" E along the westerly boundary of said Lot 1 a distance of 120.38 feet to the northwesterly corner of said Lot 1;

Thence N 89°35'47" E along the northerly boundary of said Lot 1 a distance of 11.00 feet to a point;

Thence leaving said northerly boundary N 0°35'00" E a distance of 120.38 feet to a point on the northerly boundary of said Block 3;

Thence N 89°35'47" E along said northerly boundary a distance of 10.60 feet to a point on the extension of the easterly right-of-way of NE 4th Street;

Thence leaving said northerly boundary N 0°34'47" E along said extension a distance of 30.00 feet to a point on the centerline of E Washington Avenue;

Thence leaving said extension S 89°35'47" W along said centerline a distance of 30.00 feet to a point marking the intersection of said E Washington Avenue and NE 4th Street;

Thence leaving said centerline of E Washington Avenue N 0°34'47" E along the centerline of said NE 4th Street a distance of 731.98 feet to a point marking the intersection of said NE 4th Street and E Badley Avenue;

Thence leaving said centerline of NE 4th Street and continuing N 0°34'47" E along an extension of said centerline of NE 4th Street a distance of 30.00 feet to a point on the southerly boundary of that *PARCEL* as shown on Record of Survey No. 10184, Instrument No. 2015-067809, found in said office of the Recorder;

Thence leaving said extension S 89°32'57" E along said southerly boundary a distance of 102.03 feet to a point marking the southeasterly corner of said *PARCEL*;

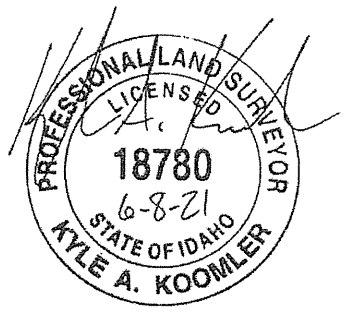
Thence N 0°35'00" E along the easterly boundary of said *PARCEL* a distance of 912.62 feet to a point on the southerly right-of-way of E Fairview Avenue;

Thence leaving said easterly boundary and continuing N 0°35'00" E along an extension of said easterly boundary a distance of 47.50 feet to the POINT OF BEGINNING.

This parcel contains approximately 77.090 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  
June 8, 2021



# ATTACHMENT 1B

## URBAN RENEWAL DISTRICT BOUNDARY DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION

### IDAHO BLOCK

A description for Urban Renewal District purposes located in the NW 1/4 of the SW 1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, and being a part of Block 4 of the amended plat of the *TOWNSITE OF MERIDIAN* as found in Book 1 of plats at Page 30 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the intersection of N Main Street and E Idaho Avenue, from which a brass cap monument marking the intersection of NE 2nd Street and E Idaho Avenue bears S 88°43'59" E a distance of 380.05 feet;

Thence S 88°43'59" E along the centerline of said E Idaho Avenue a distance of 40.00 feet to the POINT OF BEGINNING;

Thence continuing S 88°43'59" E a distance of 300.04 feet to a point on an extension of the easterly boundary of said Block 4;

Thence leaving said centerline S 0°31'47" W a distance of 40.00 feet to a point marking the northeasterly corner of said Block 4;

Thence continuing S 0°31'47" W along said easterly boundary a distance of 256.13 feet to a point marking the southeasterly corner of said Block 4;

Thence N 88°44'00" W along the southerly boundary of said Block 4 a distance of 90.05 feet to a point marking the southwesterly corner of Lot 8 of said Block 4;

Thence leaving said southerly boundary N 0°32'12" E along the westerly boundary of said Lot 8 a distance of 120.07 feet to a point marking the northwesterly corner of said Lot 8;

Thence N 88°43'59" W along the northerly boundary of Lots 1 – 7 of said Block 4 a distance of 210.08 feet to a point on the westerly boundary of said Block 4, said point being the northwesterly corner of Lot 1 of said Block 4;

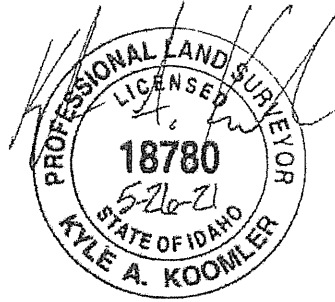
Thence N 0°33'09" E along said westerly boundary a distance of 136.07 feet to a point marking the northwesterly corner of said Block 4;

Thence continuing N 0°33'09" E on an extension of said westerly boundary a distance of 40.00 feet to the POINT OF BEGINNING.

This parcel contains approximately 1.461 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  
May 26, 2021




Item #7.

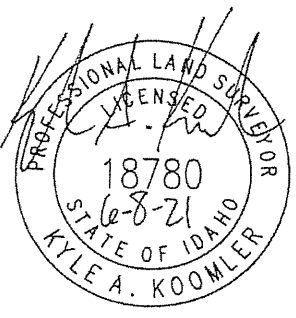
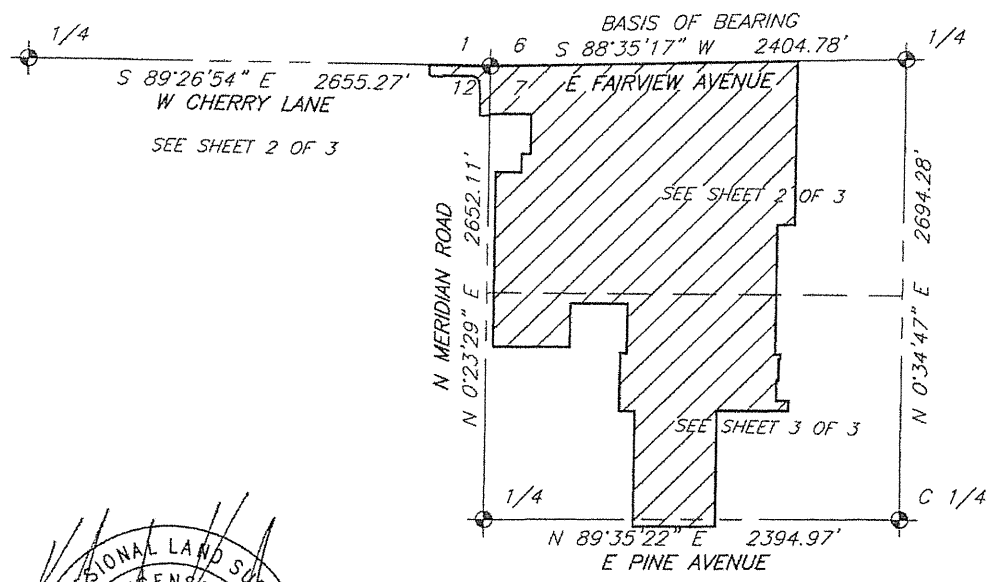
Attachment 2B  
Boundary Maps of the 2021 Deannexed Areas

