

EXHIBIT B

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



In the Matter of the Request for Annexation of a Total of 68.73 acres of Land with R-8 (48.42 acres) and C-G (20.31 acres) Zoning Districts, and Preliminary Plat Consisting of 137 Buildable Lots (136 Residential and 1 Commercial), 19 Common Lots, and 2 Other Lots on 66.52 acres of Land in the R-8 and C-G Zoning Districts for Quartet Northeast; and Annexation of a Total of 22.26 Acres of Land with an R-8 Zoning District and Preliminary Plat Consisting of 50 Buildable Lots and 10 Common Lots on 19.92 Acres of Land in the R-8 Zoning District for Quartet Southeast by Brighton Development, Inc.

Case No(s). H-2020-0017 & H-2020-0018

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

A. Findings of Fact

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

B. Conclusions of Law

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

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION & ORDER
FOR QUARTET NORTHEAST – AZ, PP H-2020-0017 & QUARTET SOUTHEAST – AZ, PP H-2020-0018

Community Development Department, the Public Works Department and any affected party requesting notice.

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

C. Decision and Order

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

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

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in

accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

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

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

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

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

By action of the City Council at its regular meeting held on the 11th day of August, 2020.

COUNCIL PRESIDENT TREG BERNT

VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN

VOTED AYE

COUNCIL MEMBER JESSICA PERREAULT

VOTED AYE

COUNCIL MEMBER LUKE CAVENER

VOTED AYE

COUNCIL MEMBER JOE BORTON

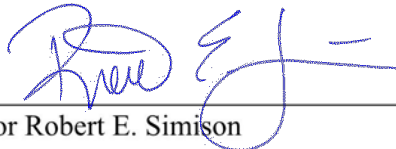
VOTED AYE

COUNCIL MEMBER LIZ STRADER

VOTED AYE

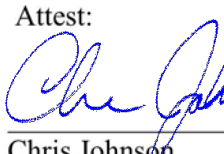
MAYOR ROBERT SIMISON
(TIE BREAKER)

VOTED



Mayor Robert E. Simison

Attest:



Chris Johnson
City Clerk



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

By:  _____ Dated: 8-11-2020
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



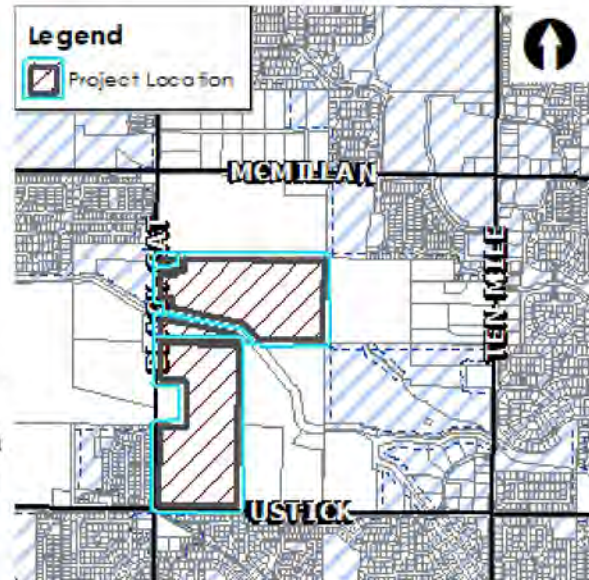
HEARING DATE: 7/28/2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0017 Quartet Northeast
H-2020-0018 Quartet Southeast

LOCATION: 4020 & 4340 N. Black Cat Rd. [Parcels:
#S0434233652; S0434244210;
S0434233920; S0434325860 (partial), in
the west ¼ of Section 34, T.4N., R.1W.]



I. PROJECT DESCRIPTION

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

Quartet Southeast (SE): Annexation of a total of 22.26 acres of land with an R-8 zoning district; and Preliminary plat consisting of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district. *Note: A property boundary adjustment application is currently in process with Ada County that will reconfigure the boundary of this property consistent with the Record of Survey (ROS) shown in Section VIII.A; the Applicant anticipates this application will be approved and the ROS recorded prior to the City Council hearing. Therefore, the annexation and plat boundaries are based on the boundary shown on the ROS and not the current parcel configuration shown on the maps included in this report.*

Because NMID owns the land where the Five Mile Creek is located which lies between the two properties proposed for development and does not wish for their land to be included in the subdivision, two (2) separate preliminary plat applications are required. Because the site is being developed as one overall property, one staff report has been prepared for both projects which includes analysis for each individual plat as well as for the overall development. The overall annexation area includes the Five Mile Creek as zoning goes to the centerline of waterways.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	66.52 (NE) + 19.92 (SE) = 86.44 acres (overall)	
Existing/Proposed Zoning	RUT in Ada County (existing); R-8 and C-G (proposed)	

Description	Details	Page
Future Land Use Designation	Medium Density Residential (MDR) (3-8 units/acre) (50+/- acres) & Mixed Use – Non-Residential (MU-NR) (41+/- acres)	
Existing Land Use(s)	Rural residential/agricultural	
Proposed Land Use(s)	Single-family residential (SFR), commercial	
Lots (# and type; bldg./common)	186 residential buildable lots; 1 commercial buildable lot; 29 common lots; and 2 other lots for shared driveways	
Phasing Plan (# of phases)	3 phases (overall between both subdivision)	
Number of Residential Units (type of units)	186 detached SFR homes	
Density (gross & net)	NE: 2.93 units/acre (gross); 4.73 units/acre (net) SE: 2.51 units/acre (gross); 4.86 units/acre (net) NE & SE (overall): 2.8 units/acre (gross); 4.76 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	NE: 7.6 acres SE: 3.4 acres NE & SE (overall): 11 acres (or 13%)	
Amenities	Swimming pool, multi-use pathways, an additional 2.36+ acres qualified open space beyond the minimum required and a tot lot with children's play equipment.	
Physical Features (waterways, hazards, flood plain, hillside)	Land containing the Five Mile Creek bisects the two (2) preliminary plats; a portion of the site is within the floodplain in an approximate (A) zone. The Creason Lateral runs along the eastern portion of the north boundary of Quartet Northeast subdivision.	
Neighborhood meeting date; # of attendees:	1/21/20; 9 attendees	
History (previous approvals)	None	

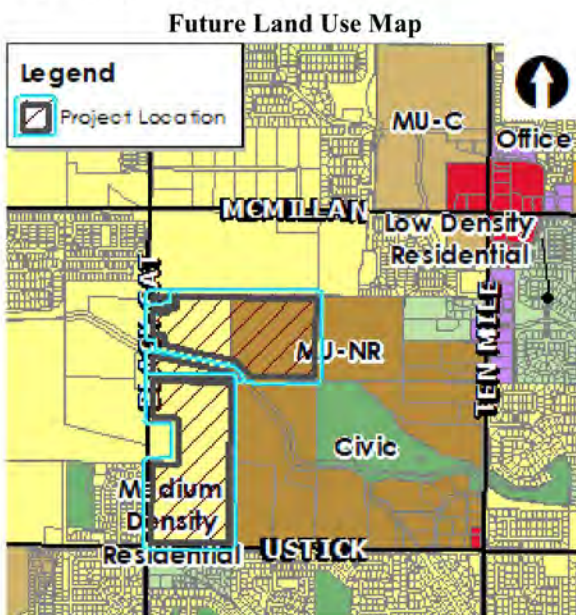
B. Community Metrics

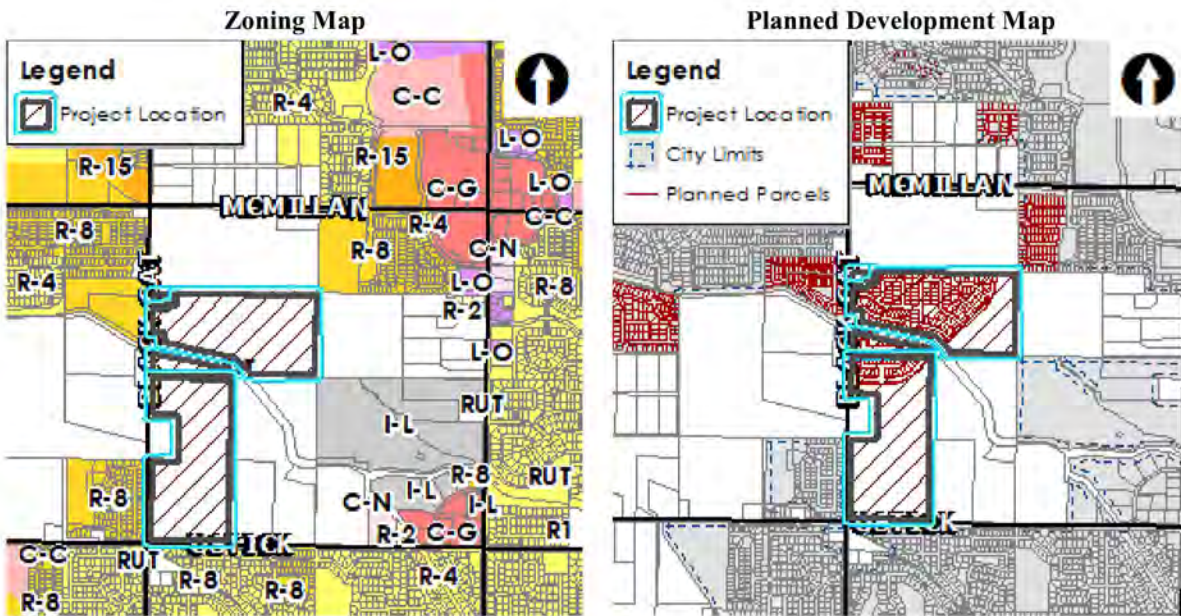
Description	Details	Page
Ada County Highway District		
- Staff report (yes/no) - Requires ACHD Commission Action (yes/no)	Yes No	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses (Bell Tower Dr., a local street & San Remo St., a collector street) are proposed via N. Black Cat Rd., an arterial street. Black Cat Rd. is currently improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 50-70' of ROW for Black Cat Rd. (17-20' from centerline).	
Traffic Level of Service	Better than "D" (Acceptable level of service is "E")	
Stub Street/Interconnectivity/Cross Access	(1) collector and (1) local stub street is proposed to the north and (1) local stub street is proposed to the south to adjacent properties for future extension as depicted on the plat.	
Existing Road Network	There are no existing streets within the site and no stub streets to the site; N. Black Cat Rd. exists along the west boundary of the site	
Existing Arterial Sidewalks / Buffers	There is no existing sidewalk or buffer along N. Black Cat Rd.	

