

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



In the Matter of the Request for Annexation of 1.01 Acres of Land with a C-G Zoning District, by KM Engineering.

Case No(s). H-2020-0097

For the City Council Hearing Date of: December 22, 2020 (Findings on January 5, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of December 22, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 22, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 22, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 22, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of December 22, 2020, incorporated by reference. The conditions are concluded to

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

C. Decision and Order

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

1. The applicant's request for annexation and zoning is hereby approved with the requirement of a Development Agreement per the provisions in the Staff Report for the hearing date of December 22, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

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

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

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

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

1. **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 December 22, 2020

By action of the City Council at its regular meeting held on the 5th day of January, 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 _____

COUNCIL MEMBER JOE BORTON

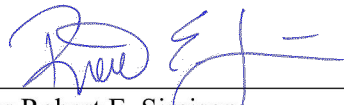
VOTED AYE

COUNCIL MEMBER LIZ STRADER

VOTED AYE

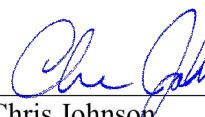
MAYOR ROBERT SIMISON
(TIE BREAKER)

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: 1-5-2021
City Clerk's Office

EXHIBIT A**STAFF REPORT****COMMUNITY DEVELOPMENT DEPARTMENT**

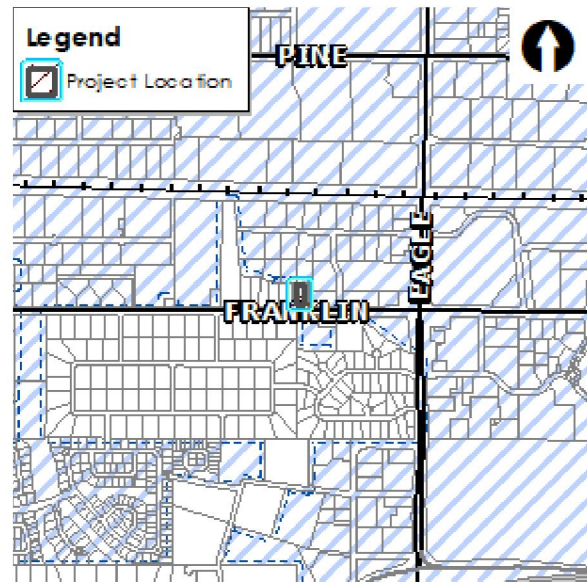
HEARING DATE: December 22, 2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0097
2810 E. Franklin Rd. – AZ

LOCATION: 2810 E. Franklin Rd., in the SE ¼ of
Section 8, Township 3N., Range 1E.
(Parcel #S1108449000)

**I. PROJECT DESCRIPTION**

The Applicant requests annexation of 1.01 acres of land with a C-G zoning district.

II. SUMMARY OF REPORT**A. Project Summary**

Description	Details	Page
Acreage	0.92 of an acre (1.01 including adjacent right-of-way to the centerline of E. Franklin Rd.)	
Future Land Use Designation	Commercial	
Existing Land Use	Single-family residential	
Proposed Land Use(s)	Flex space	
Current Zoning	RUT in Ada County	
Proposed Zoning	Commercial (General Retail and Service Commercial)	
Waterways	The Snider Lateral crosses the northern portion of this site.	

