

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



In the Matter of the Request for Annexation of 67.61 acres of Land with the R-8 and R-15 Zoning District, and Preliminary Plat consisting of 229 Building Lots, Future Townhome or Multifamily Units, and 42 Common Lots., by Brighton Development.

Case No(s). H-2021-0088

For the City Council Hearing Date of: March 8, 2022 (Findings on March 22, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 8, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 8, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 8, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 8, 2022, incorporated by reference)

B. Conclusions of Law

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

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of March 8, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for Annexation and Preliminary Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 8, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

Notice of Development Agreement Duration

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

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

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

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of March 8, 2022

By action of the City Council at its regular meeting held on the _____ day of _____, [year].

COUNCIL PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL VICE PRESIDENT JOE BORTON VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER TREG BERNT VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



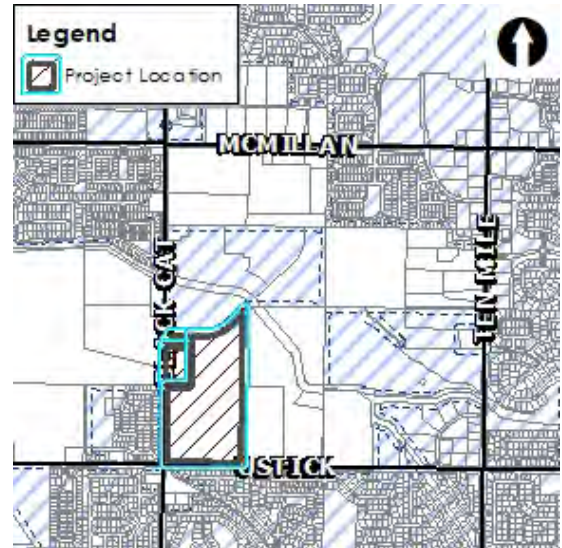
HEARING DATE: 3/8/2022

TO: Mayor & City Council

FROM: Alan Tiefenbach
208-884-5533

SUBJECT: AZ, PP - H-2021-0088
Quartet South Subdivision

LOCATION: Parcels S0434255555, S0434325410, S0434325867 and 3680 N. Black Cat Rd., located at the northeast corner of the N. Black Cat / W. Ustick Rd intersection.



I. PROJECT DESCRIPTION

Annexation of 67.61 acres of land with the R-8 and R-15 zoning district, and preliminary plat consisting of 229 building lots, future townhome or multifamily units, and 42 common lots.

II. SUMMARY OF REPORT

A. Project Summary

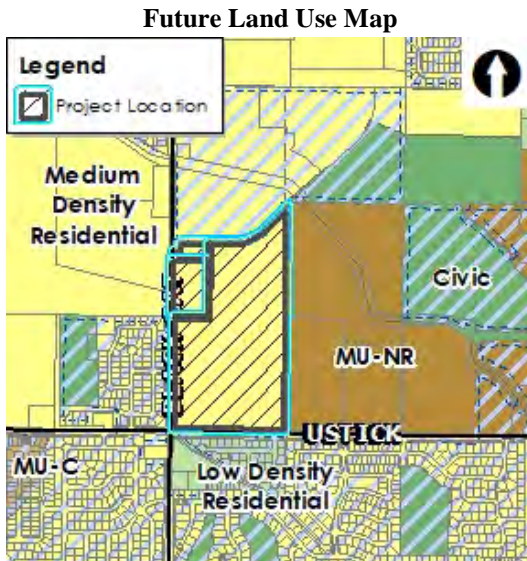
Description	Details
Acreage	67.61
Future Land Use Designation	Medium Density Residential 3-8 du/acre
Existing Land Use(s)	1 single family residence
Proposed Land Use(s)	Single Family Residential, attached and detached
Lots (# and type; bldg./common)	229 building lots, 140 attached units on 2 lots, and 42 common lots.
Phasing Plan (# of phases)	3 phases
Number of Residential Units (type of units)	229 single family residences, 140 townhouses
Density (gross & net)	5.45 du / ac gross
Open Space (acres, total [%]/buffer/qualified)	10.49 acres of qualified open space (15.5%)
Amenities	Community pool, clubhouse, and children's play structure.
Physical Features (waterways, hazards, flood plain, hillside)	Five Mile Creek parallels the properties northern property line, but is not on the property. Rutledge Drain bisects the property.
Neighborhood meeting date; # of attendees:	June 15, 2021 – 1 attendee
History (previous approvals)	None

B. Community Metrics

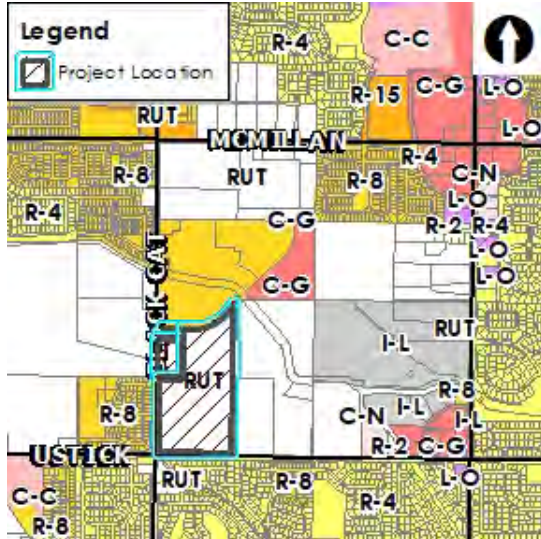
Description	Details	
Ada County Highway District	Staff report submitted	
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	N. Black Cat Rd. and W. Ustick Rd. are existing accesses.	
Stub Street/Interconnectivity/Cross Access	Plat shows a northern stub and a southern stub.	
Existing Road Network	N. Black Cat Rd. and W. Ustick Rd.	
Existing Arterial Sidewalks / Buffers	None along the frontage of the subject property. There is a 25 ft. wide buffer and 5 ft. wide sidewalk on the west side of N. Black Cat Rd and on the south side of W. Ustick Rd.	
Proposed Road Improvements	Applicant will be required to build eastbound left turn lane on Ustick, northbound right turn lane and south bound left turn lane on Black Cat Rd.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	1.7 miles to Fire Station 2	
<ul style="list-style-type: none"> Fire Response Time 	< 5 minutes	
<ul style="list-style-type: none"> Resource Reliability 	> 80%	
<ul style="list-style-type: none"> Risk Identification 	2, resources are not adequate	
<ul style="list-style-type: none"> Accessibility 	Yes	
<ul style="list-style-type: none"> Special/resource needs 	Aerial device will be required	
<ul style="list-style-type: none"> Water Supply 	1,000 gpm required	
<ul style="list-style-type: none"> Other Resources 	None	
Police Service		
<ul style="list-style-type: none"> Distance to Police Station 	6.5 Miles	
<ul style="list-style-type: none"> Police Response Time 	P3 3:40 P2 7:03 P1 10:43	
<ul style="list-style-type: none"> Calls for Service 	823	
<ul style="list-style-type: none"> % of calls for service split by priority 	% of P3 CFS % of P2 CFS % of P1 CFS	1.3% 69.9% 26.9%
<ul style="list-style-type: none"> Crimes 	73	
<ul style="list-style-type: none"> Crashes 	19	

Wastewater	
Comments	<ul style="list-style-type: none"> Flow has been committed. See site specific conditions for additional information.
Water	
<ul style="list-style-type: none"> Distance to Water Services Pressure Zone Water Quality Project Consistent with Water Master Plan 	Directly Adjacent 1 No concerns Yes
Comments	<ul style="list-style-type: none"> Water main needs to be built in the proposed road at the northeast corner, extending the existing water stub from the Quartet Southeast Subdivision

