

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 1/14/2025
Continued from: 1/7/2025

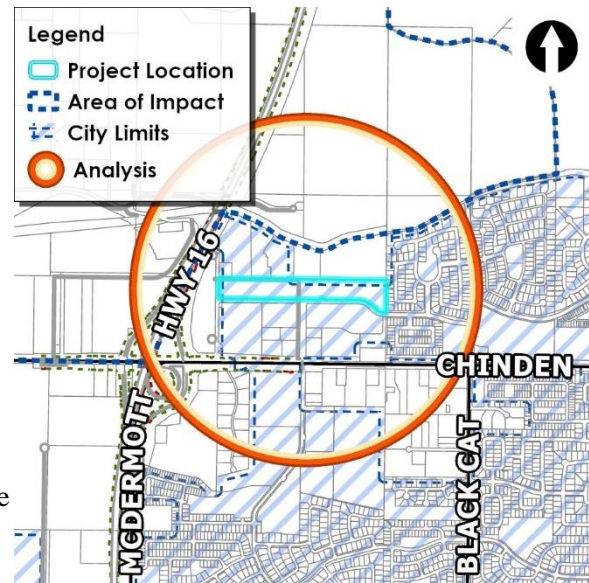
TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
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APPLICANT: Brighton Corporation

SUBJECT: [H-2024-0037](#)
Pollard North - PP, RZ

LOCATION: Generally located approximately 1/4 mile north of W. Chinden Blvd. at the north end of N. Levi Ave. on the north side of W. Waverton Dr., in the south 1/2 of Section 21, T.4N., R.1W. (Parcel #S0421438475).



The Planning & Zoning Commission heard this project on December 5th and issued a recommendation of denial to City Council based on development plan submitted with the application and their opinion the proposed rezone creates too much density for the area & the transition to lower density development to the north is not enough. Following the Commission hearing, the Applicant submitted revised plans to address some of the concerns raised by neighboring residents and the Commission, which contributed to the Commission's recommendation.

The revised plans include a reduction of 20 building lots (an 11.3% decrease), an increase in the width of the lots along the northern boundary between Pollard Ln. & Schwenkfelder Ave. from 50 feet to 60 feet and replacement of some internal single-family attached/paired units with detached units and open space resulting in a decrease in density from 8.96 to 7.95 units per acre, an increase of 3.4% in qualified open space, and additional pedestrian access points (see original vs. revised layout below in Section VII.J). The project is also now proposed to develop in two (2) phases rather than one (1).

The staff report has been updated to reflect these changes and revised plans have been included in the report.

I. PROJECT OVERVIEW

A. Summary

The Applicant requests a modification to the existing development agreement (Inst. #2019-060655) for a new agreement for the residential portion of the development with an updated development plan; rezone of 21.95-acres of land from the R-8 to the TN-R zoning district; and a preliminary plat for 177 building lots and 26 29 common lots on 19.76-acres of land in the TN-R zoning district.

B. Issues/Waivers

Request for Council approval of extended block faces beyond the maximum length standard in the TN-R district of 500' without an intersecting street or alley and up to 750' with a pedestrian connection, for

the face of Blocks 1, 2, 3, 4 and 5 along W. Flat Rock St. and W. Waverton Dr., which all range from 620- to 875-feet in length.

Per UDC 11-6C-3F, Council may approve a block face up to 1,200' in length where block design is constrained by site conditions such as an abutting arterial street or highway, a limited access street, railroad tracks, steep slopes in excess of 10%, an abutting urban project with no adjoining alley or street connections, a public or private education facility or park, a large waterway and/or a large irrigation facility – none of which exist in this case.

Staff comments: A waiver to the TN-R standards isn't necessary if revisions are made to the plan to comply (i.e. a pedestrian connection could be added in Block 1 to the abutting future common open space area to the north in Alden Ridge Sub.; and street connections could be provided through Blocks 2-5).

C. Recommendation

Staff: Approval with the provisions included below in Section IV.

Commission: Denial due to the following reasons: 1) the proposed rezone would create too much density for the area; and the transition to lower density development to the north is not enough.

D. Decision

Council: Pending

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant/undeveloped land	-
Proposed Land Use(s)	Single-family residential detached & attached dwellings	-
Existing Zoning	R-8 (Medium-density Residential)	VII.A.2
Proposed Zoning	TN-R (Traditional Neighborhood Residential)	
Existing Future Land Use Map Designation	Medium Density Residential (MDR)	VII.A.3

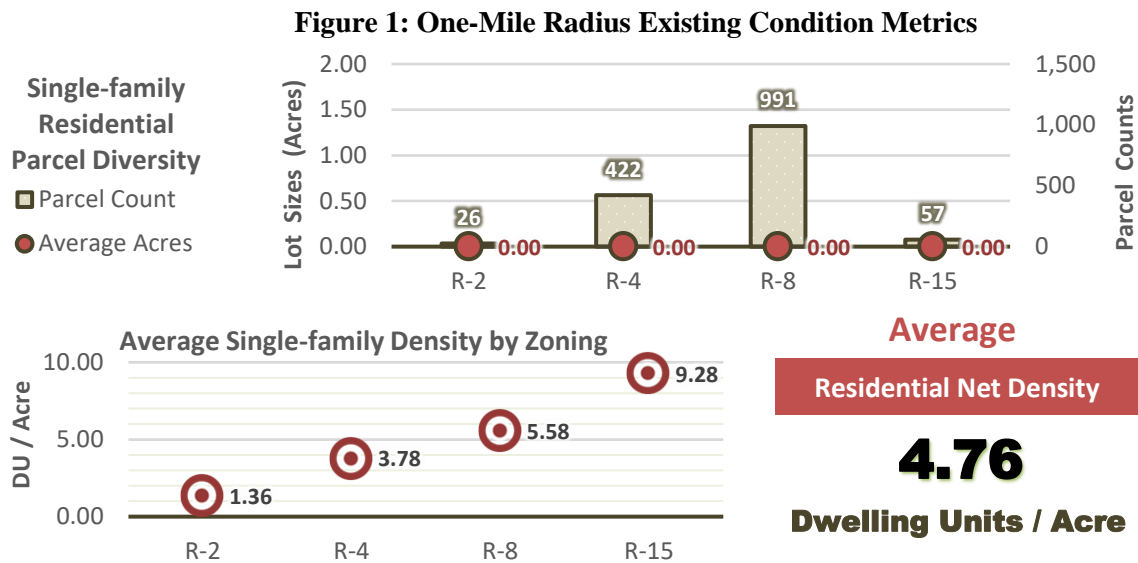
Table 2: Process Facts

Description	Details
Preapplication Meeting date	7/15/2024 PREAPP-2024-0061
Neighborhood Meeting	7/22/2024
Site posting date	11/21/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		
• Comments Received	Yes	
• Commission Action Required	No	
• Access	N. Levi Ln., a collector street, and N. Black Cat Rd., an arterial street, via W. Chinden Blvd.	
• Traffic Level of Service	NA (ACHD doesn't set LOS thresholds for local streets)	
Traffic Impact Study (Y/N)	No	
ITD Comments Received	Yes (no significant impact to the state highway system)	
Meridian Fire	No comments received	
Meridian Police	No comments received	
Meridian Public Works Wastewater	Distance to Mainline: Sewer is available at site; Impacts or Concerns: see site specific conditions	
Meridian Public Works Water	Distance to Mainline: Water provided by Veolia; Impacts or Concerns: None	

See City/Agency Comments and Conditions Section for all department/agency and the [public record](#) for comments received on this application.



III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

Development Agreement Modification:

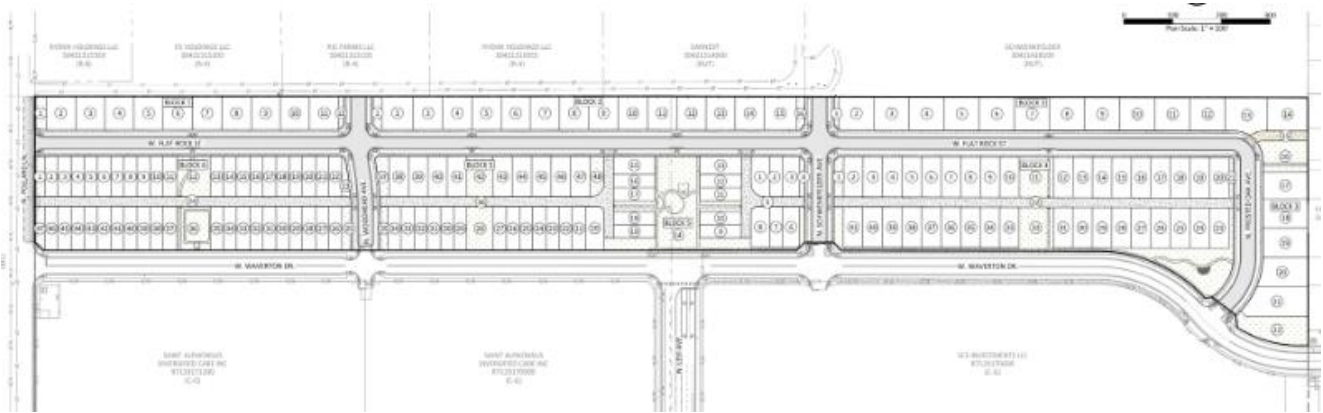
The Applicant requests a modification to the existing development agreement (Inst. #2019-060655) for a new agreement for the proposed development with an updated development plan. This property will no longer be subject to the existing DA. A legal description and exhibit map for the property to be included in the new DA is included below in Section VII.C.

The current approved development plan for this area, shown below, consists of 74 building lots for conventional single-family residential homes, independent living units for 55 and older, and an 88-bed assisted living facility.



The updated development plan (i.e. preliminary plat), shown below, is for ~~177~~ 157 building lots and ~~26~~ 29 common lots for the development of ~~(47~~ 42) front-loaded “conventional” single-family detached dwellings and alley-loaded “carriage lane” ~~(38~~ 45) single-family detached and ~~(92~~ 70) attached “duet” dwellings. Conceptual building elevations for these dwellings are included below in Section VII.I.