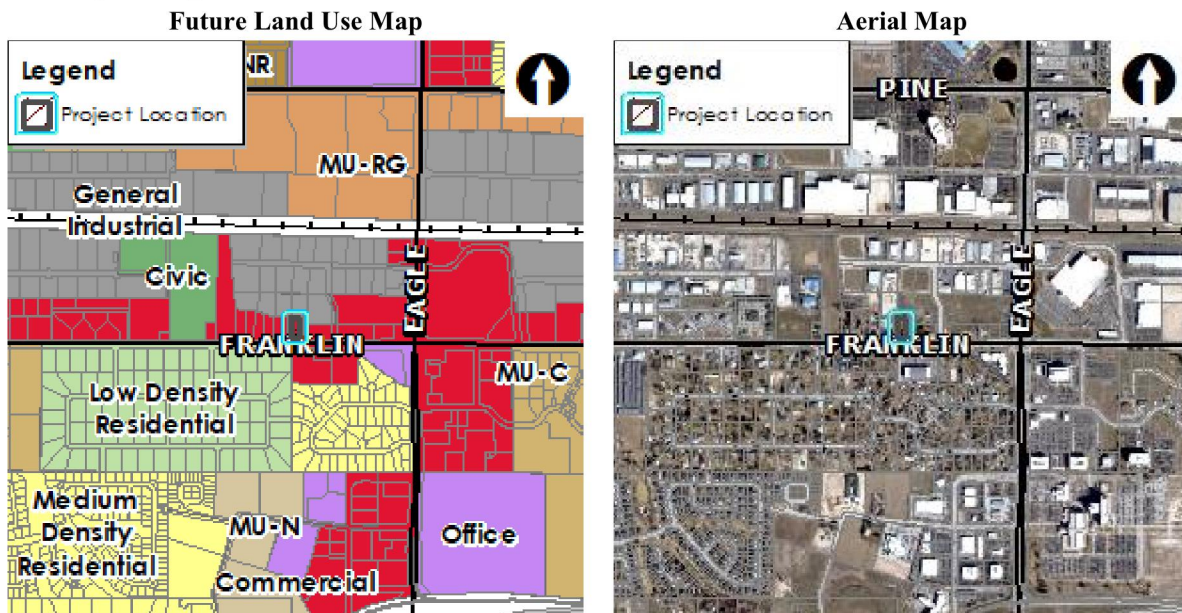
Neighborhood meeting date; # of attendees:	September 2, 2020; 3 attendees
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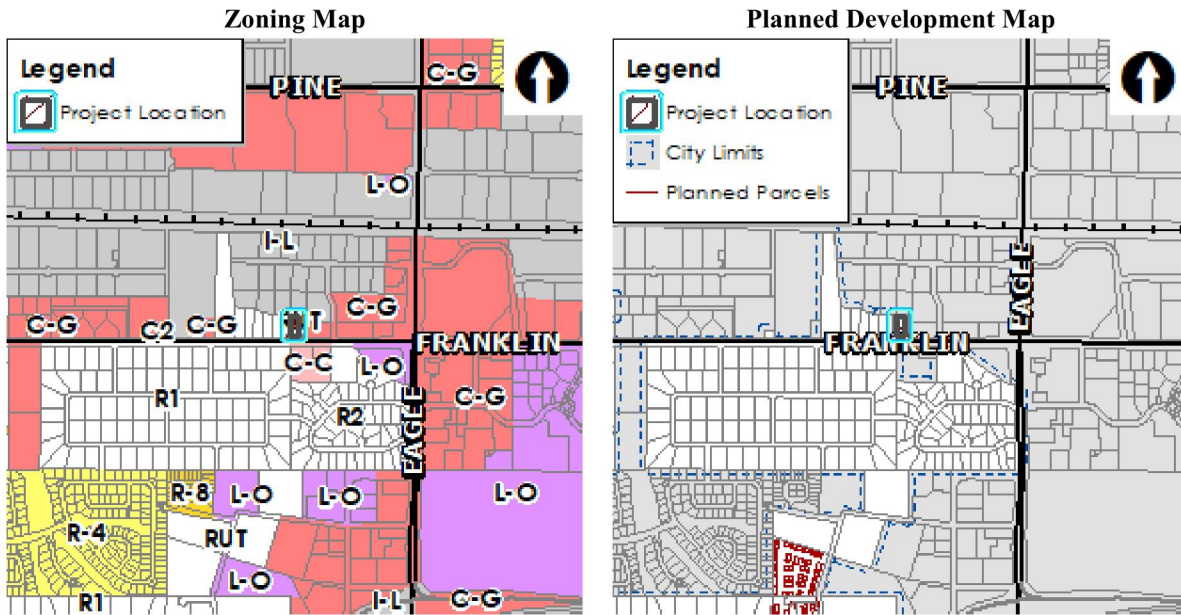
History (previous approvals)	None
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B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) existing access via E. Franklin Rd., an arterial street and entryway corridor, proposed to remain	
Fire Service	No comments were submitted.	
Police Service	No comments were submitted.	
Wastewater		
Distance to Sewer Services	Directly adjacent in Franklin Rd.	
Sewer Shed	Five Mile Trunk	
Estimated Project Sewer ERU's	See application	
WRRF Declining Balance	13.98	
Project Consistent with WW Master Plan/Facility Plan	Yes	
Impacts/Concerns	No comment	
Water		
Distance to Water Services	Directly adjacent in Franklin Rd.	
Pressure Zone	3	
Estimated Project Water ERU's	See application	
Water Quality	None	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	No comment	

