

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



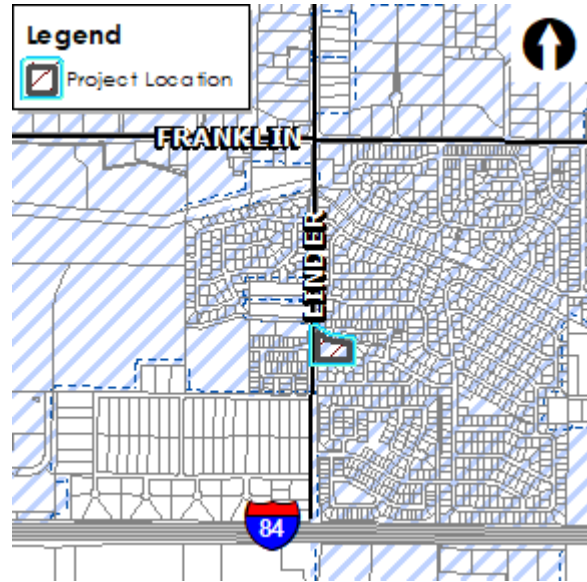
HEARING DATE: October 15, 2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0005  
 Landing South – ~~RZ~~, PP

LOCATION: 660 S. Linder Rd. (Parcel #S1213233965; NW ¼ of Section 13, T.3N., R.1W.)



**I. PROJECT DESCRIPTION**

Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district; and Preliminary plat consisting of 40 8 building lots and 3 2 common lots on 2.27 acres of land in the ~~proposed R-8~~ R-4 zoning district.

*Note: The Applicant has submitted a revised preliminary plat (and associated plans) that complies with the R-4 dimensional standards and a request for withdrawal of the rezone application; the staff report has been updated accordingly.*

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details	Page
Acres	2.27 (includes area to section line of Linder Rd. that is owned fee simple)	
Existing/Proposed Zoning	R-4 existing/ <del>R-8</del> proposed	
Future Land Use Designation	Medium Density Residential (MDR) (3-8 units/acre)	
Existing Land Use(s)	Residential (single-family home & accessory structures)	
Proposed Land Use(s)	SFR (single-family residential)	
Lots (# and type; bldg./common)	40 8 buildable lots/3 2 common lots	
Phasing Plan (# of phases)	1 phase	
Number of Residential Units (type of units)	44 8 units total [(4) 2 family duplex dwellings with a total of 8 units & 6 standard SFR detached dwellings]	
Density (gross & net)	6.16 3.52 units/acre (gross); 7.65 4.23 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	0.37 0.32 of an acre including street buffer along Linder Rd. and area where the Kennedy Lateral is located. (Note:	

Description	Details	Page
	<i>Qualified open space is not required because the site is below 5 acres in size</i>	
Amenities	None proposed ( <i>Note: Qualified site amenities are not required because the site is below 5 acres in size</i> )	
Physical Features (waterways, hazards, flood plain, hillside)	The Kennedy Lateral runs along the north boundary of the site and has been piped	
Neighborhood meeting date; # of attendees:	10/17/19; 3 attendees	
History (previous approvals)	Johnson Annexation (Ord. 631 in 1994), no DA; ROS #2605 (created subject parcel)	

## B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via an existing local stub street from the north (S. Spoonville Ave.); an emergency access via Linder Rd. exists to the north on Lot 55, Block 5 in Landing Subdivision No. 12	
Traffic Level of Service	Better than "E" (Linder Rd.)	
Stub Street/Interconnectivity/Cross Access	No other stub streets exist to this property other than from the north (S. Spoonville Ave.), from which access is proposed; no stub streets are proposed to adjacent properties to the east or south as those properties have already developed.	
Existing Road Network	None	
Existing Arterial Sidewalks / Buffers	There is an existing attached sidewalk along Linder Rd. constructed in 2015 with the adjacent road improvements but no street buffer	
Proposed Road Improvements	None (proposed right-of-way dedication to total 48' from section line of Linder Rd. abutting the site)	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> <li>Fire Response Time</li> <li>Resource Reliability</li> <li>Risk Identification</li> <li>Accessibility</li> <li>Special/resource needs</li> <li>Water Supply</li> <li>Other Resources</li> </ul>	<p>2.3 miles</p> <p>Falls within 5:00 minute response time area - nearest station is Fire Station #1 – <i>can</i> meet response time goals</p> <p>75% - does <i>not</i> meet the target goal of 80% or greater</p> <p>2 – current resources would <i>not</i> be adequate to supply service</p> <p>Project meets all required access, road widths and turnaround.</p> <p>Project will not require an aerial device; can meet this need in the required timeframe if a truck company is required.</p> <p>Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.</p>	

Police Service	
<ul style="list-style-type: none"> <li>Distance to Police Station</li> </ul>	2.5 miles
<ul style="list-style-type: none"> <li>Police Response Time</li> </ul>	In an emergency, just over 3 minutes, with an average time of just under 4 minutes (meets target goal)

