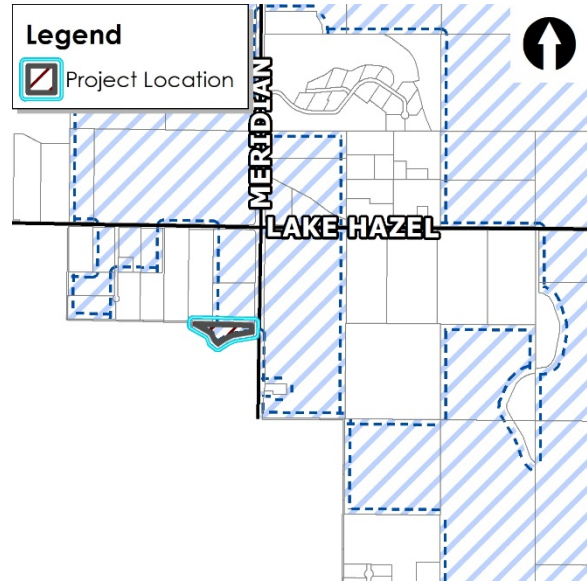


**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 8/20/2020  
 TO: Planning & Zoning Commission  
 FROM: Joe Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: H-2020-0075  
 Pearson Subdivision

LOCATION: The site is located at 175 W. Paint Horse Lane, on the west side of S. Meridian Road approximately ¼ mile south of Lake Hazel Road, in the SE ¼ of the NE ¼ of Section 01, Township 2N., Range 1W.



**I. PROJECT DESCRIPTION**

Request for a combined preliminary and final plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district, by Melanie Pearson.

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details	Page
Acreage	3.98 (R-4 zoning district)	
Future Land Use Designation	Mixed Use Regional	
Existing Land Use(s)	Residential (one single-family home)	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	2 total lots – 2 single-family residential (one new lot)	
Phasing Plan (# of phases)	Proposed as one phase	
Number of Residential Units (type of units)	2 units – detached single-family homes	
Density (gross & net)	Gross – 0.5 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	N/A – Project size is below the 5 acre minimum.	
Physical Features (waterways, hazards, flood plain, hillside)	Rawson Canal – runs along eastern property boundary adjacent to Meridian Road (area of minimal flood hazard).	
Neighborhood meeting date; # of attendees:	August 5, 2020 – no attendees.	
Distance to nearest City Park (+ size)	1.6 miles to Discovery Park (76.8 acres in size, roughly 30 acres of this park has been developed at this time)	

