

DEVELOPMENT AGREEMENT

- PARTIES:**
1. **City of Meridian**
 2. **Jeff Wrede, Marala Investments, LLC, Owner/Developer**

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this _____ day of _____, 2022, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY, whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642, and **Jeff Wrede, Marala Investments, LLC**, whose address is 13601 W. McMillan Rd., Ste. 102-162, Boise, ID 83713, hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner/Developer is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit “A”, which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owner/Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“UDC”), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner/Developer have submitted an application for annexation and zoning of approximately 8.23 acres of land with a request for the TN-R (Traditional Neighborhood Residential) zoning district on the property as shown in Exhibit “A” under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearings before Planning and Zoning Commission and the Meridian City Council as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested rezoning held before Planning and Zoning Commission and the City Council includes responses of

government subdivisions providing services within the City of Meridian planning jurisdiction and includes further testimony and comment; and

- 1.7 **WHEREAS**, on the 21st day of June, 2022, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.9 **WHEREAS**, Owner/Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation are in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.

3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:

- 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
- 3.2 **OWNER/DEVELOPER:** means and refers to **Jeff Wrede, Marala Investments, LLC**, whose address is 13601 W. McMillan Rd., Ste. 102-162, Boise, ID 83713, hereinafter called OWNER/DEVELOPER, the party that owns and is developing said Property and shall include any subsequent owners(s)/developer(s) of the Property.

3.3 **PROPERTY:** means and refers to that certain parcel(s) of Property located in the County of Ada, City of Meridian as in Exhibit “A” describing a parcel to bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owner/Developer shall develop the Property in accordance with the following special conditions:

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, and conceptual building elevations and floor plans included in Section VII and the provisions contained herein, except that phase 1 may be modified to include additional building lots on the 1-acre east leg of the project should a public road connection to W. Atomic Street occur.
- b. Final alignment at the north property line of the north-south local street proposed with the subject applications shall be determined at the time of the second final plat submittal to allow the Applicant flexibility to work with the adjacent developer to the north/northeast—the Applicant shall not be permitted to increase the number of buildable lots with any road alignment revisions.
- c. Future development of the residential units shall be generally consistent with the required design elements outlined in the Ten Mile Interchange Specific Area Plan (TMISAP) and include second story decks on at least 25% of the future residential units to better comply with the design standards.
- d. The access to W. Franklin Road is approved as a temporary access until such time an additional public road access is available to the project site (connection to W. Aviator Street or W. Atomic Street); at that time, this access shall be closed OR converted to an emergency-only access with Fire Department approved bollards.
- e. No final plat shall be accepted by the City until the Annexation and Zoning ordinance and Development Agreement are executed.

f. All garages shall be set back at least 16 feet behind the living area façade, per the Applicant's request and consistent with the Ten Mile Interchange Specific Area Plan (TMISAP).

6. **COMPLIANCE PERIOD** This Agreement must be fully executed within six (6) months after the date of the Findings for the annexation and zoning or it is null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

7.1 **Acts of Default.** In the event Owner/Developer, or Owner/Developer's heirs, successors, assigns, or subsequent owners of the Property or any other person acquiring an interest in the Property, fail to faithfully comply with all of the terms and conditions included in this Agreement in connection with the Property, this Agreement may be terminated by the City upon compliance with the requirements of the Zoning Ordinance.

7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.

7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice from City as described in Section 7.2, City shall, upon satisfaction of the notice and hearing procedures set forth in Idaho Code section 67-6511A, have the right, but not a duty, to de-annex all or a portion of the Property, reverse the zoning designations described herein, and terminate City services to the de-annexed Property, including water service and/or sewer service. Further, City shall have the right to file an action at law or in equity to enforce the provisions of this Agreement. Because the covenants, agreements, conditions, and obligations contained herein are unique to the Property and integral to City's decision to annex and/or re-zone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserves all rights to contest whether a default has occurred.

7.4 **Choice of Law and Venue.** This Agreement and the rights of the parties hereto shall be governed by and construed in accordance with the laws of the State of Idaho, including all matters of construction, validity, performance, and enforcement. Any action brought by any party hereto shall be brought within Ada County, Idaho.

7.5 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without

limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.

7.6 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the re-zoning of the Property by the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agree to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/Developer agree to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:
City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

with copy to:
City Attorney
City of Meridian
33 E. Broadway Avenue
Meridian, Idaho 83642

OWNER/DEVELOPER:

Jeff Wrede, Marala Investments, LLC

13601 W. McMillan Rd., Ste. 102-162

Boise, ID 83713

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the Owner/Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner/Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, had determined that Owner/Developer have fully performed their obligations under this Agreement.

18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

20. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

21. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written,

express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

21.1 No condition governing the uses and/or conditions governing re-zoning of the subject Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

22. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective on the date the Meridian City Council shall adopt the amendment to the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property and execution of the Mayor and City Clerk.

[end of text; acknowledgements, signatures and Exhibits A and B follow]

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this agreement and made it effective as hereinabove provided.

OWNER/DEVELOPER:
Marala Investments, LLC

[Signature]
By: Jeff Wrede

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)
 : ss:
County of Ada)

On this 7th day of July, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jeff Wrede**, known or identified to me to be the managing member of **Marala Investments, LLC**, and the person who signed above and acknowledged to me that he executed the same on behalf of said Company.

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



[Signature]
Notary Public for ADA
Residing at: Boise
My Commission Expires: 3/28/2025

STATE OF IDAHO)
 : ss:
County of Ada)

On this ____ day of _____, 2022, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

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

Notary Public for Idaho
Residing at: _____
Commission expires: _____

EXHIBIT A

ELS ENGBRITSON LAND SURVEYS, PLLC.

2251 S. Sumac Street, Boise, Idaho 83706

(208) 859-6032 – mike@elsurveys.com

10 March 2022

Amended Land Description
Project No. 201204
Marala Investments, LLC.
Contains 358,362 square feet or 8.227 acres +/-

EXHIBIT A

Property Annexation Parcel

A tract of land located within the SE ¼ of the SW ¼, Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho described as follows:

Commencing at a found aluminum cap monumenting the SW corner of said Section 10, from which a found aluminum cap monumenting the S ¼ corner of said Section bears S 89°15'34" E a distance of 2640.54 feet; thence easterly along the southerly line of said SW ¼ S 89°15'34" E a distance of 1320.31 feet to a found aluminum cap monumenting the W 1/16th corner, the POINT OF BEGINNING.

Thence northerly along the west line of said SE ¼ of the SW 1/4 N 00°36'35" E a distance of 1087.89 feet to a point;
Thence leaving said line S 59°29'07" E a distance of 74.36 feet to a point;
Thence N 59°04'26" E a distance of 103.00 feet to a point on the center line of the Purdam Drain;
Thence along said center line S 60°56'14" E a distance of 160.88 feet to a point from which a witness corner bears S 00°34'27" W a distance of 20.00 feet;
Thence leaving said Drain S 00°34'27" W a distance of 250.26 feet to a found steel pin;
Thence S 89°15'34" E a distance of 232.80 feet to a found steel pin on the westerly rights-of-way line of a private road easement known as North Zimmerman Lane;
Thence southerly along said rights-of-way S 00°34'27" W a distance of 187.11 feet to a point from which a found witness corner bears N 89°15'34" W a distance of 2.00 feet;
Thence leaving said line N 89°15'34" W a distance of 232.80 feet to a found steel pin;
Thence S 00°34'27" W a distance of 557.46 feet to a found steel pin on the northerly rights-of-way line of West Franklin Road;
Thence leaving said rights-of-way and continuing S 00°34'27" W a distance of 33.88 feet to a point on the southerly line of said SE ¼ of the SW ¼ of Section 10;
Thence westerly along said southerly line N 89°15'34" W a distance of 294.33 feet to the POINT OF BEGINNING.

The above-described tract of land contains 8.227 acres more or less and is subject to all existing easements and rights-of-way.

(See Exhibit B attached hereto and made part of)

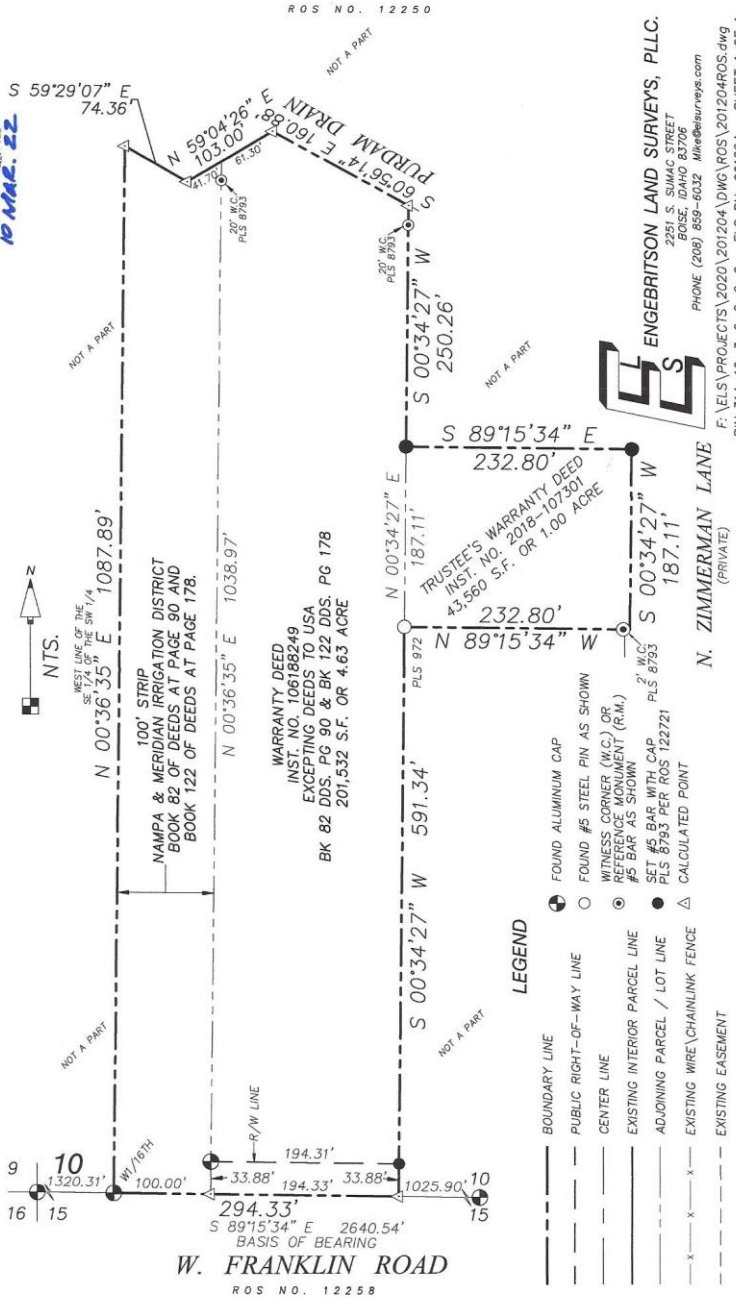
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EXHIBIT B FOR

PROPERTY ANNEXATION

ZONING REQUESTED: TRADITIONAL NEIGHBORHOOD RESIDENTIAL (TN-R)
 LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 10
 T 3 N, R 1 W, B.M., ADA COUNTY, IDAHO
 2021



N. ZIMMERMAN LANE
 (PRIVATE)

ELS ENGBRITSON LAND SURVEYS, PLLC.