Description	Details	Page																
Proposed Road Improvements	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): • Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to Ustick Road between 2021 and 2025. • The intersection of McMillan Road and Black Cat Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 2-lanes east, and 2-lanes on the west leg, and reconstructed between 2026 and 2030. • The intersection of Ustick Road and Black Cat Road is listed in the CIP to be reconstructed as a dual-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 4-lanes east, and 4-lanes on the west leg, and reconstructed between 2021 and 2025. A dedicated northbound right-turn lane & dedicated southbound left-turn lane is required to be constructed on Black Cat Rd. at Bell Tower Dr. & San Remo St. as recommended in the TIS.																	
Fire Service																		
• Distance to Fire Station	2 miles																	
• Fire Response Time	Falls within 5 minute response time goal																	
• Resource Reliability	76% - target goal is 80% or greater – does <i>not</i> meet the targeted goal																	
• Risk Identification	2 – current resources would <i>not</i> be adequate to supply service to this project																	
• Accessibility	Project meets all required access, road widths and turnarounds.																	
• Special/resource needs	Project will require an aerial device; response time is 12 minutes travel time - <i>can't</i> meet this need in the required timeframe if a truck company is required.																	
• Water Supply	Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.																	
• Other Resources																		
Police Service																		
• Distance to Police Station	6.5 miles																	
• Police Response Time	Just under 5 minutes from Police Dept.; response time goal for emergencies is 3-5 minutes.																	
• Calls for Service	283 (within a mile of site between 3/1/2019-2/29/2020)																	
• Accessibility	No concerns																	
• Specialty/resource needs	No additional resources are required at this time.																	
• Crimes	28 (within a mile of site between 3/1/2019-2/29/2020)																	
• Crashes	19 (within a mile of site between 3/1/2019-2/29/2020)																	
• Other	The MPD can provide service if this development is approved as they already serve this area.																	
West Ada School District																		
• Distance (elem, ms, hs)	<table><thead><tr><th></th><th>Enrollment</th><th>Capacity</th><th>Miles Dev. to school</th></tr></thead><tbody><tr><td>Pleasant View Elementary</td><td>Opening 20/21 School Year</td><td>675</td><td>.9</td></tr><tr><td>Star Middle School</td><td>692</td><td>1000</td><td>6.3</td></tr><tr><td>Meridian High School</td><td>1961</td><td>2400</td><td>4.0</td></tr></tbody></table>		Enrollment	Capacity	Miles Dev. to school	Pleasant View Elementary	Opening 20/21 School Year	675	.9	Star Middle School	692	1000	6.3	Meridian High School	1961	2400	4.0	
	Enrollment	Capacity	Miles Dev. to school															
Pleasant View Elementary	Opening 20/21 School Year	675	.9															
Star Middle School	692	1000	6.3															
Meridian High School	1961	2400	4.0															
• Capacity of Schools																		
• # of Students Enrolled																		
	Due to the abundant amount of growth in the area, West Ada is actively building new schools, and boundaries are always changing. These future students could potentially attend Owyhee High School.																	
• Estimated # of students from this development	110 (NE) + 40 (SE) = 150																	
Wastewater																		
• Distance to Sewer Services	Directly adjacent																	
• Sewer Shed	North Black Cat Trunk Shed																	
• Estimated Project Sewer ERU's	See application																	

• WRRF Declining Balance	13.92	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	Applicant to ensure that the depths of the sanitary sewer allows for service of the property to the SE of Quartet Northeast per the Meridian Wastewater Master Plan.	
Water		
• Distance to Water Services	Directly adjacent	
• Pressure Zone	1	
• Estimated Project Water ERU's	See application	
• Water Quality	None	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	The water main in N. Joy Way (furthest east road) should be a 12-inch. In addition, the water main in N. Joy Way will need to continue south through Quartet Southeast to provide a second connection out to Black Cat Rd. with the second phase of the development.	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Quenzer Farms, LLLP – 3680 N. Black Cat Rd., Meridian, ID 83646

C. Representative:

Michael D. Wardle, Brighton Corporation – 2929 W. Navigator #400, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	5/29/2020	7/10/2020
Notification mailed to property owners within 300 feet	5/26/2020	7/8/2020
Applicant posted public hearing notice on site	4/22/2020	7/15/2020
Nextdoor posting	5/27/2020	7/8/2020

V. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the western 50+/- acres of the property as Medium Density Residential (MDR) and the eastern 41+/- acres as Mixed Use – Non-Residential (MU-NR). A City Park is also conceptually designated on the FLUM in this general area.

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

The purpose of the MU-NR designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City's Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted in Figure 3E in the Comprehensive Plan (see page 3-18).

Transportation: The Master Street Map (MSM) depicts a collector street from W. McMillan Rd. to the project's north boundary near the northeast corner of the site and a multi-lane roundabout at the mid-mile on Black Cat Rd. The Map depicts a future east/west collector street near the half mile on the west side of Black Cat.

A collector street (San Remo St./N. Joy Way) is proposed from N. Black Cat Rd. to the north boundary in accord with the MSM. ACHD is not requiring a roundabout be constructed at this time as they feel it's not warranted based on the Traffic Impact Study (TIS) although additional right-of-way (ROW) is required to be dedicated to accommodate the future construction of the multi-lane roundabout.

Proposed Development: The Applicant proposes to develop 66.35 acres of the subject overall property with 186 single-family detached dwelling units at an overall gross density of 2.8 units per acre; and 20.09 acres with non-residential/commercial uses to be determined in the future consistent with the FLUM. **The eastern 18 acre residential portion of Quartet Northeast is located within the MU-NR designated area, which is a non-residential designated area that provides approximately a ¼ mile separation and buffer to the City's wastewater facility. Because the FLUM is not parcel specific, the Applicant requests the MDR designation on the western portion of the property is extended to the collector street (N. Joy Way), which bisects the eastern portion of the property. The portion of the property east of the collector street is proposed to be zoned C-G and developed with non-residential/commercial uses.**

Because the collector street will provide a "break" to future non-residential/commercial uses similar to that shown on the concept diagram for MU-NR designated areas included in the Comprehensive Plan (see Figure 3E on pg. 3-18), Staff is amenable to this proposal *if deemed appropriate by City Council*. Staff does have concerns with residential uses in such close proximity to the Wastewater facility as foul odors are a concern in this area, thus the reason for the "non-residential" designation. For this reason, residential may not be a compatible use in this area. City Council should make this determination. *Note: The Public Work's Dept. anticipates doing a noise/odor study later this year to determine the current impacts of the facility on adjacent properties, which may change the boundary of the MU-NR designated area.*

The Park's Dept. is not pursuing a City park in this location at this time; however, the non-residential/commercial lot (Lot 1, Block 14) on the east side of the collector street adjacent to the wastewater facility may be considered for a potential park site with a future development application on that property.

Prior to any development occurring on this lot, the Applicant should coordinate with the Park's Department to determine if a City park is needed in this area.

The following Comprehensive Plan Policies are applicable to this development:

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

Only one housing type is proposed in this development (i.e. single-family detached). The residential developments in this vicinity also contain standard single-family detached homes. Because this site is in close proximity to the City's Wastewater Resource Recovery Facility, Staff does not recommend a mix of housing types is provided as it would likely increase the density in this area, which is not desired.

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

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

Only one housing type is proposed in this development (i.e. single-family detached); the minimum lot size proposed is 6,866 with an average lot size of 9,145 square feet, which will accommodate a variety of housing styles consisting of 1- and 2-story units.

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

The proposed single-family residential development is compatible with other residential and agricultural uses in the area; the future non-residential/commercial development should be compatible with the existing Wastewater facility to the southeast. The proposed residential uses in the MU-NR designated area may not be compatible with the Wastewater facility. The Public Work’s Dept. anticipates doing a noise/odor study later this year to determine the current impacts of the facility on adjacent properties, which may change the boundary of the MU-NR designated area.

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

Segments of the City’s multi-use pathway system are proposed off-site along the north boundary of the Five Mile Creek and along the east side of the proposed collector street in accord with the Pathways Master Plan. Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

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

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

- “Discourage residential land uses in close proximity to the Wastewater Resource Recovery Facility, the Intermountain Gas Facility on Can-Ada Road, and other incompatible land uses.” (3.06.02E)

The eastern 18 acre portion of the site in Quartet Northeast is within the MU-NR designated area on the FLUM, which is in close proximity to the wastewater facility. The expansion of residential uses in this area may not be compatible with the wastewater facility due to odors associated with the facility.

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

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

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

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

- “Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City's vision and the necessary extension of public services and infrastructure is provided.” (3.03.03)

The proposed development plan is generally consistent with the City's vision in terms that medium density residential and non-residential uses are proposed; public services can be provided and infrastructure will be extended with development.

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)

A collector street (San Remo St./N. Joy Way) is proposed from N. Black Cat Rd. that stubs to the north for future extension to McMillan Rd. in accord with the MSM, which depicts a collector street from McMillan Rd. to the northeast corner of the proposed residential development.

- “Plan for and allow land uses surrounding the Wastewater Resource Recovery Facility that reduce human exposure to odors.” (4.10.01A)

The residential uses proposed on 18 acres in Quartet Northeast in the MU-NR designated area may expose humans to odors associated with the wastewater facility.

- “Coordinate with developers, irrigation districts, and drainage entities to implement the proposed pathway network along canals, ditches, creeks, laterals and sloughs.” (3.08.02B)

A 10-foot wide multi-use pathway is proposed along the north side of the Five Mile Creek adjacent to the south boundary of the Quartet Northeast preliminary plat on NMID's property.