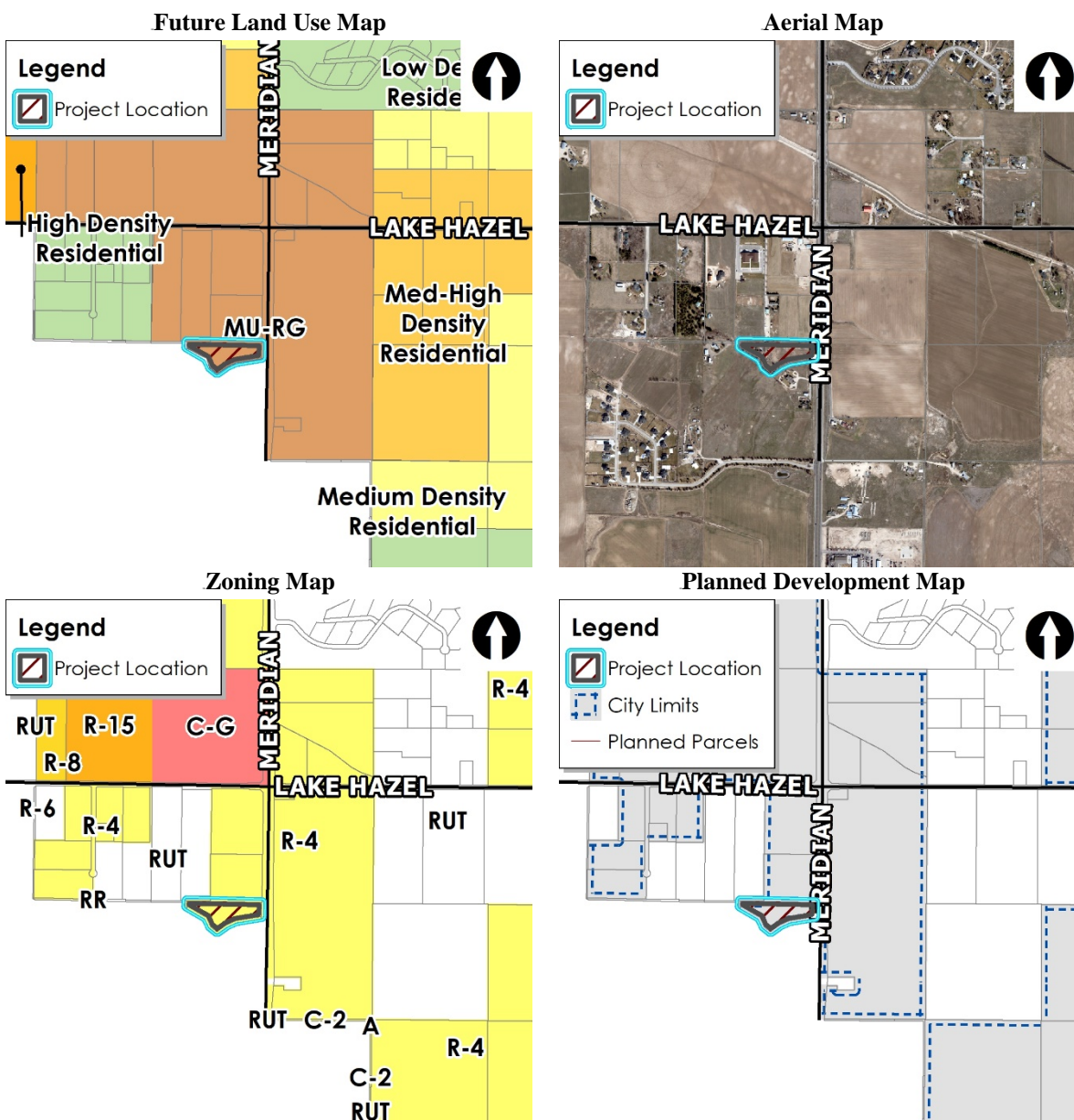
Description	Details	Page
History (previous approvals)	H-2015-0019 (South Meridian Annexation); DA Inst. #2016-007442	

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>Letter received from ACHD</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via existing W. Paint Horse Lane, a private drive. No access is proposed to S. Meridian Road other than via existing access of Paint Horse Lane.	
Stub Street/Interconnectivity/Cross Access	Other properties use existing W. Paint Horse Lane; no need for stub street access at this time.	
Existing Road Network	Yes; private lane is existing and no new road dedication is proposed or required.	
Existing Arterial Sidewalks / Buffers	The subject property has a small area of arterial street frontage along S. Meridian Road. There are currently no improvements along this frontage. There is an existing berm and buffer.	
Proposed Road Improvements	Applicant is not proposing nor required to improve any right-of-way along S. Meridian Road or Paint Horse Lane at this time.	
Fire Service		
	<b>No Comments</b> – required turnaround is shown on property.	
Police Service		
	<b>No Comments</b>	
West Ada School District		
	<b>No comments were received for this project.</b>	
Wastewater		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> <li>Sewer Shed</li> <li>Estimated Project Sewer ERU's</li> <li>WRRF Declining Balance</li> <li>Project Consistent with WW Master Plan/Facility Plan</li> <li>Additional Comments</li> </ul>	<p>N/A</p> <p>South Black Cat Trunkshed</p> <p>See application</p> <p>13.96</p> <p><b>NO – Subdivision will be on septic until utilities are available in the area.</b></p> <ul style="list-style-type: none"> <li>Flow has been committed</li> <li>Both units for this subdivision will be on septic.</li> <li>No proposed changes to Public Sewer Infrastructure within Record. Any changes or modifications, to the Public Sewer Infrastructure, shall be reviewed and approved by Public Works.</li> </ul>	
Water		
<ul style="list-style-type: none"> <li>Distance to Water Services</li> <li>Pressure Zone</li> <li>Estimated Project Water ERU's</li> <li>Water Quality Concerns</li> </ul>	<p>N/A</p> <p>5</p> <p>See application</p> <p>N/A</p>	

Description	Details	Page
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> <li>Impacts/Concerns</li> </ul>	<p><b>NO – no utilities are proposed with this subdivision as they are not available at this time.</b></p> <p>There are no City utilities located in the area. The City Engineer will need to review and grant the utility variance request to not hook up to City water.</p>	

