

DEVELOPMENT AGREEMENT

- PARTIES:**
1. **City of Meridian**
 2. **Ryenn Holdings LLC, Owner**
 3. **Prabhjot Kaur Sidhu and Abninder Singh Sidhu, Owner**
 4. **Tall Timber Consulting, Developer**

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this 15 day of June, 2023, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY, whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642, and **Ryenn Holdings LLC**, hereinafter called OWNER, whose address is 2610 E. Jasmine Lane, Meridian, ID 83646, and **Prabhjot Kaur Sidhu and Abninder Singh Sidhu**, hereinafter called OWNER, whose address is 2210 Leccino Court, Livermore, CA 94550, and **Tall Timber Consulting**, hereinafter called DEVELOPER, whose address is 14254 W. Battenberg Drive, Boise, ID 83713.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner is the sole owner, in law and/or equity, of certain tracts of land in the County of Ada, State of Idaho, described in Exhibit "A", which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of annexation and zoning that the Owner and/or Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code ("UDC"), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owners and Developer have submitted an application for annexation and zoning of approximately 24.8 acres of land with the R-4 (20.35 acres) (Medium Low-Density Residential) zoning district and R-8 (4.45 acres) (Medium-Density Residential) on the property as shown in Exhibit "A" under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearings before Planning and Zoning Commission and the Meridian City Council as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested annexation and zoning held before Planning and Zoning Commission and the City Council includes

responses of government subdivisions providing services within the City of Meridian planning jurisdiction and includes further testimony and comment; and

- 1.7 **WHEREAS**, on the 13th day of December, 2022, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.9 **WHEREAS**, Owner/Developer deem it to be in their best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation is in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.
3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:
 - 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
 - 3.2 **OWNER:** means and refers to **Ryenn Holdings LLC**, whose address is 2610 E. Jasmine Lane, Meridian, ID 83646; and **Prabhjot Kaur Sidhu and Abninder Singh Sidhu**, whose address is 2210 Leccino Court, Livermore, CA 94550, hereinafter called OWNER, the party that owns said Property and shall include any subsequent owner(s) of the Property.
 - 3.3 **DEVELOPER:** means and refers to Tall Timber Consulting, whose address is 14254 W. Battenberg Drive, Boise, ID 83713, hereinafter called DEVELOPER, the party that is developing said Property and shall include any subsequent developer(s) of the Property.

3.4 **PROPERTY:** means and refers to those certain parcels of Property located in the County of Ada, City of Meridian as in Exhibit “A” describing parcels bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owner/Developer shall develop the Property in accordance with the following special conditions:

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, access exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
- b. Any existing structures shall be removed upon project development, except for those specifically noted within the preliminary plat to remain.
- c. The existing home shown to remain on Lot 13, Block 1 shall connect to City sewer services with the first phase of development.
- d. Due to access and sewer availability, phase 1 development shall not commence until a public road access is available to the site and the required sanitary sewer lift station is constructed by the adjacent development to the south (Pollard Subdivision).
- e. The Applicant shall relinquish their rights to access W. Old School Lane and provide the Planning Division with written proof of this relinquishment with phase 1 development and maintain access for 6854 N. Pollard Lane & 5500 N. Pollard Lane as depicted on the access exhibit (Exhibit VII.E) until such time their permanent access through Pollard Subdivision is constructed.
- f. The rear and/or sides of homes visible from SH 16 (Lots 8-12, Block 1) 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 that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