# ATTACHMENT 2B -NORTHERN GATEWAY

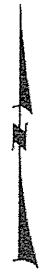
SKETCH TO ACCOMPANY DE-ANNEXATION DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

## LEGEND

- URD BOUNDARY
-  DE-ANNEXATION AREA



CIVIL SURVEY CONSULTANTS, INC.  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312



SCALE: 1"=1000'

SHEET 1 OF 3



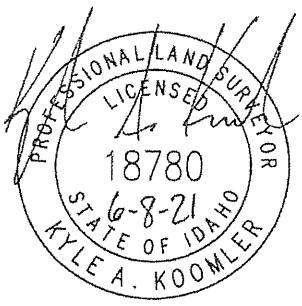
Item #7. **ACHMENT 2B -NORTHERN GATEWAY (CONTINUED)**



SCALE: 1"=300'

**LEGEND**

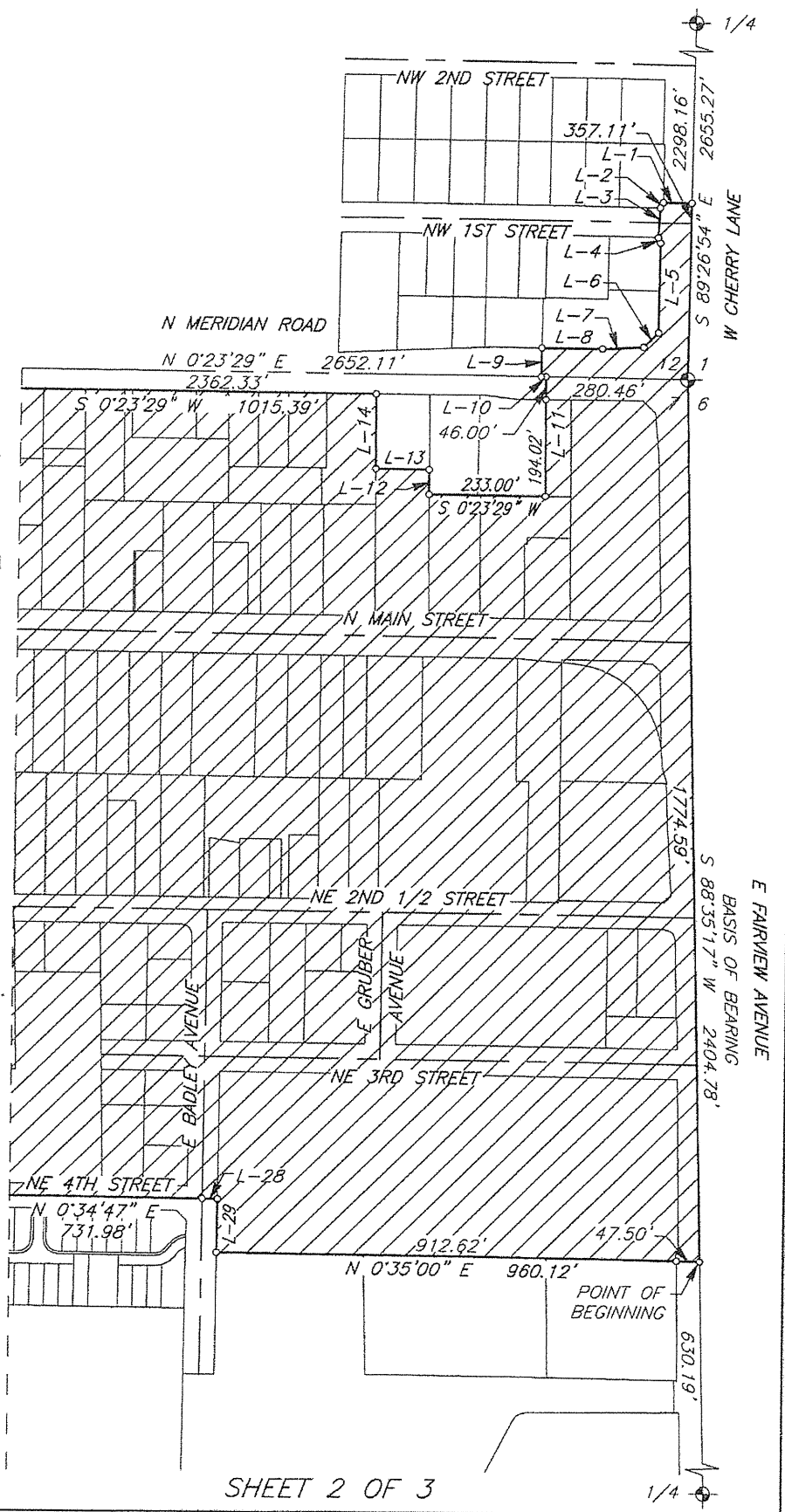
- URD BOUNDARY
- DE--ANNEXATION AREA



**CIVIL SURVEY CONSULTANTS, INC.**  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312

LINE DATA		
LINE	BEARING	DISTANCE
L-1	S 0°33'06" W	57.00'
L-2	S 62°43'15" E	12.62'
L-3	S 86°48'50" E	60.07'
L-4	N 66°24'13" E	12.07'
L-5	S 89°26'54" E	182.01'
L-6	S 45°34'48" E	41.81'
L-7	S 3°25'19" E	81.40'
L-8	S 0°23'29" W	119.26'
L-9	S 89°36'31" E	57.50'
L-10	N 0°23'29" E	9.32'
L-11	N 89°36'58" E	240.02'
L-12	S 89°36'58" W	50.01'
L-13	S 0°23'29" W	106.39'
L-14	S 89°36'05" W	150.01'
L-28	N 0°34'47" E	30.00'
L-29	S 89°32'57" E	102.03'