Larger lots are proposed along the north and east sides of the development as a transition to adjacent lots of a similar width for compatibility.



Rezone:

A rezone of 21.95-acres of land from the R-8 to the TN-R zoning district is proposed as shown in the legal description and associated exhibit in Section VII.D below. The rezone to TN-R allows more lots to develop on the property as there is no minimum lot size or street frontage requirement in the TN-R district and a lesser setback is allowed as opposed to that in the R-8 district. *Note: If the rezone is not approved, the plat will need to be revised, and the number of buildable lots will be significantly reduced to comply with the minimum dimensional standards of the R-8 district.*

The rezone area is designated Medium Density Residential (MDR) on the Future Lane Use Map (FLUM) included in the Comprehensive Plan. The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre. The TN-R district requires a minimum net density of 6 dwelling units per acre. The proposed use and development plan with a gross density of ~~8.06~~ 7.95 units per acre and net density of ~~44.23~~ 13.33 units per acre is consistent with the MDR FLUM designation and the TN-R district.

Preliminary Plat:

A preliminary plat consisting of ~~477~~ 157 building lots and ~~26~~ 29 common lots on 19.76-acres of land is proposed in the TN-R zoning district. The plat is proposed to develop in ~~one two~~ (± 2) final plat phases, with the eastern portion developing first, per the phasing plan included in Section VIIC.

The minimum lot size proposed is 2,238 square feet (s.f.) with an average lot size of ~~3,062~~ 3,268 s.f.

The proposed development is consistent with Comprehensive Plan Goal #3.07.01A which states, “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.”

Table 4: Project Overview

Description	Details
History	H-2019-0021 (Pollard Subdivision AZ, PP - DA Inst. # 2019-060655); TED-2021-0003 (2-year time extension on preliminary plat); TECC-2023-0001 (1-year time extension on preliminary plat)
Phasing Plan	± 2 phases
Physical Features	There are no waterways or other physical features of importance on this site; the property is relatively flat.
Acreage	19.76-acres
Lots	477 <u>157</u> single-family residential building lots and 26 <u>29</u> common lots

B. History

The subject property is part of a larger area annexed with R-8 zoning in 2019 and included in a development agreement and preliminary plat for Pollard Subdivision.

C. Site Development and Use Analysis

1. Existing Structures/Site Improvements (*UDC 11-1*):
There are no existing structures on this site.
2. Proposed Use Analysis (*UDC 11-2*):
Single-family residential detached and attached dwellings are principally permitted uses in the TN-R zoning district, per UDC Table 11-2D-2.
3. Dimensional Standards (*UDC 11-2*):
See UDC 11-2D-3 for standards applicable in all traditional neighborhood districts; and UDC Table 11-2D-6 for the dimensional standards of the TN-R zoning district.

D. Design Standards Analysis

1. Existing structure and Site Design Standards (*Comp Plan, UDC 11-3A-19*):
There are no existing structures on this site.

The proposed single-family attached dwellings are required to comply with the residential design standards listed in the Architectural Standards Manual. Single-family detached dwellings are exempt from these standards.
2. Qualified Open Space & Amenities (*Comp Plan, UDC 11-4-3-27*):
Compliance with the open space and site amenity standards listed in UDC [11-3G-3](#) and [11-3G-4](#) is required.

A minimum of 15% (or 2.96-acres) qualified open space is required to be provided with development that meets the quality standards listed in UDC 11-3G-3A.2 and the standards for qualified open space listed in UDC 11-3G-3B.

The Applicant proposes a total of ~~3.53~~ 4.20-acres (or ~~17.86~~ 21.26%) qualified open space consisting of several open grassy areas exceeding 5,000 square feet in area; linear open space; the street buffer along the eastern portion of W. Waverton Dr., a collector street; and parkways along local residential streets as shown on the open space exhibit in Section VII.I.

When counting street buffers along collector streets, the buffers are required to comply with the enhanced buffer requirements in UDC [11-3G-3B.3](#). Parkway along local residential streets are required to meet the standards listed in UDC [11-3G-3B.4](#) when counted toward open space. If any stormwater detention facilities are proposed, they're required to comply with the standards in UDC [11-3G-3B.5](#) when counted toward open space.

Amenities totaling a minimum of four (4) points are required to be provided based on the area of the development (i.e. 19.76-acres). Site amenities totaling 4.5 points (pts.) are proposed from the Quality of Life and Recreation Activity categories as shown on the exhibit in Section VII.I as follows:

- Quality of Life: a small dog park (3,900 s.f.) with a waste station (1.5 pts.) and a picnic area on a site 5,000 s.f. or greater in size (2 pts.).

The dog park is required to have bags for dog waste disposal, a double entrance gate, bench(es) and fencing to enclose the area and to secure the open space for an off-leash dog park as set forth in UDC 11-3G-4C.9. The dog park also counts toward the required common open space.

The picnic area is required to include tables, benches, landscaping and a structure for shade, as set forth in UDC 11-3G-4C.5.

- Recreation Activity Area: a tot lot (1 pt.)

Per UDC 11-3G-4D.3, the tot lot is required to have commercial grade play equipment scaled and designed for the use and safety of younger children; benches for seating shall be provided nearby.

- i. The proposed common open space and site amenities meet and exceed UDC standards for such.
- ii. Landscaping is required to be provided in common open space areas in accord with the standards listed in UDC 11-3G-5B and maintained in accord with the standards listed in UDC 11-3G-5C.

The proposed development is consistent with Comprehensive Plan Policy #2.02.00, which states, *Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.*

3. Landscaping (*Comp Plan, UDC 11-3B*):

Attractive landscaping and pedestrian friendly design is required within new developments in accord with Comprehensive Plan Policy #5.01.02G.

Landscaping is required to be provided within the development in accord with the standards listed in UDC 11-3B.

- i. Landscape buffers along streets

A 20-foot wide street buffer is required along W. Waverton Dr. designated as a collector street, east of N. Levi Ave., landscaped per the standards listed in UDC [11-3B-7C](#). ***The buffer is required to be planted with a variety of trees, shrubs, lawn, or other vegetative groundcover. Lawn and other grasses requiring regular mowing shall comprise no more than sixty-five (65) percent of the vegetated coverage of a landscape buffer. This maximum area excludes landscaped parkway with trees. All other vegetated coverage shall be mulched and treated as planting area for shrubs or other vegetative cover. Areas along required walls and closed vision fences should generally be reserved for planting beds with a minimum of one (1) shrub per seven (7) lineal feet of frontage, as demonstrated in Figure 1.***

The buffer shall also comply with the enhanced buffer requirements listed in UDC 11-3G-3B.3 because it was counted toward open space requirements.

All street buffers are required to be in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association or business owner's association per UDC 11-3B-7C.2a and should be depicted on the plat.

- ii. Storm integration

Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

A Geotechnical Engineering Report was submitted with this application and is included in the project file.

- iii. Pathway landscaping

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

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

Off-street parking is required to be provided for each dwelling based on the number of bedrooms per unit in accord with the standards for single-family detached and attached dwellings in UDC Table 11-3C-6.

5. Building Elevations (*Comp Plan, Architectural Standards Manual*):

Several conceptual building elevations were submitted for 2-story detached and attached single-family residential homes, included in Section VII.I below. A variety of materials are proposed including vertical and horizontal lap siding, board and batten siding, stucco and fenestration with masonry accents in a variety of colors and design elements/features with varying roof profiles and wall modulation that demonstrate the high quality of development proposed.

All single-family attached structures are subject to the residential design standards in the Architectural Standards Manual (ASM). Although single-family detached structures are typically exempt from these standards, compliance can be required by the Commission and Council as part of a development agreement. A few of the conceptual elevations for single-family detached homes lack the variety of materials and colors desired in the ASM; however, they do appear to meet the alternative standards which include the provision of design elements such as corbels, front porches, façade and roof modulation, stone and brick accents, wood columns, lintels, balconies, awnings, etc. Therefore, Staff finds them acceptable.

Staff is of the opinion the proposed conceptual building elevations are in accord with Comprehensive Plan Policy #5.01.02L: *“Support beautiful and high-quality development that reinforces neighborhood character and sustainability.*

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

All/any fencing proposed on the site should comply with the standards listed in UDC 11-3A-7.

The landscape plan depicts 5-foot tall open vision metal fencing and 6-foot tall closed vision stained cedar fencing on the shared property line of some building and common lots. **The developer is responsible for constructing fences abutting all pathways and common open space lots to distinguish common from private areas. Fencing should be depicted on a revised landscape plan along with a detail of the fencing type proposed; or, alternative compliance may be requested to the standard.**

7. Parkways (*UDC 11-3A-17*):

All parkways should comply with the standards for such listed in UDC [11-3A-17](#). Parkways are proposed along all streets within the subdivision, except for along N. Pollard Ln., with landscaping that complies with the standards listed in UDC 11-3B-7C, as required. Parkways along local residential streets shall comply with the standards listed in UDC 11-3G-3B.4 when counted toward open space requirements as proposed.

E. Transportation Analysis

A Traffic Impact Study (TIS) was not submitted for this development as ACHD did not require one.

Capital Improvements Plan (CIP)/Integrated Five Year Work Plan (IFYWP):

- Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to US 20/26 between 2036 and 2040.
- The intersection of US 20/26 and Black Cat Road is listed in the CIP to be widened to 5-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 7-lanes on the west leg, and signalized between 2036 and 2040.

Condition of Area Roadways (Traffic Count is based on Vehicles per Hour (VPH):

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Pollard Lane	315-feet	Local Industrial	N/A	N/A
Waverton Drive	2,667-feet	Local	27	N/A

** ACHD does not set level of service thresholds for local streets.

Collector streets are required to be constructed with development in accord with ACHD’s Master Street Map (MSM) and/or as required by ACHD. The section of W. Waverton Dr. between N. Levi Ave. and the east boundary of the site is designated as a collector street.

Access (*Comp Plan, UDC 11-3A-3, UDC 11-3H-4*):

1. Access is proposed from W. Chinden Blvd. from the south via N. Levi Ave., a collector street, and from the east via W. Waverton Dr. from N. Black Cat Rd., an arterial street.