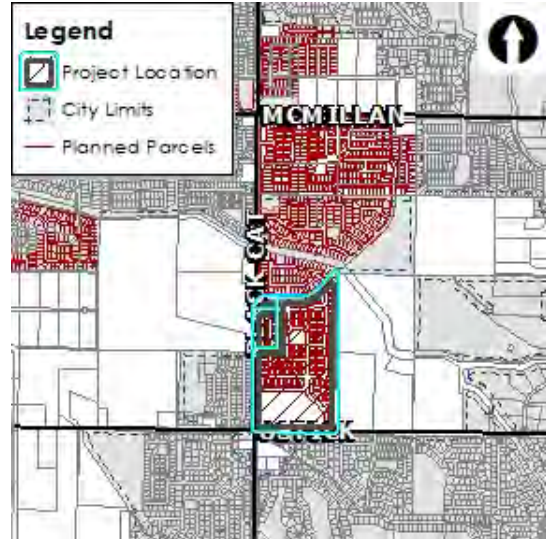
C. Project Area Maps



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

Josh Beach, Brighton Development Inc. – 2929 W. Navigator Drive Suite 400, Meridian, ID 83642

B. Owner:

Brighton Development Inc. - 2929 W. Navigator Drive Suite 400, Meridian, ID 83642

Dean and Deborah Quenzer Living Trust – 3680 N. Black Cat Rd, Meridian, ID 83646

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	1/4/2022	2/20/2022
Radius notification mailed to properties within 300 feet	1/4/2022	2/17/2022
Nextdoor posting	1/6/2022	2/18/2022
Sign Posting	1/7/2022	2/24/2022

V. STAFF ANALYSIS

In June of 2020, Quartet Northeast (H-2020-0017, 68.73 acres and 137 buildable lots) and Quartet Southeast (H-2020-0018, 22.26 acres and 50 buildable lots) were approved north of the subject property. This subdivision is a southern continuance of those subdivisions.

A. Annexation & Zoning:

The Applicant proposes to annex a total of 67.61 acres of land. 48.83 acres on the northern portion of the property is proposed to be zoned to R-8 to allow 229 single family detached and alley-loaded single family attached homes. The southern 18.78 acres of land is proposed for R-15 zoning to allow 140 single family attached, or multifamily units, but the housing type has not

been determined at this time. Comparison of the proposal against dimensional standards is discussed below. The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. The annexation area is within the Area of City Impact Boundary (AOCI). Legal descriptions for the annexation area are included in Section VIII; separate descriptions were submitted for each of proposed zone districts. To ensure the site develops as proposed by the applicant, staff is recommending a development agreement as part of the annexation approval.

B. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

This property is designated Medium Density Residential on the City's Future Land Use Map (FLUM) contained in the Comprehensive Plan. This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The annexation area is surrounded on three sides by the City limits. The proposed project has a gross density of 5.45 du/ac, being within the required density range listed above. Therefore, Staff finds the proposed preliminary plat, requested R-8 and R-15 zoning districts to be generally consistent with the Future Land Use Map designation of Medium Density Residential.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section IX.A. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

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

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

Several housing types are proposed with this development; single family detached, alley-loaded single family attached), and future attached or detached units (including possibly multifamily) at the south side of the property. However, as is mentioned in the dimensional standards section below, as is presently configured, the alleys do not meet the requirement to be fully visible end to end.

- With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities." (2.02.01A)

The proposed plat depicts 5 ft. wide detached sidewalks on both sides of roads internal to the subdivision. There are also 5 ft. wide detached sidewalks along N. Black Cat Rd. This is the same width provided along N. Black Cat Rd. by the Jamestown Ranch and Quartet Northeast No 1 Subdivision to the north, the Daphne Square Subdivision north of that, and across W. Ustick Rd south of the property. However, ACHD has responded the applicant will be required to build 10 ft. wide multimodal pathways along these arterial frontages. The Master Pathways Map (MPM) does not indicate any pathways crossing the property or adjacent to the property lines.

As will be mentioned in the Qualified Open Space and Amenities Sections below, the applicant proposes several connected common open space areas and amenities with this development.

- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)

As mentioned above, 5-ft. wide detached sidewalks are provided along all internal roadways, and the applicant will be required to construct 10 ft. wide pathways along N. Black Cat Rd and W. Ustick Rd in accord with ACHD standards.

- “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.

- Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction. (2.02.02F)

Daphne Square Subdivision (zoned R-15), Quartet Northeast, Quartet Southeast (both zoned R-8) are the north of the property, the Klamath Basin, Staten Park, and Geddes Subdivisions are to the south (zoned R-4 and R-8), the Birchstone Creek Subdivision is to the west (zoned R-8), and unincorporated property designated for Mixed Use Non-Residential is to the east (with the wastewater facility east of that). These subdivisions have comparable densities and housing styles as what is being proposed, except there is no multifamily in the vicinity, and the applicant has stated the R-15 portion of the property could result in a multi-family proposal via a conditional use permit at a future date.

This development proposes architecture consisting of one and two-story homes with gabled roofs, covered porches, dormers, stone wainscoting, and lap siding comparable to what has been approved with adjacent subdivisions. In order to ensure compatibility and quality of design with existing and approved residential uses surrounding the property, staff recommends a condition that rear and/or sides of 2-story structures on facing N. Black Cat Rd. and W. Ustick Rd. incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

If multifamily residential is proposed for the southern portion of the property, design review and / or certificates of zoning compliance will be required. To ensure consistency throughout the development, if the southern portion of the property is approved for multifamily, staff recommends a condition that architecture of all single family attached or multifamily units be generally consistent with the single-family elevations provided in this application.

Staff does have concerns with developments of this size and density in close proximity to Mixed Use Non-Residential and the Wastewater Resource Recovery Facility, as is discussed below.

- Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity. (6.01.02B)

There are presently 4 accesses off of N. Black Cat Rd. These accesses will be closed and the west entrances from N. Black Cat will occur from W. Machado Dr and W. Grand Rapids Drive, already approved as part of Quartet Southeast and Northeast.

- “Discourage residential land uses in close proximity to the Wastewater Resource Recovery Facility, the Intermountain Gas Facility on Can-Ada Road, and other incompatible land uses.” (3.06.02E)

The subject property is adjacent to property designated for Mixed Use Non-Residential (the Naomi Farms property), all within unincorporated Ada County. The purpose of this designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential.

The 2021 Wastewater Resource Recovery Facility Odor Study indicates an odor detectable threshold (DT) of 50 DT and greater on the western and northern portion of the property for at least 50 hours per year. The study reflects DT < 20 is the threshold where odor is detectable. This impact could lessen if odor control improvements are installed. Although the Study indicates the subject property is not within the direction of the prevailing winds, based on the Study, odor impacts are still probable.

The northern half of the property is approximately 1,300 feet from the wastewater facility, with the southern portion (proposed for R-15 zoning) approximately 1,600 feet from the facility. With the Quartet Northeast and Quartet Southeast Subdivisions (H-2020-0017 and H-2020-0018) staff noted that because the site was in close proximity to the City’s Wastewater Resource Recovery Facility, staff had concerns with density in the area. This proposal is approximately the same distance from the Wastewater Facility (if not closer) and higher densities are proposed than Quartet Northeast and Southeast. The subject property is also near the location of a proposed ACHD maintenance facility (proposed at the southeast along W. Ustick Rd), which could produce significant noise and lighting impacts.

Staff has recommended to the applicant that a better transition should be provided between the subject property and the MU-N designation to the east. The applicant has responded that based on the results of the odor study there may be a future request for a Future Land Use Map amendment for additional residential uses further to the east, and a buffer or transition via a road could be provided as part of this request. The applicant also states the Mixed-Use Non-Residential designation is intended to provide the transition to residential uses, which is why this project shows houses backing directly to the Naomi Farms parcel. Staff has noted that due to the increasing loss of industrial land and the impacts of the wastewater treatment plant and future ACHD maintenance facility, staff may not support a change to residential designation in this area. Whether or not the Planning Commission and City Council is inclined to support re-designating this area for residential, unless the applicant procures this property or the current owner is also an applicant on this application, staff cannot ascertain whether an appropriate transition is provided based on a parcel which is not owned by the applicant or part of this proposal.

Staff has concerns with higher density residential uses in close proximity to the Wastewater facility. As already mentioned, these concerns include loss of industrial land, the potential for foul odors and noise impacts associated with both the treatment facility as well as potential from the ACHD maintenance facility. The Commission and Council should determine if the applicant has provided adequate transition as contemplated in the Comprehensive Plan.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

- “Slow the outward progression of the City’s limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

The proposed project is in a larger enclave area around the City’s wastewater facility and is not on the fringe.