2251 S. Sumac Street, Boise, Idaho 83706

(208) 859-6032 – mike@elsurveys.com

11 March 2022

Project No. 201204
Marala Investments, LLC.
Amended Boundary Alamar Subdivision
Contains 245,100 square feet or 5.627 acres +/-

PROPERTY LAND DESCRIPTION

Alamar Subdivision

A tract of land located within the SE ¼ of the SW ¼, Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho described as follows:

Commencing at a found aluminum cap monumenting the SW corner of said Section 10, from which a found aluminum cap monumenting the S ¼ corner of said Section bears S 89°15'34" E a distance of 2640.54 feet; thence easterly along the southerly line of said SW ¼ S 89°15'34" E a distance of 1320.31 feet to a found aluminum cap monumenting the W 1/16th corner; thence continuing along said Section line S 89°15'34" E a distance of 100.00 feet to a point; thence leaving said section line and running parallel to and 100.00 feet easterly of the westerly line of said SE ¼ of the SW ¼ N 00°36'35" E a distance of 33.88 feet to a found aluminum cap on the northerly rights-of-way line of West Franklin Road the POINT OF BEGINNING.

Thence leaving said rights-of-way and continuing along said parallel line N 00°36'35" E a distance of 1038.98 feet to a point from which a witness corner bears S 00°36'35" W a distance of 20.00 feet;

Thence leaving said parallel line N 59°04'26" E a distance of 61.30 feet to a point on the center line of the Purdam Drain;

Thence along said center line S 60°56'14" E a distance of 160.88 feet to a point from which a witness corner bears S 00°34'27" W a distance of 20.00 feet;

Thence leaving said Drain S 00°34'27" W a distance of 250.26 feet to a found steel pin;

Thence S 89°15'34" E a distance of 232.80 feet to a found steel pin on the westerly rights-of-way line of a private road known as North Zimmerman Lane;

Thence southerly along said rights-of-way S 00°34'27" W a distance of 187.11 feet to a point from which a found steel pin witness corner bears N 89°15'34" W a distance of 2.00 feet;

Thence leaving said rights-of-way N 89°15'34" W a distance of 232.80 feet to a found steel pin;

Thence S 00°34'27" W a distance of distance of 557.46 feet to a found steel pin on the northerly rights-of-way line of West Franklin Road;

Thence westerly along said rights-of-way line N 89°15'34" W a distance of 194.31 feet to the POINT OF BEGINNING.

The above-described tract of land contains 5.627 acres more or less and is subject to all existing easements and rights-of-way.

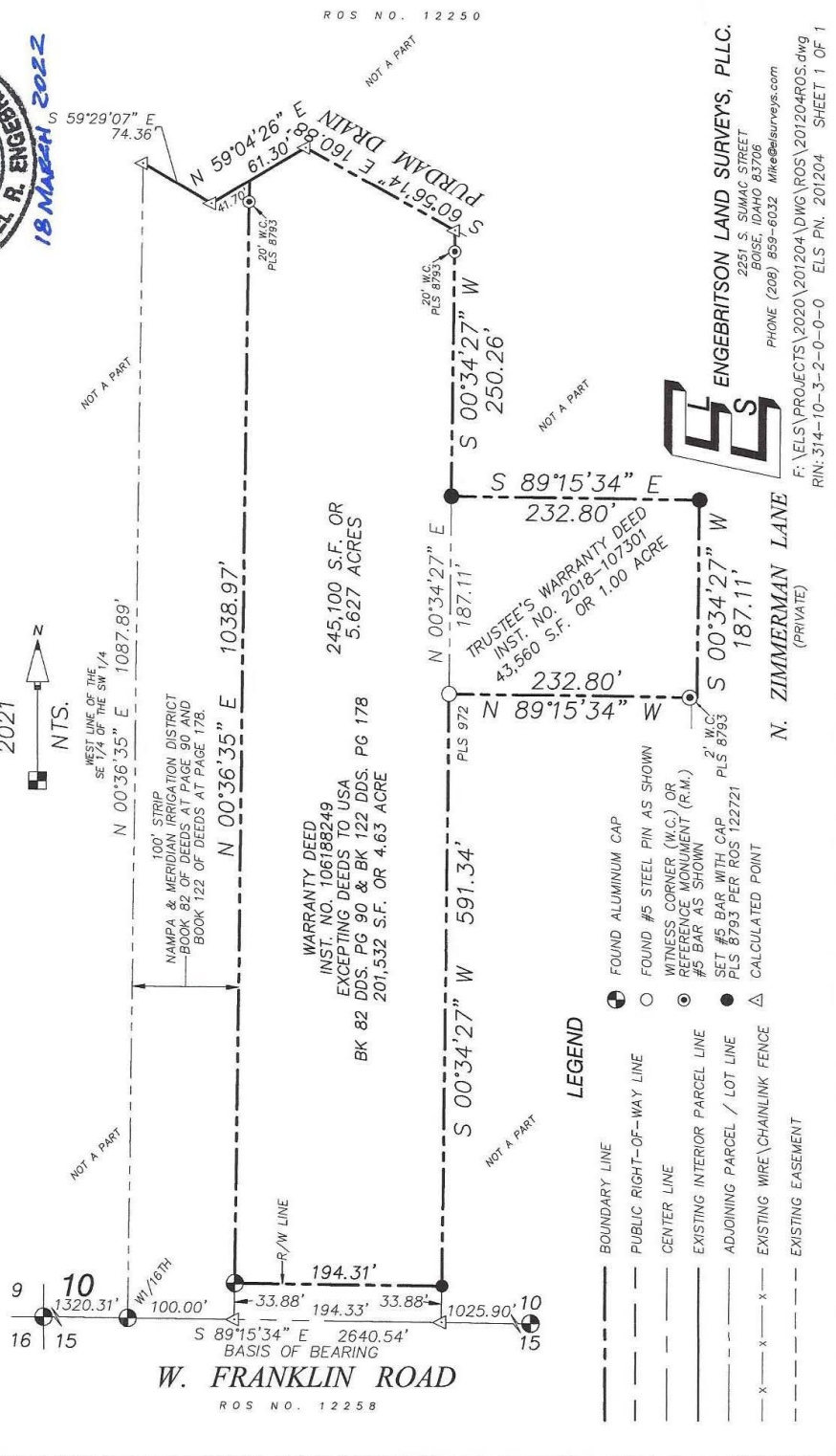


EXHIBIT B

FOR

ALAMAR SUBDIVISION

TO ACCOMPANY LAND DESCRIPTION
 ZONING REQUESTED: TRADITIONAL NEIGHBORHOOD RESIDENTIAL (TN-R)
 LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 10
 T 3 N, R 1 W, B.M., ADA COUNTY, IDAHO
 2021



LEGEND

- BOUNDARY LINE
- PUBLIC RIGHT-OF-WAY LINE
- CENTER LINE
- EXISTING INTERIOR PARCEL LINE
- ADJOINING PARCEL / LOT LINE
- EXISTING WIRE/CHAINLINK FENCE
- EXISTING EASEMENT
- FOUND ALUMINUM CAP
- FOUND #5 STEEL PIN AS SHOWN
- WITNESS CORNER (W.C.) OR REFERENCE MONUMENT (R.M.) #5 BAR AS SHOWN
- SET #5 BAR WITH CAP PLS 8793 PER ROS 122721
- CALCULATED POINT



ENGEBRITSON LAND SURVEYS, PLLC.
 2051 S. SUMAC STREET
 BOISE, IDAHO 83706
 PHONE (208) 859-6022 mike@elsurveys.com
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 RIN: 314-10-3-2-0-0-0 ELS PN. 201204 SHEET 1 OF 1

W. FRANKLIN ROAD

ROS NO. 12258

ROS NO. 12250

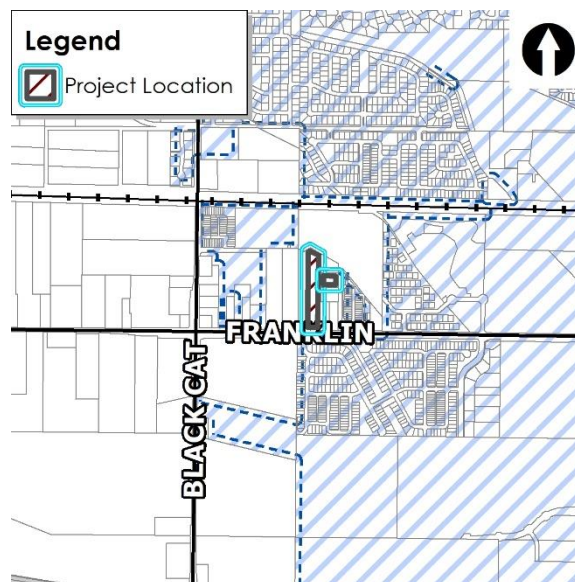
18 MARCH 2022

EXHIBIT B

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 7, 2022
TO: Mayor & City Council
FROM: Joseph Dodson, Associate Planner
208-884-5533
SUBJECT: H-2022-0004
Alamar Subdivision
LOCATION: The site is located at 4380 W. Franklin Road (Parcel #S1210346603), near the northeast corner of N. Black Cat Road and W. Franklin Road, on the north side of Franklin Road, in the SE 1/4 of the SW 1/4 of Section 10, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

Annexation and Zoning of approximately 8.23 acres of land with a request for the TN-R (Traditional Neighborhood Residential) zoning district and a Preliminary Plat consisting of 51 building lots (30 single family attached lots and 21 detached single-family lots), 6 common lots, and 2 other lots (common driveways) on 5.63 acres in the proposed TN-R zoning district.