Two (2) stub streets are proposed to the north for future extension and interconnectivity with adjacent future development. The western stub street (N. Woodhead Ave.) is in alignment with that approved in Alden Ridge Subdivision to the north.

Local and collector street connectivity is proposed within the development in accord with Comprehensive Plan Policy #6.01.02B, “Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity.”

2. Multiuse Pathways (*UDC 11-3A-5*):

Multi-use pathways are required to be provided with development in accord with the Pathways Master Plan. There are no pathways depicted on the Plan on this property; therefore, none are required.

3. Pathways (*Comp Plan, UDC 11-3A-8*):

All pathways should be constructed in accord with the standards listed in UDC [11-3A-8](#).

Pathways are depicted on the landscape plan throughout common areas for pedestrian connectivity within the development and to adjacent developments. A pathway stub exists to this property at this boundary, which is being extended with development.

The pathways along the east and west sides of Lot 15, Block 5 abut the residential property lines and don’t have the required 5-foot of landscaping on both sides of the pathway as set forth in UDC 11-3B-12C. The landscape plan should be revised to comply with these standards; or, a request for alternative compliance may be submitted to this standard as set forth in UDC 11-5B-5.

4. Sidewalks (*UDC 11-3A-17*):

All sidewalks should be constructed in accord with the standards listed in UDC [11-3A-17](#).

Five-foot wide detached sidewalks are proposed along the section of W. Waverton Dr. west of N. Levi Ave., designated as a local street, and along the eastern section of Waverton that lies east of N. Silver Birch Ave. to align with the existing 5-foot wide detached sidewalk to the east. The section of Waverton between Levi and Silver Birch, designated as a collector street, is proposed to have 10-foot wide detached sidewalks.

5. Subdivision Regulations (*UDC 11-6*):

Compliance with the subdivision design and improvements standards listed in UDC [11-6C-3](#) is required.

Alleys: Alleys are required to comply with the standards in UDC 11-6C-3B.5. The proposed 20-foot wide alleys appear to comply with these standards.

Common driveways: Common driveways are required to comply with the standards listed in UDC 11-6C-3D. One (1) common driveway is proposed on Lot 15, Block 3 for access to Lots 13 and 14. A common driveway exhibit is included in Section VII.F that demonstrates compliance with the standards listed in UDC 11-6C-3D. **Perpetual ingress/egress shall be required either by a recorded easement or as a note on a recorded final plat. The easement or plat note shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. Solid fencing adjacent to common driveways is prohibited, unless separated by a minimum five-foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover – if fencing is proposed along the south side of Lot 15, Block 3, a 5-foot wide buffer should be provided.**

Block face: In traditional neighborhood districts, no block face should have a length greater than 500-feet without an intersecting street or alley, except as allowed in UDC 11-6C-3F.3. Where a pedestrian connection is provided, then the maximum block face may be extended up to 750-feet in length in the TN-R district. The pedestrian connection shall provide access from within the subdivision to one (1) or more of the following: a qualified open space as defined in UDC 11-3G-3.B, a street, or a common open space area or public meeting area within an abutting development. The City Council may approve a block face up to 1,200-feet in length where the block design is constrained by site conditions which include, among other things, an abutting urban project with no adjoining alley or street connections ~~such as the case with this development.~~

The face of Blocks 1, 2, 3, 4, ~~and 5 and 6~~ along W. Flat Rock St. and W. Waverton Dr. all range from 620- to 875-feet in length, exceeding the maximum length standard. Blocks 1-3 along the northern boundary do not include a pedestrian connection or an intersecting street but could be revised to include one, as applicable (i.e. a pedestrian connection could be provided in Block 1 and intersecting streets could be provided in Blocks 2-5); ~~Blocks 4-6~~ 6 ~~does~~ include a mid-block pedestrian connection.

The Applicant has provided written justification, as required, for the block faces (i.e. Blocks 2, 3, 4 and 5) that exceed 750-feet in length. The reasons stated are as follows: the original Pollard Subdivision preliminary plat entitlement established the location of the two (2) north/south public streets (i.e. N. Woodhead Ave. & N. Schwenkfelder Ave.), which are being retained with the proposed subdivision; due to the shape of the parcel and existing roadway connections in the area, the project is designed with blocks that exceed the maximum standard; the street length and location are restricted by the agreed upon position of N. Schwenkfelder Ave, which will serve both parcels to the north (i.e. S0421314900 & S0421428100) for future development and will presumably connect to W. Highland Fall Dr. in Fairbourne Estates. As mitigation for the longer block faces, the Applicant proposes pedestrian-friendly elements, including bulb-outs (noted in yellow), chokers (noted in red) and designated pedestrian accesses (with distances noted in black) on the following diagram:



F. Services Analysis

See Service Accessibility Report in Section VII.B below.

1. Waterways (*Comp Plan, UDC 11-3A-6*):

All waterways, except natural waterways, are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC 11-3A-6.

There are no waterways within the boundary of this property.

2. Pressurized Irrigation (*UDC 11-3A-15*):

Underground pressurized irrigation water is required to be provided in each development as set forth in UDC [11-3A-15](#).

3. Storm Drainage (*UDC 11-3A-18*):

An adequate storm drainage system is required in accord with the adopted standards, specifications and ordinances; design and construction shall follow Best Management Practice as adopted by the City per UDC 11-3A-18.

4. Utilities (*Comp Plan, UDC 11-3A-21*):

All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

Water service is provided by Veolia; sewer service is available at the site. Main lines are required to be extended to and through the subject property with development. The developer should coordinate main size and routing with the Public Works Dept. and execute standard forms of easements for any mains that are required to provide service.

5. Topography

This property slopes down from the east to the west as shown on Sheet PP1.1 of the plat.

6. Hazards

Staff is unaware of any hazards that exist on this site.

IV. CITY/AGENCY COMMENTS & CONDITIONS

The Commission recommended denial of the subject application based on the original development plan; therefore, the Commission is not recommending conditions of approval to City Council. Typically, conditions are removed from the report; however, Staff has left them in for Council's consideration if they choose to approve the proposed project based on the revised development plan. In the event Council denies the project, the following conditions will be stricken from the Findings document.

A. Meridian Planning Division

1. A new Development Agreement (DA) shall be required as a provision of the MDA and RZ applications. The previous DA [i.e. Pollard Subdivision - Inst. #2019-060655)] shall no longer be in effect for the subject property.

Prior to approval of the rezone ordinance, a new DA shall be entered into between the City of Meridian, the property owner at the time of rezone ordinance adoption, and the developer. **A final plat application shall not be submitted until the rezone is finalized.** The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the date of City Council approval of the Findings of Fact, Conclusions of Law and Decision & Order for the Rezone and MDA request. The new DA shall incorporate the following provisions:

- i. Future development of the subject property shall be generally consistent with the conceptual development plan/preliminary plat, phasing plan, landscape plan, open space and site amenity exhibit and conceptual building elevations included below in Section VII, the conditions contained herein and the standards in the Unified Development Code (UDC).
 - ii. The subject property shall be subdivided prior to submittal of any building permit applications for the development.
 - iii. The developer shall construct 10-foot wide detached sidewalks along W. Waverton Dr. on the section east of N. Levi Ave. to the west side of N. Silver Birch Ave., as proposed.
 - iv. Administrative design review shall be required for all single-family attached structures in accord with the residential design standards in the Architectural Standards Manual. *Single-family detached structures are exempt from these standards.*
2. The final plat shall include the following revisions:
 - i. Depict a 20-foot wide street buffer along W. Waverton Dr. designated as a collector street, east of N. Levi Ave., in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association per UDC 11-3B-7C.2a.
 - ii. Reconfigure Blocks 1, 2, 3, 4, and 5 ~~and 6~~ along W. Flat Rock St. and W. Waverton Dr. to comply with the block face standards listed in UDC 11-6C-3F for the TN-R district, unless otherwise waived by City Council. ***The Applicant requests City Council waive the block face standards on the aforementioned blocks.***
 3. The landscape plan shall include the following revisions:
 - i. Depict a 20-foot wide street buffer along W. Waverton Dr. designated as a collector street, east of N. Levi Ave., with landscaping per the standards listed in UDC 11-3B-7C. Include additional landscaping with calculations that demonstrate compliance with the required standards. The buffer shall also comply with the enhanced buffer requirements listed in UDC 11-3G-3B.3 and because it was counted toward open space requirements. The buffer shall also comply with the enhanced buffer requirements listed in UDC 11-3G-3B.3 because it was counted toward open space requirements.
 - ii. Depict fencing abutting pathways and common open space lots to distinguish common from private areas as set forth in UDC 11-3A-7A.7; or, submit a request for alternative compliance to this standard.
 - iii. Depict a minimum 5-foot wide landscape strip along both sides of the pathways located along the east and west sides of Lot 15, Block 5 with landscaping in accord with the standards listed in UDC 11-3B-12C; or, submit a request for alternative compliance to this standard as set forth in UDC 11-5B-5.

- iv. If solid fencing is proposed along the south side of Lot 15, Block 3, a 5-foot wide buffer should be provided planted with shrubs, lawn or other vegetative groundcover as set forth in UDC 11-6C-3D.5. The plat should be adjusted accordingly.
4. The common driveway shall be constructed in accord with the standards listed in UDC 11-6C-3D and per the common driveway exhibit in Section VII.F.
5. Perpetual ingress/egress shall be required for the common driveway either by a recorded easement or as a note on a recorded final plat as set forth in UDC 11-6C-3D. The easement or plat note shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.
6. Submit a detail of the dog park that demonstrates compliance with the standards listed in UDC 11-3G-4C.9, which require bags for dog waste disposal, a double entrance gate, bench(es), and fencing to enclose the area and secured open space for an off-leash dog park.
7. Submit a detail of the tot lot that demonstrates compliance with the standards listed in UDC 11-3G-4D.3, which require commercial grade play equipment scaled and designed for the use and safety of younger children with benches for seating nearby.
8. Submit a detail of the picnic area that demonstrates compliance with the standards listed in UDC 11-3G-4C.5, which require the area to include tables, benches, landscaping and a structure for shade.
9. Off-street parking is required to be provided for all single-family residential units in accord with the standards for such listed in UDC Table [11-3C-6](#).
10. All waterways, except natural waterways, intersecting, crossing or lying within the area being development are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC [11-3A-6](#). If left open, fencing may be required in accord with the standards listed in UDC [11-3A-6C](#).