D. Existing Structures/Site Improvements:

There is an existing single-family residence and several outbuildings on the subject property. The plat reflects this house will be removed.

E. Proposed Use Analysis:

Townhomes, single-family attached and detached dwellings are listed as principal permitted uses in the R-8 and R-15 zoning districts and a multi-family development is a conditional use in the R-15 zoning district in UDC Table 11-2A-2. Since there is no concept plan for the R-15 lots (Lot 2, Block 3 and Lot 1, Block 4), staff recommends a DA provision that requires the applicant to amend the DA to include a concept plan and conceptual elevations prior to submitting a CUP for a multi-family development.

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

The preliminary plat and future development is required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 and R-15 zone districts. Standards in R-8 include minimum lot size of 4,000 sq. ft., and required street frontages of at least 40 ft. Lots in the R-15 zoning district are required to be at least 2,000 sq. ft. in area.

The plat includes two lots proposed for R-15 zoning. The narrative states 140 townhouses are proposed in this area. Depending on number of units and whether or not they are on separate lots would indicate whether these units would be considered townhomes or multifamily. This would have different requirements for parking, open space and amenities. Staff contacted the applicant, who responded it is not known what kind of housing product is anticipated in this area at this time. The applicant noted additional public review would occur during either the plat for townhomes or conditional use for multifamily.

UDC 11-6C-3-B-5 states “alleys shall be designed so that the entire length is visible from a public street.” The plat reflects alleys that are aligned north – south and intersect with another alley in a “t-intersection” that does not allow visibility of the entire alley from a public street. UDC 11-5B-5 does not allow alternative compliance from this requirement. The plat must be revised accordingly, such as extending these alleys.

UDC 11-6C-3- regulates block lengths for residential subdivisions. The intent of this section of code is to ensure block lengths do not exceed 750 ft, although there is the allowance of an

increase in block length to 1,000 feet if a pedestrian connection is provided. Staff has reviewed the submitted plat for conformance with these regulations. It does appear this limit is exceeded along the eastern boundary of the property. The applicant should revise the plat to meet the requirements of UDC 11-6C-3.

There are two common driveways proposed with this subdivision. The applicant has provided a common drive exhibit which demonstrate no more than 4 units are served with no than 3 units on one side. The common driveways meet the minimum width of 20', do not exceed the maximum length of 150' and show 5' ft. of landscaping on side. Based on the plat which was submitted by the applicant, all lots in the proposed R-8 zoning area meet the minimum lot sizes.

If the applicant proposes attached units in the future phase at Lots 1 Block 4 and Lot 2 Block 3, they will be required to plat the property with zero lot lines.

G. Access (*UDC 11-3A-3*):

The property proposes one access point from N. Black Cat Rd and one access point from W. Ustick Rd. There is also a northern stub provided to the Quartet Southeast Subdivision to the north and the Naomi Farms parcel to the east. There are 4 existing driveways from N. Black Cat; all of these will be closed.

The applicant submitted a traffic study for this application. ACHD responded that the Level of Service (LOS) at the N. Black Cat Rd / W. McMillian Rd intersection is LOS "F", and that sections of N. Black Cat Rd. and W. Ustick Rd. also exceed ACHDs acceptable LOS. Ustick Rd. is listed to be widened to 5-lanes from N. McDermott Rd to N. Ten Mile Rd. between 2026 and 2030. N. Black Cat Road is listed in the ACHD CIP to be widened to 5-lanes from McMillan Rd to Cherry Ln between 2031 and 2035. The N. Black Cat Rd / W. Ustick intersection was signalized with turn lanes in 2021. This intersection is eventually intended to be widened to 6 and 7 lanes (depending on the direction) between 2026 and 2030.

ACHD noted this project generally conforms with district policy. 51-feet of right of way dedication from centerline is required along W. Ustick versus the 47 feet proposed by the applicant. 57 feet of right of way dedication from centerline is required along N. Black Cat Rd. whereas the applicant proposed 48 feet. The applicant will be required to construct a dedicated east bound left turn lane on Ustick Road at Sunnyside Way, and a dedicated north bound right turn lane and south bound left turn lane on Black Cat Road at Aspenstone Drive. The applicant will be required to construct 10 ft. wide pathways along N. Black Cat Rd and W. Ustick Rd whereas 5 ft. sidewalks had been proposed. No improvements are planned for W. McMillian Rd.

H. 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 attached and detached dwellings as well as multifamily based on the number of bedrooms per unit. Future development should comply with these standards.

I. Pathways (*UDC 11-3A-8*):

No pathways are indicated on the Master Pathways Map or are proposed with this subdivision.

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

Five-foot detached sidewalks are proposed along internal streets in accord with the standards listed in UDC 11-3A-17. The plat shows 5-foot detached sidewalks proposed along N. Black Cat Rd. and W. Ustick Rd, but these are now proposed to be 10 ft. wide pathways based on the traffic study.

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

Parkways are provided between the detached sidewalks and road on both sides of all local roads. All parkways meet the requirements of 11-3A-17 and 11-3B-7 including at least 8 ft. in width and landscaped with at least 1 tree per 35 feet.

L. Landscaping (*UDC 11-3B*):

UDC 11-2A-6 requires 25 ft. wide buffers along arterial roads (N. Black Cat Rd. and W. Ustick Rd.) The landscape plan reflects buffers of at least 30 ft. exceeding the requirements. As mentioned above, all roads internal to the subdivision have detached sidewalks with 8 ft. parkways that meet the requirements of UDC 11-3A-17 except for the two proposed alleys at the east and west.

Common open space is required to be landscaped in accord with the standards listed in UDC 11-3G-3E. Landscaping is depicted in common areas in excess of UDC standards.

There are existing trees on the site around the existing homes that are proposed to be retained that may require mitigation if removed. The Applicant coordinated with Matt Perkins, the City Arborist, who mentioned there did not appear to be any trees meeting the mitigation requirement per the standards listed in UDC 11-3B-10C.5.

The landscape plan includes 10.49 acres of qualified open space (15.5%) as will be discussed in the Qualified Open Space and Amenities sections below. As this is a three-phase project, staff is recommending all road frontage improvements along N. Black Cat Rd and W. Ustick Rd be completed with the first phase.

The applicant submitted an updated preliminary plat on January 25, 2022 but has not yet submitted a revised landscape plan or open space that matches the updated plat. Staff is requiring the revised plans as a condition of approval.

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

A minimum of 15% qualified open space meeting the standards listed in UDC 11-3G-3 is required to be provided with development. 15.5% (10.49 acres) of qualified open space is shown. This includes two larger parks of 114,283 sq. ft. and 65,401 sq. ft., several smaller open space areas of 24,000 sq. ft. and 17,330 sq. ft., parkways which meet the minimum requirements, ½ of the area of arterial buffers and open space corridors that meet the minimum dimensional requirements of at least 20 ft. in width by 50 ft. in length with an access at each end.

It does appear that the project meets the minimum open space requirements, although there are portions of Lot 13 of Block 2, Lot 7 and 43 of Block 6, and Lot 6 of Block 9 that do not meet the minimum required 20 ft. width to be credited as open space. The open space exhibit should be revised accordingly.

As already mentioned, it is unknown at this time if the property proposed for R-15 zoning will be townhomes or multifamily. Depending on which housing type is eventually chosen, there could be additional qualified open space requirements.

There appears to be common lots used for stormwater drainage. Any common lots proposed for drainage shall meet the landscape requirements of 11-3B-11.

M. Qualified Site Amenities (*UDC 11-3G*):

Based on the 48.83-acre area proposed for R-8 zoning, 10 amenity points are required. Because this project is more than 40 acres, amenities are required from all the separate categories listed in Table 11-3G-4.