Meridian Police Department - The Landing South	
Location of new development -	660 S Under Road
Time Frame -	02/01/2019 - 01/31/2020
Level of Service (LoS)- Delivered	By Reporting District (RD - M749)
<b>Calls for Service (CFS): Response Times: Dispatch to Arrival (all units)</b>	
Average Response Times by Priority: 'City of Meridian'	
Priority 3	3:49
Priority 2	7:09
Priority 1	10:34
Average Response Times by Priority: 'M749'	
Priority 3	3:12
Priority 2	6:04
Priority 1	9:45
<b>Calls for Service (CFS): Calls occurring in RD 'M749'</b>	
CFS Count Total	2,505
<b>% of Calls for Service split by Priority in 'M749'</b>	
% of P3 CFS	1.7%
% of P2 CFS	71.9%
% of P1 CFS	24.8%
% of PD CFS	1.6%
<b>Crimes</b>	
Crime Count Total	343
<b>Crashes</b>	
*Crash Count Total	51

West Ada School District																	
<ul style="list-style-type: none"> <li>Distance (elem, ms, hs)</li> <li>Capacity of Schools</li> <li># of Students Enrolled</li> <li># of Students Predicted from this development</li> </ul>	<table border="1"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles (Dist. to School)</th> </tr> </thead> <tbody> <tr> <td>Peregrine Elementary</td> <td>556</td> <td>650</td> <td>.3</td> </tr> <tr> <td>Meridian Middle School</td> <td>1200</td> <td>1250</td> <td>1.9</td> </tr> <tr> <td>Meridian High School</td> <td>1978</td> <td>2400</td> <td>1.0</td> </tr> </tbody> </table> <p>Due to the abundant amount of growth in the area, West Ada is actively building new schools, and boundaries are always changing. These future students could potentially attend Pleasant View Elementary, and Owyhee High School.</p>		Enrollment	Capacity	Miles (Dist. to School)	Peregrine Elementary	556	650	.3	Meridian Middle School	1200	1250	1.9	Meridian High School	1978	2400	1.0
	Enrollment	Capacity	Miles (Dist. to School)														
Peregrine Elementary	556	650	.3														
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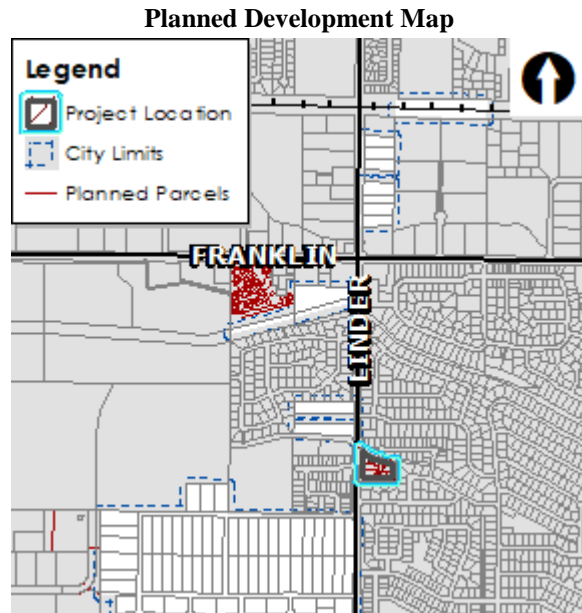
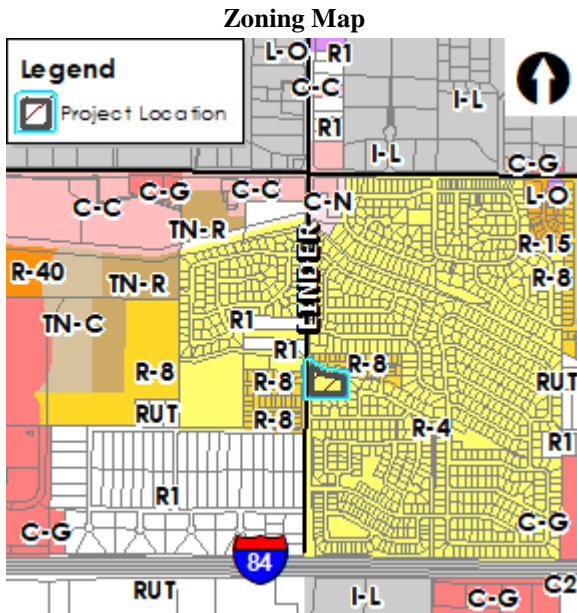
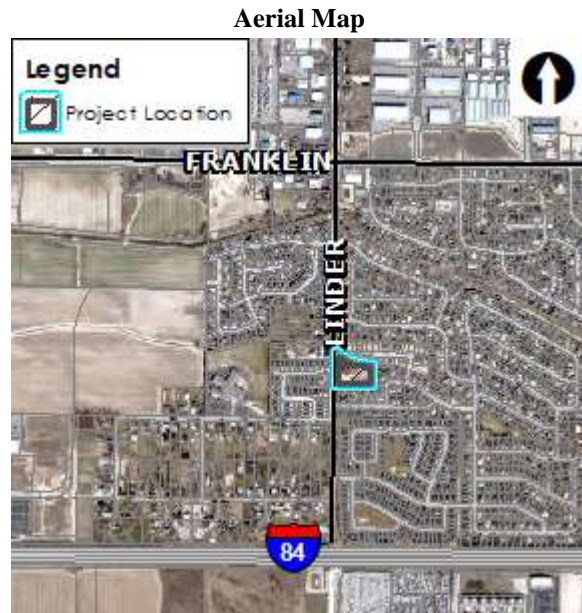
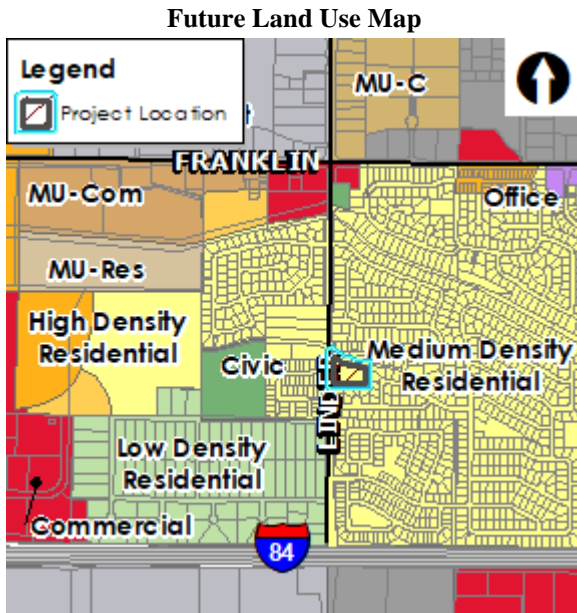
Wastewater	
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	Directly adjacent
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	South Black Cat Trunk Shed
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	14 units total – (4) 2-family duplex dwellings for a total of 8 units & 6 standard SFR detached dwellings
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	13.88
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	No sewer mainlines in common drives, only sewer services (reminder that a maximum of three services are allowed into a manhole, with a minimum 30-degrees of angle separation).