Other Agency comments may be accessed in the project file in the public record. Copy and paste the following link into your browser:

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=358315&dbid=0&repo=MeridianCity>

V. FINDINGS

A. Rezone (UDC 11-5B-3E)

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 map amendment and development plan does not comply with provisions of the Comprehensive Plan pertaining to transition in density and compatibility with adjacent uses.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The Commission finds the proposed amendment to the TN-R district is consistent with the purpose statement in that a variety of residential land uses are proposed, including single-family detached and attached units, many of which are accesses from alleys; however, pedestrian and vehicular is not the most efficient due to the longer block faces proposed, which do not meet UDC standards and require special approval from Council.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The Commission finds the proposed map amendment should not be materially detrimental to the public health and safety but may be detrimental to the public welfare according to testimony presented during the public hearing from area residents.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The Commission finds the proposed map amendment may result in an adverse impact on the school district and traffic on area roadways due to the increase in density proposed with the map amendment.
5. The annexation (as applicable) is in the best interest of city.
This finding is not applicable as the proposed request is for a rezone, not annexation. However, in regard to the rezone, the Commission does not find a map amendment is in the best interest of the City.

B. Preliminary Plat (UDC 11-6B-6)

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 and is consistent with this unified development code;
For the above-noted reasons in Section V.A, the Commission finds the proposed plat is not in conformance with the Comprehensive Plan or the UDC due to the block face lengths proposed.
2. Public services are available or can be made available and are adequate to accommodate the proposed development;
The Commission finds public services are available to the site and will be adequate to accommodate the proposed development.
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;
The Commission finds there are no scheduled public improvements that affect development of this site.
4. There is public financial capability of supporting services for the proposed development;
The Commission finds there is public financial capability of supporting services for the proposed development.
5. The development will not be detrimental to the public health, safety or general welfare; and
The Commission finds the proposed development should not be materially detrimental to the public health and safety but may be detrimental to the public welfare according to testimony presented during the public hearing from area residents.
6. The development preserves significant natural, scenic or historic features.
The Commission is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

VI. ACTION

A. Staff:

Staff recommends approval of the proposed MDA, RZ and PP requests with the provisions included above in Section IV. **Council should consider and take action on the waiver requested by the Applicant pertaining to block face.**

B. Commission:

The Meridian Planning & Zoning Commission heard these items on December 5, 2024. At the public hearing, the Commission moved to recommend *denial* of the subject RZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Eli Benski and Jon Wardle, Brighton Corporation
- b. In opposition: David Hitz, Jacob Jensen, David Durrough, Scott Willoughby, Kyle Enzler, Jade Enzler, Lea Taylor, Chase Taylor
- c. Commenting: None
- d. Written testimony: Eli Benski, Brighton Corporation (in agreement with staff report conditions)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. Concern pertaining to higher traffic volumes and resulting safety concerns for area children due to the proposed increase in the number of homes planned for this area.
- b. Proposed development seems inconsistent with what was planned for this area (i.e. lower density residential).
- c. Opinion that proposed density is too high and doesn't provide an adequate transition and site design that is compatible with existing and future development to the north. The proposed TN-R zoning allows a higher density due to lesser setback requirements than the existing R-8 district. Concern that the proposed open space isn't adequate for the density and lot sizes proposed, resulting in residents using the common areas in adjacent developments.
- d. Opinion that it would be unfair to adjacent residents to change the development plan for this area from what was previously approved and anticipated for this area to a much higher density development.
- e. Not in favor of the changes to the development plan as the previous plan, which included an assisted living facility, was much less dense and would result in much less traffic in the area.
- f. Concern that the higher volume of traffic generated from the proposed development will be pushed through the adjacent development to the east (i.e. Fairbourne Sub.) for access to the signal at Black Cat Rd.

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

- a. Not in favor of the proposed zoning & development plan, opinion the density is too high and not appropriate for this area and will adversely affect area neighbors; preference for the existing development plan and density; inadequate transition to existing and future residential properties; waiver to block face standards wouldn't be needed if existing zoning is retained; and the higher density will create more traffic impacts on area roadways, more impacts on area schools and create more demand for services.
- b. Preference for the R-8 zoning to be retained with revisions to the development plan to replace the assisted living facility with single-family residential building lots similar in size to those approved with the previous plat.
- c. No issue with TN-R zoning if the development plan reflects compliance with associated development provisions (i.e. block face length).

- d. In favor of the variety of housing types proposed with smaller lots sizes, which may provide opportunities for people to be able to afford a starter home.
- e. In favor of keeping the same general proposed plan but reducing the number of units, which would address a lot of the concerns noted by providing a better transition to the north, compliance with block face standards and the provision of additional open space & site amenities, including pedestrian accesses, for the development.
- 4. Commission change(s) to Staff recommendation:
 - a. Denial – the proposed rezone creates too much density for the area & the transition to lower density development to the north is not enough.
- 5. Outstanding issue(s) for City Council:
 - a. Request for Council approval of extended block faces beyond the maximum length standard in the TN-R district of 500' without an intersecting street or alley and up to 750' with a pedestrian connection, for the face of Blocks 1, 2, 3, 4 and 5 along W. Flat Rock St. and W. Waverton Dr., which all range from 620- to 875-feet in length.
Per UDC 11-6C-3F, Council may approve a block face up to 1,200' in length where block design is constrained by site conditions such as an abutting arterial street or highway, a limited access street, railroad tracks, steep slopes in excess of 10%, an abutting urban project with no adjoining alley or street connections, a public or private education facility or park, a large waterway and/or a large irrigation facility – none of which exist in this case.

A waiver to the standards isn't necessary if revisions are made to the plan to comply, as follows: a pedestrian connection could be added in Block 1 to the abutting future common open space area to the north in Alden Ridge Sub.; and street connections could be provided through Blocks 2-5.