NOTE: After ongoing discussions between Staff and the Applicant regarding the qualified open space location, the Applicant has revised the project and lose one (1) building lot in order to gain the required qualified open space within the project area. Furthermore, this change has resulted in the Applicant making a slight modification to the distribution of housing types – according to the revised plans, the Applicant is now proposing 18 detached lots and 32 attached lots totaling 50 building lots instead of 50. The loss of one (1) building lot and shuffling of the housing types results in the addition of approximately 4,350 square feet of qualified open space. The revised qualified open space complies with the minimum 15% required in the TN-R zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	AZ – 8.23 acres; PP – 5.63 acres	
Future Land Use Designation	Medium-High Density Residential (8-15 du/ac) within the Ten Mile Interchange Specific Area Plan (TMISAP)	
Existing Land Use(s)	Vacant County residence	
Proposed Land Use(s)	Attached Single-Family Residential (SFR) and Detached SFR.	

Description	Details	Page
Lots (# and type; 2ldg./common)	51 building lots (30 single-family attached, 21 detached single family); and 6 common lots.	
Physical Features (waterways, hazards, flood plain, hillside)	Purdam stub drain runs along the north boundary of the site; Purdam Gulch Drain runs along the west boundary but is not located on the subject site.	
Density, Gross	9.06 du/ac	
Neighborhood meeting date	December 2, 2021 and March 17, 2022	
History (previous approvals)	No application history with the City of Meridian	

B. Community Metrics

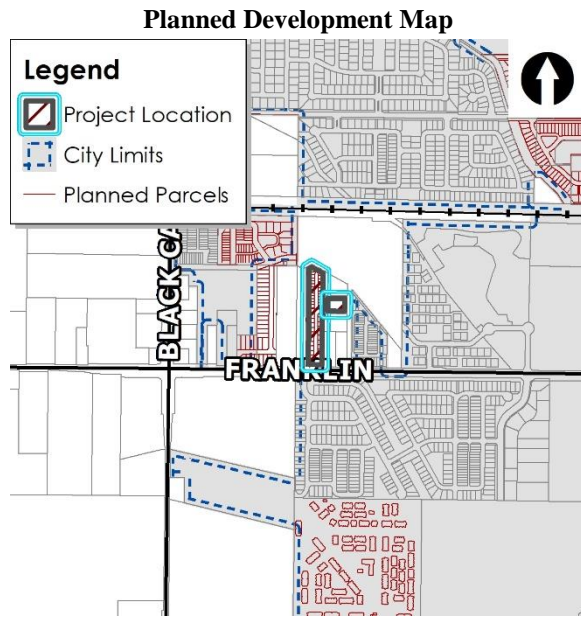
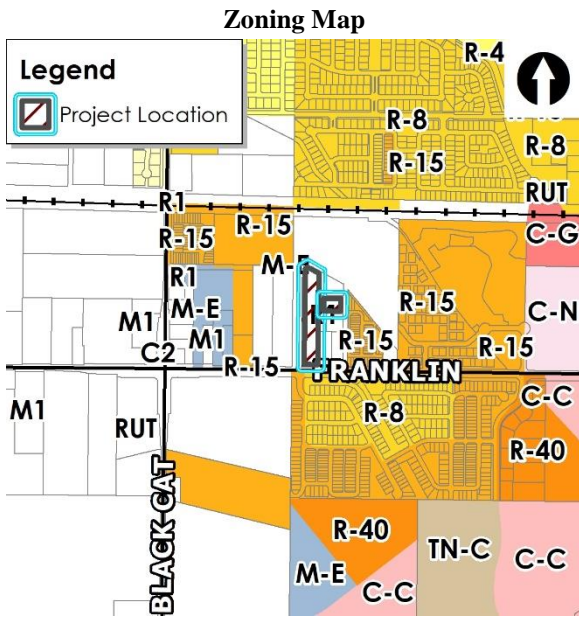
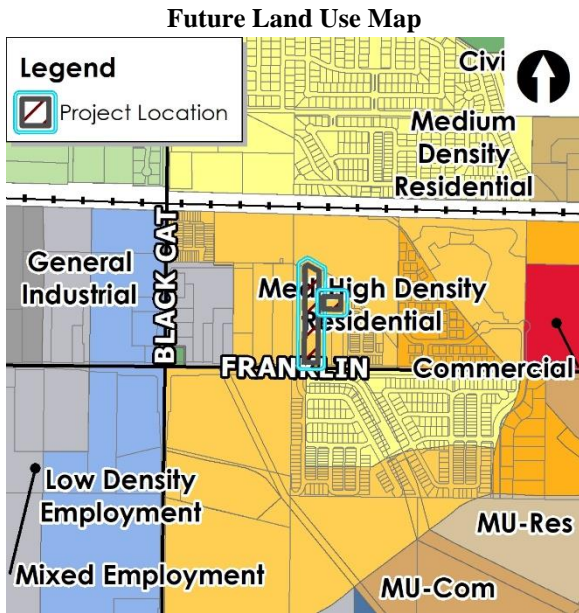
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	No, as of April 20, 2022. Yes – May 9, 2022	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via a new connection to W. Franklin Road at the south property boundary. Access to Franklin is intended to be temporary until such time a future connection to the extension of W. Aviator Street is constructed, a planned collector street that should abut the north boundary of the subject property. Access to the lots within the subdivision are proposed via the new local street.	
Traffic Level of Service	Franklin Road (0' of frontage) – Better than “E” (474/575 VPH)	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to extend the new internal local streets within the site and stub them to the east and north boundaries with Phase 2 of the development. See the attached preliminary plat.	
Existing Road Network	W. Franklin Road abuts the south property boundary and is an existing arterial constructed with 5-lanes and at its full width.	
Proposed Road Improvements	ACHD – CIP Black Cat is listed in the CIP to be widen to 5-lanes from Franklin to Cherry between 2031-2035. Black Cat is listed in the CIP to be widen to 5-lanes from Overland to Franklin between 2036-2040. Franklin Road is listed in the CIP to be widen to 5-lanes from McDermott Road to Black Cat between 2026-2030.	
Distance to nearest City Park (+ size)	Fuller Park (21.96 acres) – approximately 1.7 miles by vehicle.	

Fire Service

<ul style="list-style-type: none"> Distance to Fire Station 	2.5 miles from Station #2	
<ul style="list-style-type: none"> Fire Response Time 	Falls just outside of the 5-minute response time goal	
<ul style="list-style-type: none"> Resource Reliability 	85% (above the goal of 80%)	
<ul style="list-style-type: none"> Accessibility 	As submitted, plat does not meet all requirements – Site needs secondary emergency access to construct homes behind the first phase (24 lots).	
<ul style="list-style-type: none"> Additional Comments/Concerns 	Because project is at a dead-end road with no secondary access, only Phase 1 will be allowed to be constructed until a Fire Department approved secondary access is constructed.	

Description	Details	Page
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	Directly adjacent	
<ul style="list-style-type: none"> Impacts/concerns 	<ul style="list-style-type: none"> Flow is committed See Public Works Site Specific Conditions 	
Water		
<ul style="list-style-type: none"> Distance to Water Services 	Directly adjacent	
<ul style="list-style-type: none"> Pressure Zone Water Quality Concerns 	2 Water main will be a 1000 foot dead end until future development extends the main. A hydrant will be required at the end of the main to improve flushability.	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	See Public Works Site Specific Conditions	

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jeff Wrede, Noble Rock Development, Inc. – 13601 W. McMillan Road, Ste. 102-162, Boise, ID 83713

B. Owner:

Jeff Wrede, Marala Investments, LLC – 13601 W. McMillan Road, Ste. 102-162, Boise, ID 83713

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	4/5/2022	5/22/2022
Radius notification mailed to properties within 500 feet	4/4/2022	5/20/2022
Public hearing notice sign posted on site	4/11/2021	5/27/2022
Nextdoor posting	4/5/2022	5/18/2022

V. STAFF ANALYSIS

A. ANNEXATION/COMPREHENSIVE PLAN

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 15 dwelling units per acre and is noted with a “target” density of 12 du/ac. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity. Per the Ten Mile Interchange Specific Area Plan (TMISAP), MHDR designated areas should include a mix of housing types such as row houses, townhouses, condominiums, alley-loaded homes, and apartments with higher densities near MU-C and Employment designated areas transitioning to smaller-scale and lower density buildings as the distance increases from higher intensity uses.

The Applicant is requesting Annexation and Zoning of three parcels totaling 8.23 acres of land with a request for the Traditional Neighborhood Residential (TN-R) district and a Preliminary Plat to construct a mix of single-family dwelling types, single-family detached & attached units. The Applicant is proposing to annex the federally owned land west of the subject site that contains a segment of the Purdam Gulch Drain that is not part of the project area. The Applicant is proposing 51 total residential units on two parcels totaling 5.63 acres in the requested TN-R zoning district which constitutes a gross density of 9.1 du/ac; this density complies with the minimum density required within the future land use designation and is at the lower end of the allowed range. Further, the two proposed uses and site design are not currently seen within this area of the City or Ten Mile Plan but are two aspects desired by the Ten Mile Plan.

In addition to the subject project, surrounding development should be taken into account, to the northwest of the site, Hensley Station is currently under construction as a medium-high density townhouse subdivision and Aviation Subdivision was recently approved by Council which will bring Aviator Street extension even closer to the subject site; to the east of the subject site additional high-density residential projects are currently underway, Ascent Townhomes and Entrata Farms. In addition, south of Franklin Road is a larger area of the Ten Mile Plan with a mix of residential, commercial, employment, and industrial zoning. This site is part of a large area of MHDR that is slowly redeveloping from both the west and east of this site. Despite the subject site not being directly adjacent to existing or approved development, the subject site design and proposed uses are ones that are desired within this area of the City. Specifically, the Applicant’s proposal of two different housing types, detached sidewalks, and garages set back behind the living area are desired within this area of Meridian and propose a project design consistent with many comprehensive plan policies.

Staff finds the project to be generally consistent with the Comprehensive Plan. Specific general comprehensive plan policies are analyzed below.

Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use and development of this property (staff analysis in *italics*):

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

The proposed development contains two types of housing units (attached and detached single-family) that will contribute to the variety of residential categories in the Ten Mile area and within the requested TN-R zoning district as 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 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)

Two (2) housing types are proposed in this development, as noted above, which contributes to the variety of housing types in this area. Furthermore, the Applicant is proposing the entire project with detached sidewalks and parkways and each unit is shown with the garages set behind the living area, as desired within the Ten Mile Plan.