6. **COMPLIANCE PERIOD** This Agreement must be fully executed within six (6) months after the date of the Findings for the annexation and zoning or it is null and void.
7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**
- 7.1 **Acts of Default.** In the event Owner/Developer, or Owner/Developer's heirs, successors, assigns, or subsequent owners of the Property or any other person acquiring an interest in the Property, fail to faithfully comply with all of the terms and conditions included in this Agreement in connection with the Property, this Agreement may be terminated by the City upon compliance with the requirements of the Zoning Ordinance.
- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.
- 7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice from City as described in Section 7.2, City shall, upon satisfaction of the notice and hearing procedures set forth in Idaho Code section 67-6511A, have the right, but not a duty, to de-annex all or a portion of the Property, reverse the zoning designations described herein, and terminate City services to the de-annexed Property, including water service and/or sewer service. Further, City shall have the right to file an action at law or in equity to enforce the provisions of this Agreement. Because the covenants, agreements, conditions, and obligations contained herein are unique to the Property and integral to City's decision to annex and/or re-zone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserves all rights to contest whether a default has occurred.
- 7.4 **Choice of Law and Venue.** This Agreement and the rights of the parties hereto shall be governed by and construed in accordance with the laws of the State of Idaho, including all matters of construction, validity, performance, and enforcement. Any action brought by any party hereto shall be brought within Ada County, Idaho.
- 7.5 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.
- 7.6 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults

waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.
9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property by the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.
10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.
11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agree to provide, if required by the City.
12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.
13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/Developer agree to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.
14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:	with copy to:
City Clerk	City Attorney
City of Meridian	City of Meridian
33 E. Broadway Ave.	33 E. Broadway Avenue
Meridian, Idaho 83642	Meridian, Idaho 83642

OWNER:	OWNER:
Ryenn Holdings LLC	Prabhjot Kaur Sidhu and Abninder Singh Sidhu
2610 E. Jasmine Lane	2210 Leccino Court
Meridian, Idaho 83646	Livermore, California 94550

DEVELOPER:
Tall Timber Consulting
14254 W. Battenberg Drive
Boise, Idaho 83713

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.
16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.
17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the Owner/Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner and/or Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, had determined that Owner and/or Developer have fully performed their obligations under this Agreement.
18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.
19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.
20. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.
21. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and

City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

21.1 No condition governing the uses and/or conditions governing annexation and zoning of the subject Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

22. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective on the date the Meridian City Council shall adopt the amendment to the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property and execution of the Mayor and City Clerk.

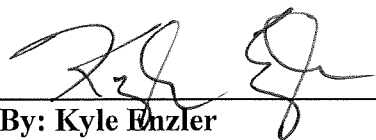
[end of text; acknowledgements, signatures and Exhibits A and B follow]

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this agreement and made it effective as hereinabove provided.

OWNER:

Ryenn Holdings LLC


By: Kyle Enzler

Its:

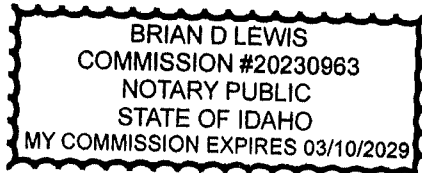
State of IDAHO)

: ss:
County of ADA)

On this 15 day of June, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Kyle Enzler, known or identified to me to be the managing member of **Ryenn Holdings LLC** and the person who signed above and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



OWNER:


Notary Public
My Commission Expires: 3/10/2029

OWNER:

Prabhjot Kaur Sidhu

Abninder Singh Sidhu

State of _____)

: ss
County of _____)

On this _____ day of _____, 2023, before me, a Notary Public, personally appeared **Prabhjot Kaur Sidhu and Abninder Singh Sidhu**, known or identified to me to be the person named in the foregoing, and acknowledged to me that they executed the same as a free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Notary Public for Idaho
My Commission Expires: _____

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this agreement and made it effective as hereinabove provided.

OWNER:
Ryenn Holdings LLC

By: Kyle Enzler
Its:

State of _____)
: ss:
County of _____)

On this ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known or identified to me to be the _____ of **Ryenn Holdings LLC** and the person who signed above and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Notary Public
My Commission Expires: _____

OWNER:

OWNER:

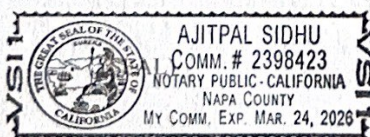
Prabhjot Kaur Sidhu

Abninder Singh Sidhu
Abninder Singh Sidhu

State of California : ss
County of napa

On this 18 day of July, 2023, before me, a Notary Public, personally appeared **Prabhjot Kaur Sidhu and Abninder Singh Sidhu**, known or identified to me to be the person named in the foregoing, and acknowledged to me that they executed the same as a free act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho California
My Commission Expires: 03-24-2026