C. City Council:

Pending

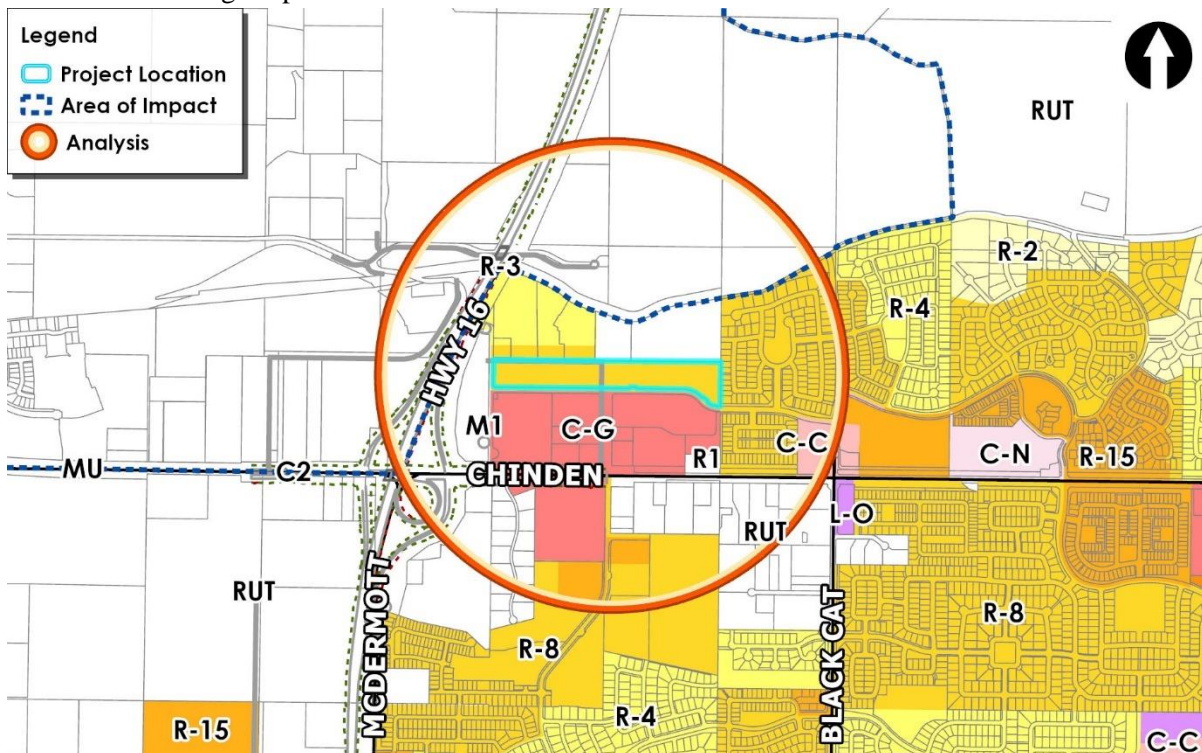
VII. EXHIBITS

A. Project Area Maps

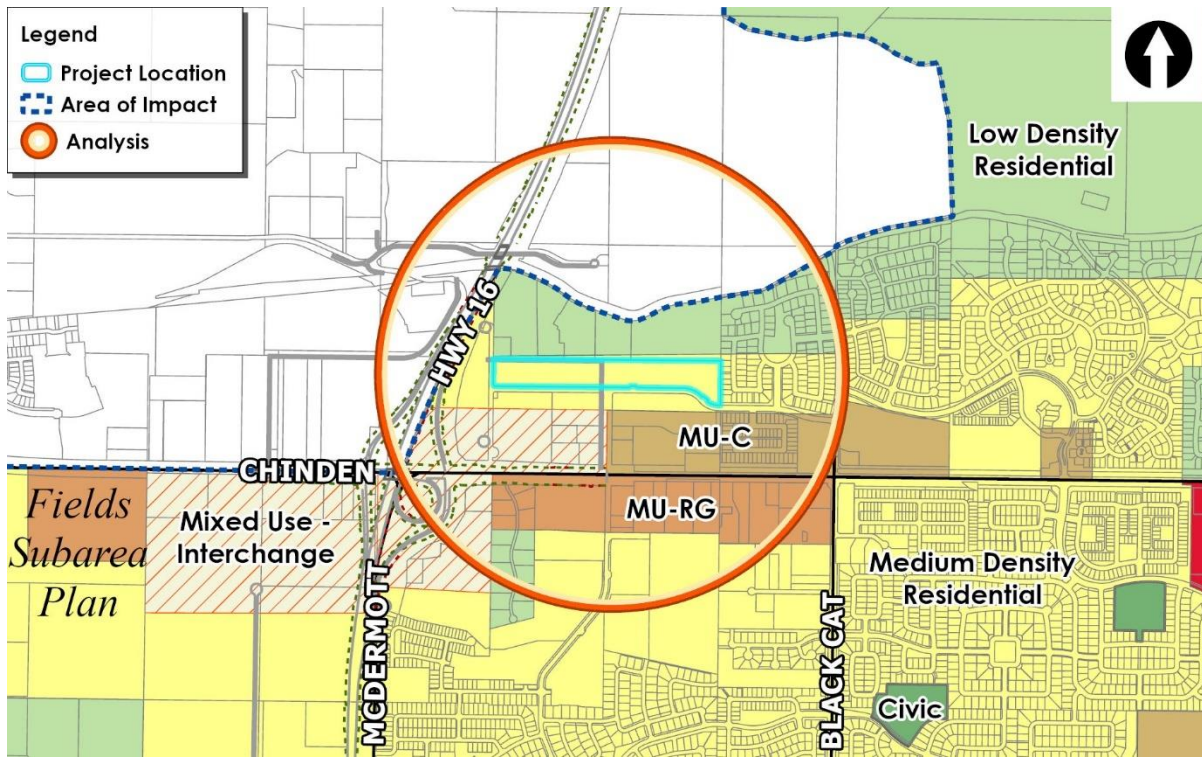
1. Aerial



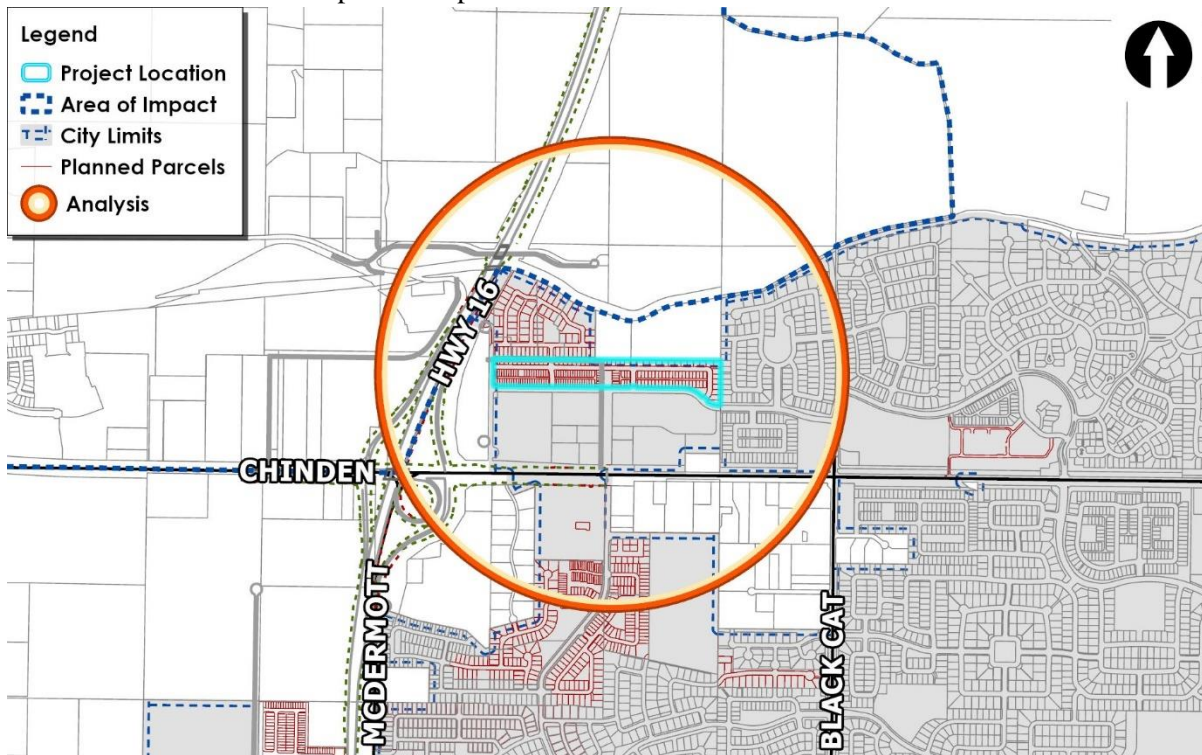
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Service Accessibility Report

PARCEL S0421438475 SERVICE ACCESSIBILITY

Overall Score: 12	2nd Percentile
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Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshd mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time > 9 min.	RED
Emergency Services Police	Not enough data to report average response time	RED
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Not within 1/4 of current or future transit route	RED
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) > existing (# of lanes) & road IS NOT in 5 yr work plan	RED
School Walking Proximity	From 1/2 to 1 mile walking	YELLOW
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	No park within walking distance by park type	RED

Report generated on 11-25-2024 by MERIDIAN\salen

C. Legal Description & Exhibit Map for Boundary of Proposed New Development Agreement



August 1, 2024
Project No. 24-031

Exhibit A Legal Description for Development Agreement Modification (Pollard North Subdivision)

A parcel of land situated in a portion of the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 21, Township 4 North, Range 1 West, B.M., City of Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at an aluminum cap marking the South 1/4 corner of said Section 21 which bears S89°27'17"E a distance of 2,609.39 feet from an aluminum cap marking the Southwest corner of said Section 21, thence along the westerly line of the Southwest 1/4 of the Southeast 1/4 (easterly line of the Southeast 1/4 of the Southwest 1/4) of said Section 21, N00°32'12"E a distance of 1,317.30 feet to a 5/8-inch rebar marking the Center-South 1/16th corner of said Section 21 and being the **POINT OF BEGINNING**.

Thence leaving said westerly line (and said easterly line) and following said northerly line of said Southwest 1/4 of the Southeast 1/4, S89°20'25"E a distance of 1,305.33 feet to a 5/8-inch rebar marking the Southeast 1/16th corner of said Section 21;

Thence leaving said northerly line and following the easterly line of said Southwest 1/4 of the Southeast 1/4, S00°27'11"W a distance of 506.58 feet to a 5/8-inch rebar on the subdivision boundary of Pollard Subdivision No. 1 (Book 127, Pages 20407-20411, records of Ada County, Idaho);

Thence following said subdivision boundary the following fourteen (14) courses:

1. S88°50'33"W a distance of 17.79 feet to a 5/8-inch rebar;
2. 133.88 feet along the arc of a circular curve to the right, said curve having a radius of 238.50 feet, a delta angle of 32°09'46", a chord bearing of N73°27'56"W and a chord distance of 132.13 feet to a 5/8-inch rebar;
3. N07°05'39"W a distance of 26.37 feet to a 5/8-inch rebar;
4. N52°40'22"W a distance of 61.09 feet to a 5/8-inch rebar;
5. S81°24'38"W a distance of 14.13 feet to a 5/8-inch rebar;
6. 246.97 feet along the arc of a circular curve to the left, said curve having a radius of 301.50 feet, a delta angle of 46°55'57", a chord bearing of N65°51'45"W and a chord distance of 240.12 feet to a 5/8-inch rebar;
7. N89°19'43"W a distance of 524.75 feet to a 5/8-inch rebar;
8. N44°20'23"W a distance of 23.18 feet to a 5/8-inch rebar;
9. N89°20'25"W a distance of 60.00 feet to a 5/8-inch rebar;
10. S45°39'34"W a distance of 23.16 feet to a 5/8-inch rebar;
11. N89°19'43"W a distance of 164.32 feet to a 5/8-inch rebar;
12. 21.54 feet along the arc of a curve to the right, said curve having a radius of 10,031.50, a delta angle of 00°07'23", a chord bearing of N89°23'25"W and a chord distance of 21.54 feet to a 5/8-inch rebar;
13. N89°27'06"W a distance of 1,358.82 feet to a brass plug;
14. N44°26'05"W a distance of 23.34 feet to a brass plug on the westerly line of said Southeast 1/4 of the Southwest 1/4;