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

The proposed site design provides a maximum use of the land with the proposed residential dwelling types and should be compatible with planned development on adjacent properties that are also designated for MHDR uses. The project does abut three (3) existing 1-acre County residential properties to the east and until such time as these properties redevelop, there could be conflict between the two land uses as multiple structures are shown adjacent to these existing homes. However, the Applicant has held two neighborhood meetings on the property and only one of the current owners have attended while voicing minimal concerns.

- “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)

The proposed plat depicts relatively smaller areas of open space spread throughout the site. Notably, the main open space area is in the center of the development and is approximately 6,000 square feet with a bicycle repair station noted as the amenity. There are other, smaller open space lots at the north end of the site that are shown to contain storm drainage facilities but still provide open grassy areas (these are not proposed as open swale drainage ponds). Further, the Applicant is proposing detached sidewalks throughout the entire site that connect to the existing sidewalk along Franklin Road, an arterial. This should provide safe and easy access to this arterial sidewalk network and to the nearby charter school to the west.

An open space exhibit was not submitted with the applications but it appears the Applicant has proposed approximately 32,500 square feet of qualified open space; this area does not meet the minimum 15% requirement which amounts to at least 36,700 square feet. However, if the Applicant is able to obtain irrigation district approval and provide a pathway along the west boundary and

other internal pathway connections to it, this area of the plat would become qualified open space and the Applicant would exceed the minimum area required by approximately 10,000 square feet. Further analysis is below in subsequent sections.

- “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 though this development in accord with current City plans.

- “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.

In addition to the general Comprehensive Plan, the following sections of the Ten Mile Interchange Specific Area Plan (TMISAP) should also be used to analyze the project (Staff analysis is in *italics*):

Connectivity (3-17): *Connectivity to adjacent parcels is proposed by extending a stub street to the north boundary which would connect to the planned W. Aviator Street extension and to the east boundary through the 1-acre parcel that is part of this project. This connection to the east boundary aligns with a stub street further to the east within the Ascent Townhome project—Staff anticipates the approximate 50 feet of the Zimmerman parcel that separates the two will be utilized as a public road once a future cross-access agreement is made with that property owner. NOTE: the Zimmerman parcel has been sold to a developer and this area of their plan has been discussed with that Applicant; they agree a portion of this area of their existing access should be utilized to allow the public road connection between the subject project and the Ascent Townhome project currently under construction for the purpose of additional connectivity in this area. Although staff cannot require the connectivity now, with the annexation of the Zimmerman property staff will require the ROW dedication to allow the two roadways connect. If the applicant can facilitate the connection sooner and reach a written agreement to allow the connection, staff would be supportive as this would eliminate the need for the temporary access to Franklin Road in favor of an emergency access as desired by the City. Furthermore, the proposed detached sidewalks throughout the site provide the needed connectivity between existing and planned sites and sets the stage for neighborhood designs desired within the Ten Mile area.*

Access Control (3-17): *In order to move traffic efficiently through the Ten Mile area, direct access via arterial streets is prohibited except for collector street connections. The subject site proposes a temporary access to W. Franklin Road, an arterial, as no other public road access is available at this time. The proposed stub street to the north boundary will connect to the W. Aviator Street extension, a collector street, should the Zimmerman parcel redevelop as anticipated. Because the proposed access to Franklin is only temporary, the project complies with this policy. As noted above, if the applicant can facilitate the connection of the eastern stub street with the Ascent Subdivision, the temporary access to Franklin wouldn't be required.*

Complete Streets (3-19): *The TMISAP incorporates the concept of “complete streets,” meaning all streets should be designed to serve all users, including bicycles and pedestrians unless prohibited by law or where the costs are excessive or where there's clearly no need. The proposed development includes detached sidewalks and parkways throughout the entire site for pedestrian use and on-street parking along the new local street. Further, the proposed home designs depict garages set behind the living area and shared driveways that minimize curb cuts within the site (35 driveways for 51 units). This design sets the stage for future development of the surrounding area as this is a desired site design in the Ten Mile Plan.*

Streetscape (3-25): All streets should include street trees within the right-of-way. *The proposed development incorporates tree-lined streets with detached sidewalks throughout the site.*

DESIGN:

Street-Oriented Design – Residential Buildings (3-33): Usable porches should be a dominant element of these building types. Porches should be located along at least 30% of the front façade of the buildings (the façade facing the primary street) although a higher percentage is recommended as is porches on one or more facades as well. When possible, garages should be loaded from a rear alleyway. **Where garages must be accessed from the front, the garages must be located no less than 20’ behind the primary façade of the residential structure.**

The proposed residential units are all front-loaded but show a garage that is set back from the living area façade facing the internal local street. The submitted elevations and conceptual floor plans are not dimensioned but the garages appear to be considerably behind the living area facades. This design provides for a more porch dominated street façade compared to traditional single-family residential, as desired. Staff is including a DA provision to ensure this type of design is maintained for the project.

Buildings to Scale (3-34): The key elements to consider are the continuity of building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space and public parking. Human-scale design is critical to the success of built places for pedestrians. *Staff believes the proposed 2-story homes and submitted conceptual building elevations demonstrate compliance with this policy. However, to further the neighborhood and street-oriented designs desired in the Ten Mile Area, Staff is recommending additional decks are added on the second stories of some of the homes. This addition furthers the concept of living area closer to the street which helps to activate the sidewalks and create more of a community identity for the project.*

Neighborhood Design (3-36): In the Ten Mile area, all residential neighborhoods should be developed in consideration of traditional neighborhood design principles and concepts, which include mixed housing stock, architecture and design, streetscapes and streets. *A mix of housing stock is proposed consisting of single-family attached and detached dwellings which contribute to the diversity of housing stock in this area. The public street proposed within this development provides a fair framework for future connectivity that can provide short block lengths and minimize curb cuts on the public streets. The proposed block lengths are relatively short and provide for safe pedestrian connectivity due to the detached sidewalks and parkways. The proposed parkways and conceptual floor plans also add to the project’s consistency with the neighborhood design element of the Ten Mile Plan.*

As noted above, Staff finds the project to be generally consistent with both the Ten Mile Interchange Specific Area Plan and the City of Meridian Comprehensive Plan, per Staff’s recommended revisions.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation. A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.*

B. PRELIMINARY PLAT (PP)

The proposed preliminary plat consists of 51 building lots (30 single-family attached lots and 21 detached single-family lots), 6 common lots, and 2 other lots (two common driveways) on 5.63 acres of land in the requested TN-R zoning district. The minimum building lot size proposed is 2,038 square feet

with an average lot size of 2,762 square feet. According to the submitted plans, the plat is currently proposed to develop in two phases due to the available access to the site being only from Franklin Road at this time. The phasing plan depicts construction of 22 building lots in the southern half of the site with three open space lots (including the largest centralized open space lot) in Phase 1 with the public roads terminating less than 150 feet from the internal intersection—thus, 20 of the 21 detached single-family lots and two single-family attached lots are proposed in Phase 1. Phase 2 then depicts the remaining building lots to the north and east of the centralized intersection to be constructed along with some remaining open space lots along the north boundary.

Further, Phase 2 depicts the north-south local road within the site terminating at the north boundary over the Purdam Gulch stub drain with a slight curve to the northeast to match the property line. Staff has had multiple discussions with this Applicant and the Developer of the Zimmerman property to the north in regards to the proposed termination of the north-south local street within this development. The issue that has been brought up is the preferred alignment of this street at the north property line and consequently where it would connect to the extension of W. Aviator Street, the collector road required to be developed with the project to the north. Staff notes it has been the City's practice to require an Applicant change their road alignment based upon conceptual drawings of a project that has not yet submitted to the City. **However, Staff has included a DA provision to allow this Applicant the flexibility to revise the road alignment and lot layout with the future Phase 2 final plat should they be able to work out a mutually beneficial agreement with the adjacent property owner; this is predicated on IF the property to the north receives approvals from the City. This recommended provision does not require this Applicant revise their plat at any point but its intent is to provide flexibility to the Applicant to make any necessary revisions to the plat without having to go through the hearing process for subsequent changes that do not increase the number of building lots or drastically change the project design but help the overall road network in this area of the City.**

Existing Structures/Site Improvements:

Map imagery depicts an old residence and accessory buildings on the southern half of the subject site; no other site improvements appear to be in place. All existing structures are proposed to be removed upon Phase 1 development.

Dimensional Standards (UDC 11-2):

The proposed subdivision and subsequent development are required to comply with the minimum dimensional standards listed in UDC Table 11-2D-6 for the requested TN-R zoning district. Staff has reviewed the proposed plat and it complies with these standards, including dwelling types, inclusion of parkways, and initial review of building setbacks outlined on the submitted preliminary plat.

Access (UDC 11-3A-3):

~~**ACHD has not yet submitted a staff report for the subject project.**~~

Access for the project has been briefly discussed in the comprehensive plan analysis section above those comments are in conjunction with those in this analysis section. Ultimate access to the project site is from a future local street connection at the north property boundary to a future extension of W. Aviator Street on the adjacent property to the north/northeast. Additionally, future access should occur to the east via a local street connection to W. Atomic Street in the Ascent Townhome project on the east side of Zimmerman Lane (not part of this project area). Until Aviator Street is extended and constructed north of the subject site OR W. Atomic Street is extended, temporary access to W. Franklin Road is required for public street access to the site. Because no other public roads are available to serve the subject site, development code permits this temporary access to Franklin. However, permanent access to Franklin Road is not desired by the City or ACHD in this location so as soon as an additional public road access is available, this access to Franklin shall be closed OR converted to an emergency-only access with Fire

Department approved bollards. Staff has included a DA provision to address the timing for the closure of this access.

Vehicular access for the proposed dwelling units is via driveway connections to the new local streets within the project. The local street is proposed with 5-foot detached sidewalk and 8-foot parkways strips; the street is proposed as a 33-foot wide local street within 37 feet of right-of-way and is consistent with ACHD policy. The Applicant has proposed shared driveways for the single-family attached units to minimize the number of curb cuts on the local street and has included two common drives within the east parcel to better maximize the available land and provide access to six units (four access one common drive, and two access the other).

There is no secondary access to the site because the proposed local streets within the site do not connect to additional public roads. This is an additional factor in the Applicant's decision to propose the project in two phases and keeps the Applicant from putting sprinklers in each unit because the Fire Department requires a secondary access for each access that has more than 30 units taking access from it. As discussed above, there is an anticipation of a project being constructed on the property to the north/northeast that would extend Aviator along the north property line and offer a secondary public street connection to satisfy the Fire Department requirement. However, regardless an additional public road access being to the north to Aviator Street or the east through Ascent Townhomes, Staff is recommending the temporary access to Franklin convert to an emergency-only access to add an additional Fire approved access for this project and area of the City.