- “Slow the outward progression of the City's limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

The proposed project is in a larger enclave area around the City's wastewater facility and is not on the fringe.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation if City Council determines an extension of the MDR designation on the abutting 18 acres of land to the east is appropriate for the area currently designated MU-NR.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

A. Annexation & Zoning:

The Applicant proposes to annex a total of 90.99 acres of land between the two subdivisions with R-8 (70.68 acres) and C-G (20.31 acres) zoning consistent with the associated MDR and MU-NR FLUM designations in the Comprehensive Plan as discussed above in Section V. At the request of the City, the Applicant included the 0.97 acre out-parcel at the southwest corner of the Quartet Northeast subdivision where a sewer lift station is located in the annexation boundary.

The single-family residential and future non-residential/commercial uses planned to develop on this site are consistent with uses desired in this area as discussed above in Section V. A conceptual development plan was not submitted for the non-residential/commercial lot proposed to be zoned C-G; the Applicant states this lot will be the subject of future discussion with the City regarding a potential park site as depicted on the FLUM or consideration of other potential buffer uses determined by the results of the Public Work's noise/odor study.

The annexation area is within the Area of City Impact Boundary (AOCIB). Legal descriptions for the annexation area are included in Section VIII.B; separate descriptions were submitted for each of the preliminary plat applications.

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

The Record of Survey depicted in Section VIII.A should be approved by Ada County and recorded prior to approval of the annexation ordinance and the Development Agreement for this project. Additionally, as a provision of the Development Agreement, Staff recommends the Applicant is required to coordinate with the Park's Dept. prior to development of the C-G zoned portion of the site on the east side of the collector street to determine if a City park is needed in that area.

B. Preliminary Plat:

Two separate preliminary plats, Quartet Northeast and Quartet Southeast, are proposed due to land owned by NMID containing the Five Mile Creek bisecting the two properties. Because both plats are proposed to develop and be marketed as one overall project, Staff's analysis is based on the overall project.

Quartet Northeast consists of 137 buildable lots (136 residential and 1 commercial), 19 common lots, and 2 other lots on 66.52 acres of land in the R-8 and C-G zoning districts; and Quartet Southeast consists of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district. Overall, a total of 186 residential buildable lots, 1 commercial buildable lot, 29 common lots and 2 other lots are proposed between the two subdivisions.

The minimum lot size proposed overall is 6,866 square feet (s.f.) with an average lot size of 9,145 s.f.; the gross density overall is 2.8 units/acre with a net density of 4.76 units/acre. The subdivision is proposed to develop in three (3) phases as depicted on the plat (see Section VIII.C). The first two phases are located along N. Black Cat Rd. with the third and final phase on the eastern portion of the site.

Existing Structures/Site Improvements:

There is one existing home and accessory structures within the boundary of each preliminary plat that are proposed to remain on Lot 11, Block 7, Quartet Southeast and Lot 2, Block 1, Quartet Northeast subdivision. All existing accessory structures that don't comply with the setback standards listed in UDC Table 11-2A-6 should be removed prior to the City Engineer's signature on the final plat on the phase in which they're located.

The existing homes are required to disconnect from private service and hook up to City water and sewer service within 60 days of such services becoming available as set forth in MCC 9-1-4 and 9-4-8 respectively. Existing wells may be used for irrigation purposes only. The addresses of these homes will also be subject to change with subdivision of the property.

Proposed Use Analysis:

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Allowed uses in the C-G district are listed in UDC Table 11-2B-2.

Although some residential uses are allowed in the C-G zoning district per UDC Table 11-2B-2, Staff recommends as a provision of the DA that no residential uses be developed on the non-residential/commercial C-G zoned lot on the east side of the collector street, including but not limited to, a multi-family development, a vertically integrated residential project, and/or a nursing/residential care facility *unless* a subsequent Noise and Odor Study conducted by the City determines residential uses are appropriate in that area.

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

Development of the subject property is required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district and 11-2B-3 for the C-G district.

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

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3, including but not limited to streets, common driveways and easements.

There are two (2) common driveways proposed on common lots (i.e. Lots 10 and 16, Block 1); such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

Access (UDC [11-3A-3](#))

One (1) collector street (San Remo St./N. Joy Way) access is proposed in Quartet Southeast and one (1) local street access is proposed in Quartet Northeast via N. Black Cat Rd. The collector street is proposed to stub to the north at the northeast corner of the site for future extension to W. McMillan Rd. Local stub streets are proposed to the north and south to adjacent properties for future extension as depicted on the preliminary plats in Section VIII.C. Direct lot access via the arterial (Black Cat Rd.) and collector (San Remo St./N. Joy Way) streets is prohibited; the existing access via Black Cat Rd. for the home proposed to remain on Lot 2, Block 1 Quartet Northeast subdivision shall be removed and access taken from Belltower Dr.

The bridge across the Five Mile Creek and the gravel fire access road from Black Cat Rd. in the location where the collector street is proposed is required to be constructed for emergency access for any development over 30 homes/lots as approved by the Fire Department.

Because N. Joy Way is proposed to stub at the north boundary and is longer than 150' without a Fire Department approved turn around, the Fire Dept. requests a Type III barricade is placed at the intersection of N. Joy Way and Grand Rapids Dr. to prevent access until the street is extended in the future. The construction drawings should be revised to include this change. As an alternative to a barricade, a Fire Dept. approved turnaround could be provided at the end of the collector street.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. Parking for non-residential uses is required per the standards listed in UDC 11-3C-6B.1.

Pathways (UDC [11-3A-8](#)):

The Pathways Master Plan depicts a segment of the City's multi-use pathway system along the north side of the Five Mile Creek; and along the north and a short portion of the east side of the Quartet Northeast property.

The Applicant proposes to construct an off-site 10-foot wide multi-use pathway along the north side of the Five Mile Creek and a detached 10-foot wide sidewalk/multi-use pathway along the east side of the collector street (N. Joy Way), north of the creek, to the north boundary of Quartet Northeast per discussions with the Park's Department. **Legal descriptions for the pathway alignments (14-foot wide)**

should be submitted to the City in order for the pathways to be added to the City's Master Pathways Agreement.

The pathway proposed on NMID's property will require a license agreement with NMID for the pathway and associated landscaping required by UDC 11-3B-12C.

The UDC (11-3B-12C) requires a 5-foot wide landscape strip to be provided along each side of the pathway, landscaped with a mix of trees, shrubs, lawn, and/or other vegetative groundcover. A minimum of one tree is required per 100 linear feet of pathway; the calculations table included on the landscape plan does not include the linear feet of pathways or trees proposed to demonstrate compliance with this requirement – the revised plan submitted with the final plat application should include this information.

If NMID does *not* approve the pathway and associated landscaping to be located on their property, the pathway should be provided in a minimum 20-foot wide common lot within Quartet Northeast subdivision within a 14-foot wide public pedestrian easement.

Staff recommends pedestrian pathways are provided from the internal sidewalks along Miramonte Ct. and Miramonte Dr. through adjacent common areas to the multi-use pathway along the Five Mile Creek; and micro-pathways are provided through Lot 10, Block 4 and Lot 7, Block 3 for pedestrian interconnectivity within the subdivision.

All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan.

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

The UDC (11-3A-17) requires, at a minimum, detached sidewalks to be provided along arterial and collector streets and attached sidewalk to be provided along local streets.

Detached sidewalks are proposed along all internal streets, except around the cul-de-sacs, and within the street buffer adjacent to N. Black Cat Rd. and San Remo St./N. Joy Way in accord with the standards listed in UDC 11-3A-17.

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

Eight-foot wide parkways are proposed adjacent to all streets where detached sidewalk are proposed; all parkways are required to be constructed in accord with the standards listed in UDC 11-3A-17.

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

A 25-foot wide street buffer is required adjacent to N. Black Cat Rd., an arterial street; and a 20-foot wide street buffer is required adjacent to San Remo St./N. Joy Way, a collector street, landscaped per the standards listed in [UDC 11-3B-7C](#), as proposed.

Parkways are required to be landscaped in accord with the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#). Landscaping is proposed in accord with UDC standards.

Landscaping is required along all pathways in accord with the standards listed in [UDC 11-3B-12C](#) as discussed above.

Common open space is required to be landscaped in accord with the standards listed in [UDC 11-3G-3E](#). Landscaping is depicted in common areas in *excess* of UDC standards.

There are existing trees on the site around the existing homes that are proposed to be retained that may require mitigation if removed. The Applicant should coordinate with Matt Perkins, the City Arborist, to determine mitigation requirements per the standards listed in UDC 11-3B-10C.5 if existing trees are *not* proposed to be retained on the site. Any mitigation information shall be included in the calculations table on the landscape plan.

If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

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

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required to be provided with development.

Based on the area of the Quartet Northeast plat (66.52 acres), a minimum of 6.65 acres of qualified open space should be provided. A total of 7.6 acres (or 11.5%) is proposed in excess of UDC standards consisting of half the street buffer along the arterial street (N. Black Cat Rd.), all of the street buffer along the collector street (N. Joy Way), internal linear open space and common areas exceeding 50' x 100' in area.

Based on the area of the Quartet Southeast plat (19.92 acres), a minimum of 1.99 acres of qualified open space should be provided. A total of 3.4 acres (or 17%) is proposed in excess of UDC standards consisting of half the street buffer along the arterial street (N. Black Cat Rd.), all of the street buffer along the collector street (San Remo St./N. Joy Way), and internal linear open space.

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

A minimum of one (1) qualified site amenity is required for each 20 acres of land to be developed as set forth in UDC 11-3G-3.

Based on the area of the Quartet Northeast plat (66.52 acres), a minimum of three (3) qualified site amenities are required to be provided. A community swimming pool, a tot lot containing children's play equipment, one acre of extra qualified open space beyond the minimum standards and segments of the City's multi-use pathway system are proposed in excess of UDC standards.

Based on the area of the Quartet Southeast plat (19.92 acres), a minimum of one (1) qualified site amenity is required to be provided. An additional 1.41 acres of qualified open space beyond the minimum standards is proposed as a site amenity in accord with UDC standards.

Because Quartet Northeast and Southeast subdivisions will develop as one and be under the same Homeowner's Association, and common open space and site amenities will be shared, Staff believes the proposed open space and site amenities are adequate for the development with the inclusion of the micropath connections as recommended above.