C. Project Area Maps



**III. APPLICANT INFORMATION**

**A. Applicant:**

Melanie Pearson – 1717 N. 7<sup>th</sup> Street, Boise, ID 83702

**B. Owner:**

Mary Taysom – 175 W. Paint Horse Lane, Meridian, ID 83642

**C. Representative:**

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	7/17/2020	
Radius notification mailed to properties within 300 feet	7/14/2020	
Site Posting	7/25/2020	
Nextdoor posting	7/14/2020	

**V. STAFF ANALYSIS**

**To be concise, the subject application is proposing to subdivide one 4 acre lot into two lots for the purposes of allowing the current owner of the parcel to deed the new lot over to her daughter so that her and her family are close-by, this includes helping her daughter with her newborn child.**

**The subject property was annexed in 2015 as part of a larger annexation known as South Meridian Annexation (H-2015-0019). There is an existing Development Agreement (DA) associated with the original annexation and property and this application constitutes development under City code. In reviewing the existing DA, the Applicant needs to apply for a Development Agreement Modification prior to the City Council hearing for this combined preliminary/final plat. Per the existing DA, the first modification is at no cost to the Applicant.**

**The subject property has also received City Engineer and Public Works Director approval for a utilities waiver to not connect to City services at this time due to services being more than a half mile away. Staff finds that making a singular property owner pay for extending City services for a two lot subdivision is neither fair nor necessary. Central District Health (CDH) has also approved of an additional temporary well site and septic system—this fact further diminishes any concern Staff has with the Applicant’s application regarding water and sewer services.**

**Please see further Staff analysis below.**

**A. Future Land Use Map Designation (<https://www.meridiancity.org/complan>)**

Mixed Use Regional – The purpose of this designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. For example, an employment center should have supporting retail uses; a retail

center should have supporting residential uses as well as supportive neighborhood and community services.

*The subject site is part of a large area in south Meridian with this future land use designation. However, much of these sites are already zoned R-4, medium-low density residential. This zoning does not allow or offer the Applicant the opportunity to develop the site in accordance with the future land use designation. Because this site is relatively small in comparison to most mixed use properties, Staff finds that the mixed use requirements and policies cannot be obtained at this time. These policies should not be aimed for at this time due to the fact that no other nearby properties offer any mix of uses and have not been redeveloped since their annexation in 2015—Staff’s review shows all of the nearby properties to still be low-density residential homes. There is always the chance that in the future much of this area in south Meridian will redevelop with larger parcels of land. At that time, it will be up to the property owners to determine if redevelopment is applicable.*

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“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). *The main purpose of the proposed development is to create a new lot for the Applicant to build a home nearby her mother, the existing property owner. All of the surrounding homes lay on large undeveloped lots even though they are annexed into the City. This subdivision will not change the existing character of the surrounding development and will add an additional single-family home for the City of Meridian.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *Staff finds that the existing and known development of the immediate area create conditions that do not allow for this property owner to connect to City water and sewer services as required by code. Public Works, Meridian Police Department and Meridian Fire have no objections to this small subdivision. No other services should be affected as the existing access is to remain.*

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *Due to the size of the subject property being less than 5 acres, there are no open space requirements. However, this application is only a two-lot subdivision where a majority of each parcel will be undeveloped and remain natural space for each property owner to enjoy.*

***Although the proposed development does not align entirely with the current vision of the Comprehensive Plan, the predominate FLUM designation in the area is MU-R. Staff is of the opinion that it may be quite some time before City utilities are available to this area of Meridian and therefore supports the development of this property as it is consistent with the current R-4 zoning of the property. A mix of uses should occur in the vicinity with the redevelopment of the adjacent property to the north and east. For these reasons, staff believes the proposed development is generally consistent with the Comprehensive Plan.***

C. Existing Structures/Site Improvements:

The subject site currently holds a single family home on the entire 4 acre parcel owned by the mother of the Applicant. **This property, along with nearby properties, was annexed in 2015 but were not required to connect to City services at that time due to services not being available. This situation has not changed and because this subdivision is only for the purposes of creating one additional lot, Staff does not find it appropriate to require this owner to provide public utilities to their property at this time.** However, when services do



become available in S. Meridian Road, the Applicant will be required to connect to them as conditioned in this application and the existing Development Agreement.