SEE SHEET 3 OF 3



SHEET 2 OF 3

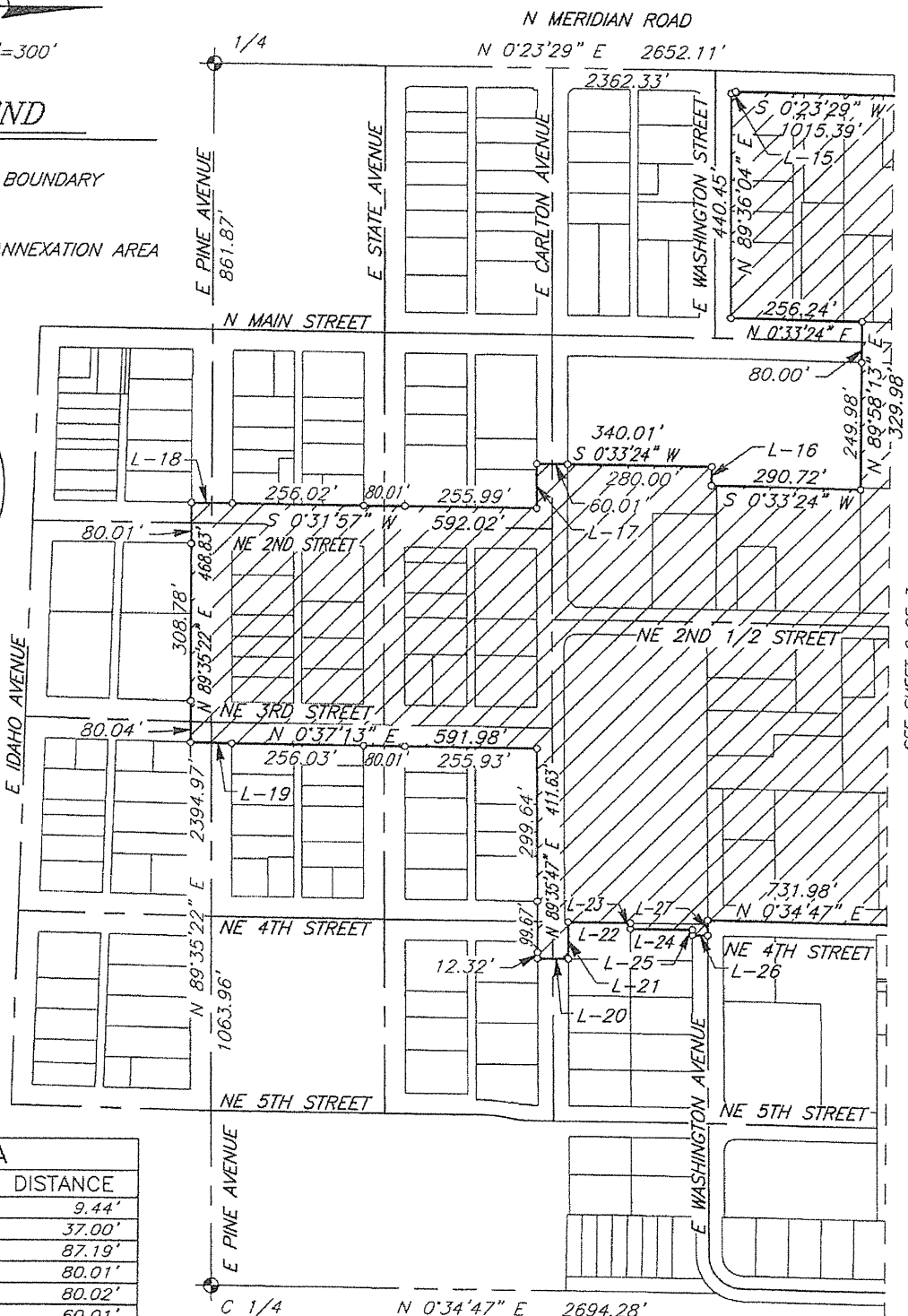
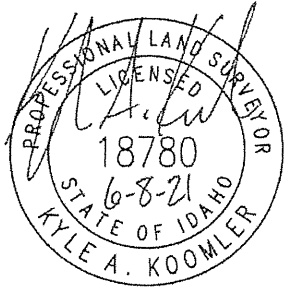
Item #7. ATTACHMENT 2B - NORTHERN GATEWAY (CONTINUED)



SCALE: 1"=300'