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

The Creason Lateral runs across the eastern portion of the north boundary of Quartet Northeast subdivision in Lot 34, Block 4 within a 40-foot wide easement and is proposed to be left open. **Because this area is included in the qualified open space calculations for the site, it should be landscaped per the standards listed in UDC 11-3G-3E – no landscaping is depicted on the landscape plan for that area.**

The Five Mile Creek is contained within land owned by NMID that lies between the two proposed preliminary plats. **The creek should be protected during construction.**

A portion of the site is within the Five Mile Creek floodplain in an approximate (A) zone which will require a floodplain permit application, including hydraulic and hydrologic analysis to define base flood elevations and a floodway prior to any development occurring in the overlay district – contact Jason Korn, Public Work's, with any questions.

Fencing (UDC [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-6C and 11-3A-7. Fencing is proposed as shown on the landscape plan.

Six-foot tall solid wood fencing is proposed along the perimeter boundary of the site and along side yards adjacent to the street; and 5-foot tall clear vision fence is proposed adjacent to most internal common open space areas. **To provide more visibility of the common area on Lot 34, Block 4 where the Creason Lateral is located, Staff recommends fencing adjacent to the common lot complies with the standards listed in UDC 11-3A-7A.7.**

The Creason Lateral is required to be fenced with an open vision fence at least 6' in height and having an 11-gauge, 2" mesh or other construction, equivalent in ability to deter access to the waterway. If the Applicant can demonstrate to the satisfaction of the Director that the waterway serves as or will be improved as a part of the development to be a water amenity as defined in UDC 11-1A-1, it is not required to be fenced per UDC 11-3A-6C. If it's improved as a water amenity, construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.

Staff recommends a break in the fence is provided on the south side of Lot 8, Block 6 adjacent to the Five Mile Creek for pedestrian access to the multi-use pathway.

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practice as adopted by the City.

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from the Nampa & Meridian Irrigation District.

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

The Applicant submitted several conceptual building elevations for the proposed single-family detached homes planned to be constructed in this development which are included in Section VIII.F. Homes depicted are a mix of 1- and 2-story units with building materials consisting of a variety of siding styles with stone/brick veneer accents. No elevations were submitted for the non-residential/commercial portion of the development as no development is proposed at this time.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face N. Black Cat Rd., an arterial street, and San Remo St./N. Joy Way, a collector street, incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and the non-residential/commercial portion of the development. Design of these structures is required to comply with the design standards listed in the Architectural Standards Manual. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

If the City Council determines extending the MDR FLUM designation further to the east as proposed is appropriate, Staff recommends approval of the requested annexation and zoning with the requirement of a

Development Agreement and approval of the requested preliminary plats with the conditions noted in Section IX.A per the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on June 18, 2020. At the public hearing, the Commission moved to recommend approval of the subject AZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Mike Wardle, Brighton Corp. (Applicant's Representative); Jon Wardle, Brighton Corp.
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Carrie Hovey
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Concern pertaining to traffic & safety of existing 2-lane roadways and the amount of development occurring in this area which is worsening the situation and impact of more development on area schools – would like these applications to be rejected or at least postponed until road infrastructure and schools can be prepared to handle the additional impacts.

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

- a. Concerns pertaining to growth and traffic and the adequacy of existing infrastructure to handle more development until improvements are made in this area;
- b. The option of requiring the noise/odor study to be complete prior to development of Phase 3 to determine if residential uses are appropriate in the area current MU-NR designated area.

4. Commission change(s) to Staff recommendation:

- a. Modification to condition #B1.2 to require the water main in N. Joy Way to continue south through Quartet SE to provide a 2nd connection out to Black Cat Rd. with the 2nd phase of development, instead of the 1st phase, as recommended by Staff.

5. Outstanding issue(s) for City Council:

- a. None

C. The Meridian City Council heard these items on July 28, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.

1. Summary of the City Council public hearing:

- a. In favor: Mike Wardle and Jon Wardle, Brighton Corp.
- b. In opposition: None
- c. Commenting: Denise LaFever
- d. Written testimony: Mike Wardle, Brighton Corp. (in agreement with the Commission's recommendation)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Dale Bolthouse, Clint Dolsby

2. Key issue(s) of public testimony:

- a. Opinion that it's not appropriate to approve C-G zoning without a development plan.
- b. Testimony from Dale Bolthouse that only 4 complaints have been received in the last 5 years from downwind residents pertaining to an offensive odor generated from the wastewater treatment facility.

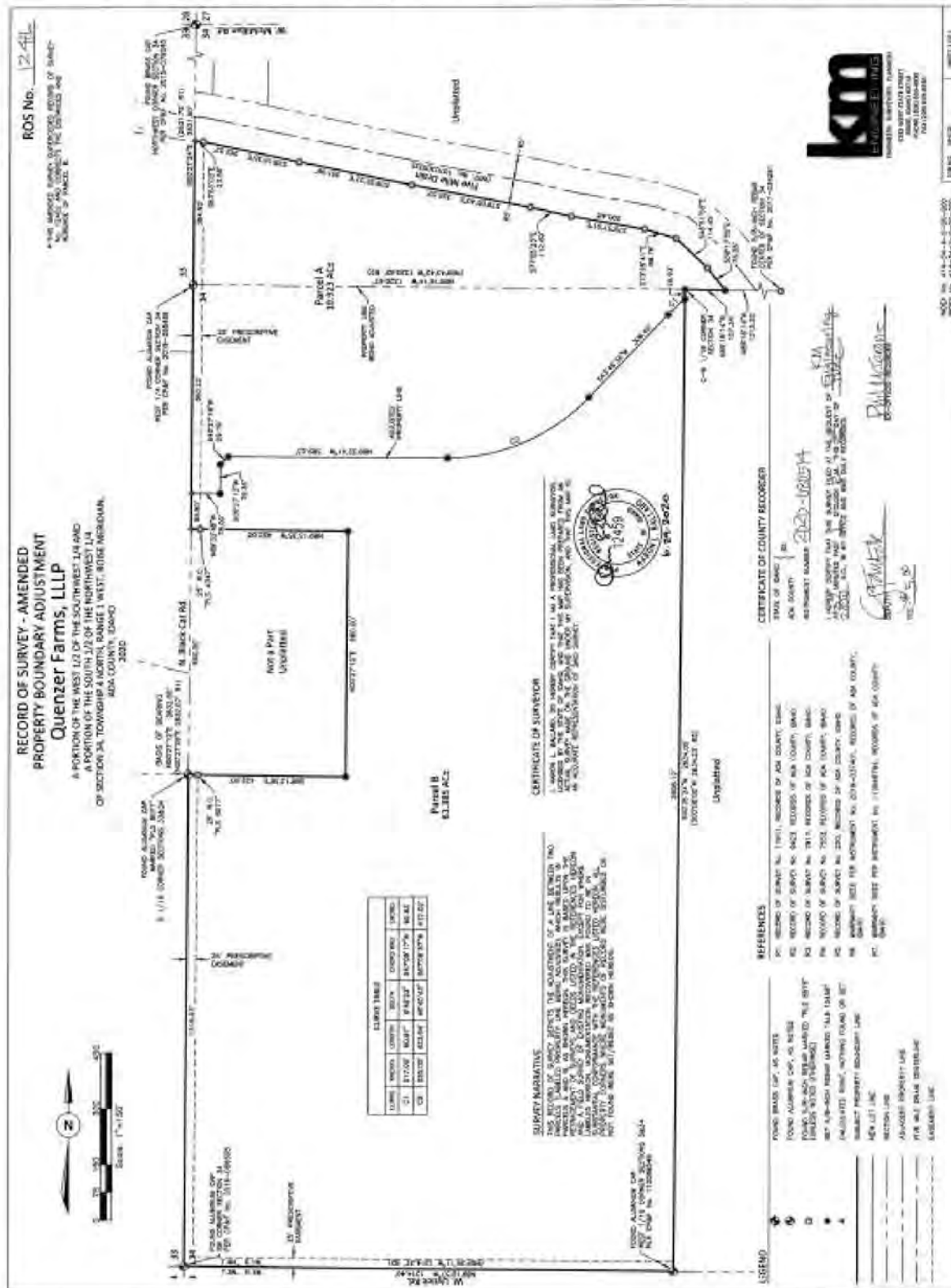
3. Key issue(s) of discussion by City Council:

- a. Council requested more information from Public Works in regard to the upcoming odor study;

- b. Concern pertaining to approval of residential uses in the MU-NR designated portion of Phase 3 prior to obtaining results from an updated odor study to determine if residential uses are appropriate in that area;
 - c. Possible condition on Phase 3 and the commercial portion of the development to ensure City has the ability to restrict residential uses and possibly other uses in the MU-NR designated area if the odor study reflects a significant impact on this area;
 - d. Concern of allowing C-G zoning without a conceptual development plan showing how the lot is to be developed.
4. City Council change(s) to Commission recommendation:
- a. An odor study is required to be conducted by the City prior to development of Phase 3 to determine if residential uses are appropriate in the MU-NR designated area; if determined to *not* be appropriate, a modification to the DA shall be required to amend the development plan for that area (see new DA provision A.1i);
 - a. Modify DA provision #A.1f to require the DA to be modified to include a conceptual development plan for the C-G zoned area/lot prior to development.

VIII. EXHIBITS

A. Record of Survey for Property Boundary Adjustment in Ada County (~~Not Approved~~/Recorded)



B. Annexation Legal Description & Exhibit Map

Quartet Northeast:



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

April 10, 2020
Project No. 19-010

Exhibit A Legal Description for Annexation Quartet Northeast

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

Commencing at a brass cap marking the Northwest corner of said Section 34, which bears $N00^{\circ}27'24''E$ a distance of 2,631.60 feet from an aluminum cap marking the West 1/4 corner of said Section 34, thence following the westerly line of said Northwest 1/4, $S00^{\circ}27'24''W$ a distance of 1,315.80 feet to the North 1/16 corner of said Section 34 and Section 33 and being the **POINT OF BEGINNING**.