D. Proposed Use Analysis:

The proposed use is single-family residential; single-family detached dwellings are listed as principally permitted uses in the R-4 zoning district per UDC Table 11-2A-2. The average lot size is 2 acres with the largest lot being 2.6 acres in size. The proposed use complies with all UDC requirements for the R-4 zoning district.

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

The submitted Preliminary Plat and Final Plat show lots that are 1.36 and 2.62 acres in size. These proposed lot sizes are vastly larger than the minimum lot size requirement of 8,000 square feet for the R-4 zoning district. The existing R-4 zoning district also requires a minimum dwelling size of 1,400 square feet with the first floor gross area being at least 800 square feet.

*The proposed plat meets the UDC dimensional standards for the R-4 zoning district. In addition, any future home built on the new parcel will be required to meet the minimum dwelling size requirements as outlined in UDC Table 11-2A-5.*

F. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access to this development is proposed via an existing private lane, W. Paint Horse Lane. ACHD is not requiring any public road dedication due to the access not being changed—the subject application does not warrant a public road or road improvements at this time according to ACHD. In accord with the existing access, UDC 11-3H-4 requires that if an existing state highway access has an increase in intensity that it is to be removed upon development or dedicated to ACHD and be constructed as noted on the Master Street Map (MSM). Paint Horse Lane is shown as a future collector roadway on the MSM but the addition of one single-family home does not warrant the construction of a collector roadway at this time. With the DA Modification the Applicant needs to apply for prior to City Council, new DA provisions will address this and ensure any future development meets the required development standards.

*As noted above, the subject application is proposing to subdivide one 4 acre lot into two lots and is proposing to use the existing access; there is no proposal to add an additional access to the state highway. Staff and ACHD find that the existing private access is sufficient for one additional single family home. Because other abutting properties are not redeveloping at this time there is no feasible way for the Applicant and owner to comply with those requirements in 11-3H-4. In addition, adding one home does not warrant sufficient traffic to construct a collector roadway as shown on the MSM. However, Staff understands that should any more intensive redevelopment occur on site or surrounding the property, the access will be evaluated for compliance with these requirements. Staff is recommending DA provisions be added with the DA Modification application that requires a future collector street consistent with the MSM if/when this or adjacent properties redevelop with more intense uses consistent with the MU-R land use designation.*

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

Per UDC 11-3H-4C.4, the Applicant is required to construct a ten (10) foot multi-use pathway along the frontage that abuts S. Meridian Road (SH 69). The Applicant is not proposing a multi-use pathway along Meridian Road at this time.

*The Parks Department has reviewed this application for the applicability of the required multi-use pathway along Meridian Road. Per the comments received by Parks (see Section VIII.C), the Applicant is not required to construct this section of the multi-use pathway along Meridian Road.*

*The closest pathway that is currently under construction is adjacent to Prevail Subdivision and is located approximately ¾ of a mile north of this and is on the opposite of Meridian Road. Because of this, this short segment of pathway would be constructed and then lead to nowhere for the foreseeable future. Therefore, Staff is recommending that the Applicant grant a multi-use pathway easement within the required street buffer prior to final plat signature. This future pathway is the only required pedestrian infrastructure at this time due to Paint Horse Lane being a private lane that will likely be removed or redeveloped when other, larger nearby properties redevelop in the future.*

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

No sidewalks are proposed with this development. See pathway analysis above for further clarification.

*As noted above, the Applicant will be using an existing private easement for access and therefore no streets are being constructed with this application. Sidewalks will be required in the future with the extension of the collector street as this area redevelops.*

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

A 35-foot wide street buffer is required adjacent to S. Meridian Road, a state highway and entryway corridor, landscaped per the standards listed in UDC 11-3B-7C. *The landscape plan depicts a 25-foot wide landscape buffer instead of the required 35 feet. The correct amount of landscaping and a berm/fence combination at least 10' above the height of Meridian Road centerline height in accord with UDC 11-3H-4D is shown on the submitted landscape plans (see Exhibit VII.D). Staff is recommending a condition of approval to correct the width of the required landscape buffer along the state highway—the buffer width shall begin its measurement into the site at the edge of the ultimate right-of-way for Meridian Road/SH 69.*