LEGEND

- URD BOUNDARY
- DE-ANNEXATION AREA



SEE SHEET 2 OF 3

LINE DATA

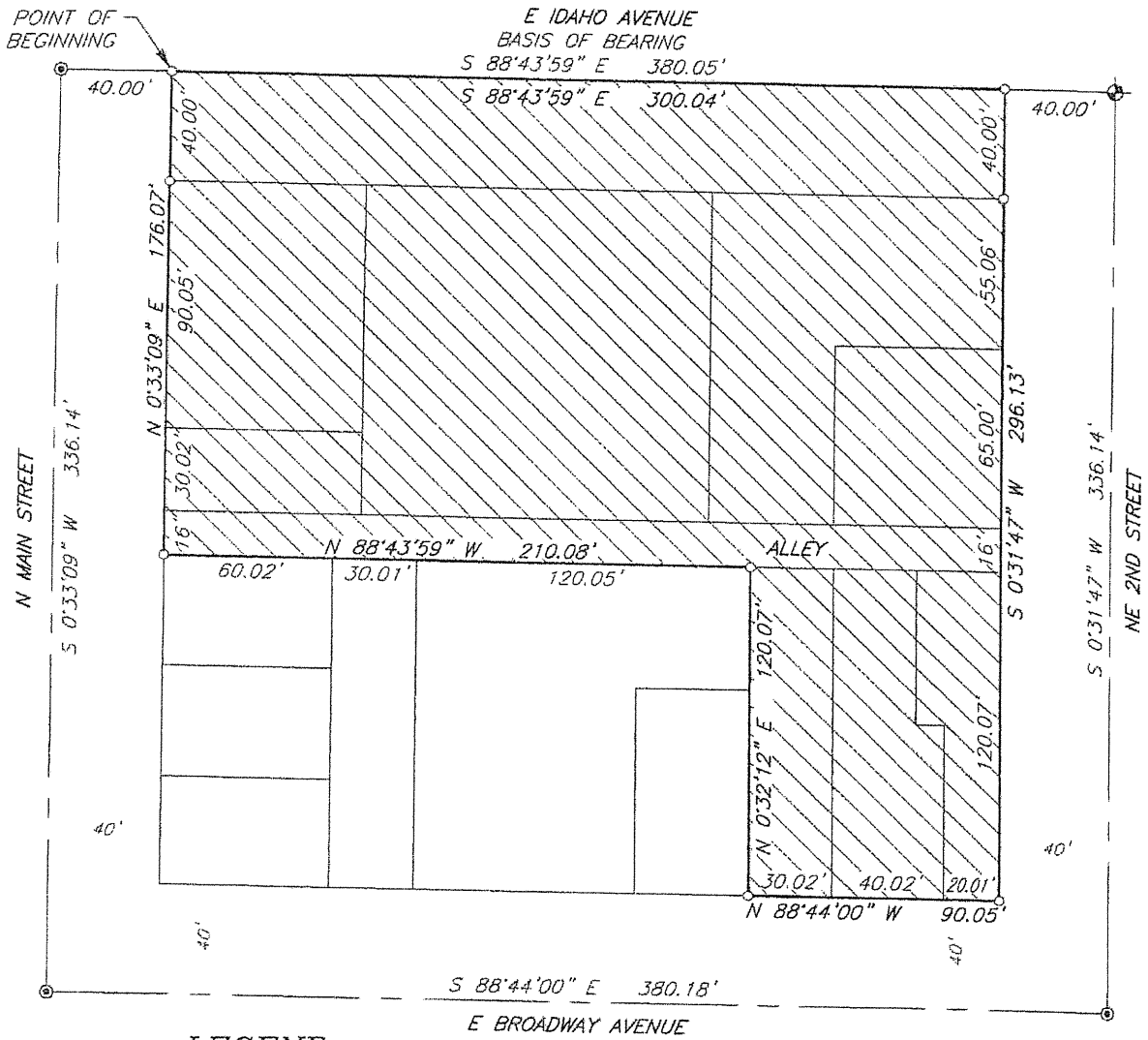
LINE	BEARING	DISTANCE
L-15	S 23°44'59" E	9.44'
L-16	N 89°26'36" W	37.00'
L-17	N 89°35'47" E	87.19'
L-18	S 0°32'08" W	80.01'
L-19	N 0°58'55" E	80.02'
L-20	N 0°34'47" W	60.01'
L-21	S 89°35'47" W	71.98'
L-22	N 0°35'03" E	120.38'
L-23	N 89°35'47" E	11.00'
L-24	N 0°35'00" E	120.38'
L-25	N 89°35'47" E	10.60'
L-26	N 0°34'47" E	30.00'
L-27	S 89°35'47" W	30.00'





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 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312

# ATTACHMENT 2B - IDAHO BLOCK

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



### LEGEND

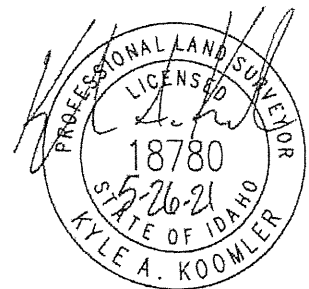
-  URD BOUNDARY
-  URD AREA



CIVIL SURVEY CONSULTANTS, INC.  
2893 SOUTH MERIDIAN ROAD  
MERIDIAN, IDAHO 83642  
(208)888-4312



SCALE: 1"=60'



Attachment 5B  
Second Supplement to the Economic Feasibility Study:  
Financial Analysis Related to the 2021 Deannexation

4851-4344-7734, v. 3

## Attachment 5B

Memo to: Meridian Development Corporation Board of Commissioners  
Ashley Squyres, MDC Administrator  
Meghan Conrad, Counsel

From: Phil Kushlan, Principal, Kushlan | Associates

Subject: Fiscal Impact of de-annexation

Date: April 28, 2021<sup>1</sup>

We have been retained to analyze the fiscal impact of removing two distinct geographic areas from the existing Meridian Revitalization Plan Urban Renewal Project Area, also referred to as the Downtown District. The first area is generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4<sup>th</sup> Street if extended, over to 3<sup>rd</sup> Street. The southern boundary extends to E. Pine Avenue between E. 3<sup>rd</sup> Street and E. 2<sup>nd</sup> Street, and then travels up E. 2<sup>nd</sup> Street and over E. Washington Avenue to connect back to Meridian Road. This area is generally referred to as the “Northern Gateway Area.” The purpose of the de-annexation of the Northern Gateway Area would be to allow the inclusion of these properties into a proposed Northern Gateway Urban Renewal District.

The second area is generally bounded by E. Idaho Avenue on the north, NE 2<sup>nd</sup> Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west. This area is generally referred to as the “Idaho Block.” The purpose of the de-annexation of the Idaho Block would be to allow the inclusion of this block into a proposed amendment to the existing Union District Project Area.