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)
 : ss
County of Ada)

On this _____ day of _____, 2023, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Notary Public for Idaho
My Commission Expires: _____

EXHIBIT A



Annexation Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

Commencing at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21 and the **POINT OF BEGINNING**;

Thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane;

Thence N 00° 29' 13" E along said centerline for a distance of 365.15 feet;

Thence N 89° 30' 47" W along said centerline for a distance of 33.33 feet;

Thence S 83° 33' 30" W along said centerline for a distance of 55.00 feet;

Thence S 85° 48' 43" W along said centerline for a distance of 36.25 feet to a found aluminum cap monument on the southeasterly right-of-way of State Highway 16;

Thence N 68° 56' 21" W for a distance of 155.65 feet to the centerline of State Highway 16;

Thence along said centerline 770.84 feet along a curve to the right, said curve having a radius of 10,000.00 feet, a central angle of 4° 25' 00" and a long chord bearing N 28° 30' 55" E a distance of 770.65 feet;

Thence S 60° 34' 55" E for a distance of 158.30 feet to a found 4 inch brass cap monument on the southwesterly line of the Phyllis Canal;

Thence along said line the following 8 courses and distances:

- 1.) along a curve to the right 60.81 feet, said curve having a radius of 340.00 feet, a central angle of 10° 14' 52" and a long chord bearing S 74° 09' 59" E a distance of 60.73 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 2.) S 67° 00' 00" E for a distance of 244.90 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;



- 3.) S 67° 00' 46" E for a distance of 47.31 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 4.) S 61° 59' 06" E for a distance of 202.70 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 5.) S 53° 06' 27" E for a distance of 109.48 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 6.) S 52° 52' 46" E for a distance of 107.17 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 7.) S 66° 52' 05" E for a distance of 184.95 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 8.) S 70° 40' 30" E for a distance of 112.43 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence S 00° 31' 50" W for a distance of 557.08 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence N 89° 27' 18" W along the sixteenth line for a distance of 1164.95 feet to the **POINT OF BEGINNING.**

Said parcel contains 24.802 acres, more or less.



EXHIBIT MAP

ANNEXATION

LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.

COUNTY OF ADA — STATE OF IDAHO

LEGEND

- ANNEX BOUNDARY
- - - SECTION LINE
- - - PARCEL LINE
- R/W — R/W — RIGHT-OF-WAY
- - - CENTERLINE

- FOUND 4" BRASS CAP
- ITD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT, STAMPED PLS 8961
- FOUND 5/8" IRON PIN, LABELED PLS 5710, OR AS NOTED
- △ CALCULATED POINT
- △ P.O.B. POINT OF BEGINNING