Pathways (UDC 11-3A-8):

There are no regional pathways depicted on the Pathways Master Plan for this property. However, Staff believes the Applicant should work with the irrigation district to install a micro-path through the common lot along the project's west boundary containing the Purdam Drain easement OR work with the district to utilize their gravel access road as a walking path for the development and include some landscaping along the east side of this common lot. The addition of a meandering 5-foot wide pathway and landscaping in this open space lot could connect in multiple places throughout the site and allow for a looped walking trail. Further, this revision to the project would make this area of the site qualified open space and allow the Applicant to meet and exceed the minimum amount required for the project; without it, additional area will need to be added in other places which will likely require a loss of building lots.

Sidewalks (UDC 11-3A-17):

Detached sidewalks are proposed along the internal local streets that loop through the site (not shown with any names at this time) with 8-foot parkways throughout. In addition, the Applicant is showing the existing 5-foot wide sidewalk on the north side of Franklin Road with a segment near the west boundary as being attached and the remaining length being detached from the roadway. This does not meet ACHD nor UDC standards for sidewalks along collector streets. *Overall, the proposed sidewalk network for this development meets UDC requirements.*

Parkways (UDC 11-3A-17):

~~8-foot~~ 6-foot wide parkways with street trees are shown along both sides of the proposed local streets in the project site. **All parkways within the site adjacent to detached sidewalks shall be landscaped per the standards listed in UDC 11-3B-7C and UDC 11-3A-17.E.2 for a 6-foot wide parkway—these additional standards include the requirement for a root barrier system and Staff will verify this with all future final plats.** With the future final plat applications, the Applicant should add data to the plan to demonstrate compliance with these standards.

Landscaping (UDC 11-3B):

A 25-foot wide street buffer is required along W. Franklin Road, landscaped per the standards in UDC Table 11-3B-7C. A 25-foot wide common lot is shown at the south boundary of the project site meeting UDC standards. However, the subject property boundary does not directly abut Franklin Road because ACHD owns land that goes beyond the pavement and includes the sidewalk along this frontage.

Therefore, the actual buffer along Franklin is at least 38 feet deep instead of just 25 feet. According to the submitted landscape plan, the required buffer area is landscaped in accordance with code. Therefore, the proposed project complies with these standards.

The Applicant is also proposing 86-foot wide parkways throughout the site in accordance with the requirements of the Ten Mile Plan and the requested TN-R zoning district. According to the submitted plans, the Applicant is showing compliance with the required landscaping standards in UDC 11-3B-7.

According to the submitted landscape plan, some trees are included in the common open space areas where there is no storm drain retention areas. These retention areas are shown to be vegetated with grasses which complies with UDC 11-3A-11 and is allowed to qualify towards the minimum qualified open space for the project. Staff is recommending the most central tree in the centralized open space lot (Lot 12, Block 1) on the west side of the project be removed so a larger area of usable grass can be proposed in this lot. Further analysis on landscaping and open space qualification is in the next section below.

Qualified Open Space & Site Amenities (UDC 11-3G):

The area of the preliminary plat is 5.63 acres within the requested TN-R zoning district. According to the standards listed in UDC 11-3G-3, a minimum of 15% qualified open space should be provided for projects over 5 acres within the TN-R district. As noted above, the Applicant did not submit a separate open space exhibit so Staff had to dissect the submitted plans and the applicable areas that qualify.

Based on the plat area of 5.63 acres, the minimum amount of qualified open space required to meet UDC 11-3G-3 standards is approximately 36,786 square feet. According to Staff's analysis of the submitted plans, the Applicant is proposing approximately 32,500 square feet of qualified open space; this area does not meet the minimum 15% requirement. This includes the proposed parkways, arterial street buffer to Franklin, the central open space lot (portion of Lot 12, Block 1), and other smaller areas of open space throughout the site. As discussed throughout this report, there is potential of the entire Lot 12, Block 1 counting towards the qualified open space if additional pedestrian facilities are added to this lot. Specifically, Staff recommends adding a 5-foot wide micro-path from the detached sidewalk along the local street in two locations; within the central open space lot and in the open space area in the northwest corner of the site. Further, additional pedestrian facilities would need to be added to this lot within the drain easement area to create a looped system for the project. These cumulative revisions are required in order for this easement area of Lot 12 to count towards the qualified open space. If these revisions cannot occur, the Applicant will need to add approximately 4,300 square feet of additional qualified open space in the project—because of the site design, this would likely require the loss of building lots.

Based on the size of the plat, one (1) point of site amenity is required to meet UDC 11-3G-4 standards. According to the submitted landscape plan, the Applicant is proposing a bicycle repair station within the central open space lot (Lot 12, Block 1). This amenity is noted as being worth one (1) amenity point per UDC Table 11-3G-4. The proposed amenity meets the minimum UDC requirements.

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

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-6 and 11-3A-7. According to the submitted landscape plan, the Applicant is showing 6-foot tall vinyl fencing along the project boundary on the east portions of the site and a 5-foot tall wrought iron fence on the rear property lines of the lots abutting the Purdam Drain easement along the west boundary. Both of these fence types and their locations comply with UDC standards. No fencing appears to be proposed along the Franklin Road street buffer; should fencing be proposed at a later date, it cannot exceed 6 feet in height per UDC 11-3A-7.

Parking: On-site parking for each unit is required per the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per single-family residence. For the detached single-family homes, two car

garages with two (2) parking pads per unit are shown on the submitted conceptual elevations and floor plans in accord with UDC standards for up to 4-bedroom homes. The single-family attached homes are depicted with a single-car garage parking pad for each unit. Therefore, it appears as a two-car garage and parking pad from the street view. **Because of this proposed design, the future attached units cannot contain more than 2 bedrooms to comply with UDC minimum parking standards.** Staff finds this as a positive for the project because there is a shortage of smaller homes for sale within the valley and Meridian. In addition to the off-street parking shown, a number of on-street parking spaces are also available due to the proposed site design.

Waterways: The Purdam Gulch Drain, an NMID facility, runs along the west boundary of the subject property but is not on the subject site. However, this project does contain a large portion of the east half of the required irrigation easement (50 feet to each side of the drain centerline) for this drain. Therefore, all of the proposed lots along the west boundary of the project are encumbered by approximately 9 feet of this easement. Per UDC 11-3A-6, no more than 10 feet of the irrigation easement shall be located on a buildable lot so the plat complies with this standard as proposed. Any encroachment within this easement will require an exclusive License Agreement with NMID and the future HOA will be responsible for maintenance of this lot. **The common lot appears to show the required NMID access road which will be fully gravel with no vegetation, as discussed above.**

In addition to the Purdam Gulch Drain easement, the Purdam Gulch stub drain runs along the north property line of the site and is located within the project boundary. The Applicant is proposing to pipe this stub drain in its current location for better maintenance and to stub the local street within the site to the north property line for future connectivity to W. Aviator Street. The proposal to pipe this segment of the stub drain and place it within common lots complies with the UDC.

Utilities (UDC 11-3A-21):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. *See Section VIII.B below for Public Works comments/conditions.*

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for the development as set forth as set forth in UDC 11-3A-15. Per the submitted plans, a PI system is proposed and will be analyzed by the applicable departments with each Final Plat.

Building Elevations (UDC 11-3A-19 | Architectural Standards Manual) (TMISAP)

Conceptual building elevations and first-floor floor plans were submitted for the proposed detached and attached single-family units, as shown in Section VII.F. The conceptual elevations do not list specific materials but appear to show a combination of lap siding and stucco field materials with porches and brick or stone accent materials along the front of the homes. In addition to the elevations, the submitted conceptual first-floor floor plans depict living area and garage on the first floor with the garages set back from the living area façade closest to the street. The submitted document is not dimensioned but Staff infers that the garage doors should be at least 30 feet from the edge of the street with parkways, detached sidewalks, and parking pad between.

Final design is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP as stated herein. Submittal and approval of an Administrative Design Review application is required prior to submittal of building permit application(s) for the single-family attached units. **Should it be determined the detached units should also require design review, Staff recommends Council add a specific DA provision addressing the project as a whole.**

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard these items on April 28, 2022. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning and Preliminary Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Jeff Wrede, Applicant/Developer
- b. In opposition: None
- c. Commenting: Jeff Wrede;
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: Bill Parsons, Planning Supervisor

2. Key issue(s) of public testimony:

- a. None

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

- a. Functionality of the common drives and lot design proposed on the 1-acre piece of project;
- b. Amount of open space proposed and how the Applicant can get to the minimum qualified amount – a loss of building lots may have to occur;
- c. Clarification on the irrigation easement and its width, use, and access for this developemtn and future residents;
- d. Can building pads shown on plat fit with the wide irrigation easement? – Yes.

4. Commission change(s) to Staff recommendation:

- a. Ability to modify the phasing plan to allow additional lots within pahse 1 should a road connection occur to the east prior to the connection to the north.

5. Outstanding issue(s) for City Council:

- a. Applicant has requested an additional DA provision that specifically limits the garage to be setback from the living area façade no less than 16 feet.

C. The Meridian City Council heard these items on June 7, 2022. At the public hearing, the Council moved to approve the subject Annexation and Zoning and Preliminary Plat requests.

1. Summary of the City Council public hearing:

- a. In favor: Jeff Wrede, Applicant; Derritt Kerner, Applicant Engineer
- b. In opposition: None
- c. Commenting: Jeff Wrede; Derritt Kerner;
- d. Written testimony: Laren Bailey, DevCo – concerns over local and collector street network with adjacent properties that are developing or currently underdeveloped.
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: Kristy Inselman – ACHD;

2. Key issue(s) of public testimony:

- a. None

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

- a. Setbacks discussed within the Ten Mile Plan as well as within the requested TN-R zoning district;
- b. Pedestrian network proposed within development and its ties to the qualified versus nonqualified open space;

- c. Proposed use and timing of the access to Franklin Road – does this access need a turnaround if it becomes an emergency only-access in the future;
- d. Aviator Street timing, anticipated location, and presumed connections to adjacent parcels including subject property – discussions between the City, ACHD, and property owners/developers;
- e. Proposed open space and lack of amenities – should additional amenities be added;
- f. Applicant’s specific request for a new DA provision outlining the living area to garage façade setback;
- g. Applicant’s request to modify or remove Staff’s recommended condition regarding second story porches/decks;
- h. Flexibility built into Staff’s recommended DA provisions and conditions of approval;
- 4. City Council change(s) to Commission recommendation:
 - a. Include new DA provision per Applicant’s request for the living area to garage setback;
 - b. Require additional amenity in one of the open space lots – either a dog park or children’s play structure;
 - c. Reduce the second-story deck requirement to 25% of the homes per Applicant’s request.

