

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



In the Matter of the Request for annexation, zoning and preliminary plat approval, by Jarron Langston.

Case No(s). H-2023-0047

For the City Council Hearing Date of: April 9, 2024 (Findings on April 23, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of April 9, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of April 9, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of April 9, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of April 9, 2024, 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 April 9, 2024, 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, zoning and preliminary plat approval is hereby approved per the conditions of approval in the Staff Report for the hearing date of April 9, 2024, 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 Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. 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 conditional use comply with the current provisions of Meridian

City Code Title 11(UDC 11-5B-6F).

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 April 9, 2024

By action of the City Council at its regular meeting held on the _____ day of _____, 2024.

COUNCIL PRESIDENT LUKE CAVENER VOTED _____

COUNCIL VICE PRESIDENT LIZ STRADER VOTED _____

COUNCIL MEMBER DOUG TAYLOR VOTED _____

COUNCIL MEMBER JOHN OVERTON VOTED _____

COUNCIL MEMBER ANNE LITTLE ROBERTS VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert E. 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: April 9, 2024

TO: Mayor & City Council

FROM: Linda Ritter, Associate Planner
208-884-5533

SUBJECT: Keep West Subdivision – AZ, PP
H-2023-0047

LOCATION: 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln., in the NE 1/4 of Section 5, T.2N., R.1E. (Parcel # R7317670010 and R7317670020)



I. PROJECT DESCRIPTION

Annexation and zoning of 16.25 acres of land from RUT to R-2 (low "density residential") zoning district and a Preliminary Plat consisting of 21½ buildable lots, one existing home and 8 common lots on 15.76 acres of land in the R-2 zoning district for Keep West Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	Annexation 16.25 acres / Preliminary Plat 15.76
Future Land Use Designation	Medium Density Residential (MDR) and Low Density Residential (LDR)
Existing Land Use	Rural Urban Transition (RUT)
Proposed Land Use(s)	Single-family detached dwellings
Current Zoning	Rural Urban Transition (RUT) in Ada County
Proposed Zoning	R-2 (Low Density Residential)
Lots (# and type; bldg/common)	22½ building (1 existing)/ 3 common/2 irrigation easement lots
Phasing plan (# of phases)	1
Number of Residential Units (type of units)	22½ single-family detached units, including one existing home
Density (gross & net)	1.3946 units/acre (gross)
Open Space (acres, total [%] / buffer / qualified)	1.2630-acre (or 8%) consisting of street buffer and open space area.
Amenities	NA
Physical Features (waterways, hazards, flood plain, hillside)	The Farr and Grimmet Laterals run along the west & east boundaries of the site.

Neighborhood meeting date	1/4/23
History (previous approvals)	Raap Ranch Subdivision recorded in 2013

B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> • Staff report (yes/no) 	Yes
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No
<ul style="list-style-type: none"> • TIS (yes/no) 	No (not required)
<ul style="list-style-type: none"> • Level of Service (LOS) 	Better than “D” at PM peak hours, which is an acceptable LOS for a 5-lane principal arterial (Lake Hazel Road).
<ul style="list-style-type: none"> • Existing Conditions 	There are three existing driveways serving the existing homes via E. Lake Hazel Road.
<ul style="list-style-type: none"> • CIP/IFYWP 	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): <ul style="list-style-type: none"> • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Eagle Road and is under construction with a completion date later in 2023. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and signalized in 2024.
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses exist via E. Wickham Street and S. Netherfield Way, local streets. The existing access from E. Lake Hazel Road will be residential access will become an access for emergency vehicles only. No direct access is proposed via E. Lake Hazel Road.
Proposed Road Improvements	
Fire Service	This project currently falls in an area where we don’t have total response times for an effective firefighting force to meet NFPA 1710 standards or current City of Meridian adopted standards. The first due station is Fire Station 7. This fire station is approximately 1.0 mile from the project which is good for the first due engine. See attached comments https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330404&dbid=0&repo=MeridianCity
Police Service	<i>No comments received</i>
West Ada School District	<i>No comments received</i>
Wastewater	
<ul style="list-style-type: none"> • Distance to Sewer Services 	Directly adjacent
<ul style="list-style-type: none"> • Sewer Shed 	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU’s 	See application
<ul style="list-style-type: none"> • WRRF Declining Balance 	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> • Impacts/Concerns 	Flow is committed

Water	
• Distance to Services	Water is available at site
• Pressure Zone	
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jarron Langston – 9563 W. Harness Drive, Boise, ID 83709

B. Owners:

Brian D. and Mary L. Affleck – 6519 S Raap Ranch Lane, Meridian, ID 83642

C. Representative:

Ted Burke, EDM Partners – 2815 E 3300 S, Salt Lake City, UT, 84109

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	2/20/2024	3/25/2024
Radius notification mailed to property owners within 500 feet	2/16/2024	3/22/2024
Public hearing notice sign posted on site	2/24/2024	3/27/2024
Nextdoor posting	2/26/2024	3/25/2024

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low Density Residential (LDR), which allows for dwelling units at gross densities of 3 dwelling units per acre; and Medium Density Residential (MDR), which allows for dwelling units at gross densities of 3 to 8 dwelling units per acre on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#).

The Comprehensive Plan allows an adjacent, abutting designation, when appropriate and approved as part of a public hearing with a development application, to be used. Over half of the property has a future land use designation of low density residential, the applicant has proposed to continue that use for the entire development as allowed in the Comprehensive Plan.

The Applicant proposes a ~~22~~ 23-lot subdivision for single-family residential detached homes at a gross density of ~~1.3946~~ units per acre, which meets the comprehensive plans desire of larger lots in the LDR designation. The property is surrounded by single-family residential homes zoned R-2 and R-4 (Low Density Residential), R-8 (Medium Low-Density Residential), and R-15 (Medium-High Density Residential) indicating a mix of low and medium density residential zones.

Staff has considered multiple factors, including the surrounding mix of low and medium density residential zones, the presence of irrigation ditches on the east and west sides of the property, and the proposed gross density of ~~1.3946~~ units per acre. In light of these considerations, staff is supportive of the applicant's request to zone the property as Low Density Residential (LDR) for the proposed ~~22~~ 23-lot subdivision.

TRANSPORTATION: The Master Street Map (MSM) does not depict any collector streets across this property. Lake Hazel Road is scheduled in ACHD’s Integrated Five Year Work Plan (IFYWP) to be widened to 5-lanes from Cloverdale Road to Eagle Road and is under construction with a completion date later in 2023. The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP

to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and signalized in 2024. Lake Hazel Rd. is currently improved with 2 travel lanes (one in each direction) and has no curb, gutter or sidewalk.

ACHD's Roadways to Bikeways Master Plan (BMP) identifies Lake Hazel Road as Level 3 facilities that will be constructed as part of the aforementioned Lake Hazel Road IFYWP ACHD project.

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

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

The proposed single-family detached dwellings offers a mix of home and lot sizes that should contribute to the variety of housing options in this area and within the City as desired.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.

- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A)

The proposed site design with larger lot sizes abutting similar size lots to the east in the Keep Subdivision and smaller size lots to the west in the Vertex Subdivision No. 1 and 2 will provide a good transition in density and lot sizes to abutting parcels.

Although the FLUM designation for the proposed preliminary plat is MDR and LDR, the applicant has chosen to move forward with LDR as it is located between two irrigation ditches (Farr and Grimmer laterals) and will be similar to the existing Keep Subdivision to the east.

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

The proposed and existing adjacent uses are all single-family detached residential homes, which should be generally compatible with each other, thereby reducing conflicts and maximizing use of land.

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

Development of the subject infill property will not negatively impact abutting existing development due to the similar lots sizes and density proposed. The property is separated from the adjacent developments by irrigation ditches on the east and west side of the property. The density is similar to the existing Keep Subdivision to the east.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development, including the existing home, will connect to City water and sewer

systems with development of the subdivision; services are required to be provided to and though this development in accord with current City plans.