C. Project Maps





III. APPLICANT INFORMATION

A. Applicant:

Stephanie Leonard, KM Engineering – 9233 W. State St., Boise, ID 83714

B. Owner:

Daniel Eisenring – 194 W. Broderick Dr., Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	10/30/2020	12/4/2020
Radius notification mailed to property owners within 300 feet	10/30/2020	12/1/2020
Public hearing notice sign posted on site	11/5/2020	12/3/2020
Nextdoor posting	10/30/2020	12/2/2020

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Commercial on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#). The Commercial designation provides for a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in

some cases but should be careful to promote a high quality of life through thoughtful site design, connectivity and amenities.

The Applicant proposes to redevelop this site for a flex space use that will consist of office and warehouse space for an automotive tool and equipment supplier.

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 infill development.” (3.03.01E)
The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The subject property abuts City annexed land to the north, east and south and is proposed to redevelop with a commercial use.
- “Focus development and redevelopment intensity on key transportation corridors.” (3.07.02C)
The subject property and proposed flex space use is located adjacent to E. Franklin Rd., a key transportation corridor and entryway corridor into the City. Redevelopment of this property to a commercial use is an appropriate intensity in this location along a major transportation corridor.
- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)
The property to the north is zoned industrial (I-L); the property to the northwest is developed with a landscape supply business and the property directly to the north is undeveloped. The property to the east is vacant/undeveloped land zoned C-G. The office proposed in the existing building adjacent to Franklin Rd. and the warehouse proposed in the rear building facing industrial zoned land should be compatible with existing and future abutting industrial and commercial uses.
- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.).” (3.07.01C)
A 35-foot wide landscaped street buffer will be required with development along E. Franklin Rd., an arterial street and entryway corridor, landscaped per the standards listed in UDC 11-3B-7C.
- “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 in E. Franklin Rd. and can be extended by the developer with development in accord with UDC 11-3A-21.
- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D)
Street buffer and parking lot landscaping will be required with development in accord with the standards listed in UDC 11-3B-7C and 11-3B-8C, respectively. The design of the new structure is required to be consistent with the standards listed in the Architectural Standards Manual.
- “Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity.” (6.01.02B)
The Applicant will be required to grant cross-access easements to adjacent properties to the east and west with development in accord with UDC 11-3A-3A.2, unless otherwise waived by Council. The Applicant is requesting a waiver from City Council to not provide cross-access easements to

adjacent properties due to the topography of the site combined with the space available for development with retention of the existing structure.

- “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 annexation and flex space use of the property conforms to the City's vision and City water and sewer services are available to be extended to the property. Fire and police service are already provided in this area.

VI. STAFF ANALYSIS

A. ANNEXATION & ZONING

The area proposed to be annexed consists of 1.01 acres of land and includes land to the section line of E. Franklin Rd. The property is currently zoned RUT and located in Ada County. The Applicant proposes to annex the property into the City with a C-G zoning district consistent with the associated FLUM designation of Commercial. A conceptual development plan is proposed as shown in Section VIII.B.

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 topography of this site slopes down significantly from Franklin Rd. to the north property boundary and has approximately a 20 foot grade difference as shown on the grading plan in Section VIII.B. A retaining wall is depicted on the concept plan at the north and west boundaries of the area proposed to be improved with this project.

There is an existing residential home on the property that the Applicant proposes to remodel and expand for a flex space use. The concept plan depicts 2,239 square feet (s.f.) of office on the first floor and 1,550 s.f. of office and support uses in the basement of the existing structure, and a new 2,600 s.f. structure for a warehouse. The new structure is proposed to the north behind the existing structure and will include a daylight basement. The user will be an automotive tool and equipment supplier, classified as a flex space use. The business proposes to sell products online to automotive businesses and at-home mechanics and will not conduct any retail sales on the site.