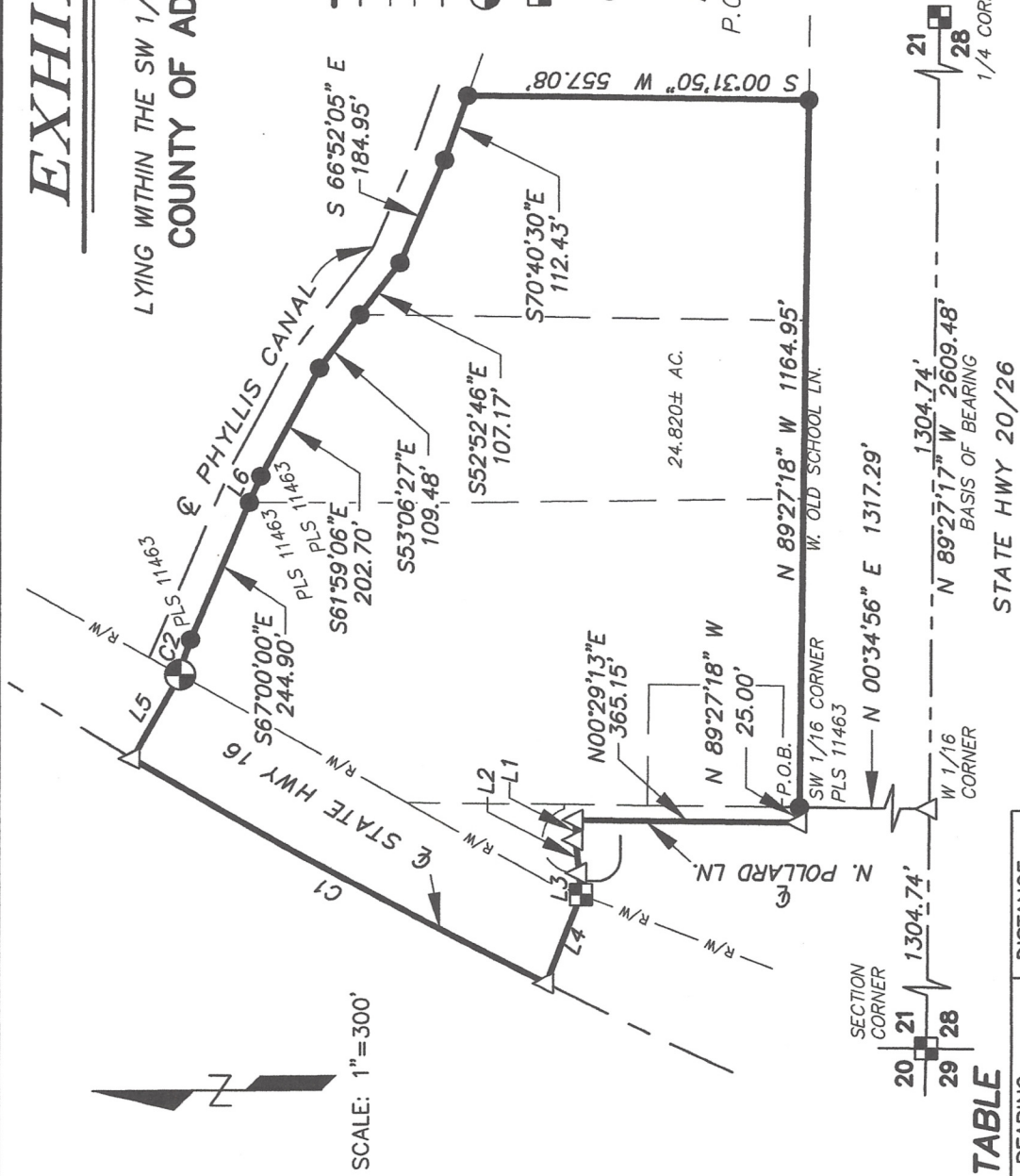
ACCURATE
SURVEYING & MAPPING

1520 W. Washington St.
Boise, Idaho 83702

(208) 488-4227
www accuratesurveyors.com

DATE: JUNE, 2022

JOB 22-197



SCALE: 1"=300'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°30'47" W	33.33'
L2	S 83°33'30" W	55.00'
L3	S 85°48'43" W	36.25'
L4	N 68°56'21" W	155.65'
L5	S 60°34'55" E	158.30'
L6	S 67°00'46" E	47.31'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	770.84'	10000.00'	4°25'00"	N 28°30'55" E	770.65'
C2	60.81'	340.00'	10°14'52"	S 74°09'59" E	60.73'

Zoning R4 Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

Commencing at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21; thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane; thence N 00° 29' 13" E along said centerline for a distance of 163.00 feet to the **POINT OF BEGINNING**;

Thence N 00° 29' 13" E along said centerline for a distance of 202.15 feet;

Thence N 89° 30' 47" W along said centerline for a distance of 33.33 feet;

Thence S 83° 33' 30" W along said centerline for a distance of 55.00 feet;

Thence S 85° 48' 43" W along said centerline for a distance of 36.25 feet to a found aluminum cap monument on the southeasterly right-of-way of State Highway 16;

Thence N 68° 56' 21" W for a distance of 155.65 feet to the centerline of State Highway 16;

Thence along said centerline 770.84 feet along a curve to the right, said curve having a radius of 10,000.00 feet, a central angle of 4° 25' 00" and a long chord bearing N 28° 30' 55" E a distance of 770.65 feet;

Thence S 60° 34' 55" E for a distance of 158.30 feet to a found 4 inch brass cap monument on the southwesterly line of the Phyllis Canal;