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

Per ACHD’s staff report, Lake Hazel Road is currently being improved to 5-travel lanes, vertical curb, gutter, 4-foot wide permeable pavers, and a 10-foot wide concrete sidewalk abutting the site. Sidewalks are proposed throughout the development along the proposed streets. The sidewalk along E. Wickham Street will provide a pedestrian connection to the development to the east and along S. Netherfield Way to the west. Currently there are no pedestrian pathway stubs to this property from adjacent developments.

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Urban sewer and water infrastructure and curb, gutter and sidewalks are required to be provided with development of the subdivision.

- “Eliminate existing private treatment and septic systems on properties annexed into the City and instead connect users to the City wastewater system; discourage the prolonged use of private treatment septic systems for enclave properties.”

With redevelopment of the site, the existing home is required to connect to City water and sewer service and the existing septic system and well should be abandoned.

- “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 three (3) access points on E. Lake Hazel Road for this property (and an irrigation access). With development, this access will be closed and access will be provided internally from within the subdivision via the extension of E. Wickham Street and S. Netherfield Way. There is will an emergency access where the existing access for the remaining home is currently located.

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

Development of the subject infill parcel will maximize public services.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 16.25 acres of land with an R-2 zoning district and develop 15.76 acres of land with single-family homes at a gross density of 1.~~3946~~ units per acre, this is consistent with the LDR FLUM designation as discussed above in Section V.

A legal description and exhibit map for the annexation area and property is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be subdivided and developed with twenty-~~one~~~~two~~ (21~~22~~) new single-family residential detached dwellings and retention of the existing home (see Section VIII).

Single-family detached dwellings are listed as a principal permitted use in the R-2 zoning district per UDC [Table 11-2A-2](#). Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-2 zoning district.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure the subject property develops as proposed, Staff recommends a DA is required with the provisions discussed herein and included in Section IX.A.**

B. PRELIMINARY PLAT (PP):

The proposed preliminary plat consists of ~~2122~~ building lots and eight (8) common lots on 15.76 acres of land in the proposed R-2 zoning district as shown in Section VIII.C. Proposed buildable lots range in size from ~~12,00899~~ square feet (s.f.) (or 0.28 acre) to ~~38,274~~ ~~27,957~~ s.f. (or 0.~~87864~~ acre). The subdivision is proposed to be developed in one (1) phase.

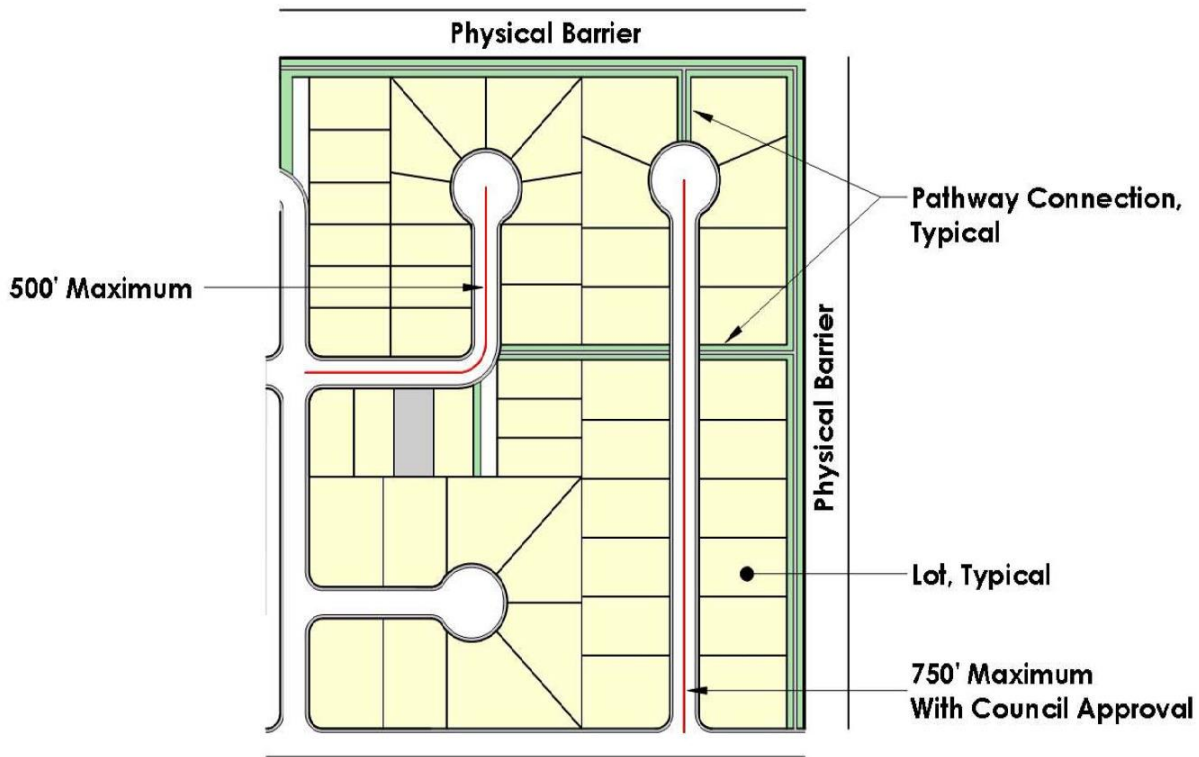
Existing Structures/Site Improvements: There is an existing home and several other structures on the property. The existing home is proposed to remain on Lot 36, Block 1, all other structures are proposed to be removed. **Prior to the City Engineer's signature on the final plat, all existing structures that don't comply with the setbacks of the district shall be removed. A new address will be required for the existing home.**

Dimensional Standards (UDC [11-2](#)): The proposed plat, existing home and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-2 zoning district. The proposed lots comply with the minimum dimensional standards. The existing home shall comply with the setback requirements of the district.

Subdivision Design & Improvement Standards: The proposed subdivision is required to comply with the design and improvement standards listed in UDC [11-6C-3](#).

Dead End Streets: Per UDC 11-6C-3B4, the City Council may approve a dead end street up to seven hundred fifty (750) feet in length where an emergency access is proposed; or where there is a physical barrier such as a steep slope, railroad tracks, an arterial roadway, or a large waterway that prevents or makes impractical extension; and where a pedestrian connection is provided from the street to an adjacent existing or planned pedestrian facility. See diagram below.

The cul-de-sac for the proposed plat is greater than 900 feet which would exceed the maximum approval allowed by City Council of 750 feet in length. The applicant needs to revise the plat map shortening the length of the cul-de-sac and submit a revised plat map fifteen days prior to the City Council meeting. The applicant revised the the plat map to shorten the length of the cul-de-sac and submitted the revised plat map 25 days prior to this meeting



Access: There are three (3) access points on E. Lake Hazel Road, an arterial street, for the existing homes and structures. The Irrigation District takes accesses to the property via the parcel to the west. The driveway for the existing home will remain and be utilized as an emergency access only.

Access is proposed via the extension of E. Wickham Street at the east boundary of the site, which terminates onto S. Netherfield Way. Direct access is not proposed or allowed via E. Lake Hazel Road. A common driveway are is proposed for access to Lots 22, 23, 27 and 28. An exhibit for the common driveway was submitted as shown in Section VIII.D that complies with the standards listed in UDC [11-6C-3D](#). **A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of such should be submitted with the final plat for City Engineer signature; or, a plat note could be included on the plat that includes this information.**

Landscaping: A 25-foot wide street buffer is required along E. Lake Hazel Road., an arterial street, per UDC [Table 11-2A-6](#), measured from back of the sidewalk. A buffer is depicted on the landscape plan that appears to meet this requirement. **The buffer has been depicted on the plat in a common lot as proposed with landscaping per the standards listed in UDC [11-3B-7C.3](#).**

There are several existing trees on the site, where possible existing trees should be retained. Mitigation is required in accord with the standards listed in UDC [11-3B-10C.5](#); calculations demonstrating compliance with the aforementioned standards should be depicted on the landscape plan.

Common Open Space & Site Amenities (UDC [11-3G-3](#)): The applicant is proposing 1.3748-acres of open space consisting of 50% of the street landscape buffer along E. Lake Hazel Road, parkway, pathway along emergency access, covered pavilion, sports court and grassy areas. The applicant provided 1.3748 acres of open space (9.41%) exceeding the 8% (~~54,920~~ 64,589-sf or 1.2648 acres) requirement.