Flex space is listed in UDC Table 11-2B-2 as a principal permitted use in the C-G zoning district subject to the specific use standards listed in UDC 11-4-3-18: Flex Space, as follows:

- Office and/or retail showroom areas shall comprise a minimum of thirty percent (30%) of the structure and/or tenant space. *The proposed office/support use comprises approximately 60% of the structure in accord with this standard; retail sale of products to the public is not proposed.*
- Light industry and warehousing shall not comprise more than seventy percent (70%) of the tenant space. *At approximately 40%, the proposed warehouse area complies with this standard.*
- In the C-C, C-G and M-E Districts, roll-up doors shall not be visible from a public street. *One roll-up door is proposed at the rear of the structure, which isn't visible from E. Franklin Rd.*
- Except in the I-L and I-H Districts, loading docks are prohibited. *No loading docks are proposed; because this property is proposed to be zoned C-G, loading docks are prohibited.*
- Retail use shall not exceed twenty five percent (25%) of leasable area in any tenant space. *No retail sales are proposed.*

The proposed use and site design complies with the above listed standards. Compliance with the dimensional standards for the C-G zoning district listed in UDC Table 11-2B-3 is also required. The existing and proposed structures comply with the minimum setback requirements of the district. A 35'

wide street buffer is required with development along Franklin Rd., an entryway corridor, landscaped per the standards listed in UDC 11-3B-7C.

The existing driveway access via Franklin Rd. is proposed to remain for access to the site and has been approved by ACHD. Because it closely aligns with a driveway on the south side of Franklin Rd., relocation of the driveway is not recommended. The UDC (11-3A-3A.2) requires cross-access/ingress-egress easements to be granted to adjoining properties where access to a local street is not available, unless otherwise waived by City Council. In accord with this standard, because access isn't available via a local street, Staff recommends cross-access easements are provided and driveways constructed to the properties to the east and west. **A 20-foot wide cross-access easement is depicted on the concept plan to the east and west but the Applicant requests Council approval of a waiver to this requirement to not provide cross-access easements due to the topography of the site and site constraints related to the space available for development. At a minimum, Staff recommends Council require cross-access to the west.** *Note: Staff contacted Ada County to see if a cross-access easement was provided to the subject property with re-development of the adjacent property to the west but has yet to receive an answer. Update: Ada County replied back that a cross-access easement wasn't provided to the subject property with redevelopment of the site in 2002 (File #02-33-MSP).*

A minimum of one (1) off-street vehicle parking space is required to be provided for every 500 square feet of gross floor area; and one (1) bicycle parking space is required for every 25 proposed vehicle spaces or portion thereof. Based on 6,389 square feet, a minimum of 12 vehicle spaces and one (1) bicycle space is required. A total of 13 spaces are depicted on the conceptual site plan, including an ADA space, which is one more than required. However, if cross-access driveways are provided to adjacent properties as required by the UDC, it will reduce the parking by up to (3) spaces, which will result in parking below the required minimum standard. If a waiver is not approved by Council to the requirement for cross-access to be provided to adjacent properties to the east and west, the Applicant may apply for alternative compliance to UDC 11-3C-6B.1; or, construct a smaller addition to reduce the parking requirement.

Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C, which requires a minimum 5-foot wide perimeter landscape buffer adjacent to parking, loading or other paved vehicular use areas, landscaped per the standards listed in UDC 11-3B-8C.1b. A retaining wall and fence is proposed along the west boundary adjacent to the parallel parking spaces where the buffer is required, which doesn't leave adequate area for landscaping. If the site cannot be reconfigured to comply with this standard, alternative compliance may be requested with the Certificate of Zoning Compliance application.

The Snyder Lateral exists in a 40-foot wide easement on the northern portion of the property that is not proposed to be improved. All irrigation laterals are required to be piped unless improved as a water amenity or linear open space as defined in UDC 11-1A-1 as set forth in UDC 11-3A-6B. The City Council may waive this requirement if it finds the public purpose requiring such will not be served and public safety can be preserved per UDC 11-3A-6B.3a. **The Applicant proposes to fence off the area where the lateral is located to preserve public safety and requests a Council waiver to this requirement.**

Because a large portion of this site on the north end is not proposed to be improved, Staff recommends weeds are regularly maintained in this area so as not to create a nuisance and in a manner that prevents wildfire in accord with MCC 4-2.

Conceptual building elevations with materials were submitted as shown in Section VIII.C of the remodel of the existing structure and proposed addition. The materials for the front façade and sides of the existing building consist of stucco with pre-finished metal siding and stone veneer accents; the materials for the proposed warehouse addition consist of a mix of horizontal and vertical metal siding. **All improvements to the existing structure and new construction are required to comply with the**

design standards listed in the Architectural Standards Manual. A Certificate of Zoning Compliance and Design Review application is required to be submitted to the Planning Division and approved prior to submittal of a building permit application.