Thence leaving said westerly line and following the northerly line of said South 1/2 of the Northwest 1/4, $S89^{\circ}26'06''E$ a distance of 2,647.62 feet to an aluminum cap marking the Northeast corner of said South 1/2 of the Northwest 1/4 (C-N 1/16 corner);

Thence leaving said northerly line and following the easterly line of said South 1/2 of the Northwest 1/4, $S00^{\circ}43'47''W$ a distance of 1,323.39 feet to a 5/8-inch rebar marking the center of said Section 34; Thence leaving said easterly line and following the southerly line of said Northwest 1/4, $N89^{\circ}16'14''W$ a distance of 1,129.66 feet to the centerline of Five Mile Drain;

Thence leaving said southerly line and following said centerline the following eight (8) courses:

1. $N38^{\circ}17'55''W$ a distance of 133.84 feet;
2. $N46^{\circ}51'55''W$ a distance of 134.69 feet;
3. $N73^{\circ}28'41''W$ a distance of 107.81 feet;
4. $N79^{\circ}57'01''W$ a distance of 202.45 feet;
5. $N77^{\circ}05'23''W$ a distance of 112.20 feet;
6. $N79^{\circ}05'40''W$ a distance of 326.25 feet;
7. $N78^{\circ}22'23''W$ a distance of 307.52 feet;
8. $N78^{\circ}15'35''W$ a distance of 100.49 feet;

Thence leaving said centerline, $N00^{\circ}27'24''E$ a distance of 236.72 feet;

Thence $N89^{\circ}32'36''W$ a distance of 195.00 feet to the westerly line of said Northwest 1/4;

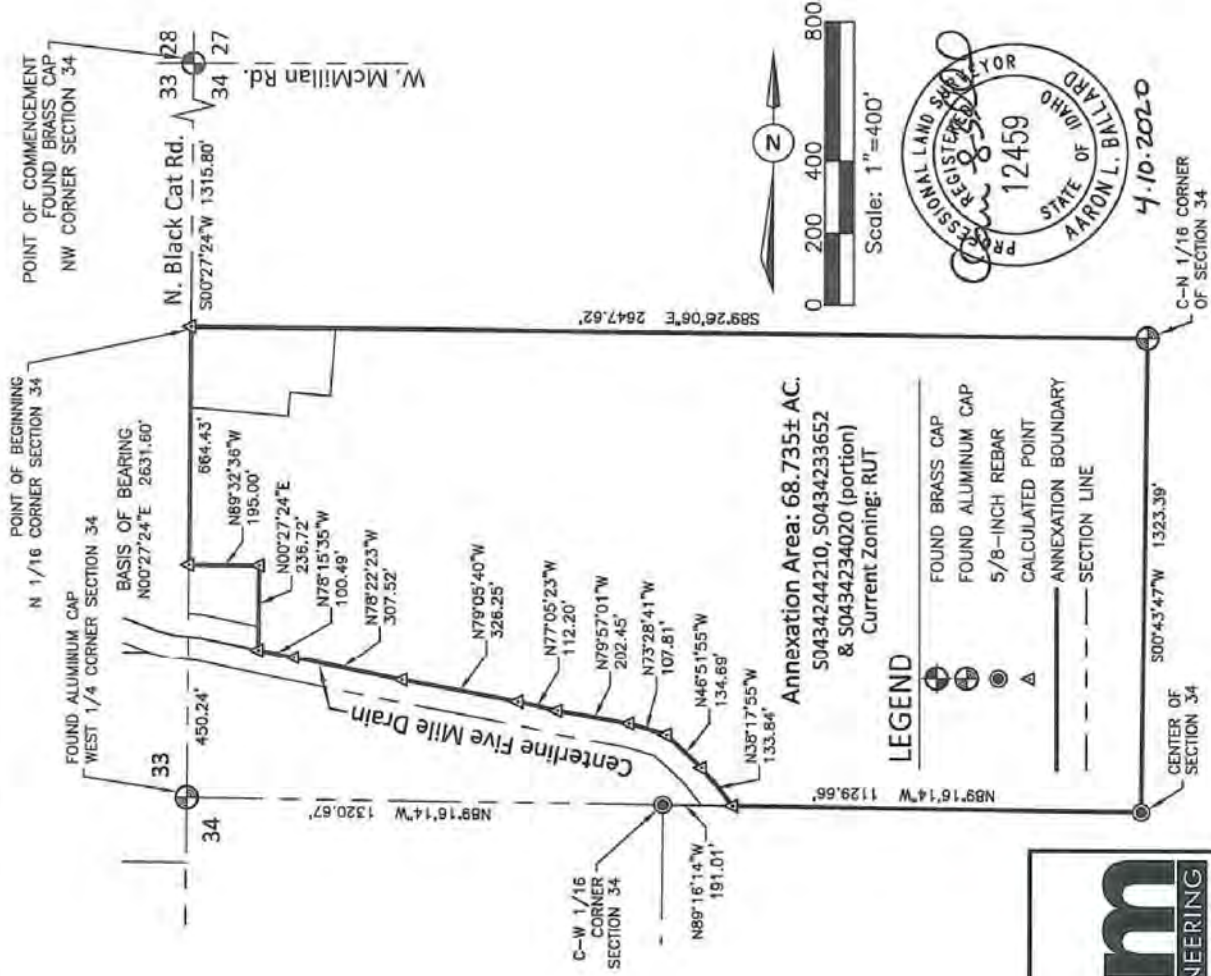
Thence following said westerly line, $N00^{\circ}27'24''E$ a distance of 664.43 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 68.735 acres, more or less.

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



ENGINEERS | SURVEYORS | PLANNERS



Km ENGINEERING
 ENGINEERS, SURVEYORS, PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

Exhibit B
Annexation

Quartet Northeast Subdivision
 S 1/2 NW 1/4 Sec. 34, T4N., R1W., B.M., Ada County, Idaho

DATE:	April 2020
PROJECT:	15-010
SHEET:	1 OF 1

Quartet Southeast:



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

April 10, 2020
Project No. 19-010

Exhibit A
Legal Description for
Annexation and Rezone to R-8
Quartet Southeast

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

BEGINNING at an aluminum cap marking the West 1/4 corner of said Section 34, which bears S00°27'24"W a distance of 2,631.60 feet from a brass cap marking the Northwest corner of said Section 34, thence following the westerly line of said Northwest 1/4, N00°27'24"E a distance of 450.24 feet to the centerline of Five Mile Drain;

Thence leaving said westerly line and following said centerline the following nine (9) courses:

1. S83°53'03"E a distance of 33.19 feet;
2. S78°15'35"E a distance of 265.65 feet;
3. S78°22'23"E a distance of 307.52 feet;
4. S79°05'40"E a distance of 326.25 feet;
5. S77°05'23"E a distance of 112.20 feet;
6. S79°57'01"E a distance of 202.45 feet;
7. S73°28'41"E a distance of 107.81 feet;
8. S46°51'55"E a distance of 134.69 feet;
9. S38°17'55"E a distance of 133.84 feet to the southerly line of said Northwest 1/4;

Thence leaving said centerline and following said southerly line, N89°16'14"W a distance of 191.01 feet to a 5/8-inch rebar marking the Northeast corner of said West 1/2 of the Southwest 1/4 (C-W 1/16 corner);

Thence leaving said southerly line and following the easterly line of said West 1/2 of the Southwest 1/4, S00°35'24"W a distance of 25.93 feet;

Thence leaving said easterly line, 60.97 feet along the arc of a circular curve to the left, said curve having a radius of 517.00 feet, a delta angle of 06°45'23", a chord bearing of S47°09'17"W and a chord distance of 60.93 feet;

Thence S43°46'36"W a distance of 306.45 feet;

Thence 423.64 feet along the arc of a circular curve to the right, said curve having a radius of 520.00 feet, a delta angle of 46°40'43", a chord bearing of S67°06'57"W and a chord distance of 412.02 feet;

Thence N89°32'41"W a distance of 589.03 feet;

Thence S45°27'19"W a distance of 29.19 feet;

Thence S00°27'12"W a distance of 79.36 feet;

Thence N89°32'48"W a distance of 78.00 feet to the westerly line of said Southwest 1/4;

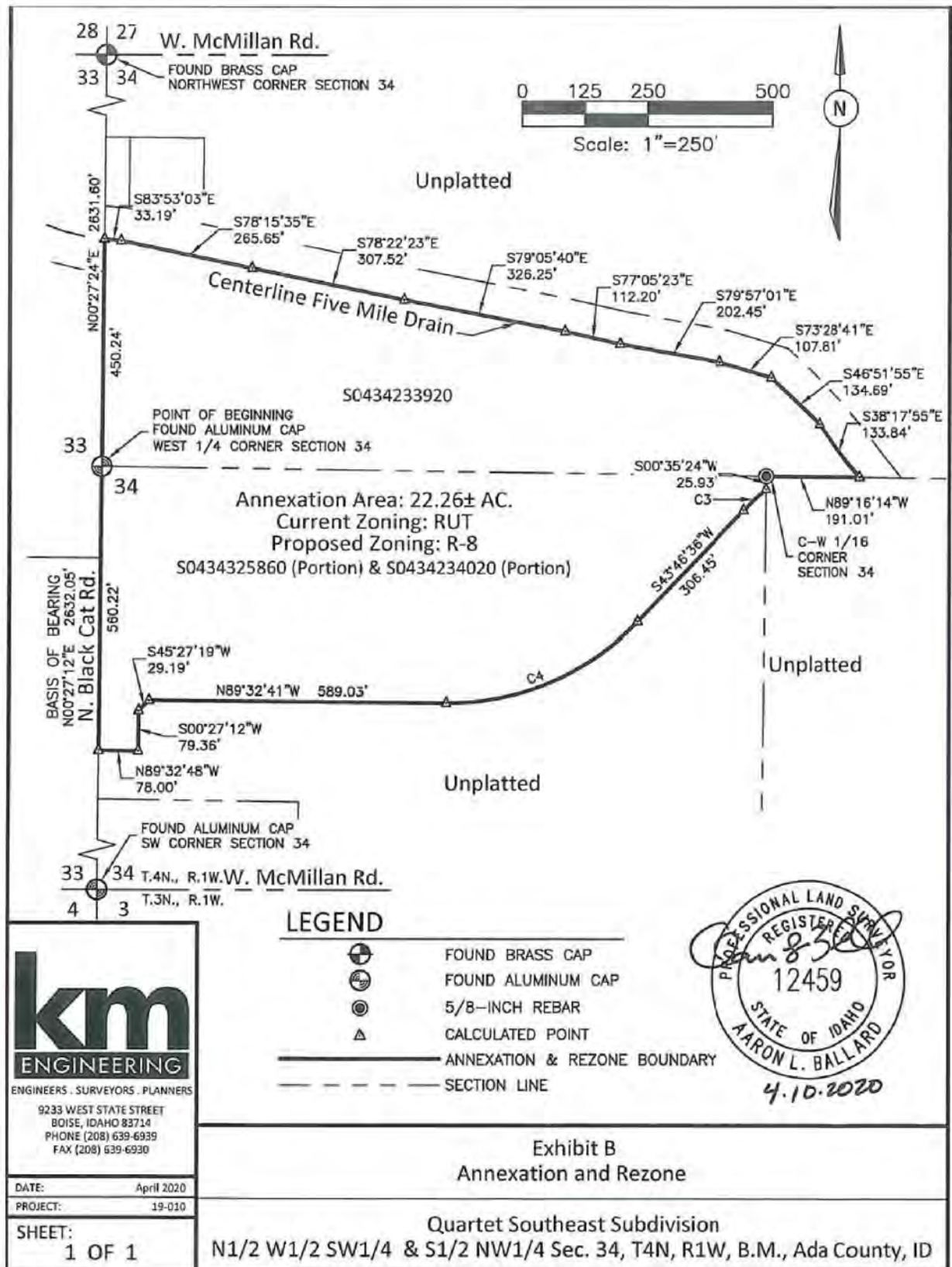
Thence following said westerly line, N00°27'12"E a distance of 560.22 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 22.26 acres, more or less.