Per UDC 11-3G-4, for each five (5) acres of gross land area, one (1) point of site amenity is required. As the property is 15.76 acres, a total of 3 amenities points is required. The applicant is proposing a covered pavilion (picnic area – 2 points) and sports court for pickle ball (4 points) as amenities which totals 6 amenities points. The amenity points are in excess of the required three (3) points. Staff recommends a provision to the Development Agreement requiring the installation of the amenities as proposed.

Pathways: All pathways should be constructed in accord with the standards listed in UDC [11-3A-8](#). A 10-foot wide sidewalk is required along the northern boundary of the site in accord with the Pathways Master Plan. A 14-foot wide public pedestrian easement is required for the pathway (see Park's Dept. comments in Section IX.G), unless ACHD requires with the construction of the Lake Hazel road widening project.

Sidewalks ([11-3A-17](#)): Ten-foot wide detached multiple-use pathways (MUP) is required within street buffers along arterial streets.

Parking: Off-street parking is required to be provided for each home based on the total number of bedrooms per unit as set forth in UDC [Table 11-3C-6](#).

Waterways: The Farr Lateral exists along the west boundary (within a 50-foot easement) and the Grimmet Lateral along the east boundary within a 40-foot wide easement, measured from centerline). The applicant shall submit documentation from the Irrigation District verifying the easements and any restrictions within the easement.

The UDC ([11-3A-6E](#)) requires irrigation easements wider than 10 feet to be included in a common lot that is a minimum of 20-feet wide outside of a fenced area, unless modified by City Council at a public hearing with notice to surrounding property owners. The applicant proposes to place the Farr and the Grimmet Laterals within common lots as required.

All other irrigation ditches crossing this site that aren't being improved as a water amenity or linear open space as defined in UDC [11-1A-1](#) shall be piped or otherwise covered as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council.

The applicant is proposing to tile a portion of the Grimmet Lateral ~~pipe the Grimmet Lateral~~ and has been working with the Boise Project Board of Control for approval. The Farr Lateral will remain open. If tiled ~~piped~~, the Boise Project Board of Control will not approve any landscaping other than gravel within its 25-foot easement. No variances will be given.

Fencing: All fencing is required to comply with the standards listed in UDC [11-3A-6C](#) and [11-3A-7](#), as applicable. The landscape plan depicts existing fencing along the north boundary of the site. A 6-foot tall privacy fence is depicted along the west, south and east boundaries of the site. A 4-foot tall privacy fence is proposed along internal common lots.

Utilities (UDC [11-3A-21](#)): Connection to City water and sewer services is required in accord with UDC 11-3A-21. **The existing home is required to connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC [9-1-4](#) and [9-4-8](#).**

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances.

Pressurized Irrigation System (UDC [11-3A-15](#)): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC [11-3A-15](#).

Storm Drainage (UDC [11-3A-18](#)): An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC [11-3A-18](#). A Geotechnical Report was submitted with this application.

Building Elevations: Several conceptual building elevations of homes were submitted as shown in Section VIII.G. Building materials consist of a variety of stone/brick veneer accents and stucco. Design review is not required for single-family detached structures.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed annexation with the requirement of a Development Agreement, and preliminary plat per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on March 7, 2024. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Preliminary Plat requests.

1. Summary of Commission public hearing:
 - a. In favor: Todd Lakey, Barton Lakey Law representing the applicant, Jarron Langston, Luke Gilbert, property owner
 - b. In opposition: None
 - c. Commenting: Jeff Lucky, Jeff Brown, Andrew Williams, Danny Blau, Melina Newell
 - d. Written testimony: Jeff Luckey
 - e. Staff presenting application: Bill Parson, Planning Supervisor
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. Concerns with the proposed street connectivity that will bring additional traffic to the existing neighborhood (The Keep) to the east
3. Key issue(s) of discussion by Commission:
 - a. Bring the proposed cul-de-sac into compliance prior to the City Council hearing.
4. Commission change(s) to Staff recommendation:
 - a. None
5. Outstanding issue(s) for City Council:
 - a. None

- C. The Meridian City Council heard these items on April 9, 2024. At the public hearing, the Council moved to approve the subject annexation, zoning and preliminary plat requests.
1. Summary of the City Council public hearing:
 - a. In favor: Todd Lakey, Barton Lakey Law representing the applicant, Jarron Langston
 - b. In opposition: None
 - c. Commenting: Todd Lakey, Barton Lakey Law representing the applicant, Jarron Langston
 - d. Written testimony: None
 - e. Staff presenting application: Linda Ritter, Associate Planner
 - f. Other Staff commenting on application: Bill Parsons, Planning Supervisor
 2. Key issue(s) of public testimony:
 - a. None
 3. Key issue(s) of discussion by City Council:
 - a. Lack of comments from West Ada School District and the overcrowding of the schools in the area.
 4. City Council change(s) to Commission recommendation:
 - a. None

VIII. EXHIBITS

A. Property Description and Exhibit Map



Client: Jarron Langston Land Development
Date: February 22, 2023
Job No.: 0323



PROPERTY DESCRIPTION

A parcel of land being a portion of the W 1/2 NE 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a found Aluminum cap stamped "PLS 4431" marking the NE corner of said NE 1/4, (Section corner common to Sections 4 and 5 of Township 2 North, Range 1 East, and Sections 32 and 33 of Township 3 North, Range 1 East), said corner bears S.89°56'45" E., a distance of 2659.14 feet from a found Brass Cap marking the NW corner of said NE 1/4, (North 1/4 corner);

Thence along the Northern boundary of said NE 1/4, N. 89°56'45" W., a distance of 1522.85 feet to a found 5/8 inch diameter iron pin with an illegible cap;
Thence leaving said Northern boundary, S. 10°16'52" E., a distance of 25.52 feet to the POINT OF BEGINNING, said point monumented with a found 5/8 inch diameter iron pin stamped "PLS 14221"

Thence S. 09°35'51" E., a distance of 540.33 feet to a point;

Thence S. 00°23'31" E., a distance of 1213.70 feet to a found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S.00°22'25" E., a distance of 45.93 feet to a point on the centerline of the Farr Lateral. Said point bears S.00°22'25" E., a distance of 45.93 from a found 5/8 inch diameter iron pin witness corner stamped "PLS 14221";

Thence along the centerline of said Farr Lateral the following Courses and Distances;

Thence N. 49°59'57" W., a distance of 27.51 feet to a point;

Thence N. 22°30'24" W., a distance of 1518.71 feet to a point;

Thence continuing, N. 25°12'14" W., a distance of 135.17 feet to a point marking the beginning of a tangent curve to the left;

Thence a distance of 153.60 feet along the arc of said curve to the left, having a radius of 200.00 feet, a central angle of 44°00'08", the long chord of which bears N. 47°12'21" W., a distance of 149.86 feet to a point;

Thence N. 69°12'33" W., a distance of 194.76 feet to a point;

Thence leaving said Farr Lateral, N. 00°09'59" W., a distance of 40.74 feet to a found 5/8 inch diameter iron pin stamped "PLS 4998";