In accord with UDC 11-3B-7C, the required street buffer is to be placed in a common lot and owned and maintained by a homeowner's association. *The nature of this two lot subdivision will not create a homeowner's association and therefore that requirement cannot be applied in this case. In addition, the submitted plat and landscape plans do not show the street buffer to Meridian Road in a common lot. Staff is recommending a condition of approval to amend the plat prior to City Council to show this lot in a common lot to be owned and maintained by the Applicant, Melanie Pearson.*

*Parallel to Meridian Road, the Rawson canal runs through the eastern edge of the subject site. The required buffer landscaping is shown to be outside of the easement for the Rawson Canal meeting the Boise Project Board of Control (BPBC) requirements. In addition, the Meridian Lateral abuts the property along its southern boundary but is not on the subject site. The Applicant is not proposing any landscaping within its easement per the requirements of BPBC.*

J. Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. The existing fencing along the boundary of the subject site is shown on the landscape plans. This fence appears to be open vision fencing and is proposed to be protected in place. In addition, the Applicant is proposing a 6-foot tall vinyl privacy fence along the top of the proposed landscape berm.

*The existing and proposed fencing appear to meet those standards listed in UDC 11-3A-7.*

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

The Rawson Canal runs along the eastern boundary of the subject site and appears to already be tiled. The Applicant has not proposed any improvements within its easement other than shrubs and grass as allowed by BPBC.

## **VI. DECISION**

### **A. Staff:**

Staff recommends approval of the requested combined preliminary and final plat application per the Findings in Section IX of this staff report.

### **B. Commission:**

Enter Summary of Commission Decision.