Thence along said line the following 8 courses and distances:

- 1.) along a curve to the right 60.81 feet, said curve having a radius of 340.00 feet, a central angle of 10° 14' 52" and a long chord bearing S 74° 09' 59" E a distance of 60.73 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 2.) S 67° 00' 00" E for a distance of 244.90 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;

- 3.) S 67° 00' 46" E for a distance of 47.31 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 4.) S 61° 59' 06" E for a distance of 202.70 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 5.) S 53° 06' 27" E for a distance of 109.48 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 6.) S 52° 52' 46" E for a distance of 107.17 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 7.) S 66° 52' 05" E for a distance of 184.95 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 8.) S 70° 40' 30" E for a distance of 112.43 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence S 00° 31' 50" W for a distance of 394.08 feet;

Thence N 89° 27' 18" W for a distance of 1190.07 feet to the **POINT OF BEGINNING**.

Said parcel contains 20.349 acres, more or less.



EXHIBIT MAP

REZONE - R4
LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.
COUNTY OF ADA — STATE OF IDAHO

LEGEND

- REZONE BOUNDARY
- - - SECTION LINE
- - - PARCEL LINE
- R/W - RIGHT-OF-WAY
- - - CENTERLINE

- FOUND 4" BRASS CAP
1TD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,
LABELED PLS 5710,
OR AS NOTED
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING

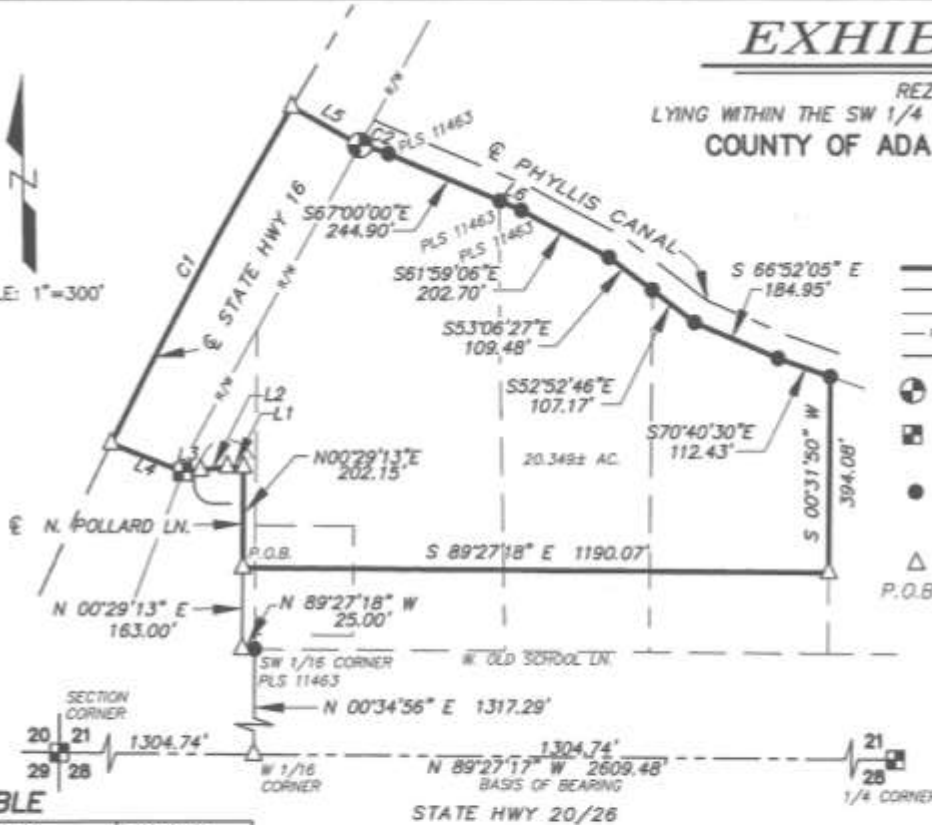


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SCALE: 1"=300'