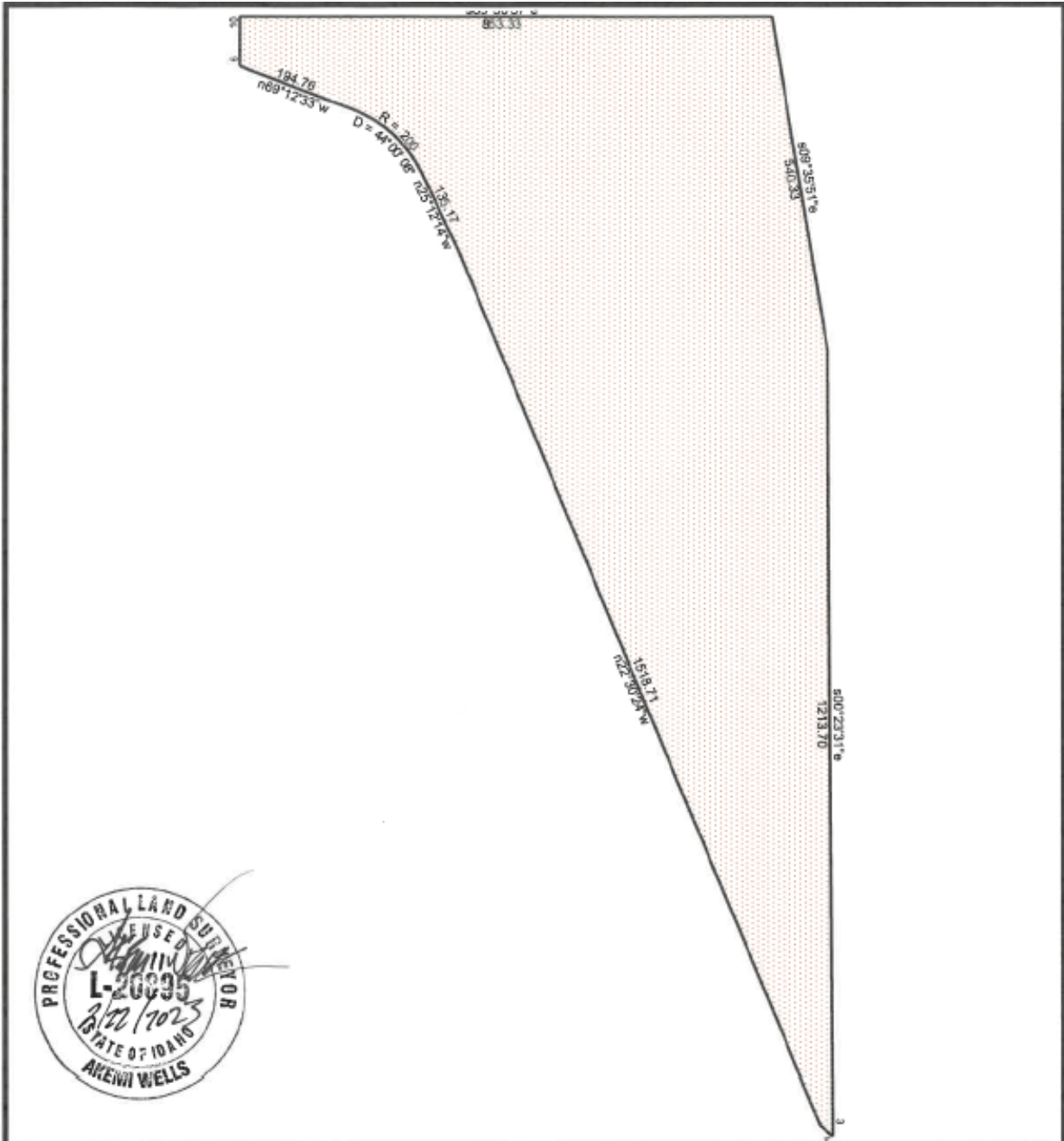
Thence N. 00°10'55" E., a distance of 38.42 feet to a found 5/8 inch diameter bent iron pin without a cap on the Southern Right-of-Way of East Lake Hazel Road;

Thence along said Southern Right-of-Way, S. 89°56'57" E., a distance of 853.33 feet to the POINT OF BEGINNING.

This parcel contains 15.76 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

623 11th Ave. South, Nampa, ID 83651 • T. (208) 442-0115 • C. (208) 608-2510 • rgray.cls@gmail.com



raap ranch boundary closure

2/22/2023

Scale: 1 inch= 212 feet | File: raap ranch boundary closure 02222023.ndp

Tract 1: 15.7622 Acres, Closure: n13.2204w 0.01 ft. (1/554101), Perimeter=4762 ft.

- 01 s09.3551e 540.33
- 02 s00.2331e 1213.70
- 03 s00.2225e 45.93
- 04 n49.5957w 27.51
- 05 n22.3024w 1518.71
- 06 n25.1214w 135.17
- 07 Lt, r=200.00, delta=044.0008, chord=n47.1221w 149.85
- 08 n69.1233w 194.76
- 09 n00.0959w 40.74
- 10 n00.1055e 38.42
- 11 s89.5657e 853.33

B. Annexation Description and Exhibit Map



Client: Jarron Langston Land Development
Date: February 22, 2023
Job No.: 0323



ANNEXATION DESCRIPTION

A parcel of land being a portion of the W 1/2 NE 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a found Aluminum cap stamped "PLS 4431" marking the NE corner of said NE 1/4, (Section corner common to Sections 4 and 5 of Township 2 North, Range 1 East, and Sections 32 and 33 of Township 3 North, Range 1 East), said corner bears S. 89°56'45" E., a distance of 2659.14 feet from a found Brass Cap marking the NW corner of said NE 1/4, (North 1/4 corner);

Thence along the Northern boundary of said NE 1/4, N. 89°56'45" W., a distance of 1522.85 feet to the POINT OF BEGINNING, said point monumented with a found 5/8 inch diameter iron pin with an illegible cap;

Thence leaving said Northern boundary, S. 10°16'52" E., a distance of 25.52 feet to found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S. 09°35'51" E., a distance of 540.33 feet to a point;

Thence S. 00°23'31" E., a distance of 1213.70 feet to a found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S. 00°22'25" E., a distance of 45.93 feet to a point on the centerline of the Farr Lateral. Said point bears S. 00°22'25" E., a distance of 45.93 feet from a found 5/8 inch diameter iron pin witness corner stamped "PLS 14221";

Thence along the centerline of said Farr Lateral the following Courses and Distances;

Thence N. 49°59'57" W., a distance of 27.51 feet to a point;

Thence N. 22°30'24" W., a distance of 1518.71 feet to a point;

Thence continuing, N. 25°12'14" W., a distance of 135.17 feet to a point marking the beginning of a tangent curve to the left;

Thence a distance of 153.60 feet along the arc of said curve to the left, having a radius of 200.00 feet, a central angle of 44°00'08", the long chord of which bears N. 47°12'21" W., a distance of 149.86 feet to a point;

Thence N. 69°12'33" W., a distance of 194.76 feet to a point;

Thence leaving said Farr Lateral, N. 00°09'59" W., a distance of 40.74 feet to a found 5/8 inch diameter iron pin stamped "PLS 4998";

Thence N. 00°10'55" E., a distance of 38.42 feet to a found 5/8 inch diameter bent iron pin without a cap on the Southern Right-of-Way of East Lake Hazel Road;