This application proposes a community pool and changing rooms, children's play structure, and clubhouse. Although the square footage is not indicated, the clubhouse scales to greater than 5,000 sq. ft. qualifying it for 6 amenity points in the Quality of Life Amenity Category. A swimming pool with changing rooms is shown (although it does not indicate whether restrooms are included) which would qualify it for 6 amenity points, and a children's play structure is indicated, which would qualify an additional 1 amenity point from the Recreation Activity Area Amenities Category. Although the 13 total points would exceed the minimum, as described above, there would need to be amenities provided from the Multi-Modal and Pedestrian or Bicycle Circulation System amenity categories. Applicant should revise the open space plan to indicate whether all amenity categories are met.

As already mentioned, the applicant has stated that at present they do not know if the R-15 zoned portion will be townhomes or multifamily. Additional amenities and qualified open space could be required based on housing type.

N. Waterways (*UDC 11-3A-6*):

The plat indicates the Rutledge Drain and a concrete irrigation ditch bisecting the property at an approximately 45-degree angle. Both will be required to be piped per UDC 11-3A-6. Coordination will be ongoing with the irrigation districts managing the waterways to meet their requirements. A very small portion of the property is within a FEMA designated A Zone. This area is preserved within an open space lot (Lot 1, Block 1). As required per UDC 11-3A-6, irrigation easements wider than ten (10) feet shall be included in a common lot that is a minimum of twenty (20) feet wide and outside of a fenced area, unless otherwise waived by City Council.

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

The landscape plan shows 6 ft. high solid vinyl fencing. Fencing as shown does not appear to obstruct visibility into any common lots or open spaces. The landscape plan does not show any fencing abutting pathways or common open space areas to distinguish common lots from private areas. There also does not appear to be any fencing shown around the perimeter of the pool. All fencing must meet the requirements of 11-3A-6 and 11-3A-7 as well as building code.

P. Utilities (*UDC 11-3A-21*):

Public services are available to accommodate the proposed development. Urban sewer and water infrastructure and curb, gutter and sidewalk is required to be provided with development as proposed.

Q. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

The Applicant has submitted elevations of the single-family homes for this project (see Section VII below).

The single-family homes are depicted as one and two-story structures with attached garages, and a variety of architectural elements and finish materials including gabled roofs, covered porches, dormers, stone wainscoting, and lap siding. The submitted sample elevations appear to meet design requirements for single-family homes but do not include elevations of the sides or rears of structures.

A number of the houses will be very visible from N. Black Cat Rd. and the townhomes or multifamily will be on the corner (and very visible) of N. Black Cat Rd and W. Ustick Rd. Therefore, staff recommends a condition that the rear and/or sides of 2-story structures that face N. Black Cat Rd. and / or W. Ustick Rd incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up

monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

Design review is required for single family attached or multifamily structures. The applicant is unsure which type of product will be constructed on Lots 1 of Block 4 and Lot 2 of Block 3 (the area proposed for R-15 zoning. The applicant has not provided any elevations for the potential attached or multifamily units. To ensure consistency throughout the development, staff recommends a condition that architecture of all single family attached or multifamily units be generally consistent with the single-family elevations provided in this application.

VI. DECISION

A. Staff:

Staff has raised concerns with traffic and how this project will transition MU-NR designated property to the east above, however the proposal is consistent with the density allowances of the FLUM, the traffic study shows improvements in this area will occur in the future, and most dimensional standards have been satisfied. Therefore, staff recommends approval of the requested annexation and preliminary plat with the conditions noted in Section IV. per the Findings in Section VIII.

B. The Meridian Planning & Zoning Commission heard this item on February 3, 2022. At the public hearing, the Commission moved to DENY the subject annexation and preliminary plat request.

1. Summary of the Commission public hearing:

- a. In favor: Jon Wardle, Mike Wardle
- b. In opposition: None
- c. Commenting: Jon Wardle
- d. Written testimony: None
- e. Staff presenting application: Alan Tiefenbach
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

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

- a. Comments regarding the length of the block at the east without a break.
- b. Concerns expressed regarding the traffic study being analyzed was four years old and was completed before even most of the adjacent development was approved, roads are already congested, and improvements are still years out.
- c. Comments that the applicant is trying to fit in as many lots as they can.
- d. Issue with the proximity to industrial uses and lack of transition.
- e. Comments that additional development in this area is premature and it would not be responsible to support this project.

4. Commission change(s) to Staff recommendation:

- a. As Commission recommended denial, all staff's conditions have been stricken.

C. The Meridian City Council heard these items on March 8, 2022. At the public hearing, the Council moved to approve the subject annexation and preliminary plat request.

1. Summary of the City Council public hearing:

- a. In favor: Jon Wardle, Mike Wardle
- b. In opposition: None
- c. Commenting: Jon Wardle
- d. Written testimony: None
- e. Staff presenting application: Alan Tiefenbach
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:
 - a. Two citizens testified in regard to existing traffic along N. Black Cat Rd, W. Ustick Rd and that the City should require infrastructure to catch up before any more projects are approved in this area.
3. Key issue(s) of discussion by City Council:
 - a. Council discussed timing of improvements
 - b. Discussion regarding preferring the conditional use any multifamily come to them rather than just the Planning Commission
 - c. Council noted their preference for the multifamily lots to the south developed with townhouses rather than apartments.
4. City Council change(s) to Commission recommendation:
 - a. Council reverted Staff's conditions of approval back from the Commission's deletion.
 - b. Council added a condition that any conditional use permit for multifamily shall be approved by Council.
 - c. Deleted staff condition regarding all frontage improvements along N. Black Cat Rd. and W. Ustick Rd. being required to be constructed with the first phase of development.
 - d. Revised staff condition to require concept plan and conceptual elevations to be submitted concurrently with any CUP for multifamily development.
 - e. Deleted staff's conditions regarding transition being provided adjacent to the property to the east.

VII. EXHIBITS

A. Annexation Legal Description and Exhibit Maps (date: July 13, 2021)

July 13, 2021
Project No. 21-027
Quartet South Subdivision

Exhibit A Legal Description for Annexation and Rezone to R-8

A parcel of land being a portion of the West 1/2 of the Southwest 1/4 of Section 34, Township 4 North, Range 1 West, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Southwest corner of said Section 34, which bears N89°10'57"W a distance of 1,314.40 feet from an aluminum cap marking the Southeast corner of said West 1/2 of the Southwest 1/4 (West 1/16 corner), thence following the westerly line of the Southwest 1/4 of said Section 34, N00°27'12"E a distance of 696.43 feet to the **POINT OF BEGINNING**;

Thence following said westerly line, N00°27'12"E a distance of 1,279.60 feet;
Thence leaving said westerly line, S89°13'35"E a distance of 77.99 feet;
Thence N00°27'19"E a distance of 175.59 feet to a 5/8-inch rebar;
Thence N45°27'19"E a distance of 29.19 feet to a 5/8-inch rebar;
Thence S89°32'41"E a distance of 589.03 feet to a 5/8-inch rebar;
Thence 423.64 feet along the arc of a curve to the left, said curve having a radius of 520.00 feet, a delta angle of 46°40'43", a chord bearing of N67°06'57"E and a chord distance of 412.02 feet to a 5/8-inch rebar;
Thence N43°46'36"E a distance of 306.45 feet to a 5/8-inch rebar;
Thence 60.97 feet along the arc of a curve to the right, said curve having a radius of 517.00 feet, a delta angle of 06°45'23", a chord bearing of N47°09'17"E and a chord distance of 60.93 feet to a 5/8-inch rebar on the easterly line of said West 1/2 of the Southwest 1/4;
Thence following said easterly line, S00°35'24"W a distance of 2,151.36 feet;
Thence leaving said easterly line, 77.20 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet, a delta angle of 29°29'19", a chord bearing of S75°50'44"W and a chord distance of 76.35 feet;
Thence S61°06'05"W a distance of 123.38 feet;
Thence 97.64 feet along the arc of a curve to the left, said curve having a radius of 350.00 feet, a delta angle of 15°59'00", a chord bearing of N40°18'29"W and a chord distance of 97.32 feet;
Thence N48°17'59"W a distance of 210.32 feet;
Thence 128.28 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a delta angle of 48°59'53", a chord bearing of N23°54'33"W and a chord distance of 124.40 feet;
Thence N89°24'36"W a distance of 861.05 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 48.83 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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





0 300 600 900

Plan Scale: 1" = 300'