VII. EXHIBITS

A. Annexation and Zoning and Preliminary Plat Legal Descriptions and Exhibit Maps

***ELS* ENGBRITSON LAND SURVEYS, PLLC.**

2251 S. Sumac Street, Boise, Idaho 83706

(208) 859-6032 – mike@elsurveys.com

10 March 2022

Amended Land Description
Project No. 201204
Marala Investments, LLC.
Contains 358,362 square feet or 8.227 acres +/-

EXHIBIT A

Property Annexation Parcel

A tract of land located within the SE ¼ of the SW ¼, Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho described as follows:

Commencing at a found aluminum cap monumenting the SW corner of said Section 10, from which a found aluminum cap monumenting the S ¼ corner of said Section bears S 89°15'34" E a distance of 2640.54 feet; thence easterly along the southerly line of said SW ¼ S 89°15'34" E a distance of 1320.31 feet to a found aluminum cap monumenting the W 1/16th corner, the POINT OF BEGINNING.

Thence northerly along the west line of said SE ¼ of the SW 1/4 N 00°36'35" E a distance of 1087.89 feet to a point;
Thence leaving said line S 59°29'07" E a distance of 74.36 feet to a point;
Thence N 59°04'26" E a distance of 103.00 feet to a point on the center line of the Purdam Drain;
Thence along said center line S 60°56'14" E a distance of 160.88 feet to a point from which a witness corner bears S 00°34'27" W a distance of 20.00 feet;
Thence leaving said Drain S 00°34'27" W a distance of 250.26 feet to a found steel pin;
Thence S 89°15'34" E a distance of 232.80 feet to a found steel pin on the westerly rights-of-way line of a private road easement known as North Zimmerman Lane;
Thence southerly along said rights-of-way S 00°34'27" W a distance of 187.11 feet to a point from which a found witness corner bears N 89°15'34" W a distance of 2.00 feet;
Thence leaving said line N 89°15'34" W a distance of 232.80 feet to a found steel pin;
Thence S 00°34'27" W a distance of 557.46 feet to a found steel pin on the northerly rights-of-way line of West Franklin Road;
Thence leaving said rights-of-way and continuing S 00°34'27" W a distance of 33.88 feet to a point on the southerly line of said SE ¼ of the SW ¼ of Section 10;
Thence westerly along said southerly line N 89°15'34" W a distance of 294.33 feet to the POINT OF BEGINNING.

The above-described tract of land contains 8.227 acres more or less and is subject to all existing easements and rights-of-way.

(See Exhibit B attached hereto and made part of)

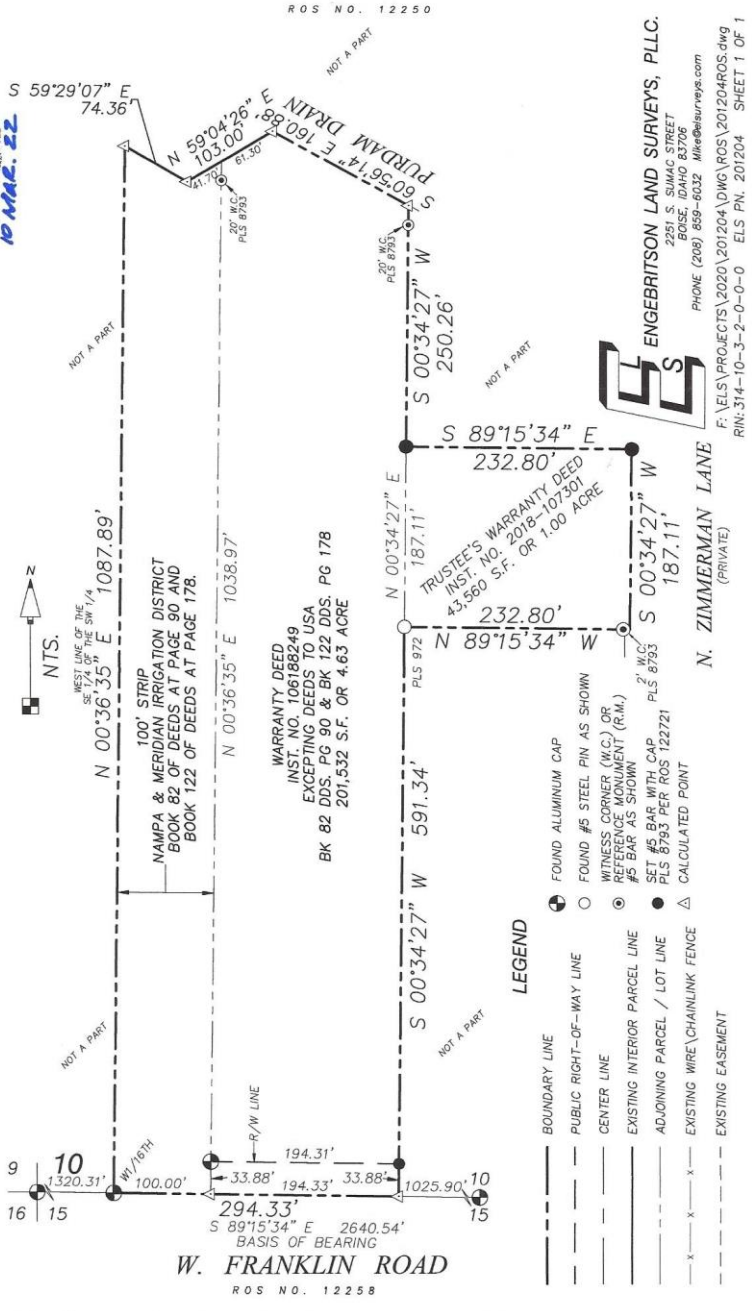


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EXHIBIT B
FOR

PROPERTY ANNEXATION

ZONING REQUESTED: TRADITIONAL NEIGHBORHOOD RESIDENTIAL (TN-R)
LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 10
T 3 N, R 1 W, B.M., ADA COUNTY, IDAHO
2021



- LEGEND**
- BOUNDARY LINE
 - - - PUBLIC RIGHT-OF-WAY LINE
 - - - CENTER LINE
 - - - EXISTING INTERIOR PARCEL LINE
 - - - ADJOINING PARCEL / LOT LINE
 - x - EXISTING WIRE/CHAINLINK FENCE
 - - - EXISTING EASEMENT
 - FOUND ALUMINUM CAP
 - FOUND #5 STEEL PIN AS SHOWN
 - WITNESS CORNER (W.C.) OR REFERENCE MONUMENT (R.M.) #5 BAR AS SHOWN
 - SET #5 BAR WITH CAP PLS 8793 PER ROS 122721
 - △ CALCULATED POINT

ELS ENGBRITSON LAND SURVEYS, PLLC.

2251 S. Sumac Street, Boise, Idaho 83706

(208) 859-6032 – mike@elsurveys.com

11 March 2022

Project No. 201204
Marala Investments, LLC.
Amended Boundary Alamar Subdivision
Contains 245,100 square feet or 5.627 acres +/-

PROPERTY LAND DESCRIPTION

Alamar Subdivision

A tract of land located within the SE ¼ of the SW ¼, Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho described as follows:

Commencing at a found aluminum cap monumenting the SW corner of said Section 10, from which a found aluminum cap monumenting the S ¼ corner of said Section bears S 89°15'34" E a distance of 2640.54 feet; thence easterly along the southerly line of said SW ¼ S 89°15'34" E a distance of 1320.31 feet to a found aluminum cap monumenting the W 1/16th corner; thence continuing along said Section line S 89°15'34" E a distance of 100.00 feet to a point; thence leaving said section line and running parallel to and 100.00 feet easterly of the westerly line of said SE ¼ of the SW ¼ N 00°36'35" E a distance of 33.88 feet to a found aluminum cap on the northerly rights-of-way line of West Franklin Road the POINT OF BEGINNING.

Thence leaving said rights-of-way and continuing along said parallel line N 00°36'35" E a distance of 1038.98 feet to a point from which a witness corner bears S 00°36'35" W a distance of 20.00 feet;

Thence leaving said parallel line N 59°04'26" E a distance of 61.30 feet to a point on the center line of the Purdam Drain;

Thence along said center line S 60°56'14" E a distance of 160.88 feet to a point from which a witness corner bears S 00°34'27" W a distance of 20.00 feet;

Thence leaving said Drain S 00°34'27" W a distance of 250.26 feet to a found steel pin;

Thence S 89°15'34" E a distance of 232.80 feet to a found steel pin on the westerly rights-of-way line of a private road known as North Zimmerman Lane;

Thence southerly along said rights-of-way S 00°34'27" W a distance of 187.11 feet to a point from which a found steel pin witness corner bears N 89°15'34" W a distance of 2.00 feet;

Thence leaving said rights-of-way N 89°15'34" W a distance of 232.80 feet to a found steel pin;

Thence S 00°34'27" W a distance of distance of 557.46 feet to a found steel pin on the northerly rights-of-way line of West Franklin Road;

Thence westerly along said rights-of-way line N 89°15'34" W a distance of 194.31 feet to the POINT OF BEGINNING.

The above-described tract of land contains 5.627 acres more or less and is subject to all existing easements and rights-of-way.