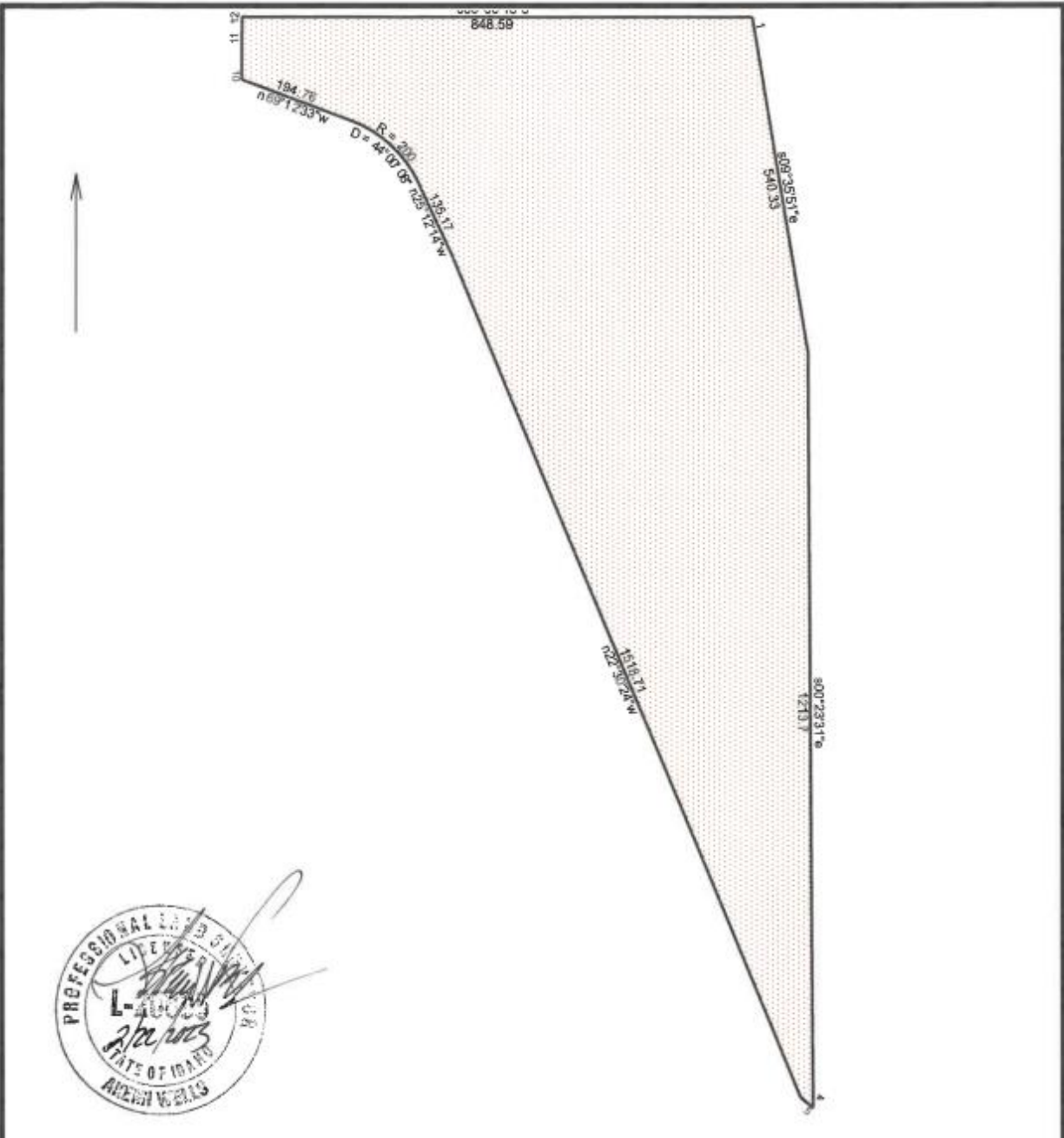
Thence N. 00°25'38" E., a distance of 25.16 feet to a found 5/8 inch diameter bent iron pin without a cap on the Northern boundary of said NE 1/4;

Thence along said Northern boundary, S. 89°56'45" E., a distance of 848.59 feet to the POINT OF BEGINNING.

This parcel contains 16.25 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

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Raap Ranch Annexation Closure