Water	
<ul style="list-style-type: none"> <li>Distance to Water Services</li> </ul>	Directly adjacent
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	3
<ul style="list-style-type: none"> <li>Estimated Project Water ERU's</li> </ul>	14 units total - (4) two-family duplex dwellings for a total of 8 units & 6 standard SFR detached dwellings
<ul style="list-style-type: none"> <li>Water Quality</li> </ul>	None
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> </ul>	Yes

- Impacts/Concerns

Terminate the water main at the south end of the cul-de-sac with a fire hydrant.  
Water services only in the common drives, not water mains.

C. Project Area Maps



A. Applicant:

Jim Jewett – 776 E. Riverside Dr., Ste. 204, Eagle, ID 83616

B. Owner:

Jim Jewett & Mary Stevens – 776 E. Riverside Dr., Ste. 204, Eagle, ID 83616

C. Representative:

Nick Bennett, Sawtooth Land Surveying – 2030 S. Washington Ave., Emmett, ID 83617

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	3/13/2020; 9/25/2020	7/24/2020
Notification mailed to property owners within 300 feet	3/11/2020; 9/23/2020	7/21/2020
Applicant posted public hearing notice on site	5/20/2020; 10/5/ 2020	8/12/2020
Nextdoor posting	3/12/2020; 9/23/2020	7/21/2020

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

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Medium Density Residential (MDR).

The purpose of the MDR designation is to allow small lots for residential purposes within City limits. Uses may include single-family homes at gross densities of 3 to 8 dwelling units per acre.

The proposed development consists of ~~six (6)~~ eight (8) single-family detached homes ~~and four (4) 2-family duplexes for a total of 14 units overall~~ at a gross density of ~~6.16~~ 3.52 units per acre consistent with the Plan.

The following Comprehensive Plan Policies are applicable to this development:

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

*The proposed medium density single-family detached ~~and 2-family duplex~~ dwellings will contribute to the variety of housing types 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 with development in accord with UDC 11-3A-21.*

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

*~~Two~~ One housing types (i.e. single-family detached ~~and 2-family duplex~~ dwellings) ~~are~~ is proposed in this development which ~~contributes to the diversity of~~ is the same as adjacent housing types ~~available~~ in this area.*

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

*The proposed residential dwellings should be compatible with adjacent existing and future single-family detached homes. Staff is concerned the proposed site design with only two (2) available on-street parking spaces may not be adequate to serve the site; however, the*

~~required off-street parking is being met. Four (4) additional spaces are proposed at the ends of the two common driveways.~~

- “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 required to be provided to and though this development in accord with current City plans.*

- “Encourage infill development.” (3.03.01E)

*The subject property is an infill property that was previously annexed into the City but never developed. Development of this property will maximize public services by servicing land already in the City as opposed to parcels on the fringe.*