F:\ELSPROJECTS\2020\201204\ADMIN\LEGALSI\201204 Amended Alamar Sub 031122.doc



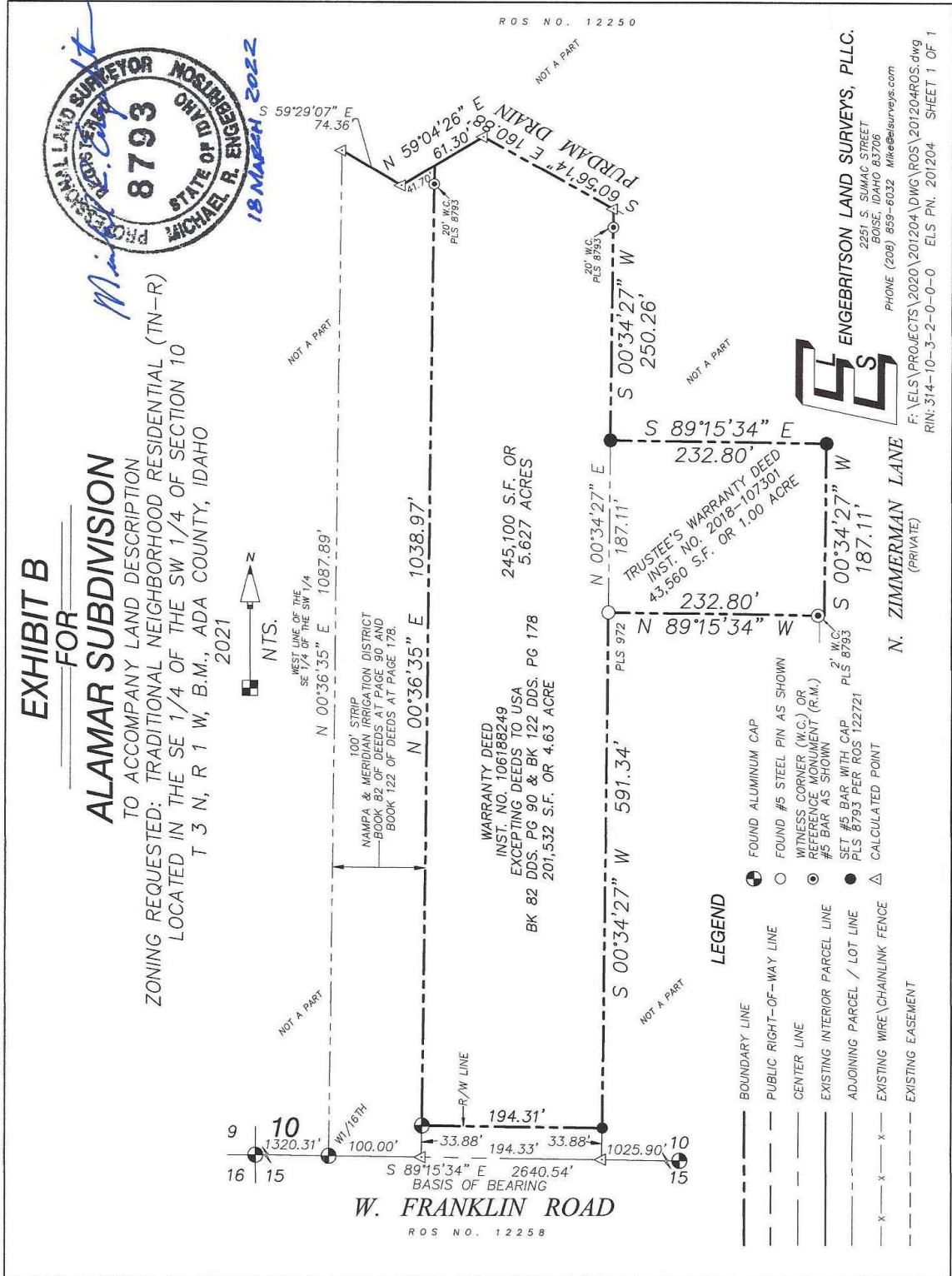
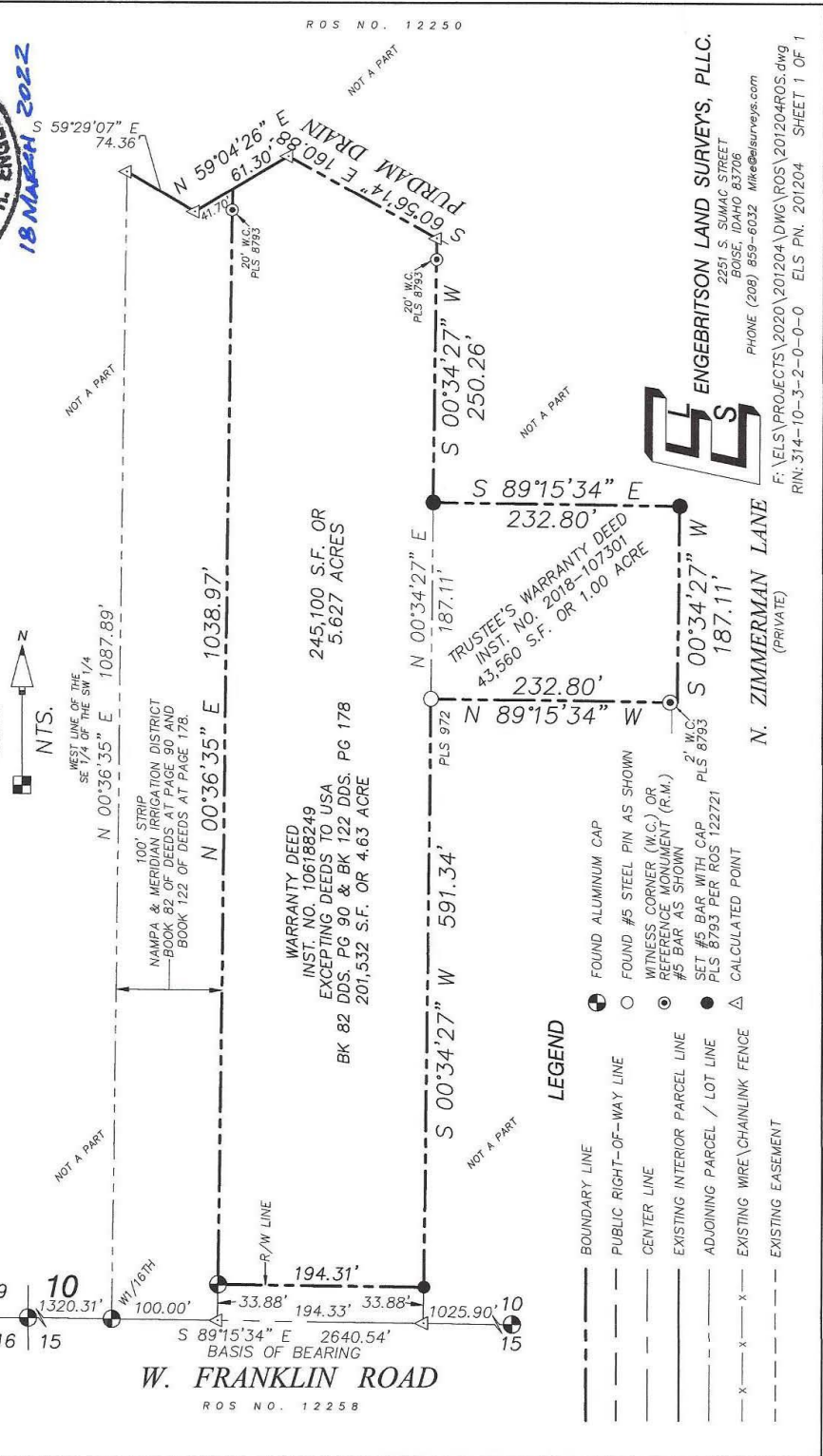


EXHIBIT B

FOR

ALAMAR SUBDIVISION

TO ACCOMPANY LAND DESCRIPTION
 ZONING REQUESTED: TRADITIONAL NEIGHBORHOOD RESIDENTIAL (TN-R)
 LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 10
 T 3 N, R 1 W, B.M., ADA COUNTY, IDAHO
 2021

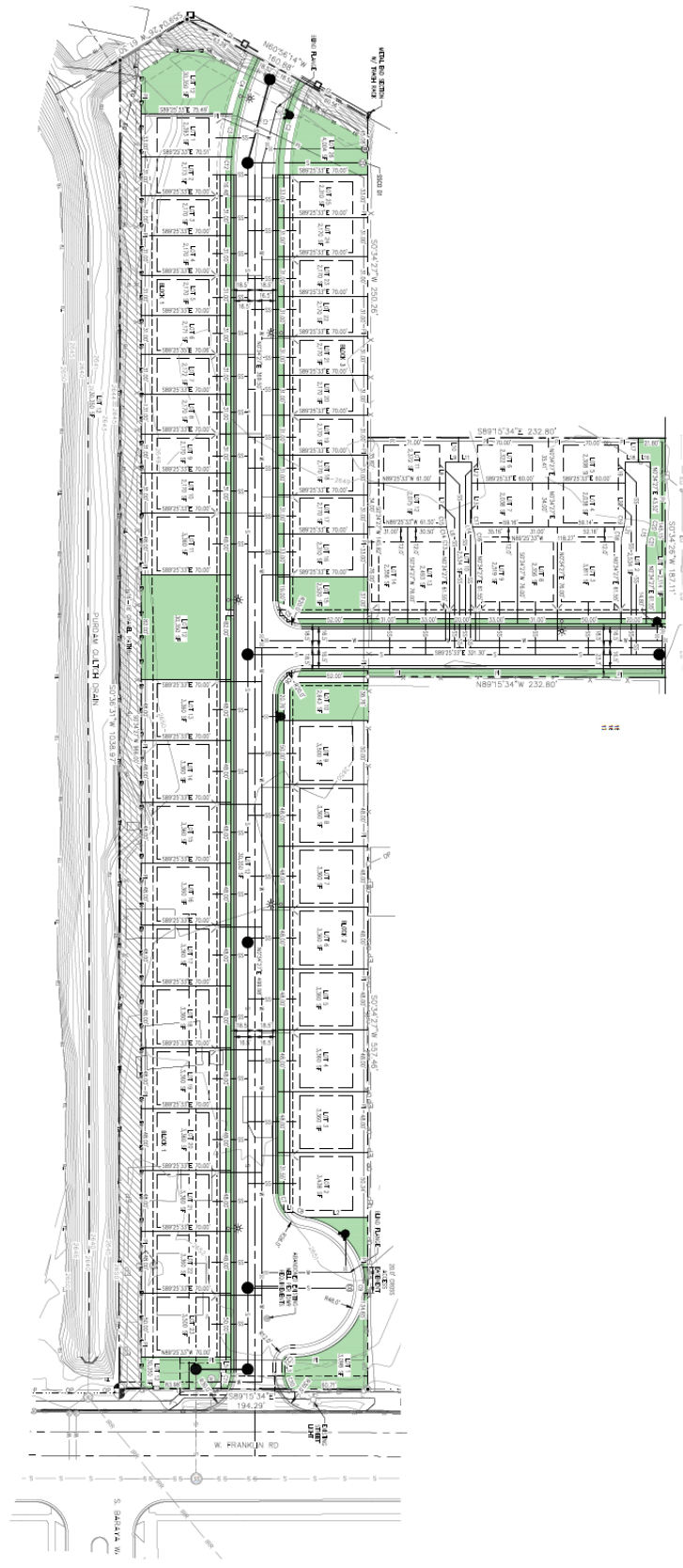


LEGEND

- BOUNDARY LINE
- PUBLIC RIGHT-OF-WAY LINE
- - - CENTER LINE
- - - EXISTING INTERIOR PARCEL LINE
- - - ADJOINING PARCEL / LOT LINE
- x - EXISTING WIRE/CHAINLINK FENCE
- - - EXISTING EASEMENT
- FOUND ALUMINUM CAP
- FOUND #5 STEEL PIN AS SHOWN
- ⊙ WITNESS CORNER (W.C.) OR REFERENCE MONUMENT (R.M.) #5 BAR AS SHOWN
- SET #5 BAR WITH CAP PLS 8793
- △ CALCULATED POINT