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



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City Lift Station Lot:



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

April 20, 2020
Project No. 19-010

Exhibit A
Legal Description for
Annexation and Rezone to R-8
City of Meridian Parcel

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

Commencing at a brass cap marking the northwest corner of said Section 34, which bears N00°27'24"E a distance of 2,631.60 feet from an aluminum cap marking the west 1/4 of said Section 34, thence following the westerly line of said Northwest 1/4, S00°27'24"W a distance of 1,980.23 feet to the **POINT OF BEGINNING**.

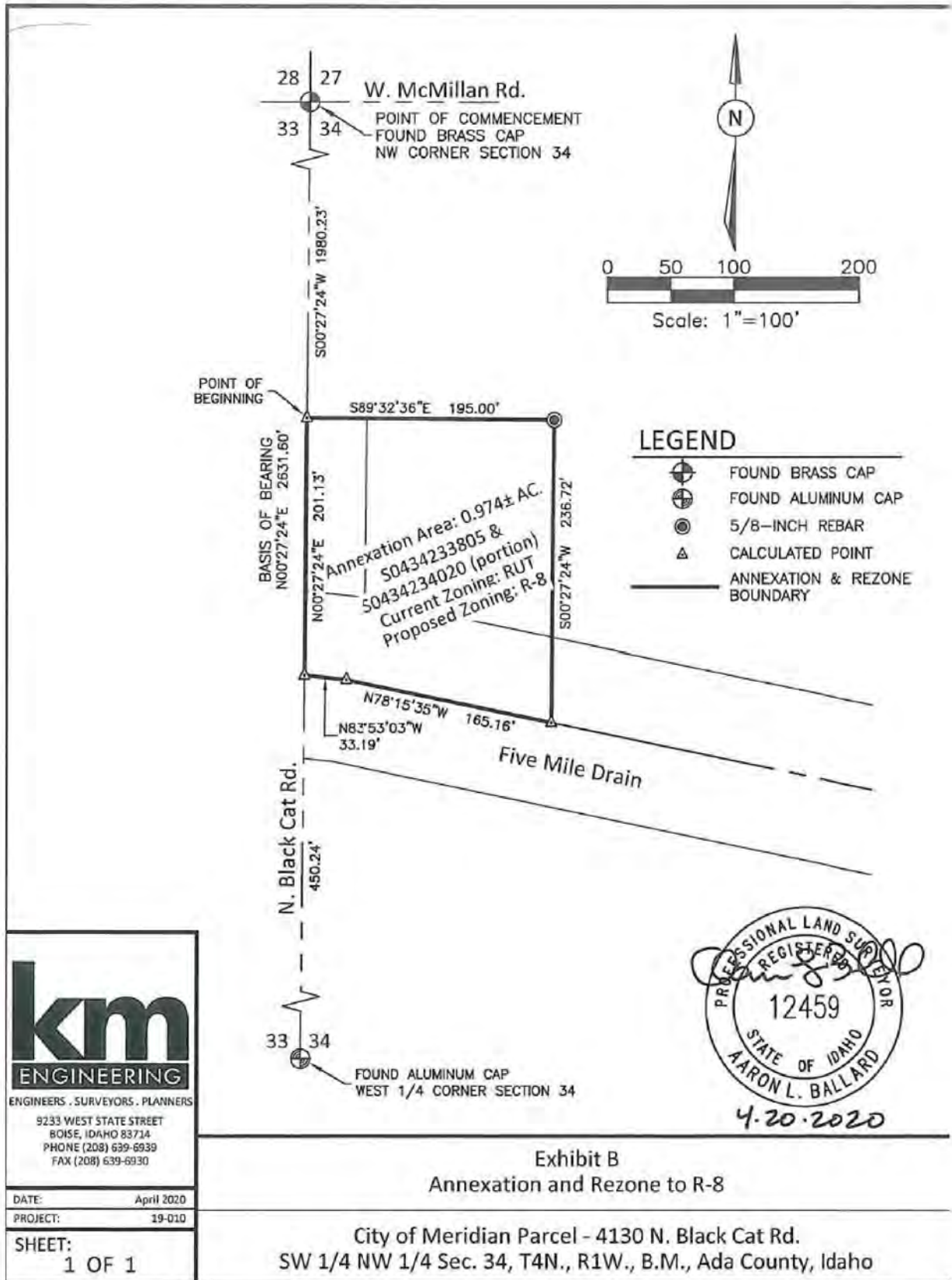
Thence leaving said westerly line, S89°32'36"E a distance of 195.00 feet to a 5/8-inch rebar;
Thence S00°27'24"W a distance of 236.72 feet to centerline of Five mile Drain;
Thence following said centerline, N78°15'35"W a distance of 165.16 feet;
Thence following said centerline, N83°53'03"W a distance of 33.19 feet to the westerly line of said Northwest 1/4;
Thence leaving said centerline and following said westerly line, N00°27'24"E a distance of 201.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 0.974 acres, more or less.