- “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 along the internal street is required to be provided with development as proposed.*

*In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation.*

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

### A. ~~Rezone:~~ *Withdrawn*

~~The proposed rezone is for 2.43 acres of land, which includes adjacent Linder Road right of way to the section line, from the R-4 to the R-8 zoning district. The proposed gross density of 6.16 dwelling units/acre and plan to develop single family detached and 2 family duplex dwellings on the site is consistent with the Medium Density Residential (MDR) Future Land Use Map (FLUM) designation for this site. A legal description for the rezone area is included in Section VIII.A.~~

~~The City may require a development agreement (DA) in conjunction with a rezone 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 the rezone with the provisions included in Section IX. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone for approval by City Council and subsequent recordation.~~

### B. Preliminary Plat:

The proposed plat consists of ~~40~~ 8 buildable lots and 2 common lots on 2.27 acres of land in the proposed ~~R-8~~ R-4 zoning district. The minimum lot size proposed is ~~4,004~~ 8,018 square feet (s.f.) with an average lot size of ~~6,305~~ 8,199 s.f.; the gross density is ~~6.16~~ 3.52 units/acre with a net density of ~~7.65~~ 4.23 units/acre. The subdivision is proposed to develop in one phase.

~~Single family detached dwellings are proposed on Lots 62-67 and 2 family duplex dwellings are proposed on Lots 57-60.~~

#### **Existing Structures/Site Improvements:**

There is an existing home and accessory structures on the site that are proposed to be removed with development. All existing structures should be removed prior to signature on the final plat by the City Engineer.

**Proposed Use Analysis:**

Single-family detached and 2-family duplex dwellings are listed as a principal permitted uses in the ~~R-8~~ R-4 zoning district in UDC Table 11-2A-2.

**Dimensional Standards (UDC 11-2):**

~~R-8~~ R-4 district: (UDC Table 11-2A-5)

The property sizes and street frontages of the proposed lots and width of the street buffer along Linder Rd. comply with the minimum dimensional standards of the ~~R-8~~ R-4 district; future development should comply with the minimum building setbacks and maximum building height standards of the district as required.

**Subdivision Design and Improvement Standards (UDC 11-6C-3)**

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

~~There are two (2) common driveways proposed; such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. The common driveway that provides access to Lots 63-65 should be placed in a common lot. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. A perpetual ingress/egress easement is required to be filed with the Ada County Recorder, which should include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D; a copy of the recorded easement should be submitted to the Planning Division with the final plat for City Engineer signature.~~

**Access (UDC 11-3A-3)**

Access is proposed via the extension of an existing stub street (S. Spoonbill Ave.) from the north boundary of the site; direct access via S. Linder Rd. is not proposed or approved. An emergency access via Linder Rd. exists to the north on Lot 55, Block 5, Landing Subdivision No. 12. Because the surrounding properties are developed and the Applicant is extending the only existing stub street, no other stub streets are necessary to be provided. The extension of the existing street results in a cul-de-sac in excess of the maximum length (i.e. 500') allowed by the UDC; because this is an existing condition and access via Linder Rd. is not allowed, no other alternatives exist.

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

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached and 2-family duplex dwellings based on the number of bedrooms per unit. Based on 3-bedrooms per unit as proposed, a minimum of 4 spaces are required per unit with at least two (2) in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pad; if 2-bedroom units are proposed, a minimum of 2 spaces are required per unit with at least one (1) space in an enclosed garage, the other space may be enclosed or a minimum 10' x 20' parking pad. Future development should comply with these standards. ~~The proposed dwellings all include 2-car garages and outside parking pads; however, the parking pads are only 16' wide and need to be widened to 20'.~~

~~A parking plan was included on the plat that depicts a total of two (2) on-street parking spaces available after driveways are provided for each lot (see Section VIII.B). Another four (4) spaces are provided at the end of each of the common driveways (2 at the end of each driveway).~~

Because on-street parking is not allowed in the cul-de-sac, only two (2) on-street spaces may be available in front of Lots 57 and 64 if the driveways are located in the cul-de-sacs. Staff is concerned there may not be adequate on-street parking for guests; however, there is no UDC standard for on-street parking. Staff is also concerned there will not be adequate area for trash receptacles at the street on pick-up day with the proposed design.

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

A 10' wide multi-use pathway is designated on the Pathways Master Plan along the frontage of this site adjacent to S. Linder Rd. **Because the existing sidewalk is in good condition, the Park's Dept. is not requiring the pathway to be constructed at this time; however, a 14-foot wide public pedestrian easement for a future detached pathway is required.**

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

Sidewalks are required to be provided adjacent to all streets as set forth in UDC 11-3A-17. A 5' wide detached sidewalk is typically required along arterial streets (i.e. S. Linder Rd.); however, the Director may waive this requirement to detach the sidewalk where there is an existing attached sidewalk. In this case, there is an existing attached sidewalk along Linder Rd. that is in good condition; there is also existing attached sidewalks on the adjacent developments to the north and south. For these reasons, the Director approves a waiver to this requirement.