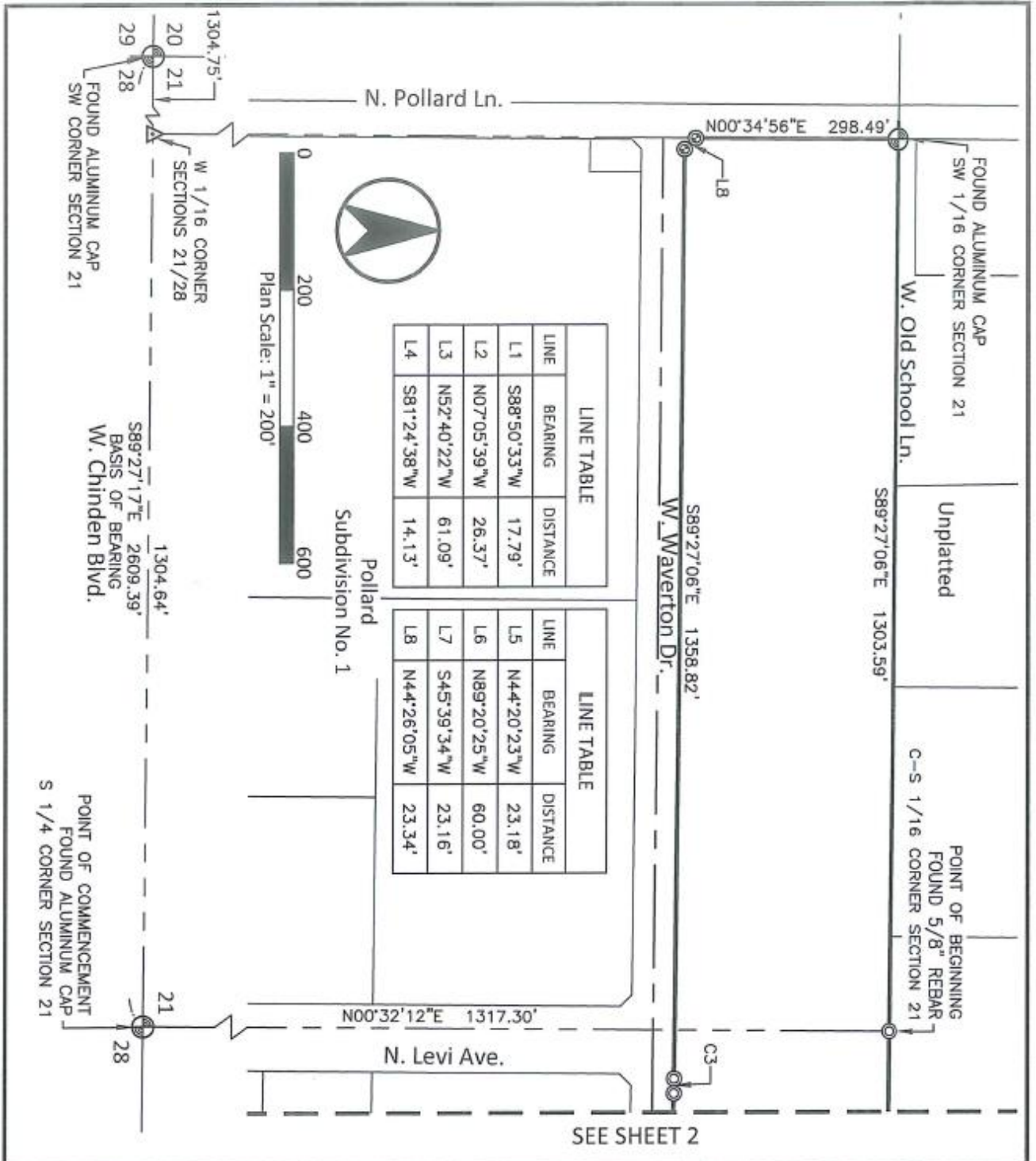
5725 North Discovery Way • Boise, Idaho 83713 • 208.639.6939 • kmengllp.com

Thence following said westerly line, N00°34'56"E a distance of 298.49 feet to an aluminum cap marking the Southwest 1/16th corner of said Section 21;
Thence leaving said westerly line and following the northerly line of said Southeast 1/4 of the Southwest 1/4, S89°27'06"E a distance of 1,303.59 feet to the **POINT OF BEGINNING**.

Said description contains a total of 19.756 acres, more or less.

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





LINE	BEARING	DISTANCE
L1	S88°50'33"W	17.79'
L2	N07°05'39"W	26.37'
L3	N52°40'22"W	61.09'
L4	S81°24'38"W	14.13'

LINE	BEARING	DISTANCE
L5	N44°20'23"W	23.18'
L6	N89°20'25"W	60.00'
L7	S45°39'34"W	23.16'
L8	N44°26'05"W	23.34'

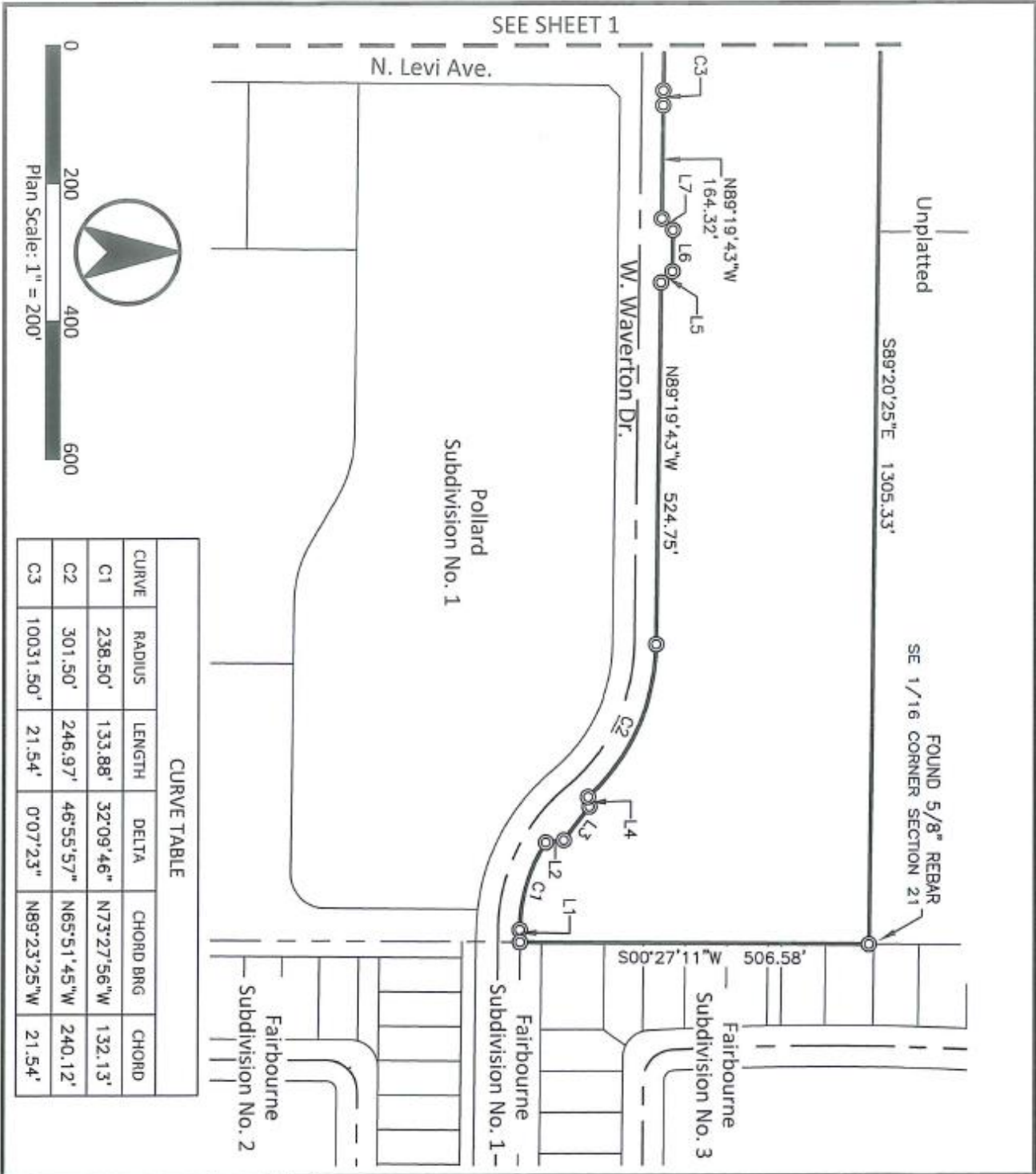
**Exhibit B - DA Modification
Pollard North Subdivision**

A portion of the S 1/2 of SW 1/4 and the SW 1/4 of SE 1/4, Sect. 21, T4N, R1W, BM, City of Meridian, Ada County, Idaho

DATE: August 2024
PROJECT: 24-031

SHEET: 1 OF 2

KM ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6039
kmen@kmp.com



CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD	
C1	238.50'	133.88'	32°09'46"	N73°27'56"W	132.13'	
C2	301.50'	246.97'	46°55'57"	N65°51'45"W	240.12'	
C3	10031.50'	21.54'	0°07'23"	N89°23'25"W	21.54'	

ENGINEERING
KM
 5735 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 659-6939
 kmeng@kma.com

Exhibit B - DA Modification
Pollard North Subdivision

A portion of the S 1/2 of SW 1/4 and the SW 1/4 of SE 1/4,
 Sect. 21, T4N, R1W, BM, City of Meridian, Ada County, Idaho

DATE: August 2024
 PROJECT: 24-031
 SHEET: 2 OF 2

D. Rezone Legal Description & Exhibit Map



July 10, 2024
Project No. 24-031

**Exhibit A
Legal Description for
Rezone to TN-R
Pollard North Subdivision No. 1**

A parcel of land situated in a portion of the South 1/2 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 21, Township 4 North, Range 1 West, B.M., City of Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at an aluminum cap marking the South 1/4 corner of said Section 21 which bears S89°27'17"E a distance of 2,609.39 feet from an aluminum cap marking the Southwest corner of said Section 21, thence along the westerly line of the Southwest 1/4 of the Southeast 1/4 (easterly line of the Southeast 1/4 of the Southwest 1/4) of said Section 21, N00°32'12"E a distance of 1,317.30 feet to a 5/8-inch rebar marking the Center-South 1/16th corner of said Section 21 and being the **POINT OF BEGINNING**.