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 and as recommended by Staff in accord with UDC standards, 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 November 19, 2020. At the public hearing, the Commission moved to recommend approval of the subject AZ request.

1. Summary of Commission public hearing:

- a. In favor: Stephanie Leonard, KM Engineering (Applicant's Representative)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Stephanie Leonard, KM Engineering (Applicant's Representative)
- e. Staff presenting application: Sonya Allen
- 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. If favor of the proposed improvements to the existing structure and use;
- b. Adequacy of the proposed parking in relation to the square footage of office use proposed;
- c. Possibility of relocating the storm drainage area to allow for more parking to be provided.

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. The Applicant requests Council waivers to the UDC requirements for cross-access/ingress-egress easements to be granted to the adjacent properties to the east & west; and for the Snyder Lateral on the northern portion of the site to be piped.

C. The Meridian City Council heard this item on December 22, 2020. At the public hearing, the Council moved to approve the subject AZ request.

1. Summary of the City Council public hearing:

- a. In favor: Stephanie Leonard, KM Engineering (Applicant's Representative)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Stephanie Leonard, KM Engineering (Applicant's Representative)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

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

- a. The Applicant's request for a waiver to the requirement for cross-access easements to be provided to the adjacent properties to the east and west – discussion of various options;
 - b. The Applicant's request for a waiver to the requirement to pipe the Snyder Lateral.
- 4. City Council change(s) to Commission recommendation:
 - a. The City Council voted to approve the Applicant's request for a waiver to *not* be required to pipe the Snyder Lateral; and,
 - b. The City Council voted to require a cross-access ingress/egress easement and driveway to be provided only to the property to the west (not to the east).

VIII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map



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

September 22, 2020
Project No. 20-113

Exhibit A
Legal Description for
Annexation and Rezone to C-G

A parcel of land situated in a portion of the Southeast 1/4 of Section 8, Township 3 North, Range 1 East, B.M., Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the Southeast corner of said Section 8, which bears N89°54'35"W a distance of 2,571.03 feet from a found brass cap marking the South 1/4 corner of said Section 8;

Thence following the southerly line of said Southeast 1/4, N89°54'35"W a distance of 1,171.19 feet to the **POINT OF BEGINNING**.

Thence following said southerly line, N89°54'35"W a distance of 152.04 feet;

Thence leaving said southerly line, N00°12'38"E a distance of 290.38 feet to a found 1/2-inch rebar on the boundary line of Olson and Bush Subdivision No. 3 (Book 107, Pages 14,905 – 14,907 of Plats);

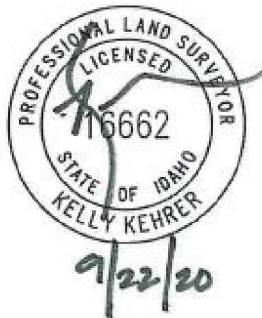
Thence following said subdivision boundary line the following two (2) courses:

1. S89°58'15"E a distance of 149.84 feet to a found 5/8-inch rebar;
2. S00°13'25"E a distance of 290.54 feet to the **POINT OF BEGINNING**.