2/22/2023

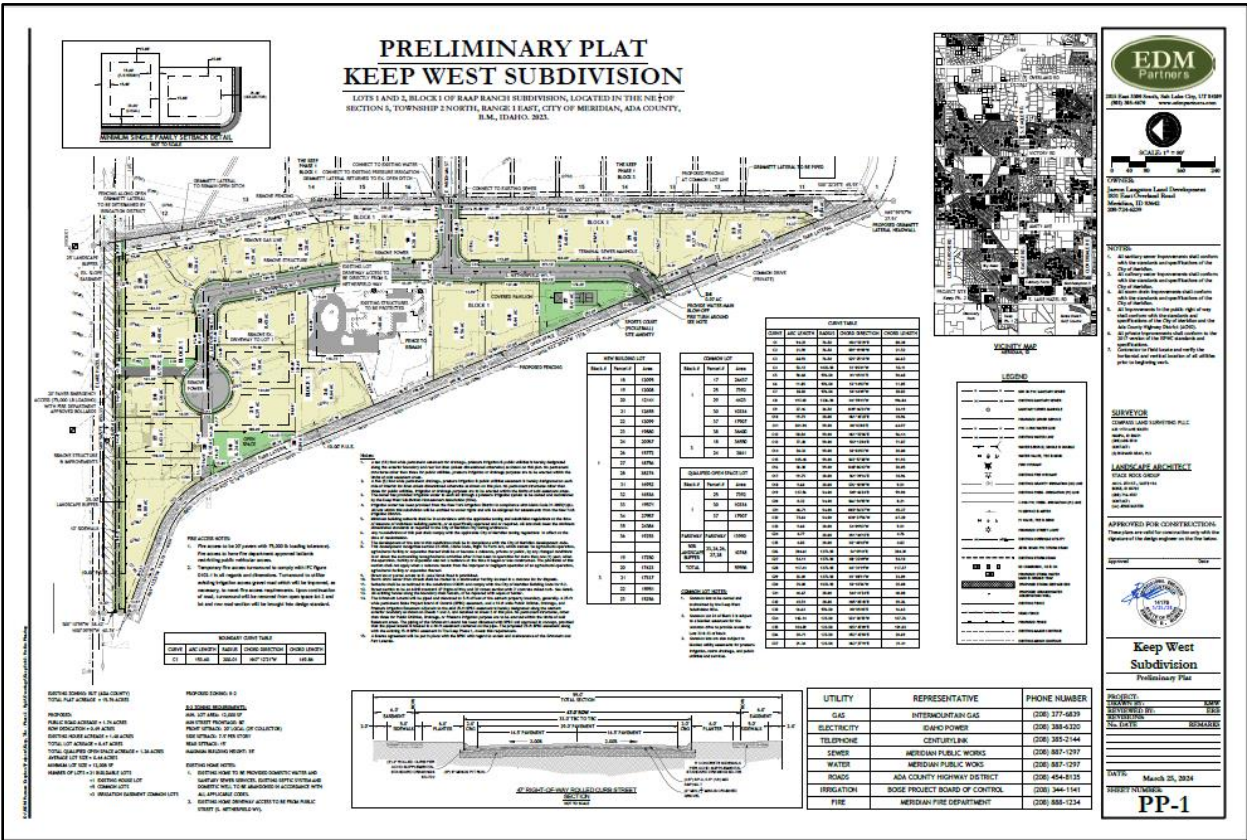
Scale: 1 inch= 221 feet

File: Raap Ranch Annexation Closure 02222023.ndp

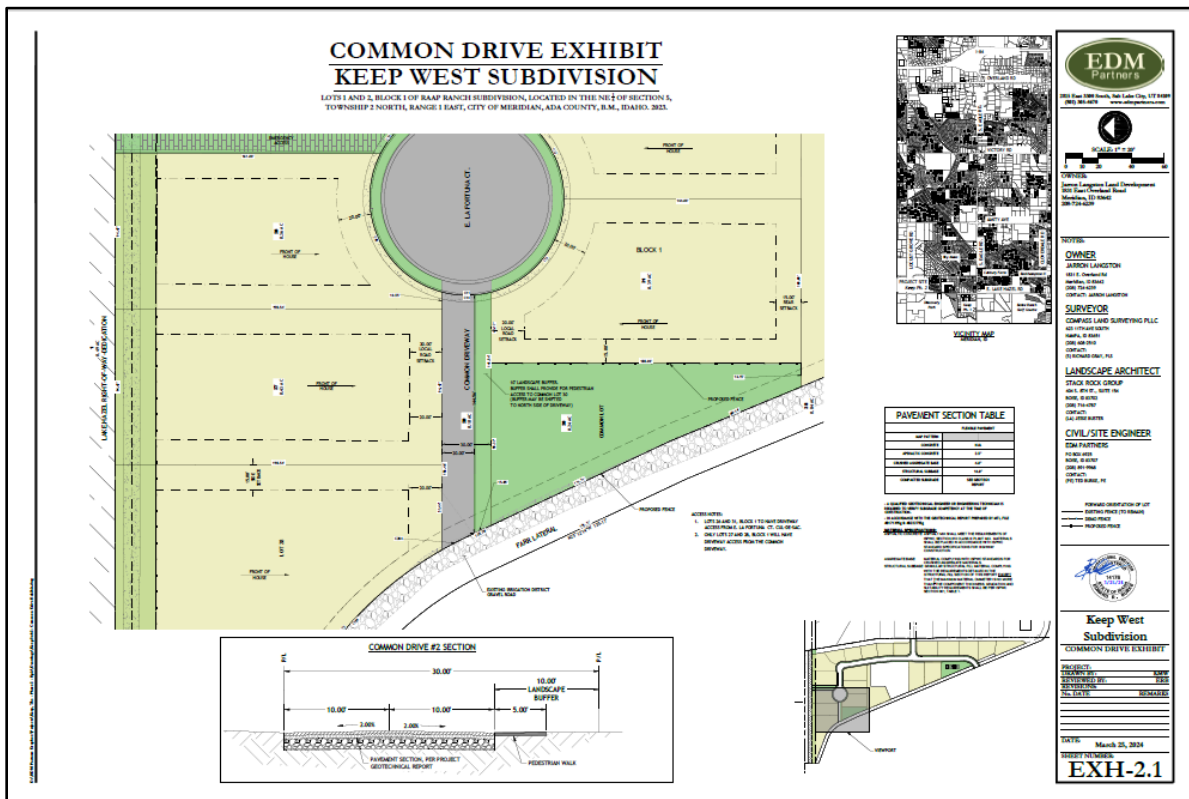
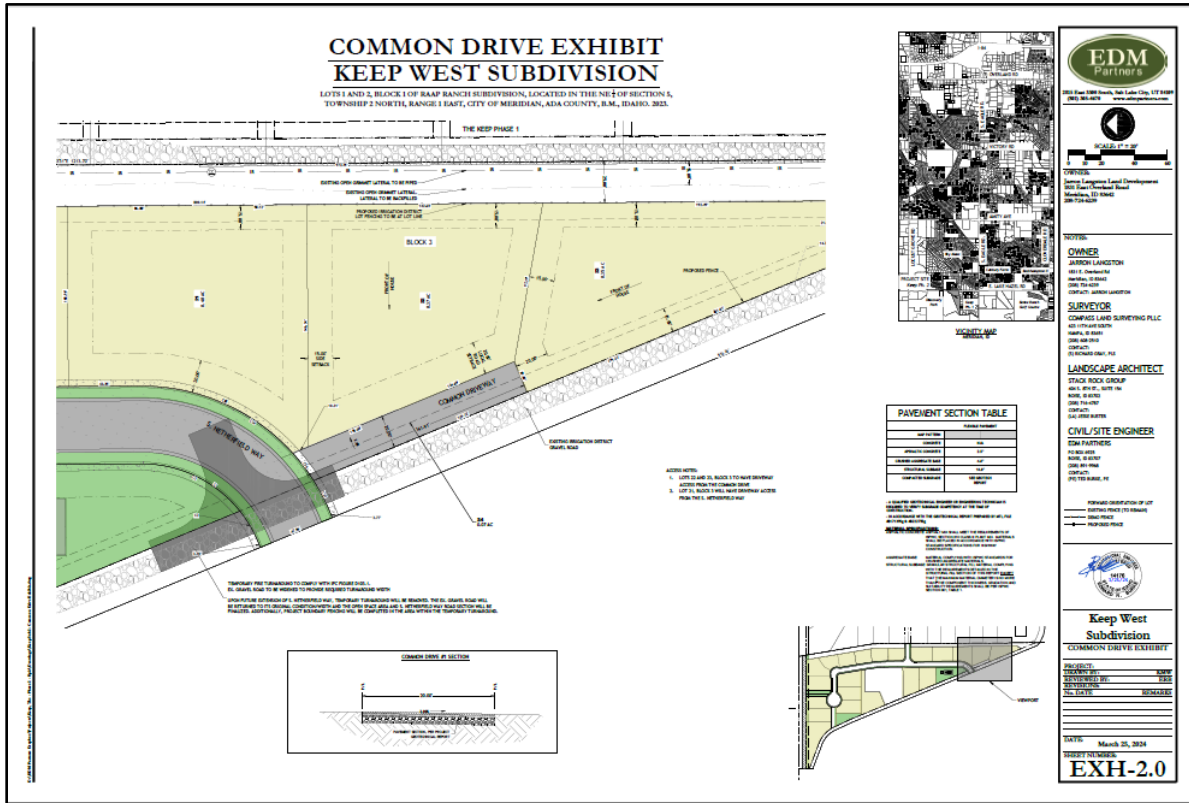
Tract 1: 16.2532 Acres, Closure: n43.5224w 0.01 ft. (1/774805), Perimeter=4808 ft.

01 s10.1652e 25.52	10 n00.0959w 40.74
02 s09.3551e 540.33	11 n00.1055e 38.42
03 s00.2331e 1213.7	12 n00.2538e 25.16
04 s00.2225e 45.93	13 s89.5645e 848.59
05 n49.5957w 27.51	
06 n22.3024w 1518.71	
07 n25.1214w 135.17	
08 Lt, r=200.00, delta=044.0008, chord=n47.1221w 149.85	
09 n69.1233w 194.76	

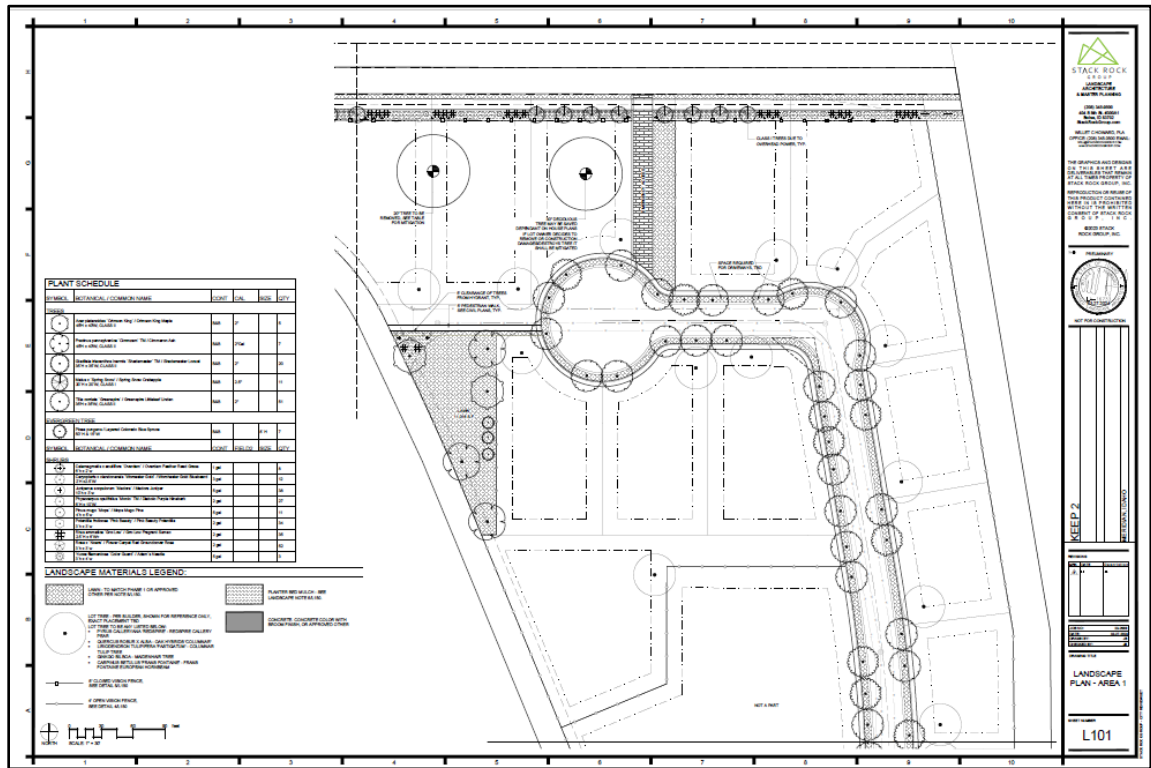
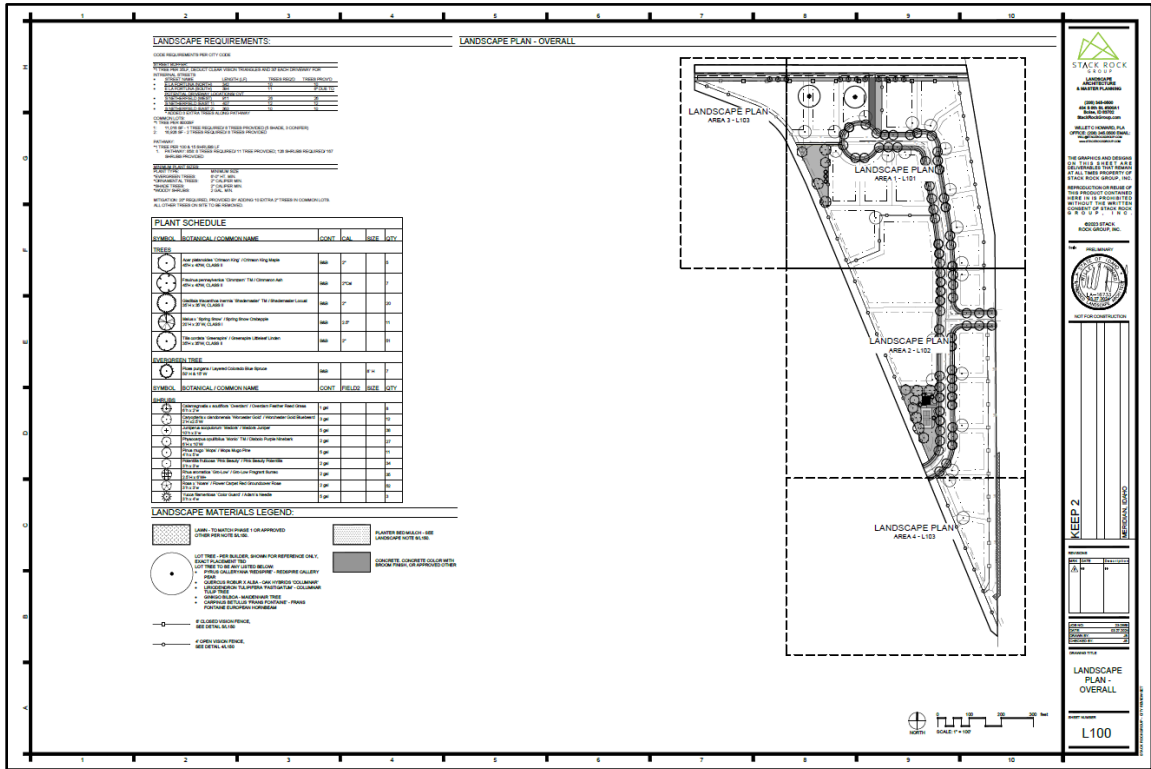
C. Preliminary Plat (dated: 3/25/24 2/15/24)