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

A 25-foot wide street buffer (measured from back of sidewalk) is required adjacent to N. Linder Rd., an arterial street, landscaped per the standards listed in [UDC 11-3B-7C](#), which require buffers to be planted with a mix of trees and shrubs, lawn, or other vegetative groundcover. Just lawn and trees are proposed; **Staff recommends shrubs are added at a minimum.**

Common open space is required to be landscaped in accord with the standards listed in [UDC 11-3G-3E](#). At a minimum, one three per 8,000 square feet of common area is required to be provided along with lawn. Because the common area along the north boundary of the site where the Kennedy Lateral is located is within an Irrigation District easement, no trees are allowed. Therefore, all of the required trees are proposed to be placed in the street buffer along Linder Rd.

**There are several existing trees on this site that are proposed to be removed with development that require mitigation per the standards listed in UDC 11-3B-10C.5. The City Arborist inspected the site and determined an additional 67 caliper inches of trees need to be provided on the site for mitigation. The 50-inch caliper silver maple along Linder Rd. is required to be retained on the site and protected during construction, unless required to be removed by ACHD. Mitigation calculations should be included in the Landscape Calculations table demonstrating compliance with the aforementioned UDC standard.**

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

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required for developments over 5 acres in size; because this property is only 2.27 acres, this standard does not apply. However, the Applicant did submit an open space exhibit that depicts ~~0.37~~ 0.32 of an acre of common open space including street buffer along Linder Rd. and area along the north boundary of the site where the Kennedy Lateral is located.

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

Because the development area is below 5 acres in size, the standards listed in UDC 11-3G-3 for site amenities do not apply. No amenities are proposed or required.

**Storm Drainage:**

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



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

The Kennedy Lateral runs along the northern boundary of this site and has been piped. The Irrigation District (NMID) has a 55' wide total easement in this area for the lateral, 20' from the centerline on this site. Any encroachments in this easement will require a signed License Agreement and approved plan prior to construction. **If the easement encroaches on adjacent buildable lots more than 10', the easement area should be included in a common lot that is a minimum of 20' wide and outside of a fenced area, unless modified by City Council at a public hearing with notice to surrounding property owners per UDC 11-3A-6E. The location of the easement should be clearly depicted on the plat.**

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing exists along the south and east boundaries of the site that is proposed to remain. No new fencing is proposed on the landscape plan. **Fencing is required to be constructed by the Developer adjacent to common open space lots to distinguish common from private areas as set forth in UDC 11-3A-7A.7a. The Applicant states that wrought iron fencing will be constructed at the back edge of the street buffer along Linder Rd. and along the Kennedy Lateral easement at the north boundary of the site; fencing should be depicted on the landscape plan accordingly.**

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

The Applicant submitted sample elevations of the homes planned to be constructed in this development which are included in Section VIII.E. Single-family detached homes are a single-story in height (and may have bonus rooms) and constructed with a stucco finish with stone veneer accents. *Single-family detached dwellings are exempt from the design standards in the Architectural Standards Manual.*

~~Duplex dwellings are 2 stories in height and constructed of a mix of vertical and horizontal siding. The rear/east street facing elevations do not have any windows. **The proposed elevations are not approved with this application; final design is required to comply with the design standards listed in the Architectural Standards Manual. An application for Design Review should be submitted and approved by the Planning Division prior to submittal of applications for building permits for the duplex dwellings.**~~

## VI. DECISION

A. Staff:

Staff recommends approval of the requested ~~rezone with the requirement of a Development Agreement and approval of the requested preliminary plat~~ with the conditions noted in Section IX per the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on June 4, and July 16, 2020. At the public hearing on July 16<sup>th</sup>, the Commission moved to recommend *denial* of the subject RZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Josh Beach, Sawtooth Land Surveying (Applicant's Representative); Jim Jewett, Applicant
- b. In opposition: None
- c. Commenting: Jeanette Ockerman, Anthony Baggio
- d. Written testimony: Chris & Candace Johnson; Jeff Bolen; Kenneth "Scott" Grapatin; Josh Beach, Applicant's Representative
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:
  - a. Request for Joshua St. to extend to the west to Linder Rd. as a permanent access instead of emergency only, or at the very least, that construction traffic is allowed to use this access for development of the subdivision; and that a “No Outlet” sign be installed on S. Tylee Way where it intersects Waltman Dr. to notify drivers the street dead ends to prevent unnecessary traffic;
  - b. Mr. Grapatin expressed concern pertaining to the continued provision of irrigation water to his property, which currently runs through the north side of the proposed project & accessibility of the ditch for repairs and cleaning;
  - c. The Applicant requested conditions #3b and #3c pertaining to specific tree mitigation be amended based on coordination with the City Arborist to take place prior to the Council hearing;
  - d. The Applicant testified there would be one large trash dumpster/enclosure for the development instead of individual receptacles for each unit to eliminate the issue of receptacles in the right-of-way or blocking sidewalks/driveways;
  - e. Concerns pertaining to traffic and parking.
3. Key issue(s) of discussion by Commission:
  - a. The provision of a pathway from the sidewalk along Spoonbill Ave. to the sidewalk along Linder Rd. and to the north to the pathway along the Kennedy Lateral;
  - b. The Commission directed the Applicant to consider revisions to the plat to make the eastern lots R-4 sized (8,000 s.f. lots) and possibly reduce the density, improve parking and internal circulation, work with ACHD to facilitate a construction entrance off of Linder Rd. until initial occupancy, and include a pathway connection between Lots 58 & 59 from Spoonbill to Linder Rd.;
  - c. Concern pertaining to parking and placement of trash carts on pick-up day;
  - d. Reduce the number of units by replacing the duplex units with single-family detached units; and,
  - e. Possibly reconfiguring the plat so that lots are R-4 size and are a “pinwheel” design off the cul-de-sac.
4. Commission change(s) to Staff recommendation:
  - a. The Commission recommended denial of the project for the following reasons: doesn't fit the comp plan, challenges with turnarounds and access drives, and revised plat doesn't address the previous concerns of the Commission.
5. Outstanding issue(s) for City Council:
  - a. None