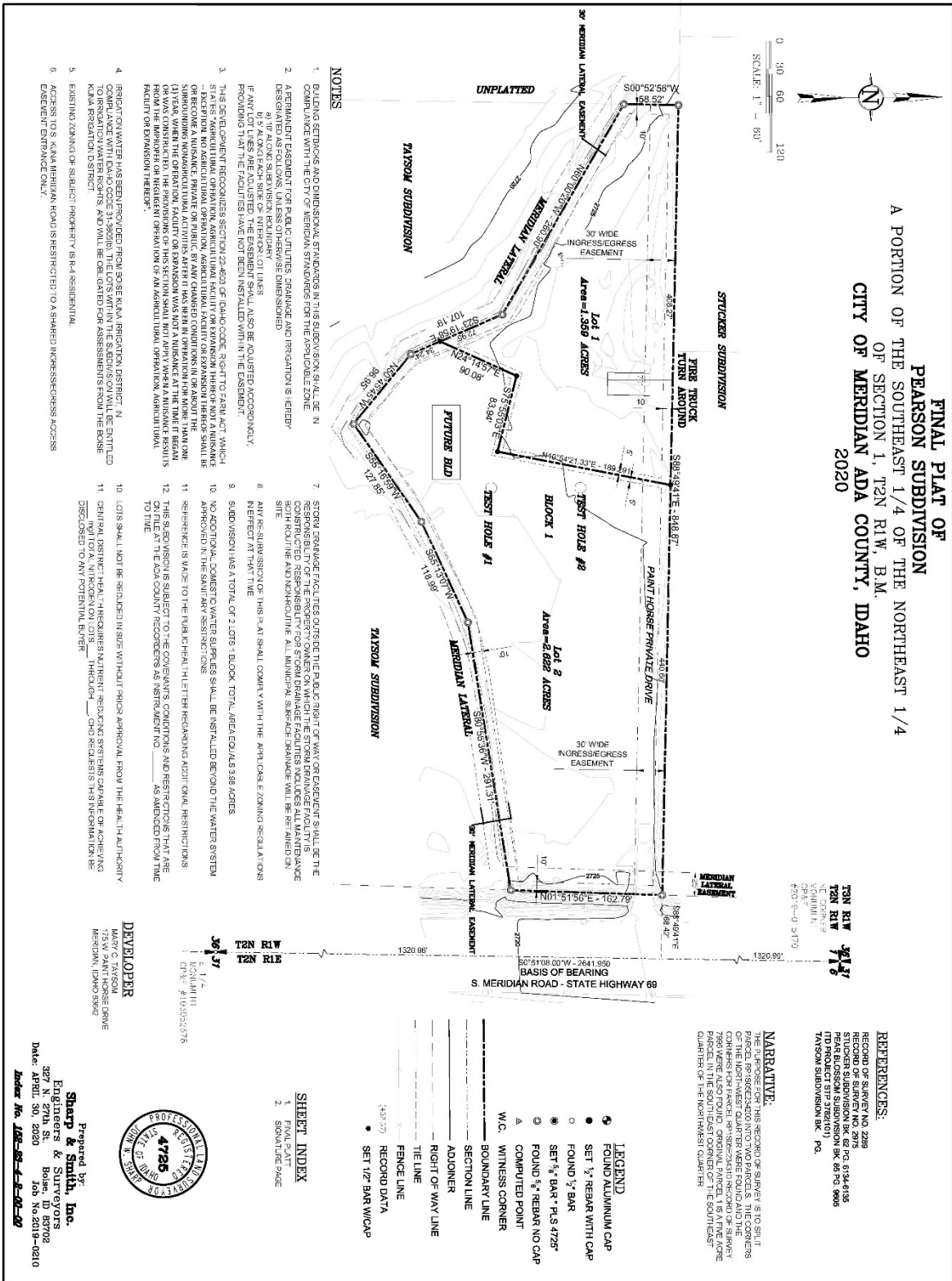
### **C. City Council:**

To be heard at future date.





B. Final Plat (dated: April 30, 2020)



**CERTIFICATE OF OWNERS**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IS THE OWNERS OF THE REAL PROPERTY IN THIS SUBDIVISION PLAT:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17 TOWNSHIP 2 NORTH RANGE 1 WEST BOISE MERIDIAN, ADA COUNTY, IDAHO MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE ONE QUARTER CORNER COMMON TO SECTION 17 T24N17W AND SECTION 6 17N R1E, THENCE N75°07'59"E BEARING EAST LINE SECTION 17 ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17 A DISTANCE OF 1320.99 FEET; SAID POINT BEARS S97°51'09"W 1230.99 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 17; THENCE N88°49'17"W A DISTANCE OF 66.42 FEET TO THE WESTERN RIGHT OF WAY LINE FOR S KUNA MERIDIAN ROAD (S/D/E HIGHWAY 89) AND THE NEAL POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER, N88°49'17"W A DISTANCE OF 848.67 FEET;

THENCE S07°52'57"W A DISTANCE OF 58.02 FEET AND THE NORTHWEST CORNER OF THE TAYLOR SUBDIVISION;

THENCE ALONG THE NORTH BANK OF THE MERIDIAN IRRIGATION LATERAL AND THE NORTH BOUNDARY OF THE TAYLOR SUBDIVISION THE FOLLOWING COURSES;

S60°00'00"W A DISTANCE OF 260.90 FEET;

THENCE S23°19'09"E A DISTANCE OF 907.19 FEET;

THENCE S50°49'49"E A DISTANCE OF 86.85 FEET;

THENCE N89°49'59"E A DISTANCE OF 822.85 FEET;

THENCE S89°49'59"E A DISTANCE OF 822.85 FEET;

THENCE N89°49'59"E A DISTANCE OF 293.31 FEET TO THE WESTERN RIGHT OF WAY LINE FOR THE S KUNA MERIDIAN ROAD;

THENCE ALONG SAID RIGHT OF WAY LINE, N75°07'59"E A DISTANCE OF 162.79 FEET AND BACK TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS SOME 1.98 ACRES, MORE OR LESS.

THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, HOWEVER THE RIGHT TO USE SAID EASEMENTS ARE PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERRECT WITHIN THE LINES OF SAID EASEMENTS, EACH LOT IS TO BE SERVED BY AN INDIVIDUAL WELL.

*Mary Taylor*  
OWNER

Jessica Quigley  
Notary Public  
State of Idaho  
Commission No. 69174

**ACKNOWLEDGMENT**

STATE OF IDAHO )  
COUNTY OF ADA ) SS  
ON THIS DAY OF July, 2020, BEFORE ME, Jessica Quigley, a Notary Public, personally appeared Mary Taylor, the owners of REAL PROPERTY herein mentioned to me to be the first and only person whose name is to be placed on the subdivision plat, and she acknowledged to me that she executed the same for the purposes and consideration therein stated and that she executed the same voluntarily. My commission expires 01/17/2023

**PEARSON SUBDIVISION  
2020**

**CERTIFICATE OF SURVEYOR:**

I, JOHN W. SHAW, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP AND THE INFORMATION HEREON WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND REPRESENTS THE PARCELS OF LAND OWNED BY THE SUBDIVISION AND DESCRIBED IN THIS PLAT AND I AM AWARE HEREON AND IS IN CONFORMANCE WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