Removing taxable properties from a revenue allocation area, as suggested here, would release the incremental value of those tax parcels back to the general property tax rolls thus eliminating the revenue currently generated by the existing district from those properties. In making a decision on the de-annexation question one must understand the fiscal impact upon the existing Downtown District in the context of that District’s ongoing financial obligations. Our study has done that.

In our analysis of the Northern Gateway Area, we reviewed each of the 133 tax parcels that are currently within the boundaries of the existing Downtown District that are to be deannexed. In

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<sup>1</sup> Revised June 14, 2021. These updates reflect technical changes to add a sliver parcel to the Idaho Block analysis but do not alter the finding that the Downtown District remains economically feasible following the proposed deannexation.

each case we segregated the base value from the incremental value and calculated the revenue generated by each factor. From that analysis, we demonstrated that the 133 parcels generated a total of \$379,648 in property taxes in 2020, the latest year for which we have certified values and tax yields. Of that amount \$162,121 was generated from the Base Assessed Value and allocated to the various taxing entities levying property taxes within the Downtown District. The Incremental Values on those properties generated \$217,526 in 2020, which was allocated to the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (MDC). This latter number is the estimated amount of foregone revenue that the Downtown District will experience annually through the de-annexation of these tax parcels, from calendar year 2022, through calendar year 2027, the termination year of the Downtown District.

In our analysis of the Idaho Block we reviewed eleven (11) tax parcels in a similar manner as the process described above. Those parcels produced a total of \$26,552 in property tax payments in 2020. Of that amount \$13,449 was generated from the Base Assessed Value and thus allocated to the taxing entities. The remainder (\$13,103) was allocated to MDC and represents the annual foregone amount upon deannexation of these parcels from the Downtown District.

The MDC Annual Financial Statements indicated that the incremental revenue generated by the Downtown District in 2020 was \$1,610,499. A reduction of \$217,526 from the Northern Gateway Area would be a 13.5% reduction in annual revenue. A reduction of \$13,103 from the Idaho Block would be a 0.81% reduction in annual revenue. In addition, we reviewed the Financial Statements for FY 2014, 2015, 2016, 2017, 2018 and 2019. See attached spreadsheet for details. In each of those fiscal years the fiscal results of MDC activities reflected significant Fund Balances. The audited Fund Balance for FY 2020 was \$3,750,449. If the \$217,526 and \$13,103 reductions had been in place in 2020, the Agency would have experienced a 14.32% reduction (\$230,629) in annual revenue for the Downtown District. The Debt Service commitments for the District are relatively small when compared to its overall fiscal strength. The 2020 Debt Service Principal amount was \$115,520 and the Interest amount was \$8,097.

The Agency's 2021 Budget reflected a conservative approach to revenue, appropriating only \$1,600,000 in current property tax revenue. Undefined "Special Project" funding was set at \$1,179,598 in the 2021 Budget and \$1,700,000 was assigned to the Nine-Mile Floodplain project. The Staff and Commission should use their discretion in weighing the importance of the current program funding levels versus the importance of including these parcels in a new Revenue Allocation Area. It appears as though there is sufficient capacity in the fiscal program of the Downtown District to accommodate this loss of revenue should the MDC and City Council choose to do so.

MDC Audited Funds	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Beginning Fund Balance	\$ 790,596	\$ 728,099	\$ 619,459	\$ 928,551	\$ 1,463,391	\$ 2,035,561	\$ 2,601,567
Downtown District Revenue Allocation Income	\$ 693,754	\$ 847,571	\$ 887,546	\$ 1,075,786	\$ 1,392,019	\$ 1,499,374	\$ 1,610,499
Other Available Income	\$ 11,078	\$ 629	\$ 8,021	\$ 46,856	\$ 40,326	\$ 792,265	\$ 193,450
Total Available Current Income	\$ 704,832	\$ 848,200	\$ 895,567	\$ 1,122,642	\$ 1,432,345	\$ 2,291,639	\$ 1,803,949
Total Available Resources	\$ 1,495,428	\$ 1,576,299	\$ 1,515,026	\$ 2,051,193	\$ 2,895,736	\$ 4,327,200	\$ 4,405,516
Office and Operating Expenses	\$ 403,727	\$ 498,748	\$ 283,447	\$ 263,808	\$ 557,755	\$ 838,079	\$ 332,165
Professional Services	\$ 189,596	\$ 177,119	\$ 170,758	\$ 180,198	\$ 177,586	\$ 188,087	\$ 186,657
Public Education and Marketing	\$ 19,793	\$ 24,951	\$ 6,338	\$ 19,671	\$ 1,215	\$ 8,563	\$ 12,628
Debt Service							
Principal	\$ 99,213	\$ 95,269	\$ 99,145	\$ 103,527	\$ 107,685	\$ 111,519	\$ 115,520
Interest	\$ 36,019	\$ 29,565	\$ 25,687	\$ 20,598	\$ 15,934	\$ 12,100	\$ 8,097
Capital Outlay	\$ 18,981	\$ 131,188	\$ 1,100	\$ -	\$ -	\$ 567,285	\$ -
Total Expenditures	\$ 767,329	\$ 956,840	\$ 586,475	\$ 587,802	\$ 860,175	\$ 1,725,633	\$ 655,067
Ending Fund Balance	\$ 728,099	\$ 619,459	\$ 928,551	\$ 1,463,391	\$ 2,035,561	\$ 2,601,567	\$ 3,750,449

De-annexation Revenue Reduction in Dollars \$ 230,629  
 Total Revenue Impact of De-annexation % 6.15%  
 Net after De-annexation Reduction \$ 3,519,820

Exhibit 2

NOTICES PUBLISHED IN THE  
*Meridian Press* on May 21, 2021, and June 4, 2021



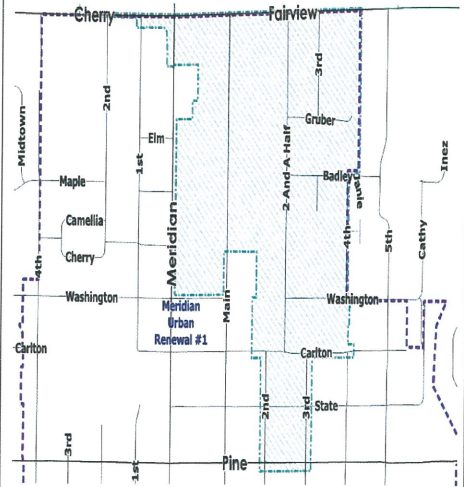
LEGAL NOTICE

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO TO CONSIDER THE SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN, URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS MERIDIAN DEVELOPMENT CORPORATION