C. The Meridian City Council heard these items on August 11 and 25, 2020. At the public hearing on August 25<sup>th</sup>, the Council moved to remand the subject PP request back to the Commission.

1. Summary of the City Council public hearing:
  - a. In favor: Jim Jewett, Applicant
  - b. In opposition: None
  - c. Commenting: None
  - d. Written testimony: None
  - e. Staff presenting application: Sonya Allen
  - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
  - a. None
3. Key issue(s) of discussion by City Council:
  - a. None
4. City Council change(s) to Commission recommendation:

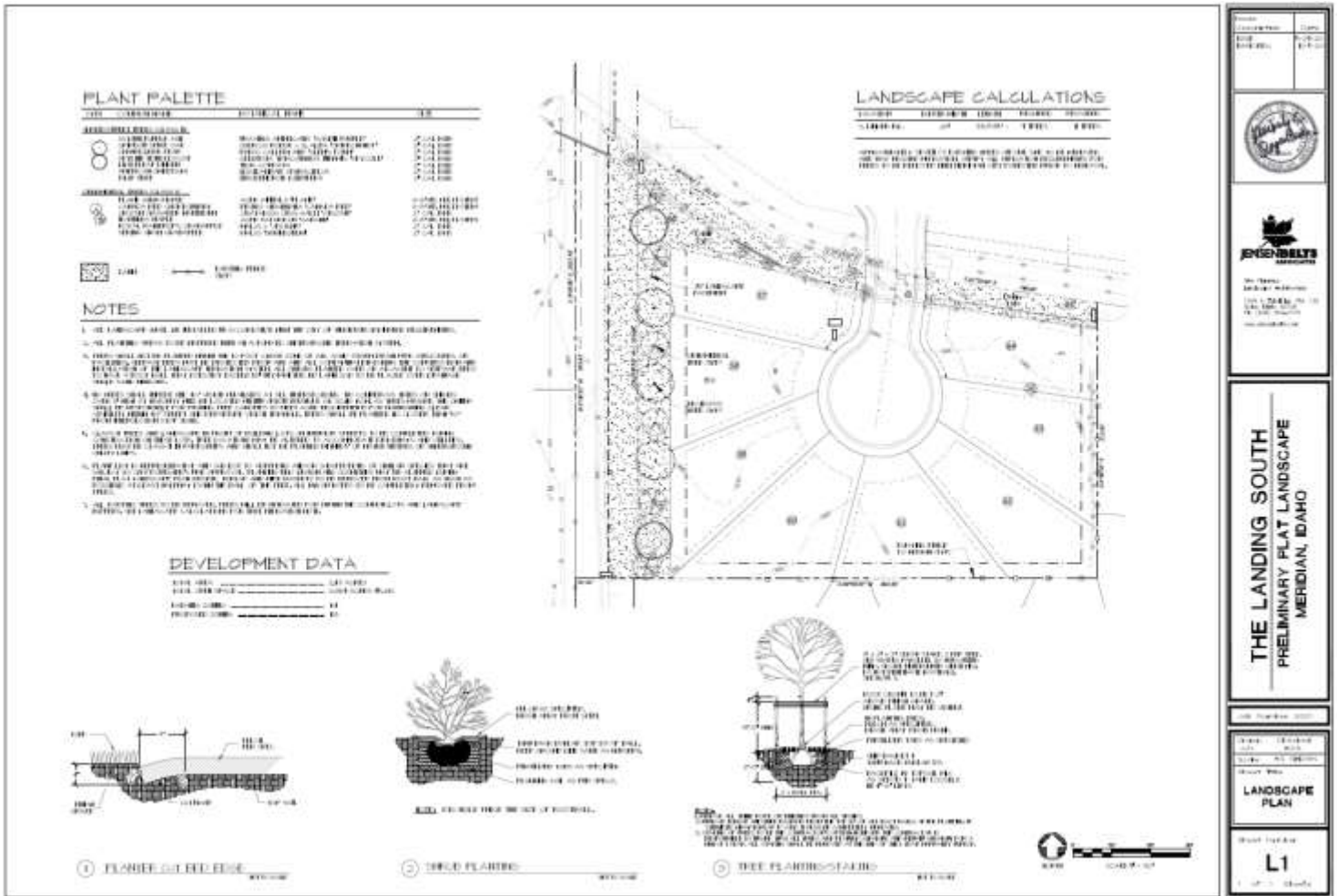
- a. The Council remanded the application back to the Commission for review of a revised plat meeting the R-4 dimensional standards – a re-notice of the project and submittal of an updated application with revised plans is required with withdrawal of the rezone request.