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

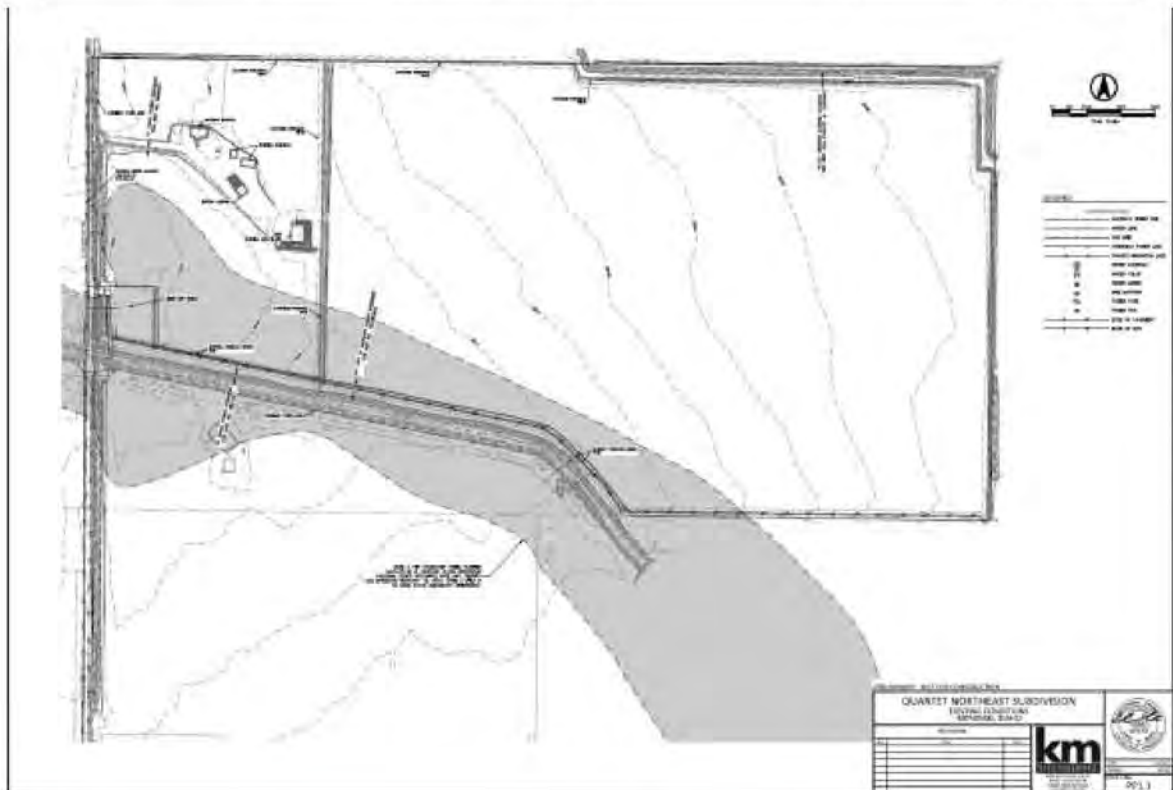


ENGINEERS | SURVEYORS | PLANNERS

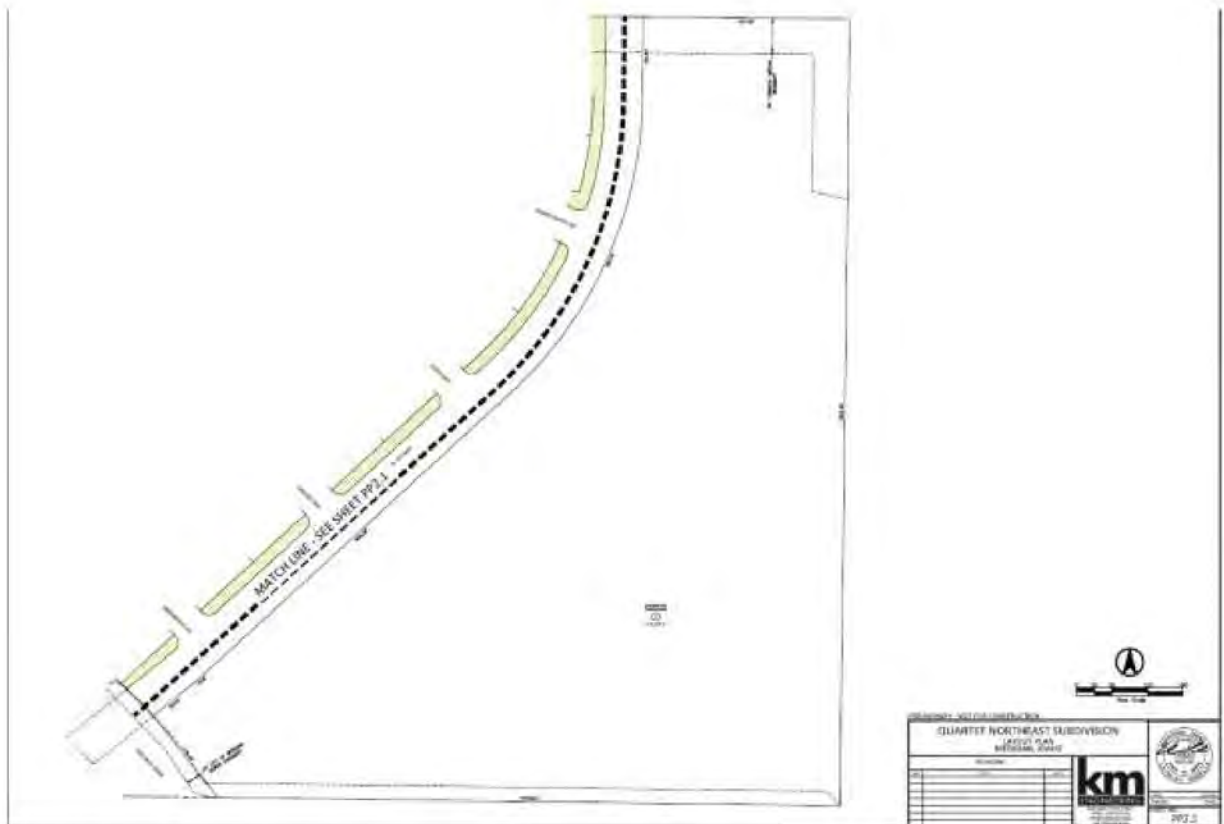


C. Preliminary Plat (date: 1/31/2020) & Phasing Plan

Quartet Northeast:

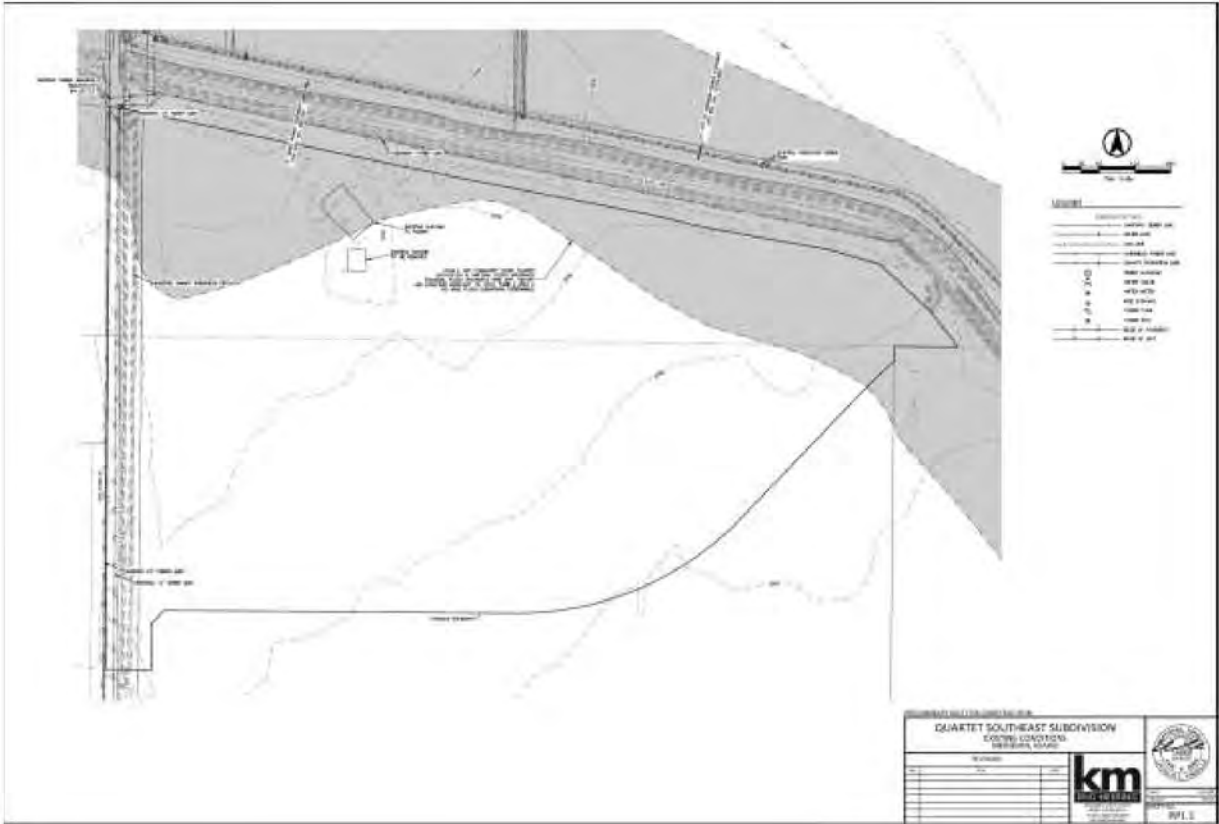






Quartet Southeast:

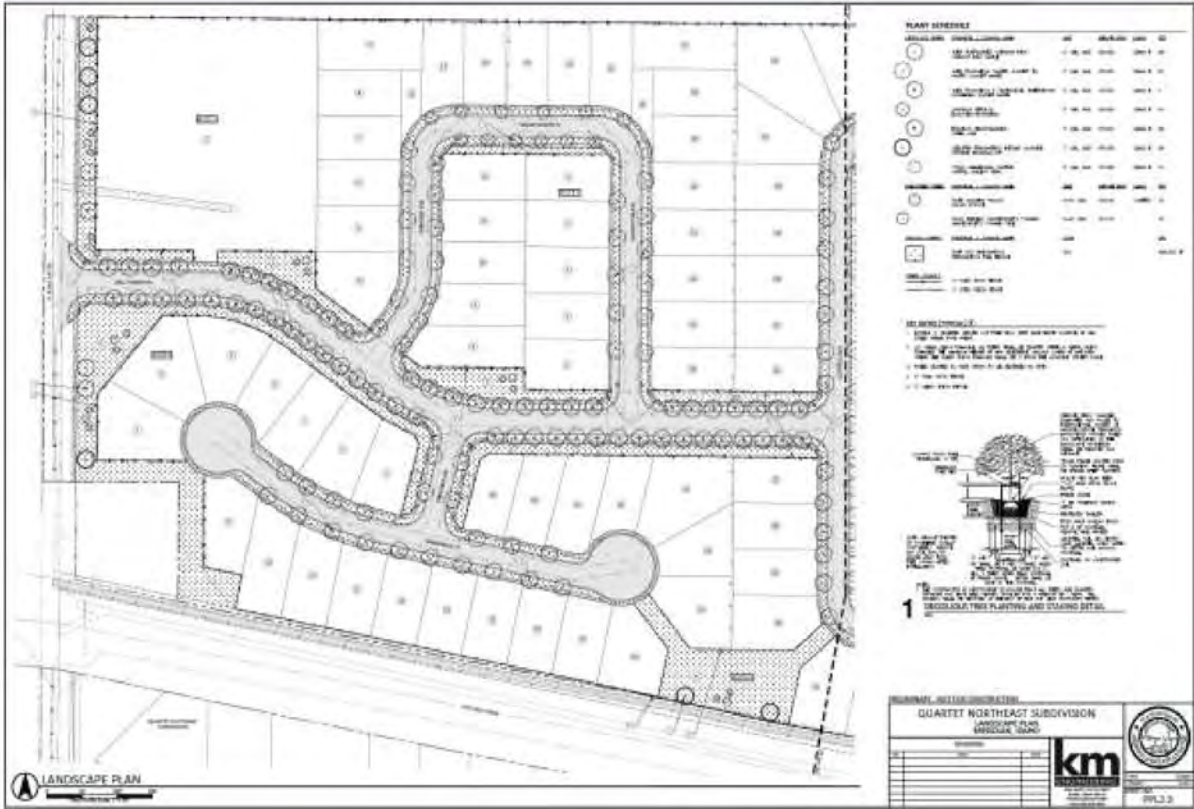




Phasing Plan:



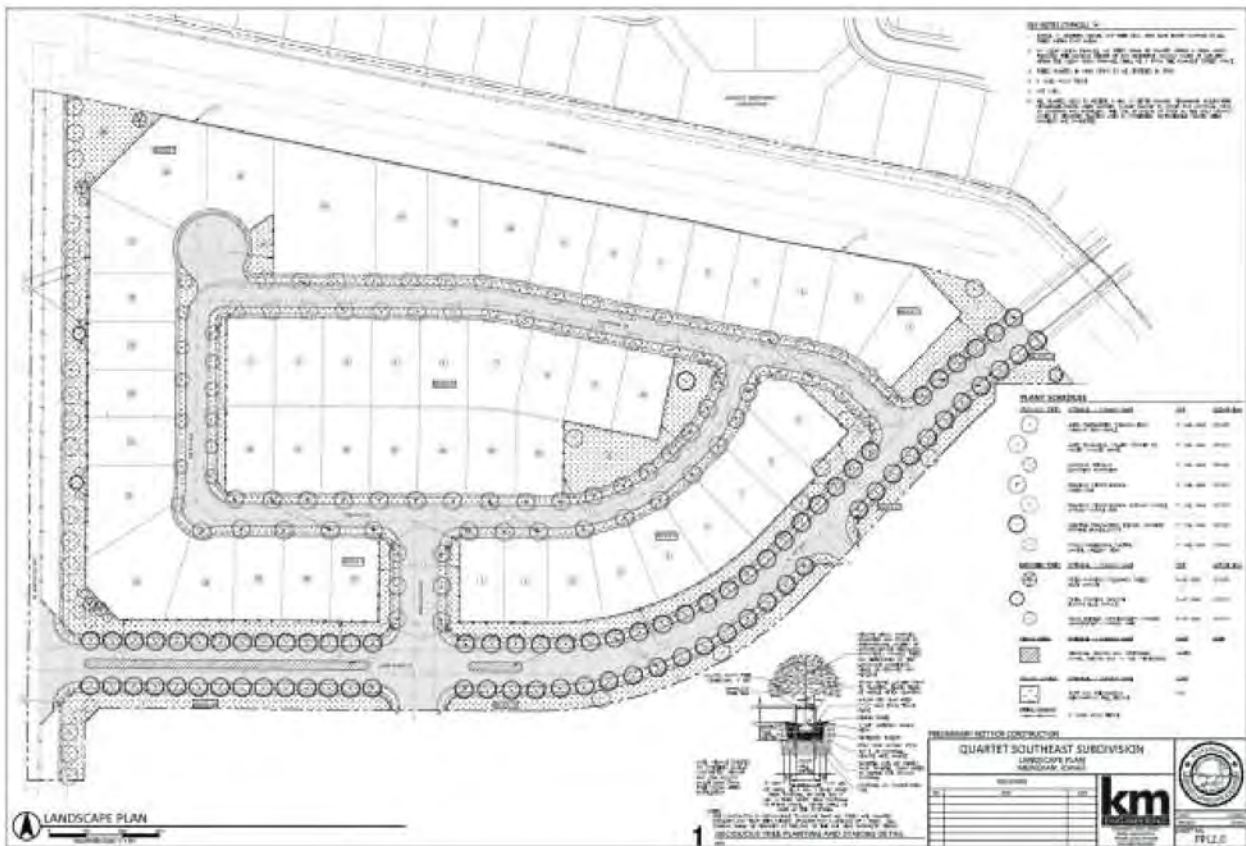
D. Landscape Plan (date: 1/30/2020)
Quartet Northeast:





Quartet Southeast:





F. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

~~The Record of Survey depicted in Section VIII.A shall be approved by Ada County and recorded prior to City Council approval of the Annexation Ordinance and Development Agreement for this project.~~ The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the preliminary plat, phasing plan, landscape plan, qualified open space exhibit and conceptual building elevations included in Section VIII and the provisions contained herein.
- b. The existing homes that are to be retained on lots in the proposed subdivision are required to disconnect from private systems and hook up to City water and sewer service within 60 days of such services becoming available as set forth in MCC 9-1-4 and 9-4-8 respectively. Existing wells may be used for irrigation purposes only.
- c. The existing homes to be retained on lots in the proposed subdivision will be assigned new addresses with subdivision of the property.
- d. The Five Mile Creek shall be protected during construction.
- e. No residential uses shall be developed on the non-residential/commercial C-G zoned lot on the east side of the collector street (depicted as Lot 1, Block 14 on the preliminary plat), including but not limited to, a multi-family development, a vertically integrated residential project, and/or a nursing/residential care facility *unless* a subsequent Noise and Odor Study conducted by the City determines residential uses are appropriate in that area.
- f. The Developer shall coordinate with the City Park's Department prior to development of the non-residential/commercial lot (depicted as Lot 1, Block 14 on the preliminary plat) on the east side of the collector street (N. Joy Way) to determine if a City Park is needed in this area as designated on the Comprehensive Plan. The Development Agreement shall be amended to include a conceptual development plan for that area prior to any development occurring on that lot.
- g. The rear and/or side of structures on lots that face N. Black Cat Rd., an arterial street, and San Remo St./N. Joy Way, a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
- h. Quartet Northeast and Southeast subdivisions shall develop and be phased as one project and shall be included in the same Homeowner's Association; all common open space and site amenities between the two subdivisions shall be shared.
- i. An odor study shall be conducted by the City prior to development of Phase 3 to determine if residential uses are appropriate in the MU-NR designated area; if determined to not be appropriate,

a modification to the Development Agreement shall be required to amend the development plan for that area.

2. The final plat(s) submitted for this development shall incorporate the following:
 - a. Include a note stating direct lot access via N. Black Cat Rd. and San Remo St./N. Joy Way is prohibited.
3. The landscape plan submitted with the final plat application shall be revised as follows:
 - a. Add pedestrian pathways from the internal sidewalks along Miramente Ct. and Miramente Dr. through adjacent common areas to the multi-use pathway along the Five Mile Creek; provide breaks in the fence where necessary to provide a connection. Also provide micro-path connections through Lot 10, Block 4 and Lot 7, Block 3 for pedestrian interconnectivity within the subdivision.
 - b. Landscaping shall be depicted on either side of all pathways as set forth in UDC 11-3B-12C. Calculations shall be included for the linear feet of pathway and the required vs. provided number of trees in the Calculations table.
 - c. If any existing trees are proposed to be removed from the site, the Applicant shall schedule an inspection with the City Arborist, Matt Perkins, prior to removal of any such trees to determine mitigation requirements in accord with the standards listed in UDC 11-3B-10C.5. Mitigation information shall be included in the calculations table on the plan if applicable.
 - d. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - e. Depict fencing adjacent to the Creason Lateral as set forth in UDC 11-3A-6C.3 in order to preserve public safety *unless* the waterway is proposed to be improved as part of the development to be a water amenity. In such case, documentation shall be submitted as set forth in UDC 11-1A-1 and 11-3A-6C.2 for approval by the Director.
 - f. The location of site amenities shall be depicted on the plan; a detail shall be submitted for the children's play equipment.
 - g. Depict landscaping in Lot 34, Block 4 in accord with the standards listed in UDC 11-3G-3E.
 - h. Depict fencing on Lot 34, Block 4 where the Creason Lateral is located per the standards listed in UDC 11-3A-7A.7 to provide more visibility of the common area.
 - i. Depict a 6-foot tall open vision fence having an 11-gauge, 2 inch mesh or other construction equivalent in ability to deter access to the Creason Lateral on Lot 34, Block 4 in accord with the standards listed in UDC 11-3A-6C.3 *unless* the waterway is proposed to be improved as part of the development to be a water amenity. In such case, construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6 and 11-2B-3 for the R-8 and C-G zoning districts respectively.
5. The bridge across the Five Mile Creek and the gravel fire access road from Black Cat Rd. in the location where the collector street is proposed shall be constructed for emergency access for any development over 30 homes/lots as approved by the Fire Department.
6. Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#)

based on the number of bedrooms per unit.

7. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
8. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
9. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included on the face of the plat.
10. A Type III barricade shall be placed at the intersection of N. Joy Way and Grand Rapids Dr. to prevent access until the street is extended in the future; the construction drawings shall be revised to include this change. As an alternative to a barricade, a Fire Dept. approved turnaround could be provided at the end of the collector street instead.
11. All existing structures that don't comply with the setback standards listed in UDC 11-2A-6 shall be removed from the site prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer.
13. The existing access via Black Cat Rd. for the home proposed to remain on Lot 2, Block 1, Quartet Northeast subdivision shall be removed.
14. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Applicant to ensure that the depths of the sanitary sewer allows for service of the property to the SE of Quartet Northeast per the Meridian Wastewater Master Plan.
- 1.2 The water main in N Joy Way (furthest east road) should be a 12-inch. Also, the water main in N Joy Way will need to continue south through Quartet Southeast to provide a second connection out to Black Cat Road with the ~~first~~ second phase of the development.
- 1.3 Consider eliminating the short dead-end water main in the cul-de-sac off of Exeter Avenue and Capriana Drive, instead install three services to the three cul-de-sac homes off the mainline in Capriana Drive.
- 1.4 From the preliminary investigation of groundwater elevation provided in the application, it appears that shallow groundwater may be a factor with the development of this subdivision. Additional monitoring and analysis shall be required to ensure that homes constructed within this development do not encounter groundwater within their crawl spaces. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

- 1.5 A portion of this project lies within the Meridian Floodplain Overlay District. Prior to any development occurring in the Overlay District, a floodplain permit application, including hydraulic and hydrologic analysis is required to be completed and submitted to the City and approved by the Floodplain Administrator per MCC 10-6.
- 2. General Conditions of Approval – Quartet Northeast & Quartet Southeast**
 - 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet 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-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
 - 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
 - 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
 - 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
 - 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
 - 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.

- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must

file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187210&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187211&dbid=0&repo=MeridianCity>

Phasing:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187133&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187674&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190216&dbid=0&repo=MeridianCity>

Southeast: No comments were submitted

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188456&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188457&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189173&dbid=0&repo=MeridianCity>

H. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188676&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188675&dbid=0&repo=MeridianCity>

I. CENTRAL DISTRICT HEALTH DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187426&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187427&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189529&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189614&dbid=0&repo=MeridianCity>

K. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187575&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187574&dbid=0&repo=MeridianCity>

X. FINDINGS

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

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

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

The City Council finds the proposed zoning map amendment to R-8 & C-G and proposed development is generally consistent with the Comprehensive Plan and is appropriate with an extension of the MDR FLUM land use designation to the collector street as proposed if the Applicant complies with the provisions in Section IX.

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

The City Council finds the proposed single-family detached homes will contribute to the range of housing opportunities in the City.

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

The City Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

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

The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

The City Council finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section IX.

B. Preliminary Plat Findings:

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

- 1. The plat is in conformance with the Comprehensive Plan;**

The City Council finds that the proposed plat, with the Commission's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

The City Council finds that public services will be provided to the subject property with development. (See Exhibit B of the Staff Report for more details from public service providers.)

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

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

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

The City Council finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section IX for more information.)

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

The City Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

The City Council is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.