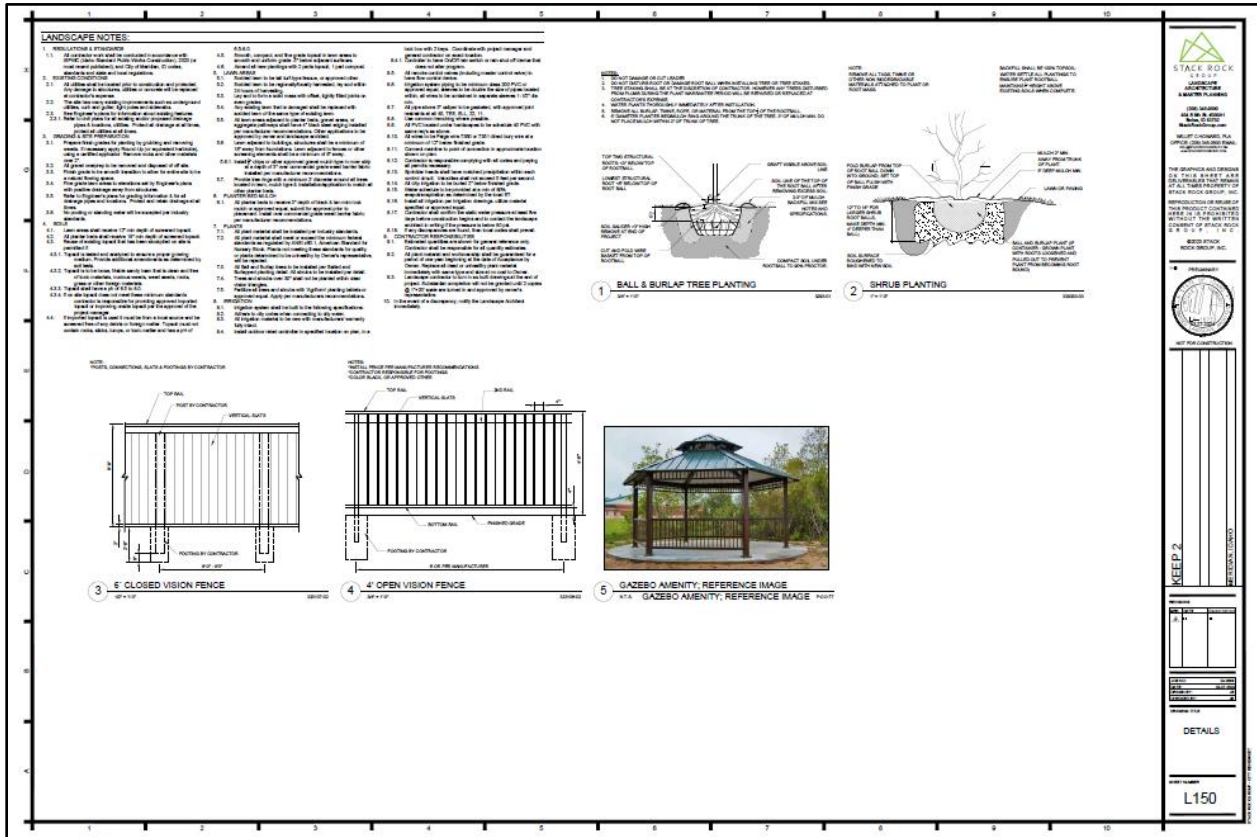
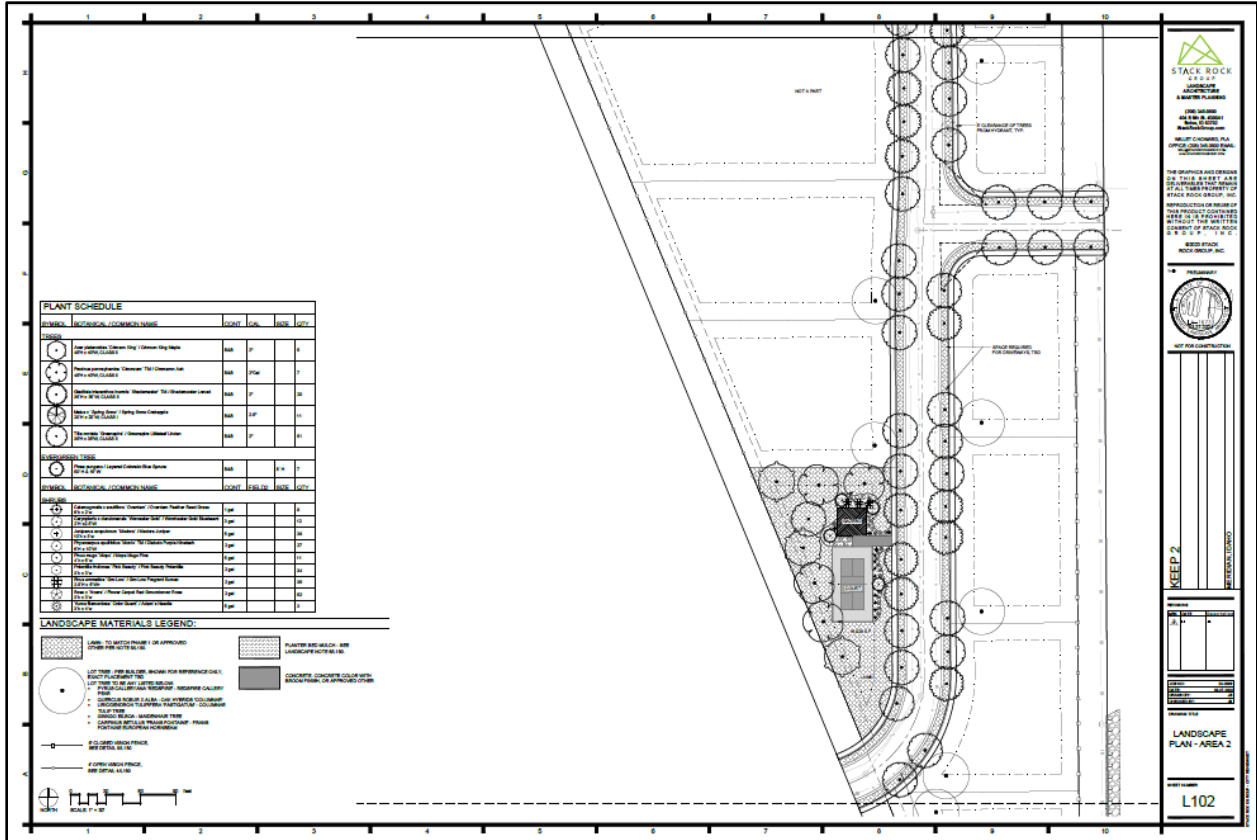