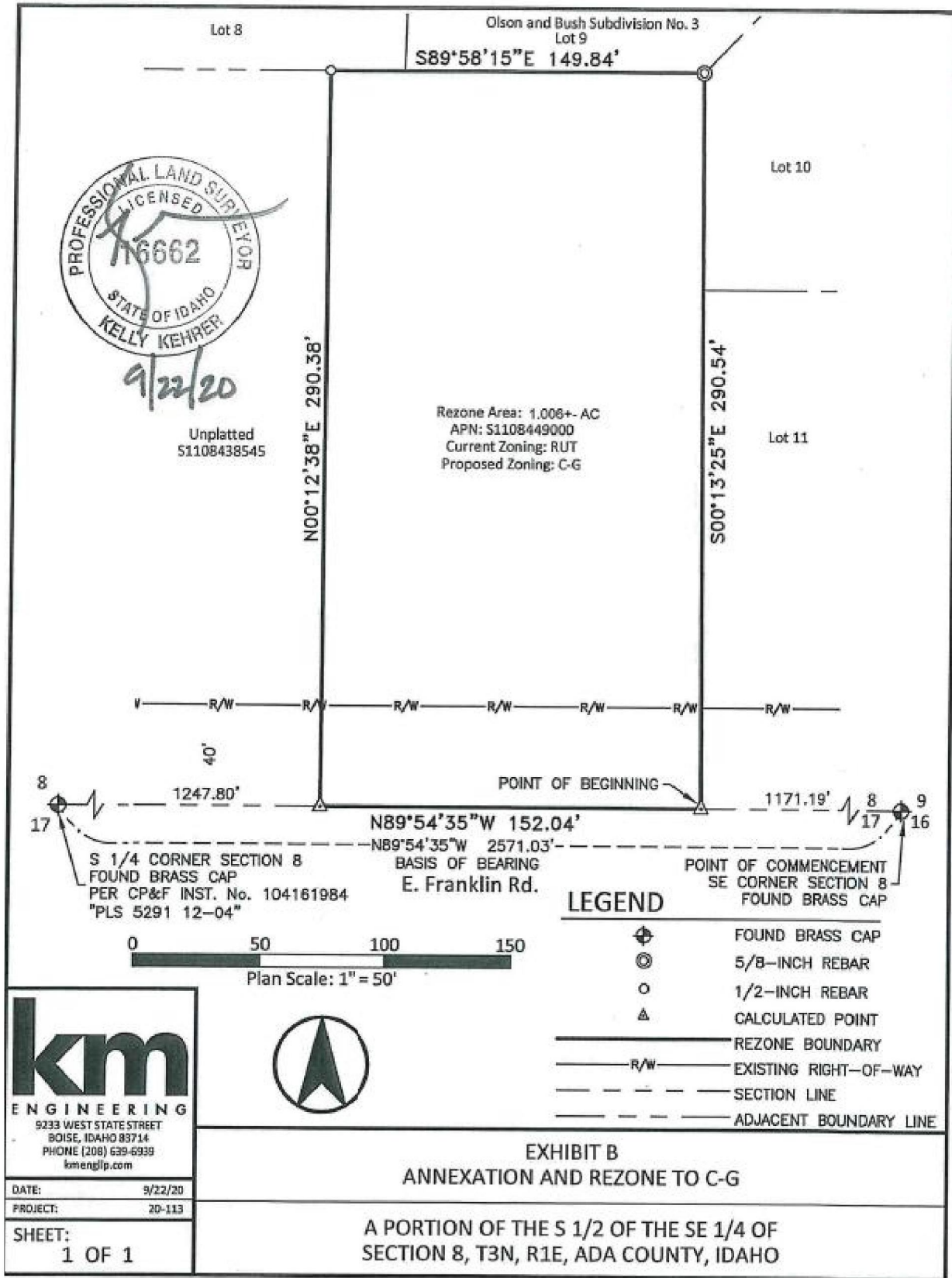
Said parcel contains 1.006 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

All subdivisions, deeds, records of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.