*John W. Shaw*  
John W. Shaw  
Professional Land Surveyor  
No. 4725  
4/13/20  
IDAHO

**APPROVAL OF CITY OF MERIDIAN  
PLANNING AND ZONING COMMISSION**

ACCEPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 BY THE CITY OF MERIDIAN PLANNING AND ZONING COMMISSION OF IDAHO

CHAIRMAN, CITY OF MERIDIAN PLANNING AND ZONING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVAL OF SOUTHWEST DISTRICT HEALTH**

SMARTY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL OF THIS PLAT. THE HEALTH DEPARTMENT HAS REVIEWED THIS PLAT AND HAS REVIEWED THE 501306, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

HEALTH DISTRICT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVAL OF MERIDIAN CITY ENGINEER**

THE PLAT IS ACCEPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1 A.D. 20\_\_\_\_ BY THE UNDERSIGNED CITY ENGINEER IN AND FOR THE CITY OF MERIDIAN, ADA COUNTY.

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVAL OF MERIDIAN CITY**

THE UNDERSIGNED CITY CLERK AND FOR THE CITY OF MERIDIAN, ADA COUNTY, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 THIS PLAT WAS ACCEPTED AND APPROVED.

MERIDIAN CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF COUNTY RECORDER:**

STATE OF IDAHO ) SS  
COUNTY OF ADA )  
HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF MARY C. TAYLOR, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020 IN MY OFFICE AND WAS DULY RECORDED AS BOOK \_\_\_\_\_ OF PLATS AT PAGES \_\_\_\_\_ THROUGH \_\_\_\_\_ INSTRUMENT NUMBER \_\_\_\_\_

DEPUTY RECORDER \_\_\_\_\_ EX-OFFICIO RECORDER \_\_\_\_\_  
FEE \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**

THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 96-1306, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT ANNUAL DELINQUENT COUNTY PROPERTY TAXES HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

COUNTY TREASURER \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF COUNTY SURVEYOR**

THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR CAYON COUNTY, IDAHO, HAVE REVIEWED THIS PLAT AND FIND THAT IT COMPLES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

COUNTY SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

Prepared by: *Shirley M. ...*  
Shirley M. ...  
327 2710 S. Boise, ID 83702  
Date: March 21, 2020 Job No. 2016







D. Utilities Waiver Letter – City Engineer approval to delay utility hook-up (dated: July 30, 2020)



Mayor Robert E. Simison

**City Council Members:**

Treg Bernt  
Joe Borton  
Luke Cavener

Brad Hoaglund  
Jessica Perreault  
Liz Strader

**MEMORANDUM**

DATE: July 30, 2020  
TO: Mayor Robert Simison  
Members of the City Council  
CC: Warren Stewart, Joseph Dodson  
FROM: Dale Bolthouse  
RE: Waiver of water and sewer services connection for 175 Painted Horse Ln.

The City of Meridian received an application to develop property at 175 Painted Horse Lane (see attached map). The property owner has requested a waiver to connect to the City's water and sewer systems. The requestor is dividing their property to add an additional building lot. The property was annexed a few years ago as part of the larger South Meridian Annexation. The existing property is served with well water and septic. City water and sewer services are likely several years away.

Public Works has reviewed the application information for 175 Paint Horse Ln. along with other supporting documents. Based on the current distance to existing water and sewer infrastructure, and the fact the applicant is only requesting a two lot subdivision in order to build one additional home, the Public Works Department supports the request to waive the requirement to connect to the City's water and sewer system. However, we recommend the property owner enter into a Connection Agreement with the City of Meridian requiring them to connect to water and sewer services when those services are adjacent to the property. The following conditions should be included as part of that agreement:

- Owner pays the applicable assessment fees required to connect at time of connection
- Owner constructs the water and sewer service connections
- All other required City of Meridian fees be paid
- Development meets Planning and Zoning requirements

Please feel free to contact Warren Stewart or me if you have any questions regarding this matter.

A handwritten signature in blue ink, appearing to read "Dale Bolthouse".