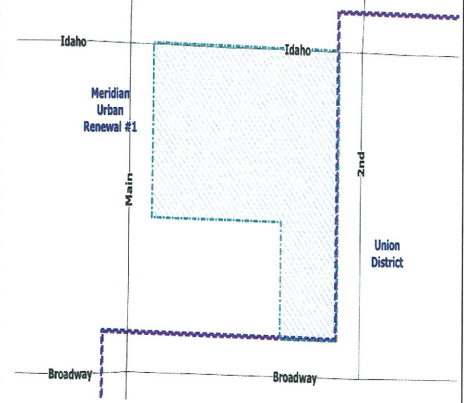
NOTICE IS HEREBY GIVEN that on Tuesday, July 6, 2021, at 6:00 p.m. in City Council Chambers, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho, the City Council of the City of Meridian, Idaho ("City") will hold, during its regular meeting, a public hearing to consider for adoption the proposed Second Amendment to the Meridian Revitalization Plan Urban Renewal Project ("Second Amendment"), concerning the Meridian Revitalization Plan Urban Renewal Project Area, as amended by the First Amendment to the Meridian Revitalization Plan Urban Renewal Project ("Existing Downtown District Project Area") of the Urban Renewal Agency of Meridian, Idaho, also known as Meridian Development Corporation ("Agency").

The Second Amendment to the Plan shall de-annex the following areas from the Existing Downtown District Project Area:

The first area (marked by hatching) and generally referred to as the "Northern Gateway Area," is located in the northeast corner of the Existing Downtown District Project Area and is generally bounded by Meridian Road on the west and E. Fairview Avenue on the north.



The second area (marked by hatching) and generally referred to as the "Idaho Block," is located near the downtown core of the City and is generally bounded by E. Idaho Avenue on the north, E. 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west.



Copies of the proposed Second Amendment are on file for public inspection and copying at the office of the City Clerk, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho 83642, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of holidays.

At the hearing date, time, and place noted above (July 6, 2021, at 6:00 p.m.), all persons interested in the above matters may appear and be heard. Because social distancing orders may be in effect at the time of the hearing, written testimony is encouraged. Written testimony must be submitted at least five working days prior to the hearing.

Meridian City Hall is accessible to persons with disabilities. All information presented in the hearing shall also be available upon advance request in a form usable by persons with hearing or visual impairments.

DATED: May 21, 2021. Chris Johnson, City Clerk. May 21, June 4, 2021

Exhibit 3

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION  
FOR THE CITY OF MERIDIAN, IDAHO, VALIDATING CONFORMITY OF THE  
SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN WITH THE CITY  
OF MERIDIAN'S COMPREHENSIVE PLAN

**RESOLUTION PZ-21-01**

**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  
SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN 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, the duly constituted and authorized urban renewal agency of the City of Meridian, Idaho (hereinafter "MDC") has submitted the proposed Second Amendment to the Meridian Revitalization Plan (the "Second Amendment") to the City;

WHEREAS, the proposed Second Amendment seeks to de-annex two (2) areas as depicted in the Second Amendment and set forth in certain Exhibits 1 and 2 attached hereto. The first area is generally referred to as the "Northern Gateway Area." The purpose of the de-annexation of the Northern Gateway Area would be to allow the inclusion of these properties into a proposed Northern Gateway Urban Renewal District. The second area is generally referred to as the "Idaho Block." The purpose of the de-annexation of the Idaho Block would be to allow the inclusion of this block into a proposed amendment to the existing Union District Project Area.

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

WHEREAS, on June 3, 2021, the City Planning and Zoning Commission met to consider whether the Second Amendment conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

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

WHEREAS, the City Planning and Zoning Commission has determined that the Second Amendment 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 Second Amendment, 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 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 Second Amendment.

Section 3. 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 3rd day of June 2021.


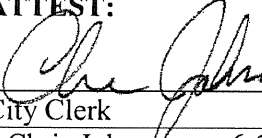

<p><b>APPROVED:</b></p>  <p>Chair, Planning and Zoning Commission</p> <p>Rhonda McCarvel 6-3-2021</p>	<p><b>ATTEST:</b></p>   <p>City Clerk</p> <p>Chris Johnson 6-3-2021</p>
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EXHIBIT 1  
Northern Gateway Area