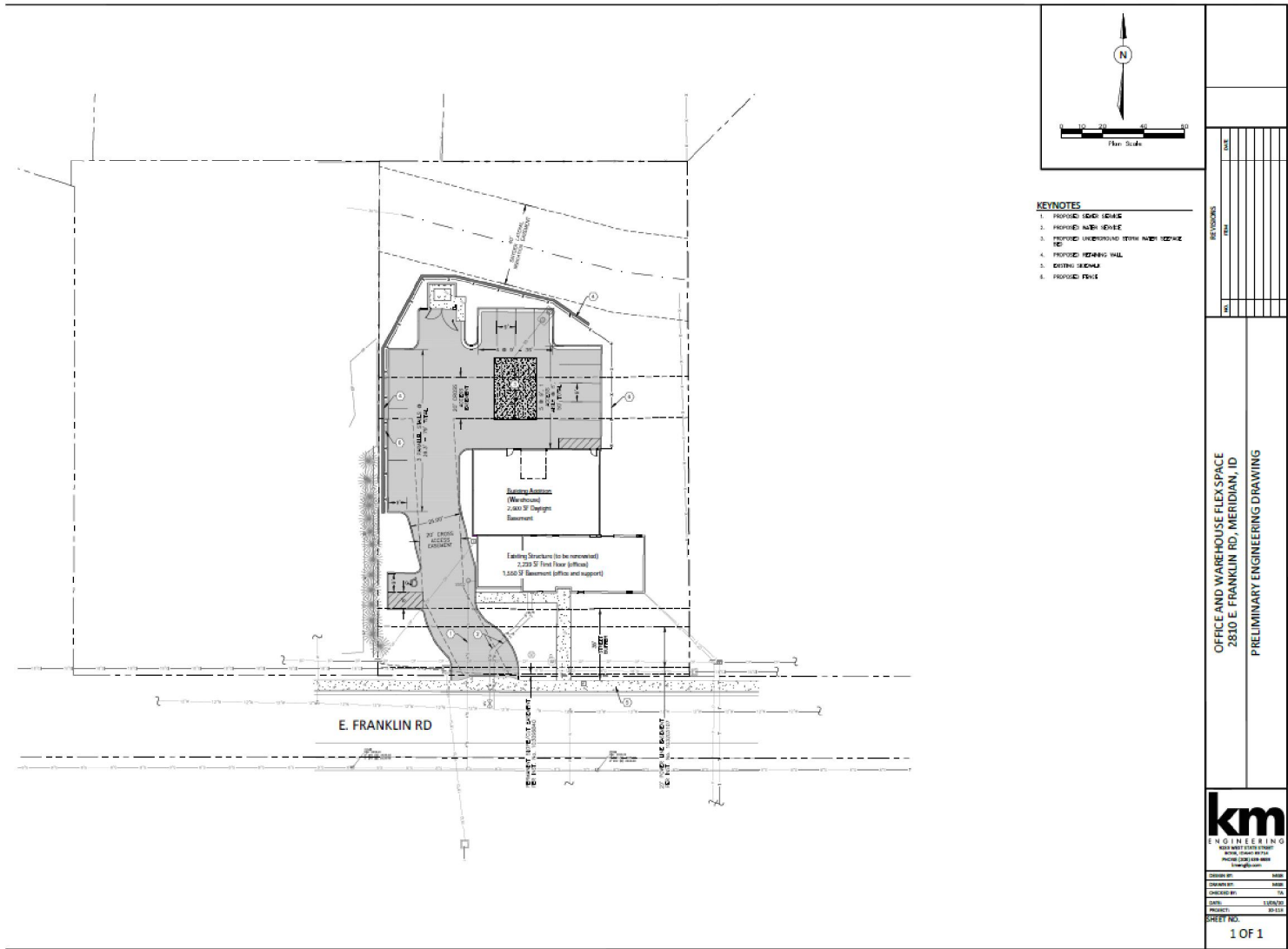
Attached hereto is **Exhibit B** and by this reference is hereby made a part of.