## **VII. EXHIBITS**

### **~~A. Rezone Legal Description & Exhibit Map~~**

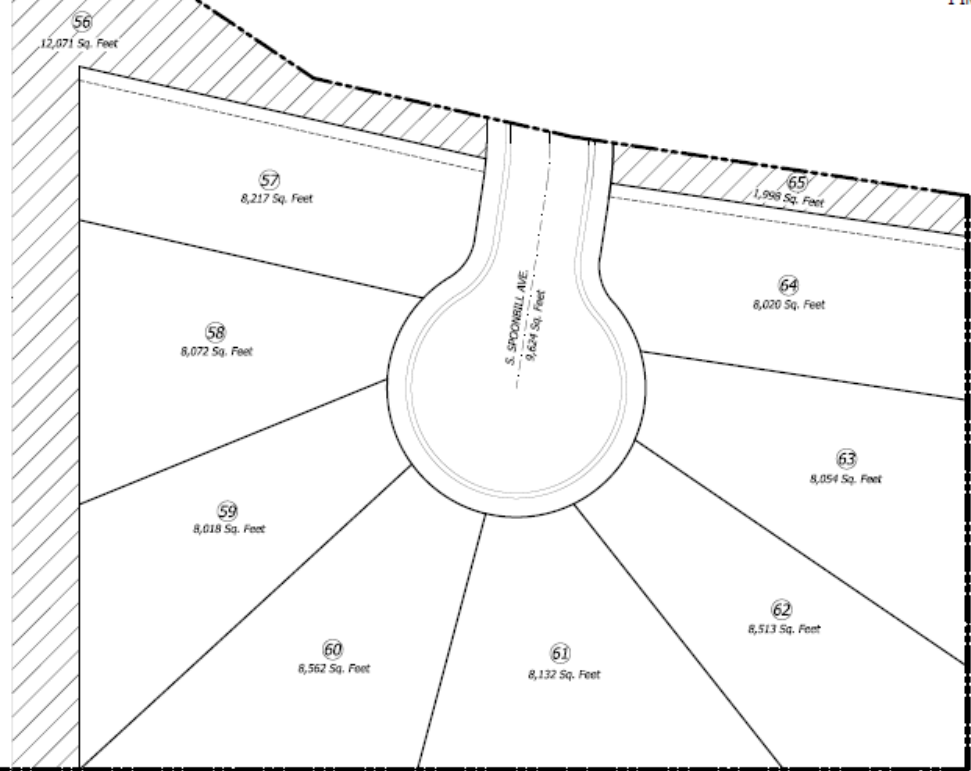
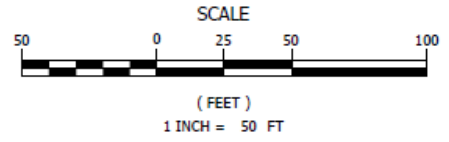