Thence leaving said westerly line (and said easterly line) and following said northerly line of said Southwest 1/4 of the Southeast 1/4, S89°20'25"E a distance of 1,305.33 feet to a 5/8-inch rebar marking the Southeast 1/16th corner of said Section 21;

Thence leaving said northerly line and following the easterly line of said Southwest 1/4 of the Southeast 1/4, S00°27'11"W a distance of 538.58 feet to a 5/8-inch rebar on the centerline of W. Waverton Dr.;

Thence leaving said easterly line and following said centerline the following six (6) courses:

1. N89°32'49"W a distance of 17.78 feet to a 5/8-inch rebar;
2. 236.10 feet along the arc of a curve to the right, said curve having a radius of 270.00 feet, a delta angle of 50°06'08", a chord bearing of N64°29'45"W and a chord distance of 228.65 feet to a 5/8-inch rebar;
3. 235.07 feet along the arc of a curve to the left, said curve having a radius of 270.00 feet, a delta angle of 49°53'02", a chord bearing of N64°23'12"W and a chord distance of 227.72 feet to a 5/8-inch rebar;
4. N89°19'43"W a distance of 781.84 feet to a 5/8-inch rebar;
5. 21.48 feet along the arc of a curve to the left, said curve having a radius of 10,000.00 feet, a delta angle of 00°07'23", a chord bearing of N89°23'25"W and a chord distance of 21.48 feet to a 5/8-inch rebar;
6. N89°27'06"W a distance of 1,400.35 feet to the centerline of N. Pollard Lane;

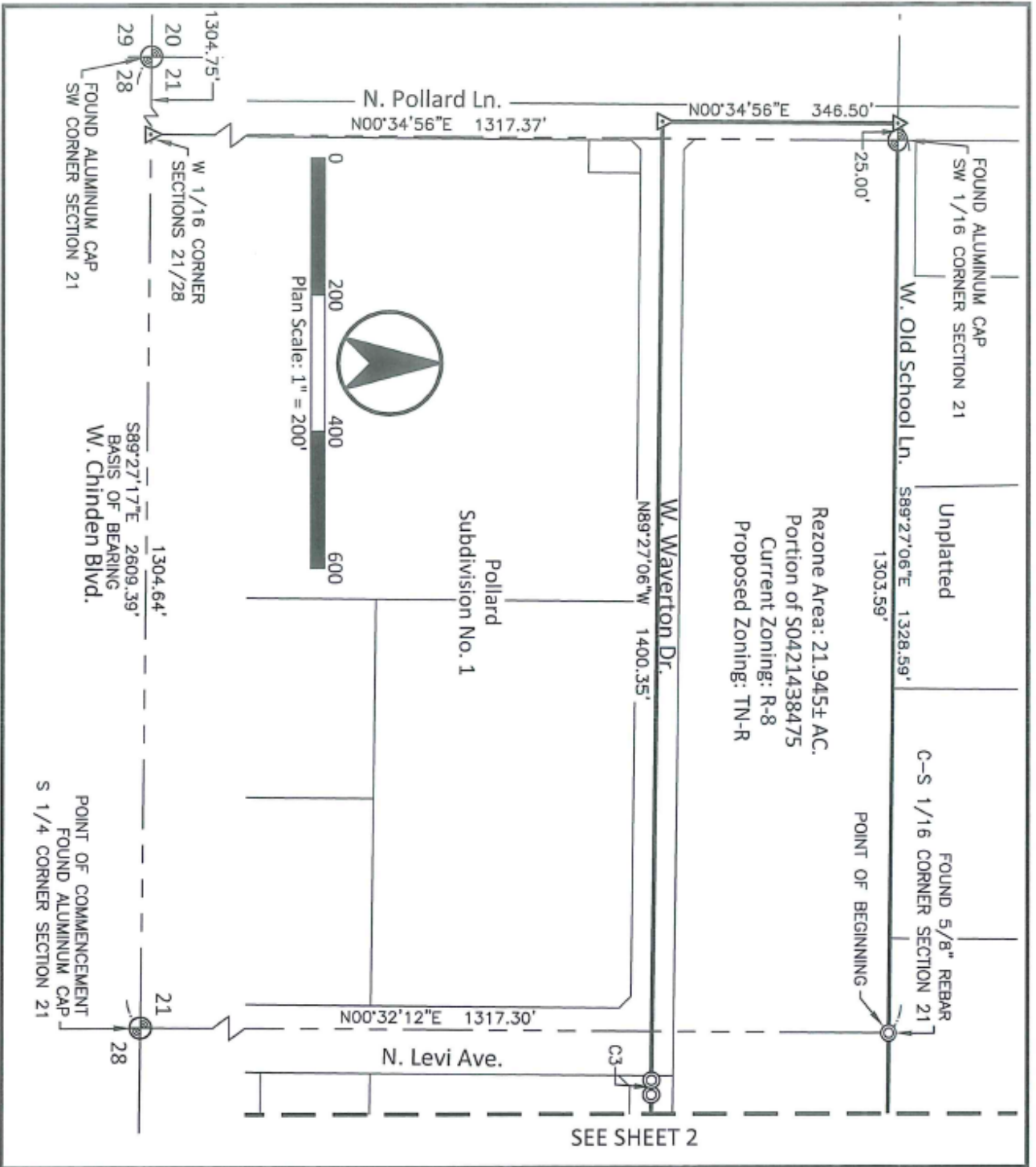
Thence leaving said centerline of W. Waverton Dr. and following the centerline of N. Pollard Lane, N00°34'56"E a distance of 346.50 feet to the northerly line of said South 1/2 of the Southwest 1/4;

Thence leaving said centerline and following said northerly line, S89°27'06"E a distance of 1,328.59 feet to the **POINT OF BEGINNING**.

Said parcel contains 21.945 acres, more or less.

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



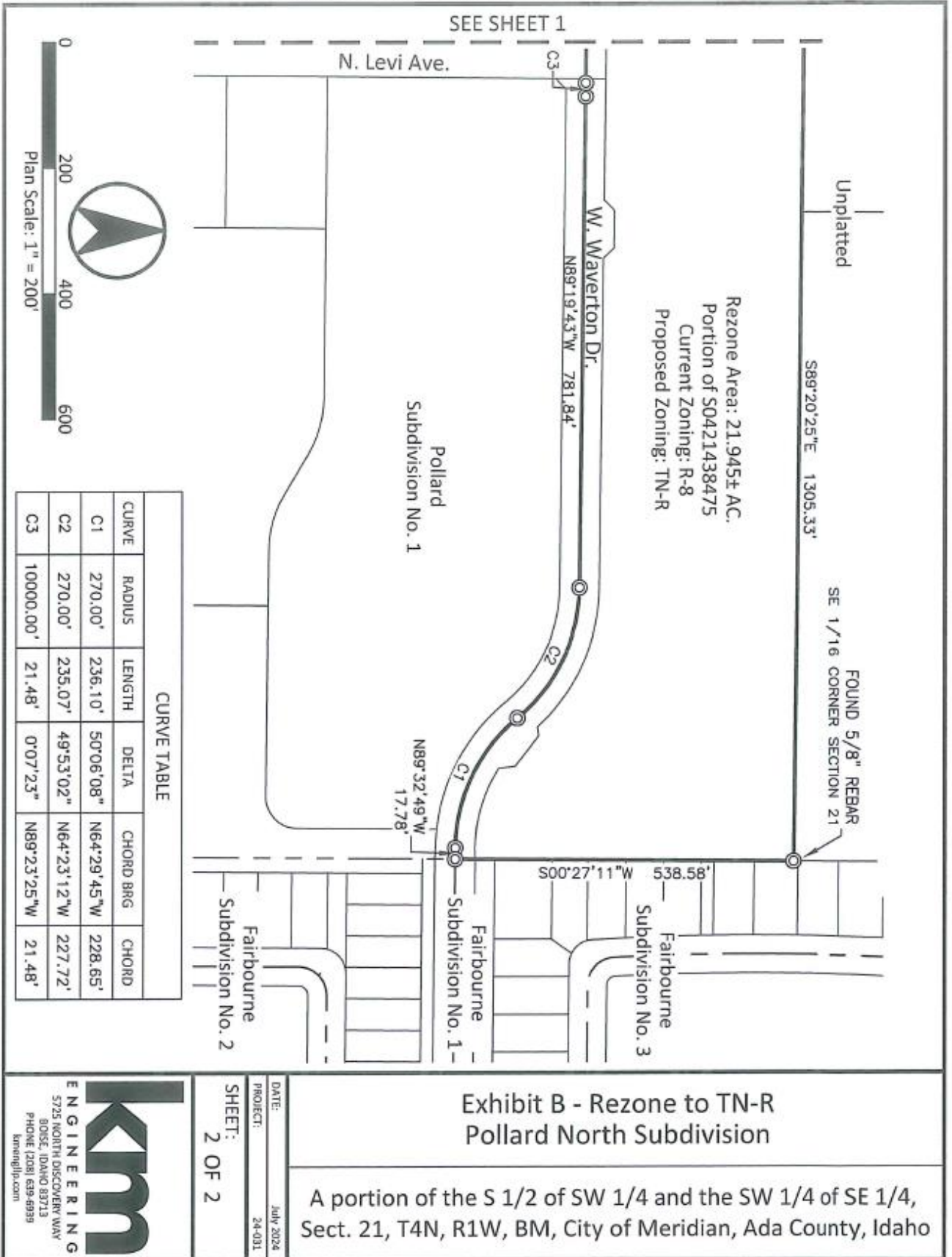


SEE SHEET 2

**Exhibit B - Rezone to TN-R
Pollard North Subdivision**

A portion of the S 1/2 of SW 1/4 and the SW 1/4 of SE 1/4,
Sect. 21, T4N, R1W, BM, City of Meridian, Ada County, Idaho

 <p>ENGINEERING 5725 NORTH DISCOVERY WAY BOISE, IDAHO 83713 PHONE (208) 639-6939 kmen@idaho.com</p>	DATE:	July 2024
	PROJECT:	24-031
	SHEET:	1 OF 2



**Exhibit B - Rezone to TN-R
Pollard North Subdivision**

A portion of the S 1/2 of SW 1/4 and the SW 1/4 of SE 1/4,
Sect. 21, T4N, R1W, BM, City of Meridian, Ada County, Idaho