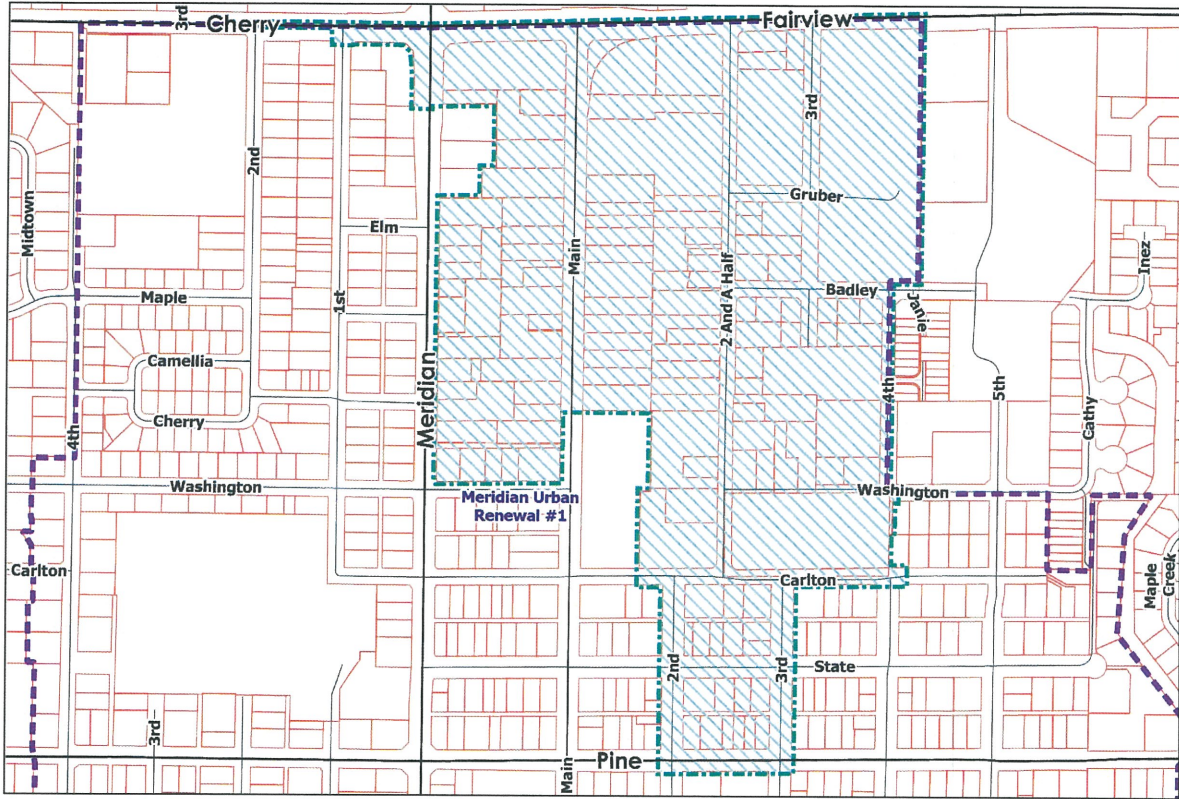


EXHIBIT 2

Idaho Block



Exhibit 4  
SUMMARY OF ORDINANCE NO. 21-1933

**NOTICE AND PUBLISHED SUMMARY  
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

**CITY OF MERIDIAN ORDINANCE NO. 21-1933**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, APPROVING THE SECOND AMENDMENT TO THE MERIDIAN REVITALIZATION PLAN URBAN RENEWAL PROJECT, WHICH SECOND AMENDMENT SEEKS TO DEANNEX CERTAIN AREAS FROM THE EXISTING MERIDIAN REVITALIZATION PROJECT AREA; WHICH SECOND AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**SUMMARY OF THE SECOND AMENDMENT**

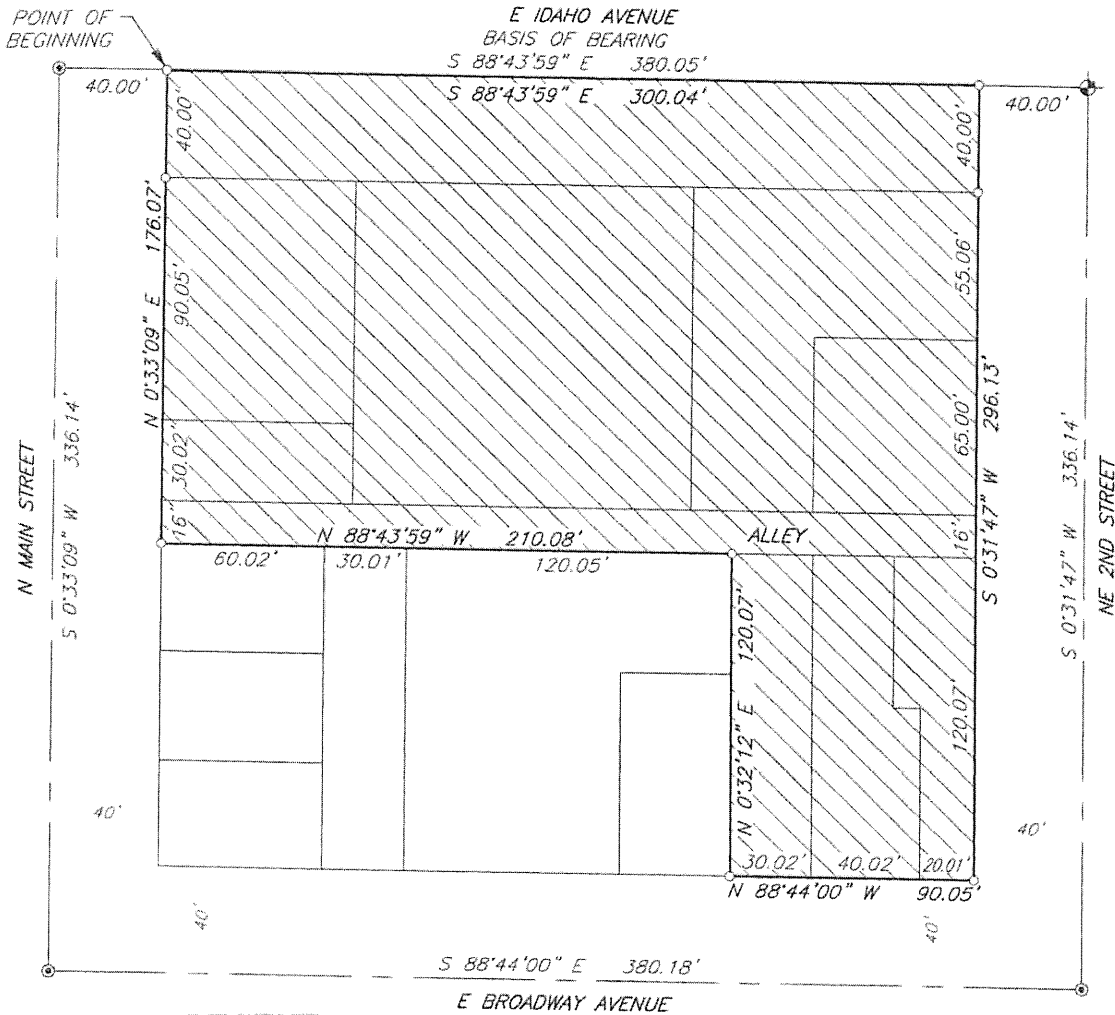
The Second Amendment (the “Second Amendment”) to the Meridian Revitalization Plan Urban Renewal Project (the “Plan” or the “Downtown District Plan”) was prepared by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable laws and ordinances and was approved by the Agency. The Second Amendment seeks to deannex two (2) areas from the Downtown District Plan Project Area (the “Existing Project Area”). The Second Amendment being considered for adoption contains a previously adopted revenue allocation financing provision pursuant to the Act that will continue to cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation on the parcels remaining in the Existing Project Area as shown on the original base assessment roll as of January 1, 2002, that will continue to be allocated to the Agency for urban renewal purposes.