Unplatted

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°13'35"E	77.99
L2	N0°27'19"E	175.59
L3	N45°27'19"E	29.19
L4	S61°06'05"W	123.38

N. Black Cat Rd.

N00°27'12"E 1279.60'

Unplatted
Annexation and Rezone Area: 48.83± AC
APN: S0434325867 (Portion)
Current Zoning: RUT
Proposed Zoning: R-8

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	520.00'	423.64'	46°40'43"	N67°06'57"E	412.02'
C2	517.00'	60.97'	6°45'23"	N47°09'17"E	60.93'
C3	150.00'	77.20'	29°29'19"	S75°50'44"W	76.35'
C4	350.00'	97.64'	15°59'00"	N40°18'29"W	97.32'
C5	150.00'	128.28'	48°59'53"	N23°54'33"W	124.40'

POINT OF BEGINNING

N00°27'12"E
696.43' (TIE)

N89°24'36"W 861.05'

Unplatted

N48°17'59"W
210.32'

POINT OF COMMENCEMENT
SW CORNER SECTION 34
FOUND ALUMINUM CAP

W 1/16 CORNER
SECTIONS 3 & 34
FOUND ALUMINUM CAP

W. Ustick Rd.

N89°10'57"W 1314.40'
BASIS OF BEARING

S00°35'24"W 2151.36'

Unplatted

S00°35'24"W
456.77' (TIE)

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmenglp.com

DATE: July 2021
PROJECT: 21-027

SHEET:
1 OF 1

Exhibit B
Annexation and Rezone to R-8

Quartet South Subdivision
W 1/2 SW 1/4 Sec. 34, T4N., R1W., BM., Ada County, Idaho

July 13, 2021
Project No. 21-027
Quartet South Subdivision

Exhibit A
Legal Description for Annexation and Rezone to R-15

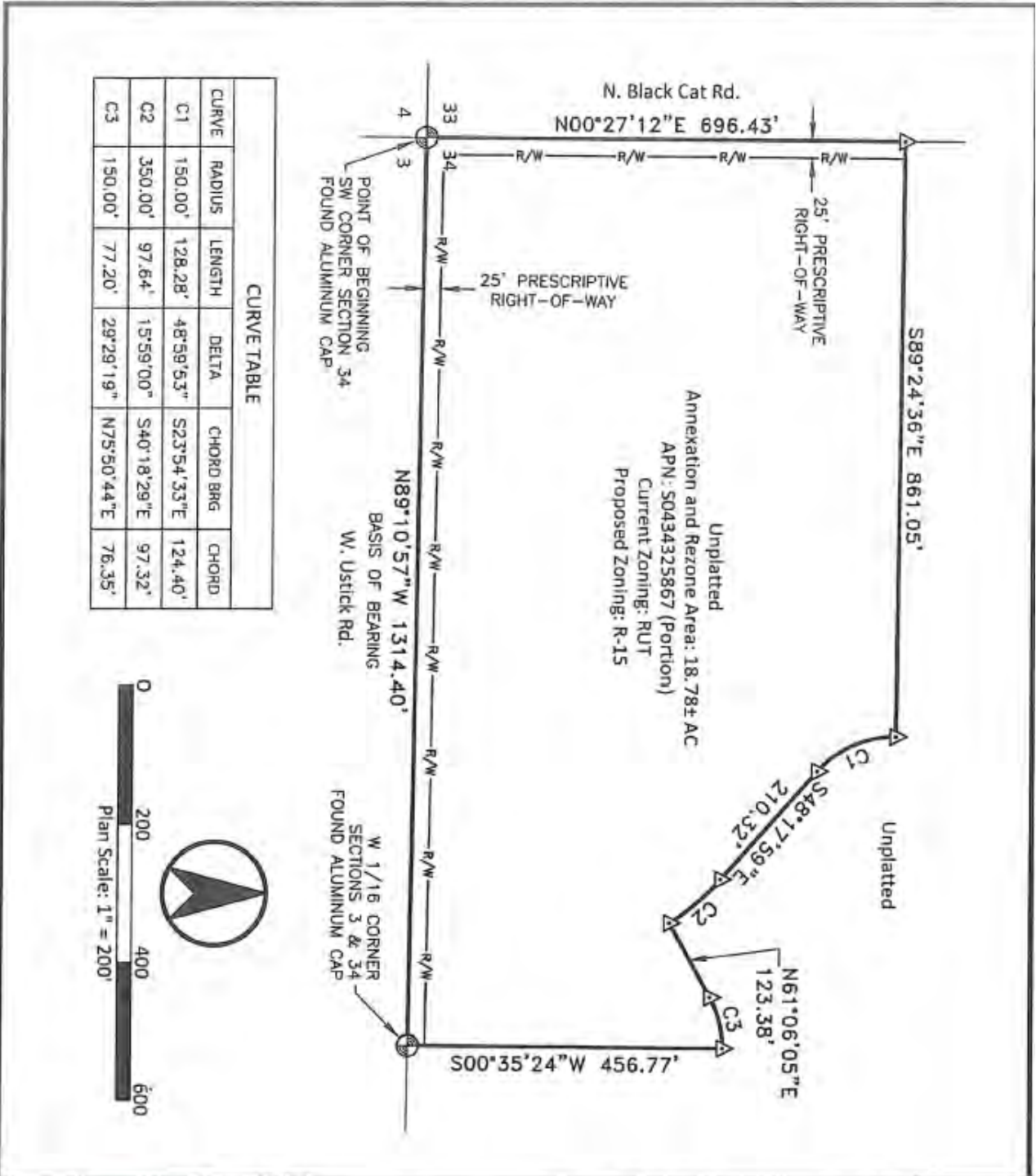
A parcel of land being a portion of the West 1/2 of the Southwest 1/4 of Section 34, Township 4 North, Range 1 West, B.M., Ada County, Idaho being more particularly described as follows:

Beginning at an aluminum cap marking the Southwest corner of said Section 34, which bears N89°10'57"W a distance of 1,314.40 feet from an aluminum cap marking the Southeast corner of said West 1/2 of the Southwest 1/4 (West 1/16 corner), thence following the westerly line of the Southwest 1/4 of said Section 34, N00°27'12"E a distance of 696.43 feet;
Thence S89°24'36"E a distance of 861.05 feet;
Thence 128.28 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet, a delta angle of 48°59'53", a chord bearing of S23°54'33"E and a chord distance of 124.40 feet;
Thence S48°17'59"E a distance of 210.32 feet;
Thence 97.64 feet along the arc of a curve to the right, said curve having a radius of 350.00 feet, a delta angle of 15°59'00", a chord bearing of S40°18'29"E and a chord distance of 97.32 feet;
Thence N61°06'05"E a distance of 123.38 feet;
Thence 77.20 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a delta angle of 29°29'19", a chord bearing of N75°50'44"E and a chord distance of 76.35 feet to the easterly line of said West 1/2 of the Southwest 1/4;
Thence following said easterly line, S00°35'24"W a distance of 456.77 feet to an aluminum cap marking the Southeast corner of said West 1/2 of the Southwest 1/4 (West 1/16 corner);
Thence leaving said easterly line and following the southerly line of said West 1/2 of the Southwest 1/4, N89°10'57"W a distance of 1,314.40 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 18.78 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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





CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	150.00'	128.28'	48°59'53"	S23°54'33"E	124.40'
C2	350.00'	97.64'	15°59'00"	S40°18'29"E	97.32'
C3	150.00'	77.20'	29°29'19"	N75°50'44"E	76.35'