C. Landscape Plan (date: 5/29/2020 10/5/2020)



D. Open Space Exhibit (dated: ~~May 28, 2020~~ October 5, 2020)

THE LANDING SOUTH  
REV: OCTOBER 5, 2020



DENSITY CALCULATIONS

TOTAL ROW & OPEN SPACE  
23,693 Sq. Ft.  
0.5439 ACRES

GROSS MINUS ROW & OPEN SPACE  
1.8891 ACRES

AVERAGE AREA PER LOT  
0.2361 ACRES

DENSITY PER NET ACRE  
4.23 LOTS PER ACRE

OPEN SPACE CALCULATIONS

		OPEN SPACE
		.323 Acres
OVERALL	2.433 Acres	13.3%
WITHOUT ROW	2.212 Acres	14.6%

E. Conceptual Building Elevations



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. ~~A Development Agreement (DA) is required as a provision of rezone of this property. Prior to approval of the rezone ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of rezone 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 rezone. The DA shall, at minimum, incorporate the following provisions:~~
  - a. ~~Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations included in Section VII and the provisions contained herein.~~
  - b. ~~The two family duplex dwellings are required to comply with the design standards listed in the Architectural Standards Manual. An application for administrative Design Review shall be submitted and approved by the Planning Division prior to submittal of applications for building permits for these units. *Single family detached dwellings are exempt from design review.*~~
2. The final plat shall include the following revisions:
  - a. ~~Include a note prohibiting direct lot access via S. Linder Rd. *Included*~~
  - b. ~~The common driveway that provides access to Lots 63-65 shall be depicted in a common lot.~~
  - c. The easement for the Kennedy Lateral shall be clearly depicted on the plat; if the easement encroaches onto adjacent buildable lots more than 10 feet in width, the easement area shall be included in a common lot that is a minimum of 20-feet wide and outside of a fenced area, unless modified by City Council at a public hearing with notice to surrounding property owners as set forth in UDC 11-3A-6E.
  - d. Note #2 – “. . . It is being rezoned as R-8 Medium Density Residential District.”
3. The landscape plan included in Section VIII.A.3, dated ~~5/29/2020~~ 10/5/2020, shall be revised as follows prior to submittal of the final plat application:
  - a. Depict wrought iron fencing as proposed by the Applicant along common open space lots to distinguish common from private areas in accord with UDC 11-3A-7A.7a.
  - b. Depict an additional 67 caliper inches of trees within common areas on the site as mitigation for removal of existing trees in accord with the standards listed in UDC 11-3B-10C.5. The 50-inch caliper silver maple along Linder Rd. is required to be retained on the site and protected during construction, unless required to be removed by ACHD.
  - c. Include mitigation calculations in the Landscape Calculations table based on the City Arborist’s inspection, in accord with the standards listed in UDC 11-3B-10C.5; a total of 67 caliper inches of trees is required for mitigation.
  - d. Depict shrubs within the street buffer as set forth in UDC 11-3B-7C.3a.
4. Future development shall be consistent with the minimum dimensional standards listed in [UDC Table 11-2A-5](#) for the ~~R-8~~ R-4 zoning district.



5. Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached and two-family duplex dwellings based on the number of bedrooms per unit. **Parking pads for each unit shall be widened to 20-feet as set forth in UDC Table 11-3C-6 for 3-bedroom units.**
- ~~6. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).~~
- ~~7. All common driveways shall be constructed in accord with the standards listed in UDC 11-6C-3D.~~
- ~~8. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for all common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D; a copy of the recorded easement shall be submitted to the Planning Division with the final plat for City Engineer signature.~~
- ~~9. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.~~
10. A 14-foot wide public pedestrian easement for a future detached pathway along S. Linder Rd. is required to be submitted to the Planning Division with the final plat for City Engineer signature; coordinate the details of the easement with Kim Warren, Park's Department.
11. All existing structures shall be removed prior to signature on the final plat by the City Engineer.

## **B. PUBLIC WORKS**

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

- 1.1 ~~No sewer mainlines in common drives, only sewer services (reminder that a maximum of three services are allowed into a manhole, with a minimum 30 degrees of angle separation).~~
- 1.2 Terminate the water main at the south end of the cul-de-sac with a fire hydrant. ~~Water services only in the common drives, not water mains.~~
- 1.3 The geotechnical opinion submitted with this application was from March 2017, and was not derived from an on-site study. It was indicated in that opinion that an on-site geotechnical investigation would be conducted in April of 2017. The applicant shall submit the results of the April 2017 investigation, as well as current monitoring reports, as part of the final plat application.

### **2. General Conditions of Approval**

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.

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

### **C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184871&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188196&dbid=0&repo=MeridianCity>

**E. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184643&dbid=0&repo=MeridianCity>

**City Arborist's Comments:**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189344&dbid=0&repo=MeridianCity>

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

*No comments were received.*

**G. BOISE PROJECT BOARD OF CONTROL**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=183794&dbid=0&repo=MeridianCity>

**H. NAMPA & MERIDIAN IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184912&dbid=0&repo=MeridianCity>

**I. CENTRAL DISTRICT HEALTH DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184497&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184485&dbid=0&repo=MeridianCity>

**K. IDAHO TRANSPORTATION DEPARTMENT (ITD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=183952&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185551&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185685&dbid=0&repo=MeridianCity>

## IX. FINDINGS

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

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

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

~~*The Commission finds the proposed zoning map amendment to R-8 and subsequent development is not consistent with the Comprehensive Plan.*~~

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

~~*Although the proposed map amendment would allow for the development of a variety of housing types (i.e. single family detached and two family duplex) for a range of housing opportunities in this area, the Commission finds the infill property is not large enough to accommodate the proposed development in terms of density, access and parking.*~~

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

~~*The Commission finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.*~~

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

~~*The Commission finds the proposed zoning map amendment would 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.~~

~~*This Findings is not applicable as the application is for a rezone, not annexation.*~~

### B. Preliminary Plat Findings:

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

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

*Staff finds that the proposed revised plat is in conformance with the adopted Comprehensive Plan as the density and use is consistent with the MDR FLUM designation for this area.*

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

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

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

*Because City water and sewer and any other utilities could be provided with development at the Developer's cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.*

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

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

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

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

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

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