DATE: July 2024

PROJECT: 24-031

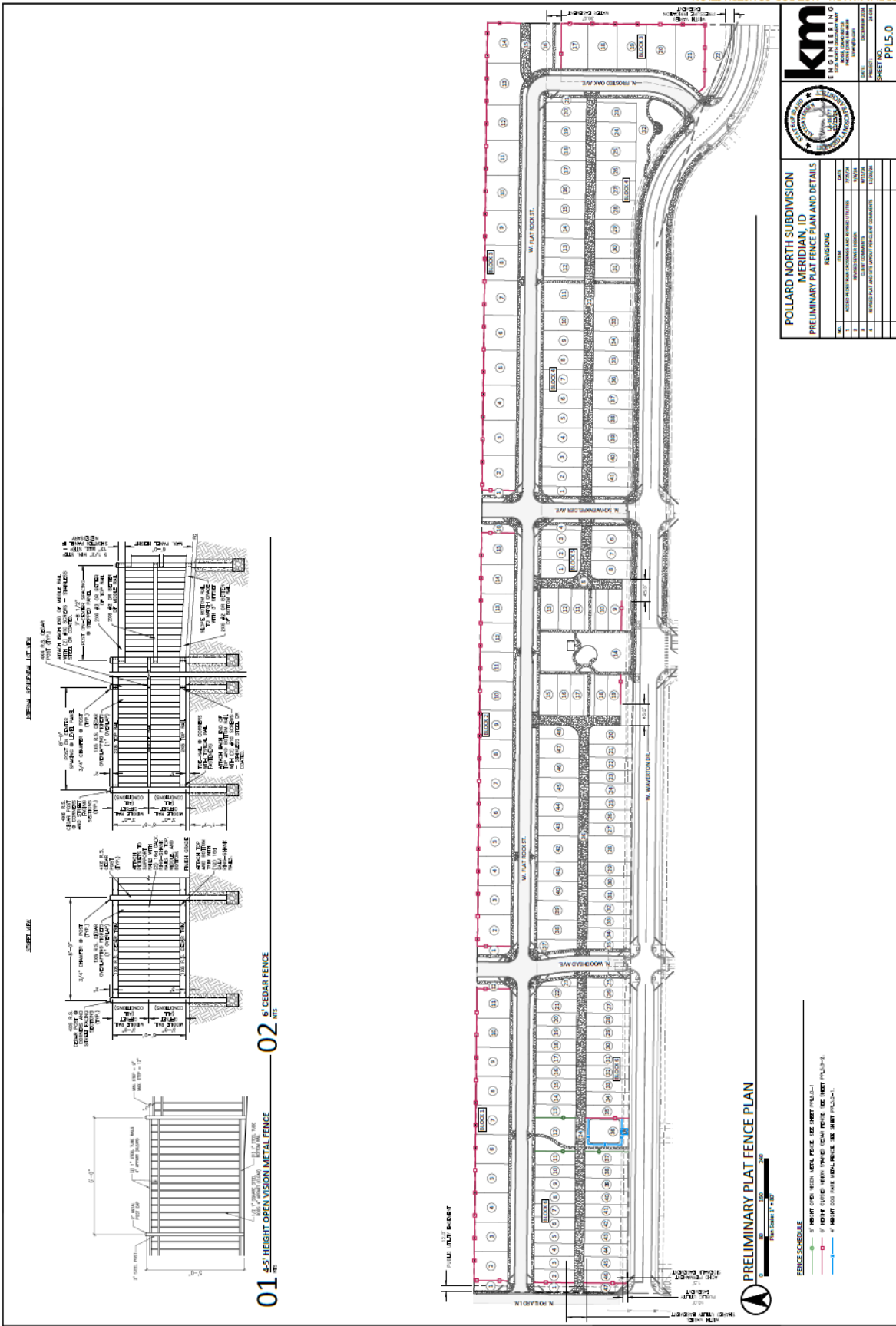
SHEET: 2 OF 2

KM
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-9939
kmm@kpm.com



G. Landscape Plan (dated: ~~7/25/24~~ 12/23/2024) - REVISED





DEVELOPER: POLLARD NORTH SUBDIVISION



I. Conceptual Building Elevations

❖ BRIGHTON POLLARD NORTH – Central Park



❖ BRIGHTON POLLARD NORTH - Carriage Lane Homes





◆ BRIGHTON

POLLARD NORTH - Carriage Lane Duet Homes



◆ BRIGHTON

POLLARD NORTH - Conventional Homes





◆ BRIGHTON

POLLARD NORTH - Home Types



Conventional A



Carriage Lane B - Duet



Carriage Lane C



Conventional D

◆ BRIGHTON

POLLARD NORTH - Carriage Lane "B" Duets



◆ BRIGHTON

POLLARD NORTH - Carriage Lane "C"



◆ BRIGHTON

POLLARD NORTH - Conventional "A"

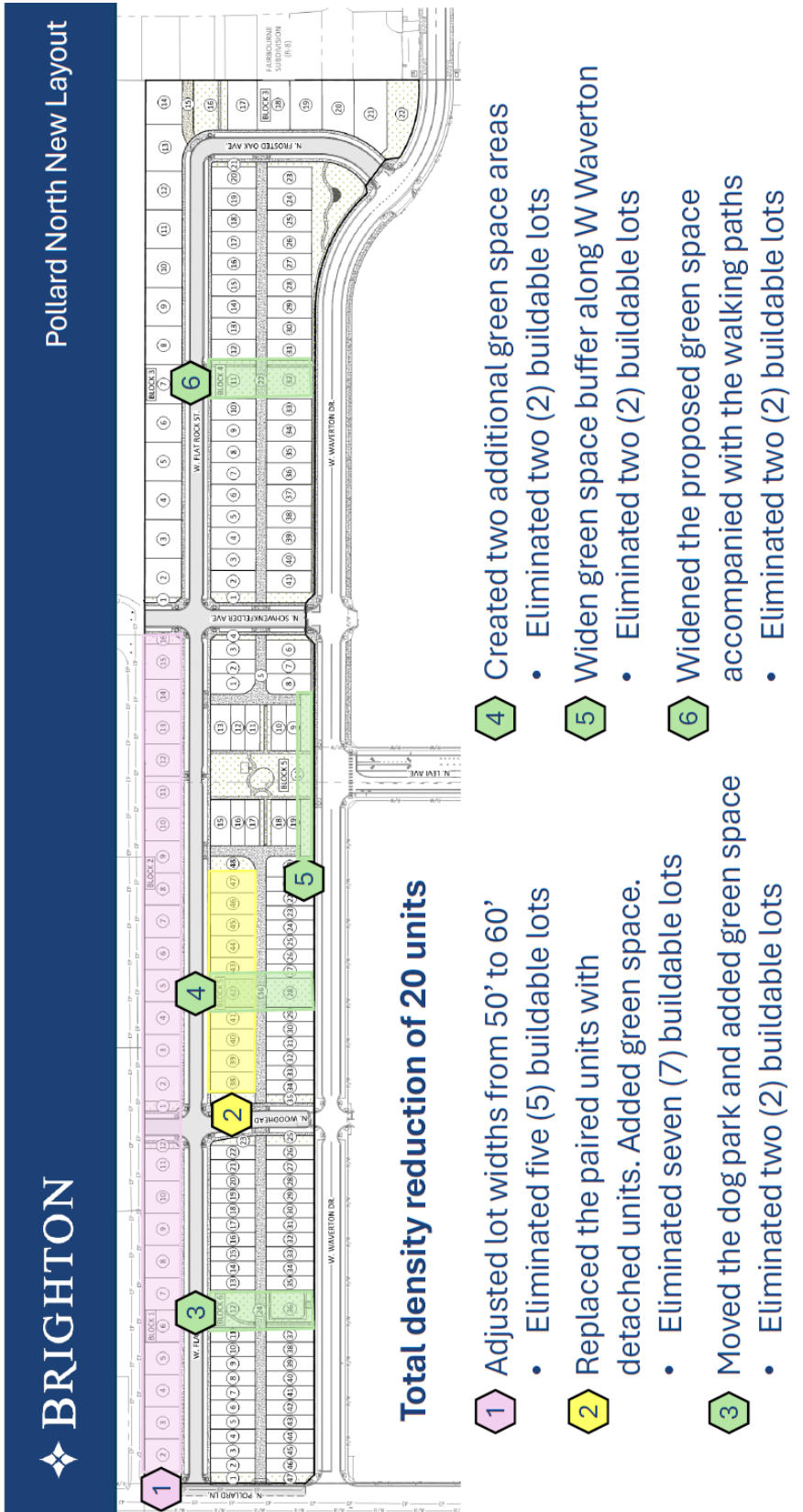


◆ BRIGHTON

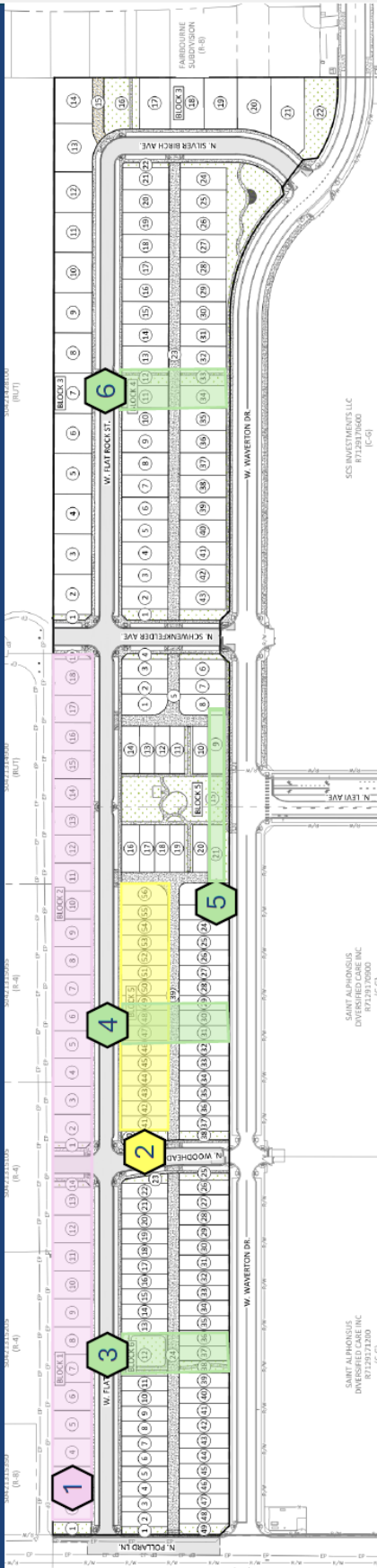
POLLARD NORTH - Conventional "D"



J. Revisions since Commission Hearing



Pollard North Original Layout



Pollard North REVISED