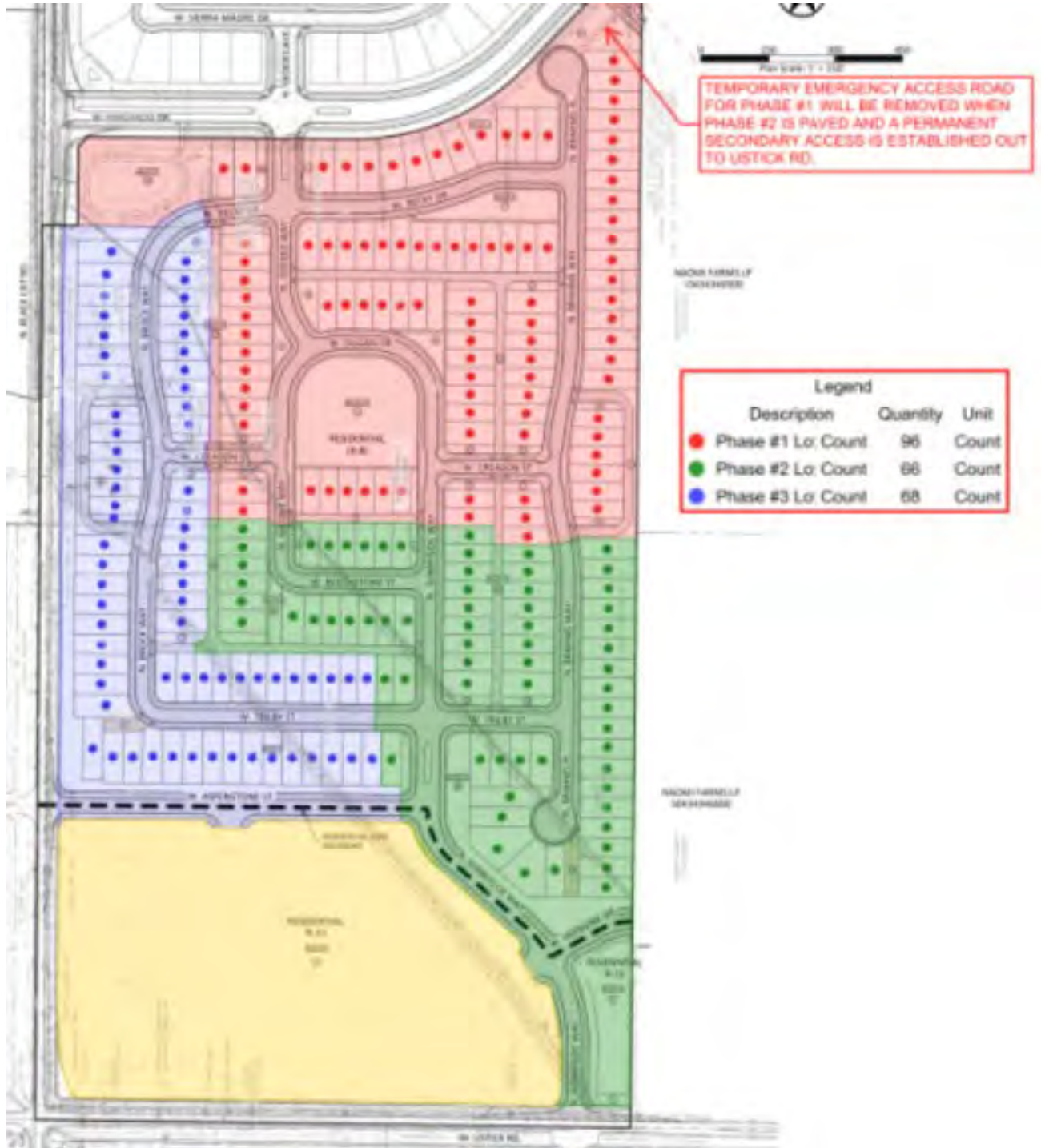


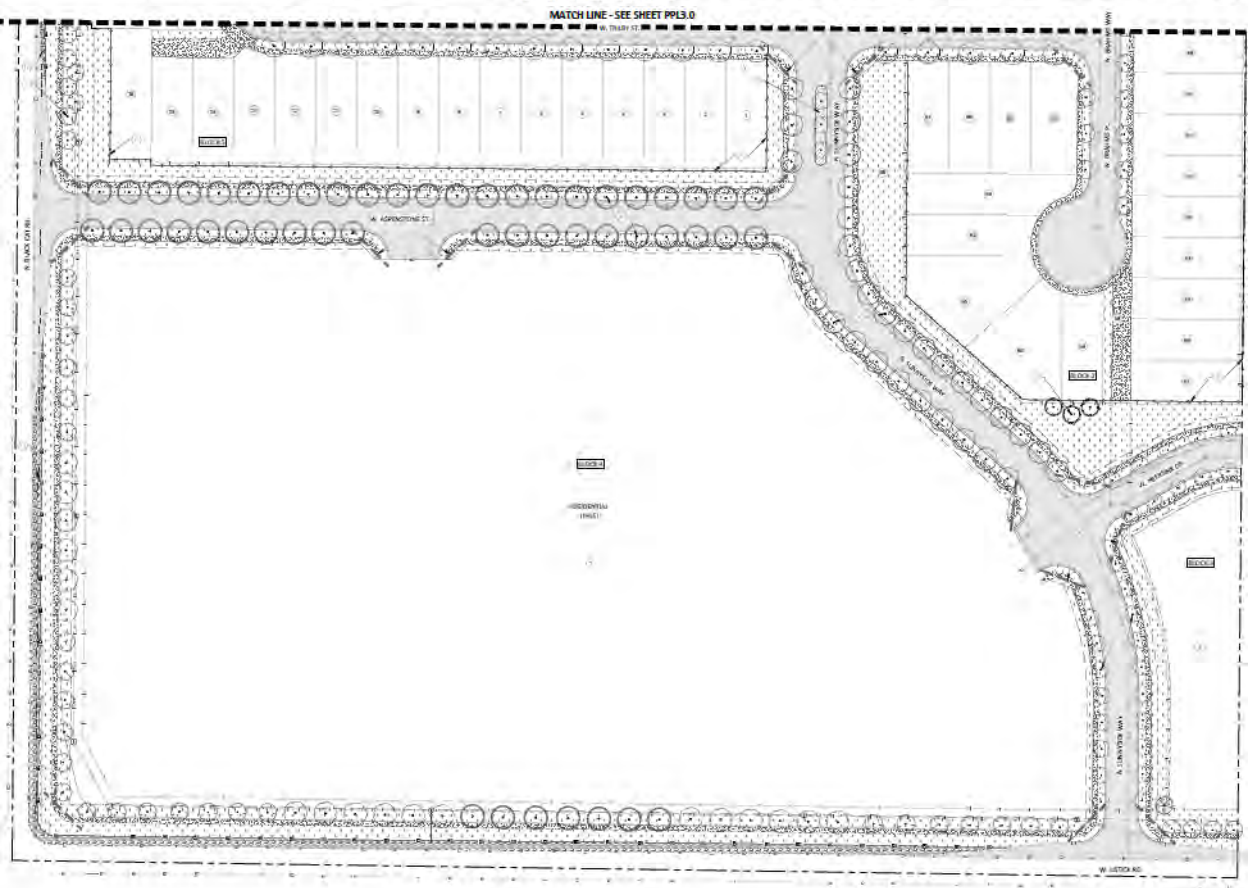
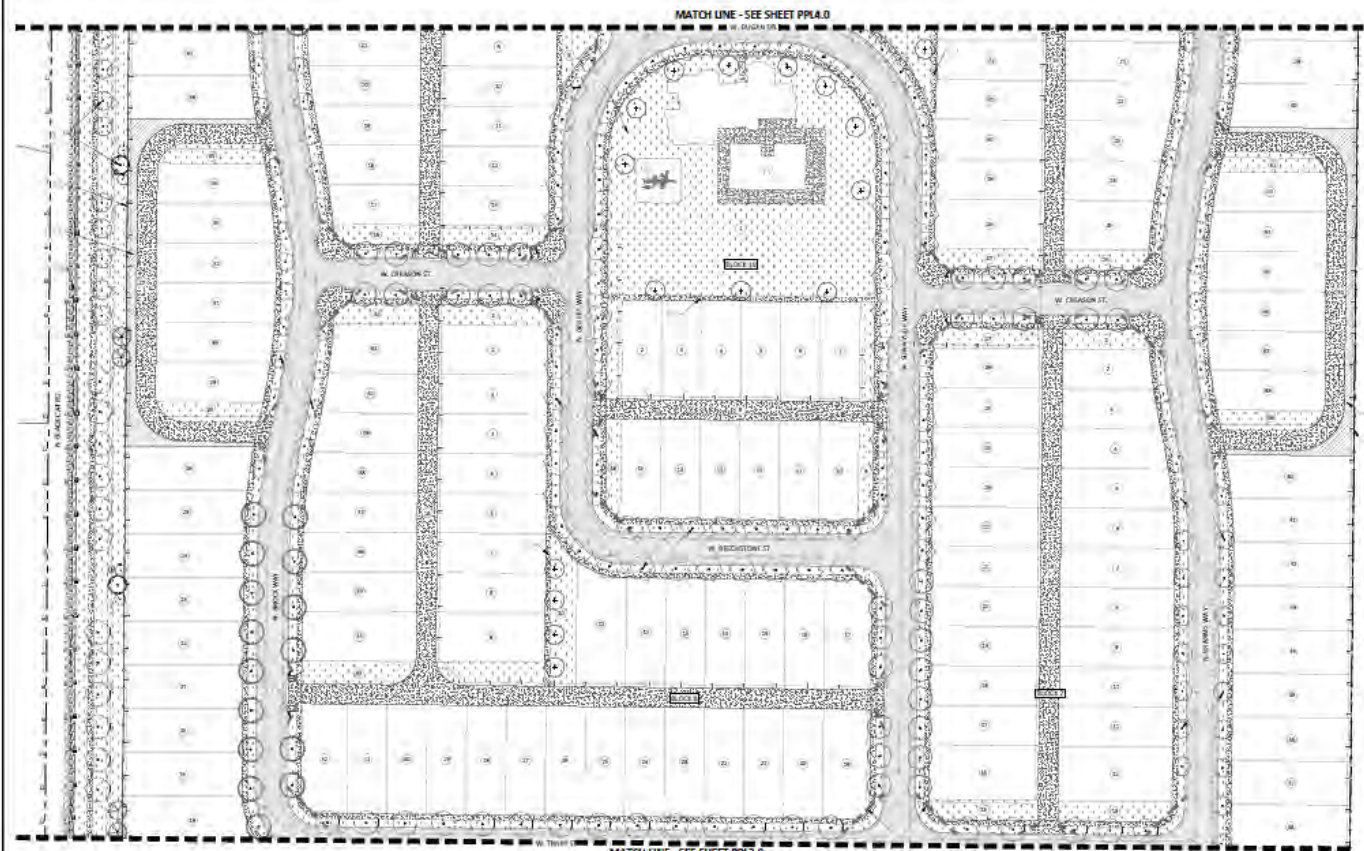
<p>km ENGINEERING 3725 NORTH DISCOVERY WAY BOISE, IDAHO 83713 PHONE (208) 639-6139 kmenr@kmb.com</p>	<p>Exhibit B Annexation and Rezone to R-15</p>	<p>Quartet South Subdivision W 1/2 SW 1/4 Sec. 34, T4N., R1W., BM., Ada County, Idaho</p>
<p>SHEET: 1 OF 1</p>	<p>DATE: July 2021 PROJECT: 21-027</p>	