ENGEBRITSON LAND SURVEYS, PLLC.
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 PHONE (208) 859-6022 Mike@elsurveys.com
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 RIN: 314-10-3-2-0-0-0 ELS PN. 201204 SHEET 1 OF 1



C. Landscape Plan (dated: ~~March 15~~ May 30, 2022)



E. Conceptual Building Elevations (dated: March 15, 2022)

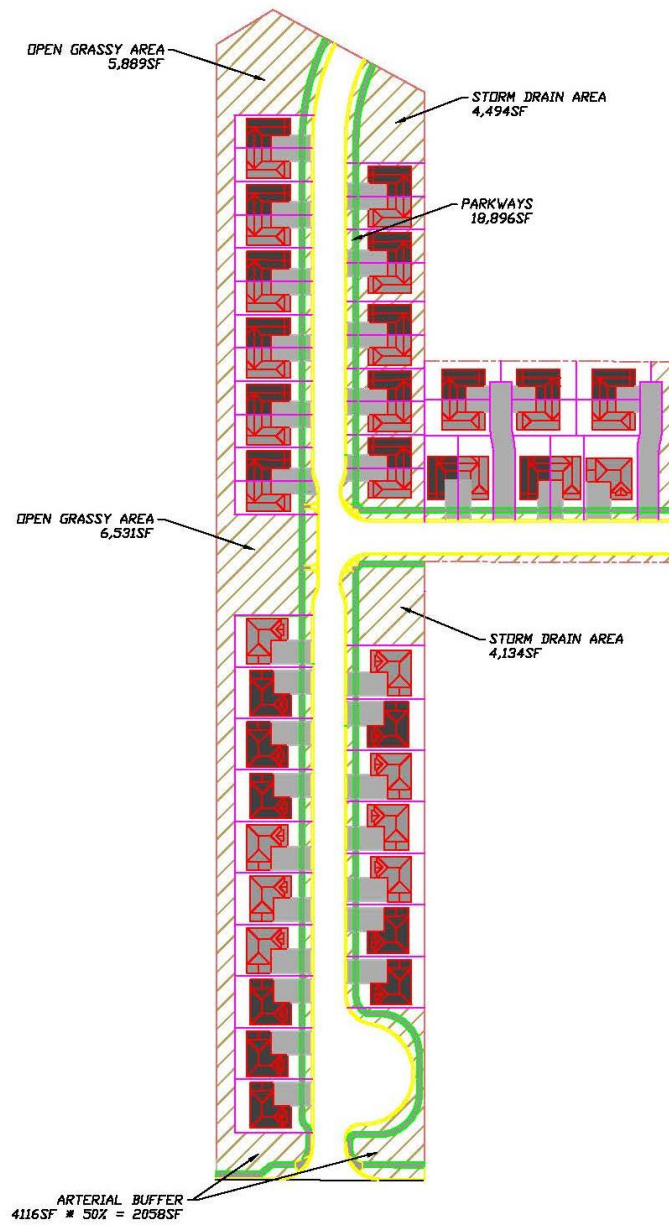
SINGLE FAMILY HOMES



DUPLEX TOWNHOMES



F. Open Space Exhibit



OPEN SPACE REQUIREMENT: 5.63 ACRE * 15% = 36,788 SF

QUALIFIED OPEN SPACE AREAS:

11-3-B.1.a	OPEN GRASSY AREAS		= 12,420
11-3-B.1.c	PROTECTIVE BUFFER ON DITCH		= 0
11-3-B.1.e	ARTERIAL BUFFER (50%):	4,116SF * 50%	= 2,058
11-3-B.4	PARKWAYS EXCLUDING DRIVEWAYS	18,896SF - 5148SF	= 13,748
11-3-B.5	STORM DRAIN (11-3-B.11)		= 8,628
	TOTAL:		36,854

AMENITIES: 1 POINT REQUIRED
BICYCLE REPAIR STATION AT CENTRAL OPEN GRASSY AREA

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s)/developer 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 substantially consistent with the approved plat, landscape plan, phasing plan, and conceptual building elevations and floor plans included in Section VII and the provisions contained herein, except that phase 1 may be modified to include additional building lots on the 1-acre east leg of the project should a public road connection to W. Atomic Street occur.
- b. Final alignment at the north property line of the north-south local street proposed with the subject applications shall be determined at the time of the second final plat submittal to allow the Applicant flexibility to work with the adjacent developer to the north/northeast—the Applicant shall not be permitted to increase the number of buildable lots with any road alignment revisions.
- c. Future development of the residential units shall be generally consistent with the required design elements outlined in the Ten Mile Interchange Specific Area Plan (TMISAP) and include second story decks on at least ~~half~~ 25% of the future residential units to better comply with the design standards.
- d. The access to W. Franklin Road is approved as a temporary access until such time an additional public road access is available to the project site (connection to W. Aviator Street or W. Atomic Street); at that time, this access shall be closed OR converted to an emergency-only access with Fire Department approved bollards.
- e. No final plat shall be accepted by the City until the Annexation and Zoning ordinance and Development Agreement are executed.
- f. All garages shall be set back at least 16 feet behind the living area façade, per the Applicant's request and consistent with the Ten Mile Interchange Specific Area Plan (TMISAP).

Preliminary Plat (PP) Conditions:

- ~~2. Applicant shall obtain approval from NMID to install a micro path through the common lot along the project's west boundary (Lot 12, Block 1) containing the Purdam Gulch Drain easement and provide a copy of the executed license agreement to the Planning Division with the first final plat submittal in order to meet the minimum open space requirements OR the Applicant shall add a minimum of 4,300 square feet of additional qualified open space to the project in accord with UDC 11-3G-3.~~
3. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2D-6 for the TN-R zoning district.
4. The Applicant shall comply with all ACHD conditions of approval.
5. Future development shall comply with UDC 11-3A-7 and UDC 11-3A-6 for any future fencing constructed within the development.

6. The Applicant shall obtain Administrative Design Review approval for the single-family attached units prior to building permit submittal—this shall be submitted with the first final plat application due to the inclusion of two single-family attached lots in Phase 1.
7. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
8. The submitted preliminary plat, dated March 15, 2022, shall be revised as follows with the first final plat submittal:
 - a. Revise the plat to include the required revisions to meet the minimum open space requirements as outlined in Condition VIII.A.2 above.
9. The submitted landscape plan, ~~dated March 15~~ revised on May 30, 2022, shall be revised prior to the first final plat submittal, unless otherwise noted:
 - a. Depict the revisions outlined in Condition VIII.A.2.
 - b. Add data to the landscape plans showing compliance with UDC 11-3B-7C for the proposed parkways.
 - c. Add an additional amenity to the development to include either a children’s play structure or a dog park meeting UDC 11-3G-3 and 11-3G-4 standards.
 - d. ~~Remove the most central tree shown in the center of the centralized open space lot within Lot 12, Block 1 to add an area of openness in the center of this lot.~~
10. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
11. Prior to building permit submittal for any structure in each phase, the Applicant shall record the associated final plat for that phase.
12. Applicant shall remove any existing structures on the subject sites with the first phase of development.
13. Applicant shall provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
14. In accordance with the approved plans and UDC 11-3A-6, the Applicant shall tile the Purdam Gulch Stub Drain along the north property boundary at the time of final plat submittal for the relevant development phase.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. To meet the City to and through policy, developer shall be required to continue a sewer main extension from manhole SSMH C1 to the eastern property boundary and install a cleanout for future extension.
2. A fire hydrant is required at the dead end main at the north side of the subdivision due to water quality concerns. The hydrant tee should have a blind flange on the north leg, place the tee as far south of the gravity irrigation pipe as possible to allow for future crossing and vertical offset without having to remove the tee.
3. The water tee to the east near 11+00 requires two valves, with one of those valves being located on the north leg.
4. Provide a fire hydrant at the end of the 8 inch water main to the east on the south end, which shall have two valves. Configure this with a tee and blind flange for future connection.
5. It appears that water and sewer mains run through a landscaped area with a fence. This landscaping and fencing must be reconfigured so there are no permanent structures over City mains and / or easements.
6. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection, there are shallow cemented soils across the site. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. This may include the installation of foundation drains, and the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. Foundation drains are not allowed to drain into the sanitary sewer system, nor the trench backfill for the sewer and/or water service lines.

Standard Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water

for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with

the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.

19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT (MFD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251688&dbid=0&repo=MeridianCity>

D. ADA COUNTY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251863&dbid=0&repo=MeridianCity>

E. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254211&dbid=0&repo=MeridianCity>

F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252443&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=263133&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=255719&dbid=0&repo=MeridianCity>

I. DEVELOPMENT SERVICES SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=258750&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

City Council finds the proposed zoning map amendment to annex the property into the City of Meridian with the Traditional Neighborhood Residential (TN-R) zoning district and subsequent development is consistent with the Comprehensive Plan and the Ten Mile Interchange Specific Area Plan (TMISAP), if all conditions of approval are met.

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

City Council finds the proposed zoning map amendment and request for different types of residential dwelling types will contribute to the range of housing opportunities available within the City and specifically within this area. City Council finds the proposed development is generally consistent with the purpose statement of the residential district included as part of the application.

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

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

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.

Because of the proposed addition of differing dwelling types within a neighborhood zoning district and the general site design, City Council finds the annexation is in the best interest of the City.

B. Preliminary Plat:

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;

City Council finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan and the specific area plan (Ten Mile Interchange Specific Area 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;

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

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

Because City water and sewer and any other utilities will be provided by the development at their own cost, 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;

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 V and VIII for more information.)

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

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 and has approved the proposed road layout and street connections.

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

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