Dale Bolthouse  
Director of Public Works  
City of Meridian Public Works

Attachment: Map of Request Location

Public Works Department ■ 33 E. Broadway Avenue, Suite 200, Meridian, ID 83642  
Phone 208-898-5500 ■ Fax 208-898-9551 ■ [www.meridiantcity.org](http://www.meridiantcity.org)





## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. The Applicant shall apply for a concurrent Development Agreement Modification application prior to this application being heard in front of City Council and at a minimum the following new provisions shall be added to the amended DA:
  - a. This development is not currently serviceable by Meridian Sanitary Sewer or Water Systems. The parcel owners shall be required to cease using their wells and septic systems and connect at their expense, to the Meridian Sanitary Sewer or Water Systems when they become available per MCC 9-1-4 and 9-4-8.
  - b. Prior to City Engineer's signature on the final plat, the Applicant shall enter into a Connection Agreement with the City of Meridian in accord with the connection waiver letter attached in Exhibit VII.D.
  - c. The applicant shall place W. Paint Horse Lane (a private road) in a separate 50-foot wide non-buildable lot for the construction of a public collector street in accordance with the Master Street Map. Timing for the extension of the roadway is predicated on the redevelopment of the parcel beyond two residential lots or with the redevelopment of the MU-R designated parcels to the north. At the time said roadway is constructed, the Applicant shall relinquish their rights to the use of said easement in favor of taking access from a future public street.
2. The final plat included in Section VII.B, dated April 30, 2020, shall be revised as follows prior to City Engineer signature on the plat:
  - a. Revise the plat to add a 35-foot wide common lot along S. Meridian Road/SH 69 to hold the required landscape buffer starting at the western edge of ultimate right-of-way.
  - b. Revise plat note #6 to add: "...; direct lot access to S. Meridian Road/SH 69 is prohibited."
  - c. Add a 50-foot wide common lot along the northern property boundary over the existing W. Paint Horse Lane to reserve this area for future public right-of-way.
  - d. Add a plat note that states the new common lot placed over the existing W. Paint Horse Lane is a non-buildable lot until such time that it is constructed as a collector roadway.
3. The landscape plan included in Section VII.C, dated June 18, 2020, shall be revised prior to City Engineer signature on the plat:
  - a. Revise the landscape plan to show a 35-foot wide landscape street buffer along S. Meridian Road/SH 69 that begins at the western edge of the ultimate right-of-way of Meridian Road.
  - b. Revise the berm/fence combo exhibit to meet UDC 11-3H-4D requirements—the required berm/fence combo along Meridian Road shall be at least ten (10) feet high as measured from the centerline of the road and not from the edge of pavement.
4. Prior to City Engineer signature on the Final Plat, the applicant shall submit a public access easement for the required multi-use pathway along Meridian Road/SH 69 with the required landscape buffer, wholly outside of the right-of-way. Submit easements to the Planning Division for Council approval and subsequent recordation. The easements shall be a minimum of 14' wide (10' pathway + 2' shoulder each side). Use standard City template for public access easement. Easement checklist must accompany all easement submittals. Coordinate with Kim Warren from the City of Meridian Parks Department.

5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-4 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per dwelling.
7. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
8. Upon completion of the landscape buffer installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
9. Approval of this combined preliminary and final plat shall become null and void if the applicant fails to obtain the city engineer's signature on the plat within two (2) years of the approval of the combined preliminary and final plat.

## **B. PUBLIC WORKS**

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

1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation agreement for streetlights will be required for the required lights on Meridian Road. Contact the Meridian Transportation and Utility Coordinator for additional information.

**1.2 This development is not currently serviceable by Meridian Sanitary Sewer or Water Systems. The parcel owners shall be required to cease using their wells and septic systems and connect at their expense, to the Meridian Sanitary Sewer or Water Systems when they become available per MCC 9-1-4 and 9-4-8.**

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

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.5 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.6 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.7 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.
- 2.8 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.



**C. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191554&dbid=0&repo=MeridianCity>

**D. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191386&dbid=0&repo=MeridianCity>

**E. BOISE PROJECT BOARD OF CONTROL (BPBC)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190916&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191398&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192079&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

**A. Combined Preliminary and Final 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 plat, with Staff's recommendations, is in general compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)*

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

*Water and Sewer services cannot be provided to the subject property at this time. The City Engineer and Public Works Director have approved a waiver for this requirement (See Exhibit VII.D). Staff finds that all other services are available for the subject property. (See Section VIII of the Staff Report for more details from public service providers.)*

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

*Because City water and sewer and any other utilities will be provided by the development at a later date as discussed above, 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 VIII 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. The Applicant is not proposing any improvements along either waterway on or adjacent to the site other than landscaping outside of the applicable easements.*