B. Preliminary Plat (date: ~~4/25/2022~~ 2/25/2022)

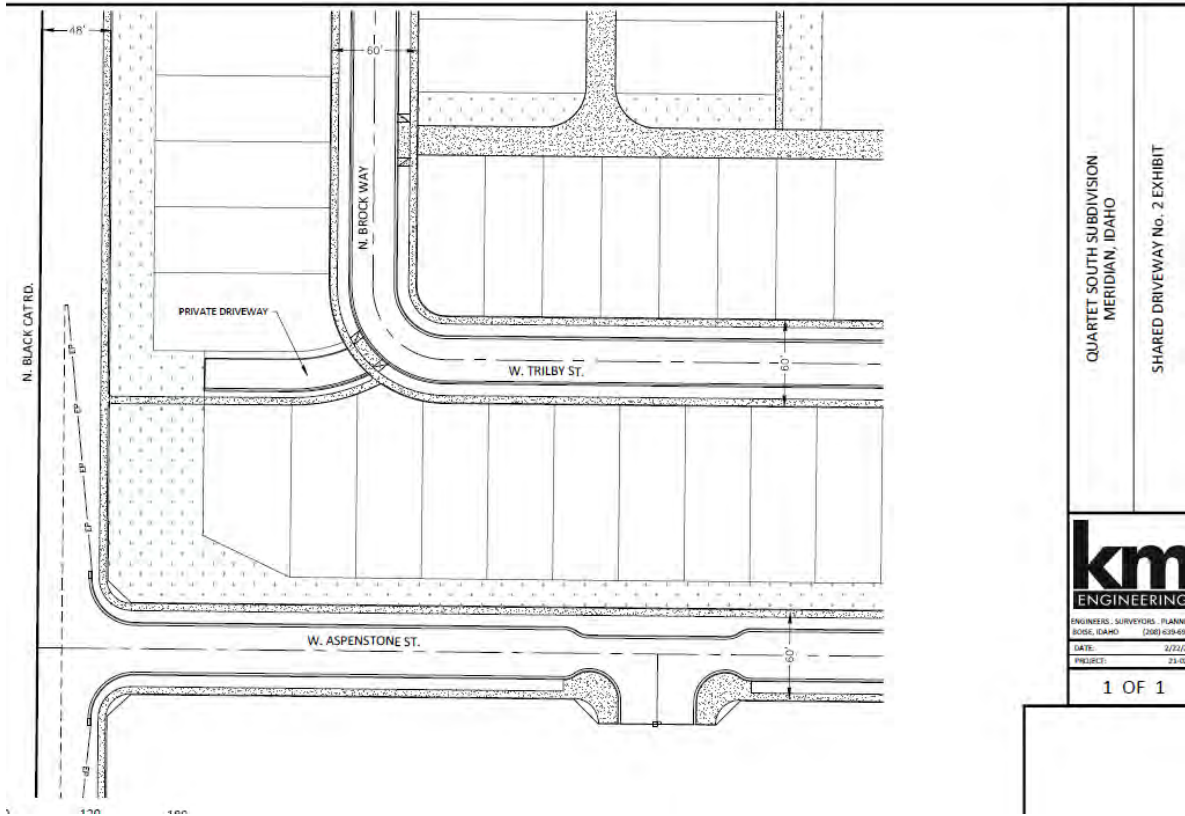


C. Phasing Plan (date: 7/25/21)





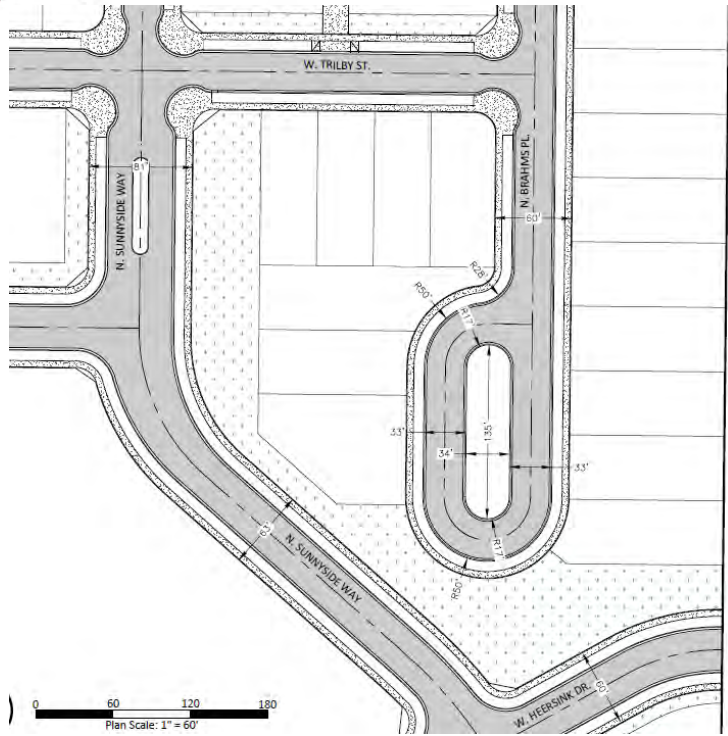
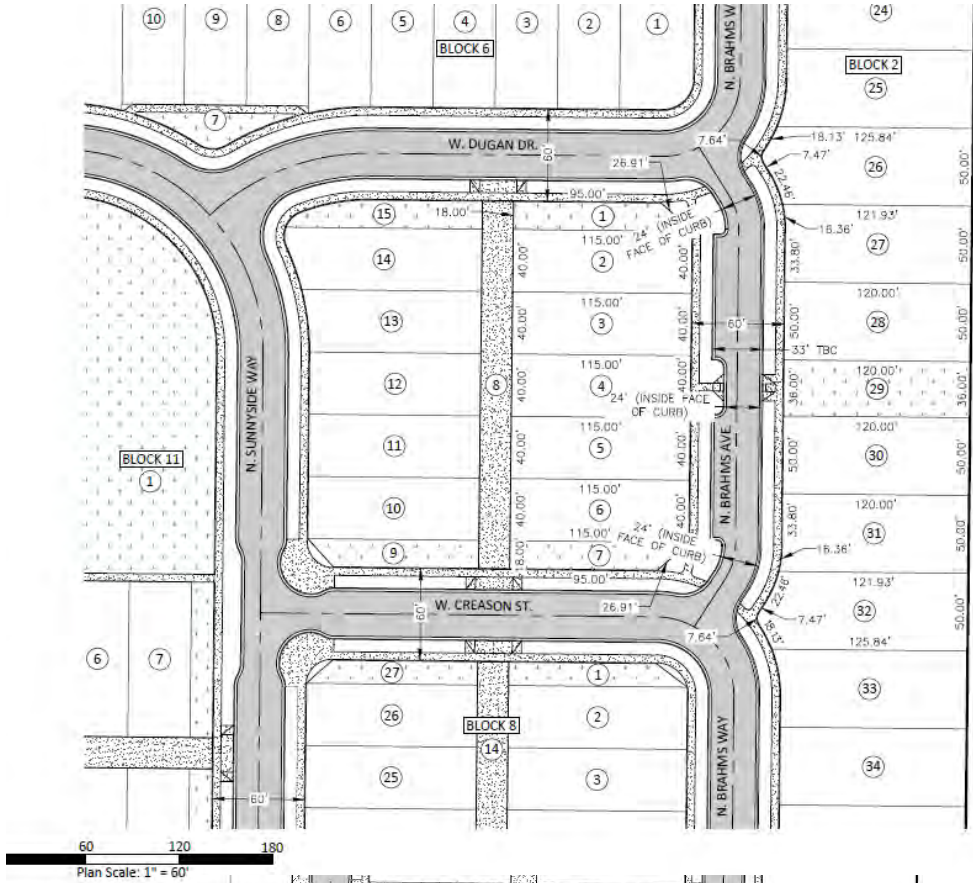
G. Common Drive Exhibits (date: ~~7/15/21~~ 2/22/2022)



QUARTET SOUTH SUBDIVISION
MERIDIAN, IDAHO
SHARED DRIVEWAY No. 2 EXHIBIT

km
ENGINEERING
ENGINEER, SURVEYOR, PLANNER
BOISE, IDAHO (208) 439-4984
DATE: 2/22/22
PROJECT: 23-02
1 OF 1

H. Road Realignments (date 2/25/2022)



I. Conceptual Elevations









Quartet South Residential -

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer. A final plat application will not be accepted until the DA is fully executed.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VI and the provisions contained herein.
 - ~~b. All frontage improvements along N. Black Cat Rd and W. Ustick Rd shall be completed with the first phase of development.~~
 - c. The applicant shall be required to amend the development agreement to include a concept plan and conceptual elevations ~~prior~~ **concurrently with** submitting a CUP for a multi-family development.
 - d. City Council shall grant final approval or denial on any future conditional use permit for multifamily uses.**
 - e. The rear and/or sides of 2-story structures that face N. Black Cat Rd. and / or W. Ustick Rd shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.
 - f. To ensure consistency throughout the development, any future townhome or multifamily dwellings shall be generally consistent with the single-family elevations provided in this application.
2. The Preliminary Plat included in Section VI, dated 2/25/2022, is approved with the following revisions:
 - ~~a. The plat should be revised to provide a transition between the east property line and the adjacent property to the east. Staff recommends a north-south road along the eastern property line.~~
 - ~~b. All alleys shall meet the requirements of UDC 11-6C-3 that requires the entire length to be visible from a public street.~~
 - c. All pathways and micropath shall be within a separate common lot or easement as required per UDC 11-3A-8.
 3. The landscape plan and open space exhibit shall be revised to match the Preliminary Plat, dated 2/25/2022.

4. Prior to City Council, the open space exhibit shall be revised to remove any areas of less than 20 ft. in width from being credited as qualified open space.
5. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
6. Any common lots proposed for drainage shall meet the landscape requirements of 11-3B-11.
7. Per UDC 11-3A-6, irrigation easements wider than ten (10) feet shall be included in a common lot that is a minimum of twenty (20) feet wide and outside of a fenced area, unless otherwise waived by City Council.
8. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
9. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
10. All laterals shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6.
11. Pathway and adjoining fences and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A7, 11-3A-8 and 11-3B-12C.
12. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
13. All common driveways shall meet the requirements of 11-6C-2-D including a perpetual ingress/egress easement being filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.
14. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
15. The Applicant shall comply with all conditions of ACHD.

B. PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. The geotechnical investigative report prepared by Atlas Technical Consultants, LLC indicates some very specific construction considerations. The applicant shall be responsible for the adherence of these recommendations to help ensure that groundwater does not become a problem within crawlspaces of homes.
2. Due to the low permeability of the soils on site, a mass grading plan shall be developed to show how the site will manage drainage for each lot. See the geotechnical investigation prepared by Atlas Technical Consultants LLC.
3. Water main shall be built in the proposed roadway at the northeast corner of this development, and shall be extended to the existing water main stub from Quartet Southeast Subdivision.

4. The slope of proposed sewer main line “B” shall be installed at the minimum allowed slope (0.40%) throughout the project. This is to maximize sewer depth for future development eastward.