The general scope and objective of the Second Amendment is the deannexation of two (2) areas from the boundaries of the Existing Project Area.


The Second Amendment shall deannex the following two (2) areas from the Existing Project Area. The first area consists of approximately 1.46 acres (including right-of-way) and is generally bounded by E. Idaho Avenue on the north, NE 2nd Street on the east, a portion of Broadway Avenue on the south, and E. Main Street on the west, and as more particularly described in Attachment 1B to the Second Amendment and generally depicted in the map below.



SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION  
 FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE  
 NW 1/4 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH,  
 RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



**LEGEND**

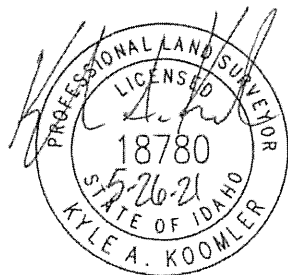
- URD BOUNDARY
-  URD AREA



CIVIL SURVEY CONSULTANTS, INC.  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312




SCALE: 1"=60'

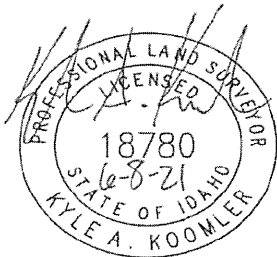
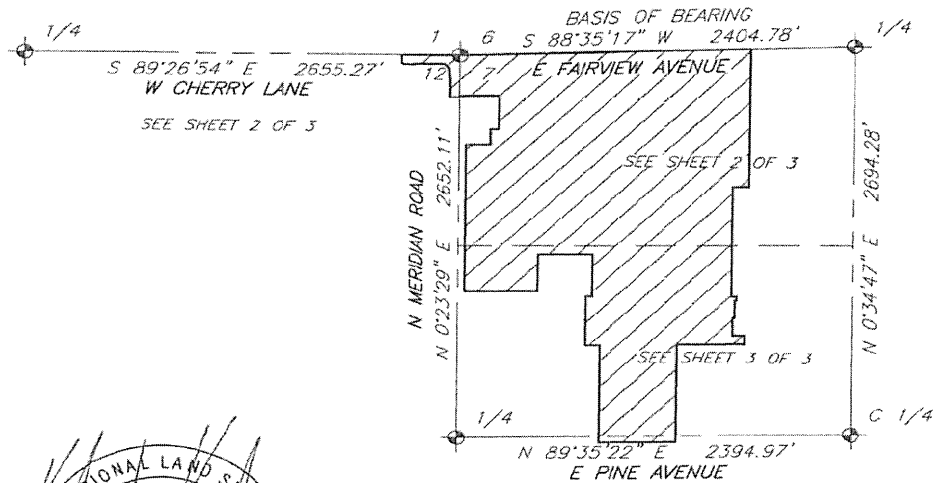


The second area consists of approximately 77 acres (including right-of-way) and is generally bounded by Meridian Road on the west and E. Fairview Avenue on the north. The eastern boundary extends south along what would be E. 4th Street if extended, over to 3rd Street. The southern boundary extends to E. Pine Avenue between NE 3rd Street and NE 2nd Street, and then travels up NE 2nd Street and over E. Washington Avenue to connect back to Meridian Road, and as more particularly described in Attachment 1B to the Second Amendment and generally depicted in the map below.

SKETCH TO ACCOMPANY DE-ANNEXATION DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

LEGEND

- URD BOUNDARY
-  DE-ANNEXATION AREA



CIVIL SURVEY CONSULTANTS, INC.  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312



SCALE: 1"=1000'

SHEET 1 OF 3

**EXHIBITS TO THE ORDINANCE**

- Exhibit 1 Second Amendment to The Meridian Revitalization Plan Urban Renewal Project
- Exhibit 2 Notices Published in the *Meridian Press* on May 21, 2021, and June 4, 2021
- Exhibit 3 A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the Second Amendment to the Meridian Revitalization Plan with the City of Meridian’s Comprehensive Plan
- Exhibit 4 Ordinance Summary

This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2021, to the extent permitted by the Law and the Act, with the remaining Existing Project Area maintaining its base assessment roll as of January 1, 2002.

Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Ada County Assessor, and to the appropriate officials of Ada County Board of County Commissioners, City of Meridian, Ada County Highway District, Joint School District No 2, Ada County Ambulance/EMS, Meridian Cemetery District, College of Western Idaho, Meridian Library District, Mosquito Abatement District, the Western Ada Recreation District, and the State Tax Commission a copy of this Ordinance, copies of the legal descriptions of the boundaries of the deannexed areas, and the maps indicating the boundaries of the parcels to be deannexed from the Existing Project Area.

A full text of this ordinance and the Second Amendment are available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho.

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City of Meridian  
 Mayor and City Council  
 By: Chris Johnson, City Clerk

First Reading: 6/22/2021; Second Reading and Public Hearing: 7/06/2021; Third Reading and Public Hearing: 7/13/2021

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY OF ORDINANCE NO. 21-1933**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 21-\_\_\_\_\_ of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A (3).

DATED this \_\_\_\_\_ day of July 2021.

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William. L.M. Nary, City Attorney