D. Common Driveway Exhibit (dated: 2/15/24 3/25/24)

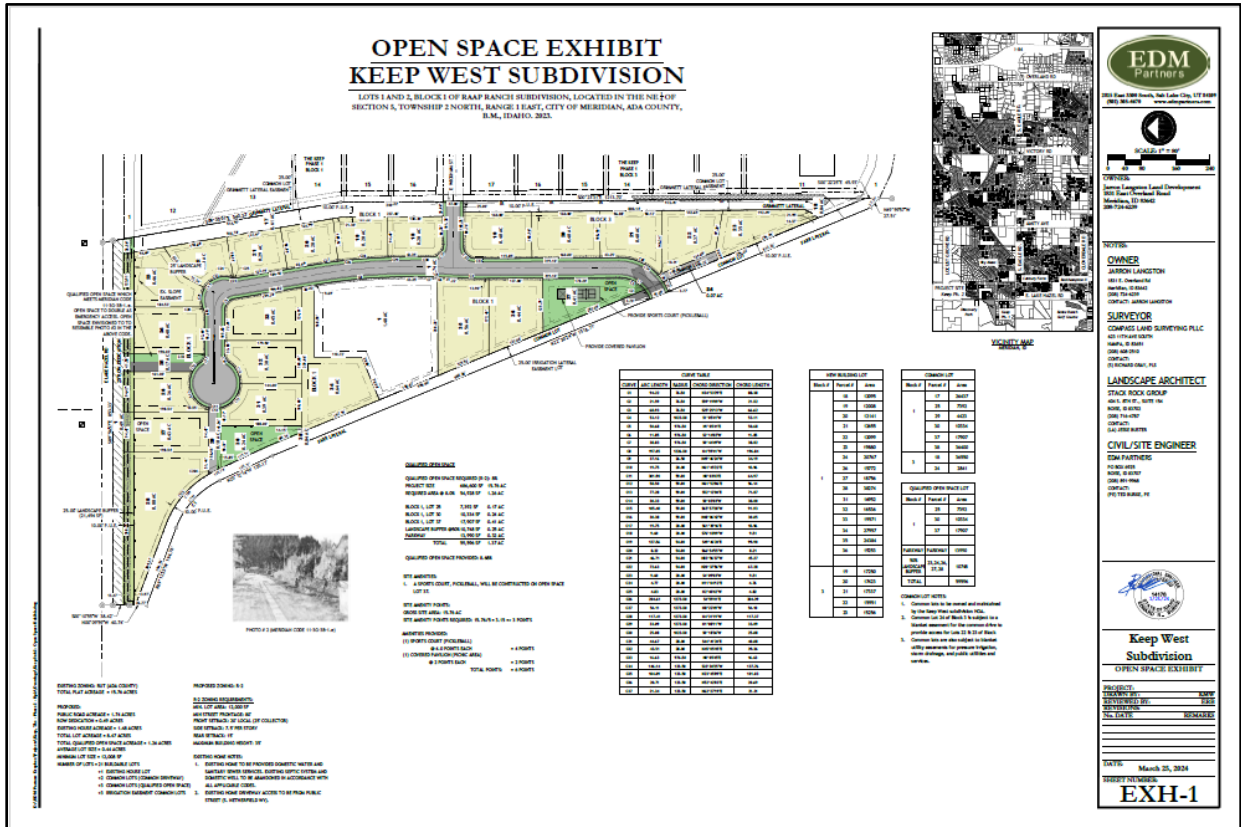


E. Landscape Plan (dated: 1/9/2024 3/25/24)





F. Open Space Exhibit (dated: 2/15/24 3/35/24)



G. Conceptual Building Elevations





IX. 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.

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 *IF* City Council determines annexation is in the best interest of the City:

- a. Future development of this site shall be generally consistent with the preliminary plat, common driveway exhibit, landscape plan and conceptual building elevations included in Section VIII and the provisions contained herein.
 - b. The applicant shall provide a covered pavilion (picnic area) and sports court for pickle ball as amenities for the Keep West subdivision as proposed in the preliminary plat.
 - c. The existing home shall connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC 9-1-4 and 9-4-8.
2. The final plat shall include the following notes and revisions:
 - a. Lots 27, 30 and 39, Block 1 are non-buildable common lots and will be owned and maintained by the Keep No. 2 Subdivision Homeowners Association.
 - ~~b. Place the landscape buffer along E. Lake Hazel Road in a common lot.~~
 - ~~c. Identify the areas of the Farr and Grimmnett Laterals and the common drive as common lots on the plat.~~
 3. The landscape plan submitted with the final plat shall include the following revisions:
 - ~~a. Include mitigation information for all existing trees being removed from the site in accord with the standards listed in UDC 11-3B-10C.5.~~
 - ~~b. Provide landscaping along both sides of the pathway per UDC 11-3B-12.C~~
 - ~~c. Extend the pathway on Lot 34, Block 1 to the cul-de-sac instead of having it dead end at Lot 40, Block 1.~~
 4. The common driveways for Lot 22, ~~and 23, 27 and 28~~ Block 3 shall comply with the standards listed in UDC 11-6C-3D and the exhibit in Section VIII.C.
 5. The address of the existing home shall change with development of the subdivision.
 6. The Applicant shall obtain a Council waiver to allow the Farr Lateral to remain open in a natural state at the Council hearing, per UDC 11-3A-6. Written documentation from the Boise Board of Project Control approving the tiling of the Grimmnett Lateral is required prior to signature on the final plat OR leave it open in a natural state if allowed. This document shall be submitted 15 days prior to the City Council hearing.
 7. ~~The applicant shall submit a revised plat map, fifteen days prior to the City Council meeting, showing the cul-de-sac does not exceed the required 750 feet in length.~~

8. Except the existing home located at 6519 S. Raap Ranch Lane, all other existing structures shall be removed from the site prior to submittal of the final plat for City Engineer signature.
9. Comply with the subdivision design and improvement standards listed in UDC [11-6C-3](#).
10. Approval of a preliminary 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. Upon written request and filing by the applicant prior to the termination of the period, 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 this title.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330390&dbid=0&repo=MeridianCity>

C. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330381&dbid=0&repo=MeridianCity>

D. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330404&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330749&dbid=0&repo=MeridianCity>

F. ADA COUNTY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331610&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330390&dbid=0&repo=MeridianCity>

H. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331610&dbid=0&repo=MeridianCity>

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;

Commission finds the Applicant's request to annex the subject property with R-2 zoning and develop single-family detached dwellings on the site at a gross density of 1.46 units per acre is generally consistent with the Comprehensive Plan per the analysis in Section V.

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

Commission finds the proposed map amendment to R-2 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

Commission finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent single-family residential homes/uses in the area.

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

Commission finds City services are available to be provided to this development.

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

Commission finds the proposed annexation is in the best interest of the city.

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

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

Commission finds the proposed plat is in conformance with the UDC and generally conforms with the Comprehensive Plan.

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

Commission 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;

Commission finds the proposed plat is in conformance with scheduled public improvements in accord with the City's capital improvement program.

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

Commission finds there is public financial capability of supporting services for the proposed development.

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

Commission finds the proposed 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)

Commission is unaware of any significant natural, scenic or historic features that need to be preserved with this development.