5. Ensure no sewer service lines pass through infiltration trenches.
6. There appears to be trees planned within a sewer easement. These must be moved. No permanent structures including but not limited to trees, bushes, carports, buildings, trash enclosures, fences, light poles, infiltration trenches, etc. shall be built or left within a City utility easement.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot 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.
4. 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.
5. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
6. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
7. 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.

8. 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.
9. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
17. Developer shall coordinate mailbox locations with the Meridian Post Office.
18. 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.
19. 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.
20. 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.

21. 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.
22. 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.
23. 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.
24. 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. RESPONSE FROM APPLICANT REGARDING TRANSITION

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250949&dbid=0&repo=MeridianCity>

D. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243073&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243071&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243231&dbid=0&repo=MeridianCity>

F. CITY ARBORIST

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243078&dbid=0&repo=MeridianCity>

G. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244626&dbid=0&repo=MeridianCity>

H. COMPASS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244626&dbid=0&repo=MeridianCity>

I. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244322&dbid=0&repo=MeridianCity>

J. WEST ADA SCHOOL DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250630&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. ANNEXATION AND / OR REZONE (UDC 11-5B-3E)

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

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

Council finds annexation of the subject site with an R-8 and R-15 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

As noted above, there are changes that are required in regard to block length and alley orientation. Otherwise, Council finds the layout proposed will be consistent with the purpose statement of the residential districts in that housing opportunities will be provided consistent with the Comprehensive Plan.

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

Council finds the map amendment will not be materially detrimental to the public health, safety, and welfare. The Council considered oral or written testimony that was provided when determining this finding.

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

Council finds that the proposed zoning amendment would not result in adverse impact upon the delivery of services by any political subdivision providing services to this site.

5. The annexation (as applicable) is in the best interest of city.

The Council finds this annexation (as applicable) is in the best interest of 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: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

With the revisions listed in Section VIII, Council finds the proposed plat would generally be in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.

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

Council finds public services can be made available to the subject property 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;

Council finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's CIP.

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

Council 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
Council finds the development will not be detrimental to the public health, safety or general welfare.
6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)
There are several laterals along the property that will be piped, but are not natural features. According to the landscape plan, there are no healthy trees onsite meeting the requirements for preservation.