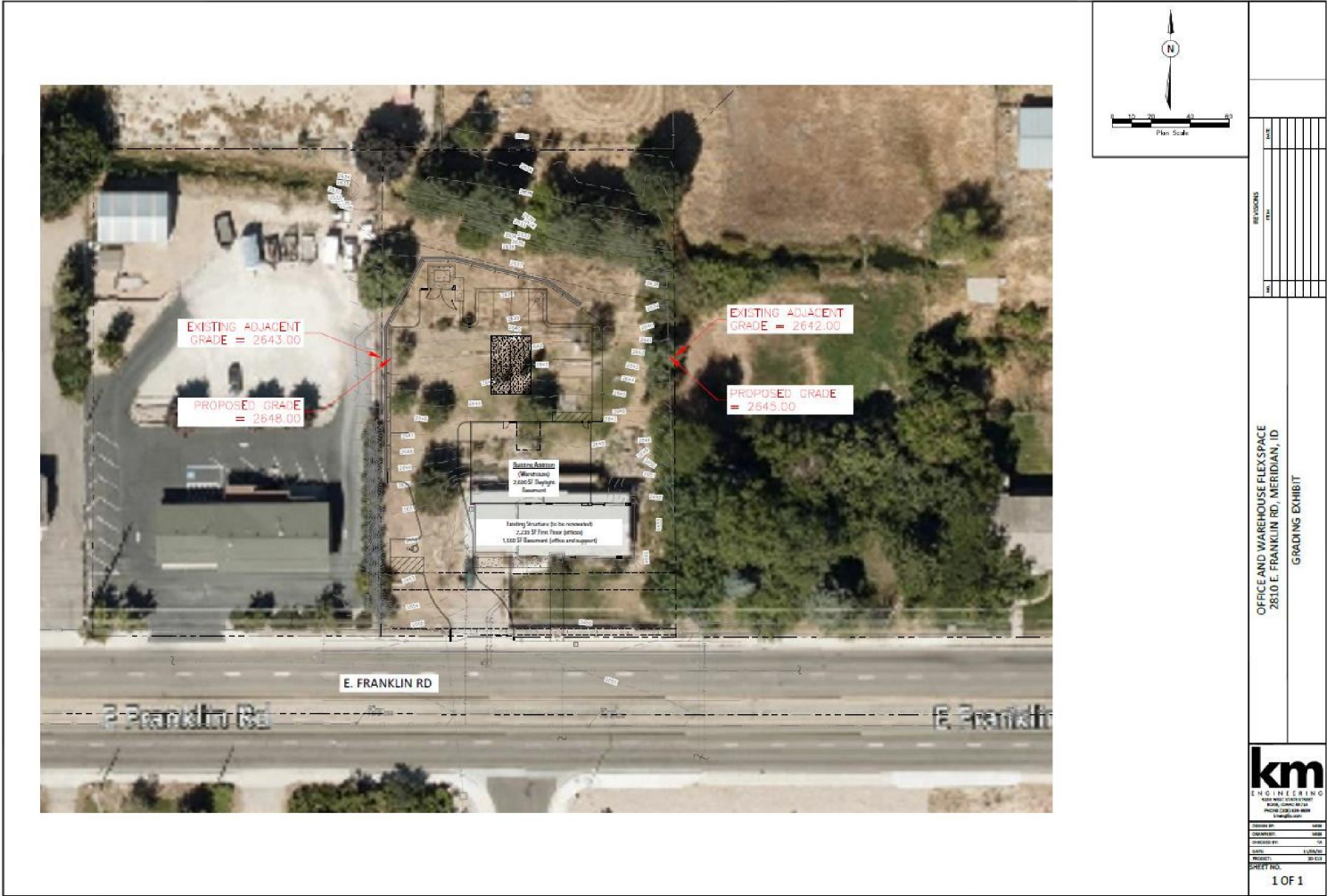


ENGINEERS | SURVEYORS | PLANNERS



B. Conceptual Development Plan & Grading Exhibit (dated: November 5, 2020)





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. Future development of this site shall be generally consistent with the conceptual development plan included in Section VIII.B, applicable standards in the Unified Development Code, and the provisions contained herein.
- b. ~~A~~ Cross-access/ingress-egress easements shall be granted to ~~the~~ adjoining properties ~~to the east and west~~ with development as set forth in UDC 11-3A-3A.2, ~~unless otherwise waived by City Council.~~ The ~~D~~riveways shall be constructed within the easements to the property boundary to facilitate future cross-access between properties. A ~~R~~ecorded copies of the easements shall be submitted to the Planning Division with the Certificate of Zoning Compliance application.
- ~~c. The Snyder Lateral, lying on the northern portion of the subject property, shall be piped or otherwise covered with development as set forth in UDC 11-3A-6B, unless otherwise waived by City Council. The Council approved a waiver to UDC 11-3A-6B to allow the Snyder Lateral to remain open and not be piped.~~
- d. The unimproved portion of the site shall be regularly maintained in a manner that prevents weeds from being a nuisance and prevents wildfire in accord with MCC 4-2.
- e. All development shall comply with the structure and site design standards listed in UDC 11-3A-19 and the design standards listed in the Architectural Standards Manual.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Sanitary sewer and water service lines currently exist to this address.

C. FIRE DEPARTMENT

No comments were received.

D. POLICE DEPARTMENT

No comments were received.

E. PARK'S DEPARTMENT

No comments were received.

F. ADA COUNTY DEVELOPMENT

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=214628&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=216415&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 Applicant's proposal to annex the subject 1.01 acre property with a C-G zoning district for the development of a flex space use is consistent with the associated Commercial FLUM designation 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 City Council finds the proposed map amendment and subsequent development will comply with the regulations of the C-G zoning district and will provide for the service needs of the community in accord with the purpose statement of the Commercial districts.

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

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

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

The City Council finds the proposed map amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the City, including the school district.

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.