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°30'47" W	33.33'
L2	S 83°33'30" W	55.00'
L3	S 85°48'43" W	36.25'
L4	N 68°56'21" W	155.65'
L5	S 60°34'55" E	158.30'
L6	S 67°00'46" E	47.31'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	770.84'	10000.00'	4°25'00"	N 28°30'55" E	770.65'
C2	60.81'	340.00'	10°14'52"	S 74°09'59" E	60.73'

Zoning R8 Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

Commencing at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21 and the **POINT OF BEGINNING**;

Thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane;

Thence N 00° 29' 13" E along said centerline for a distance of 163.00 feet;

Thence S 89° 27' 18" E for a distance of 1190.07 feet;

Thence S 00° 31' 50" W for a distance of 163.00 feet to a found 5/8th inch iron pin with a cap labeled PLS 5710;

Thence N 89° 27' 18" W along the sixteenth line for a distance of 1164.95 feet to the **POINT OF BEGINNING**.

Said parcel contains 4.453 acres, more or less.



EXHIBIT MAP

REZONE - R8
LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.
COUNTY OF ADA — STATE OF IDAHO

LEGEND

- REZONE BOUNDARY
- SECTION LINE
- - - PARCEL LINE
- - - R/W
- - - 1/2" R/W
- - - CENTERLINE

- FOUND 4" BRASS CAP
17D R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,
LABELED PLS 5710,
OR AS NOTED
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°27'18" W	25.00'
L2	N 00°29'13" E	163.00'
L3	S 00°31'50" W	163.00'



ACCURATE

SURVEYING & MAPPING

1520 W. Washington St.
Boise, Idaho 83702
(208) 486-4227
www accuratesurveyors.com

DATE: JUNE, 2022

JOB 22-197

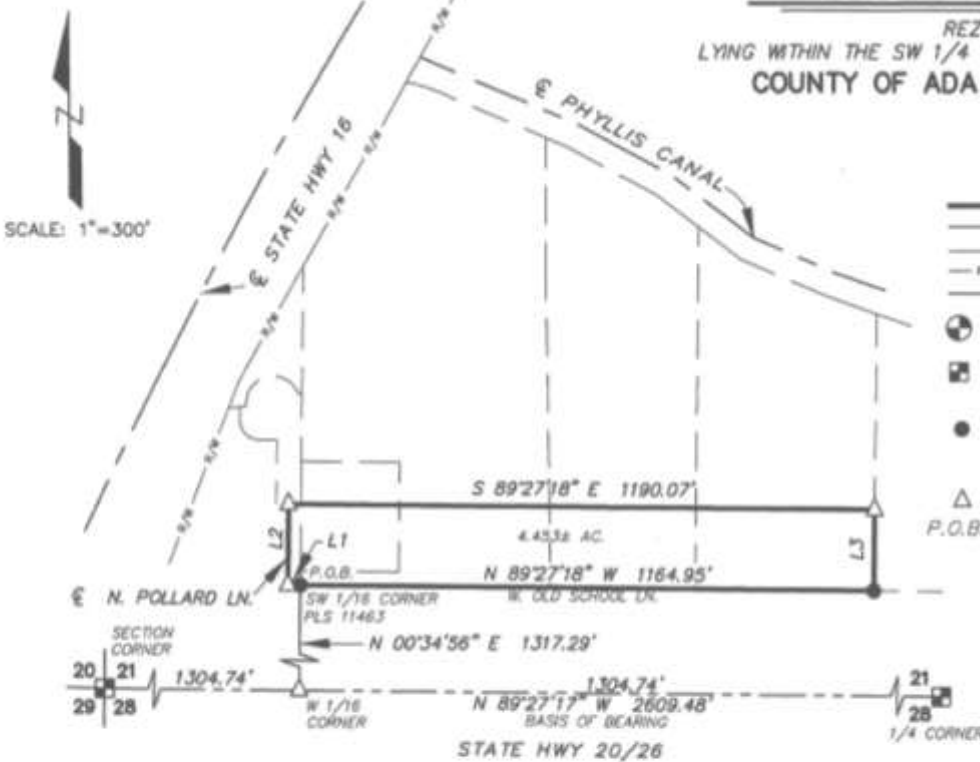


EXHIBIT B

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



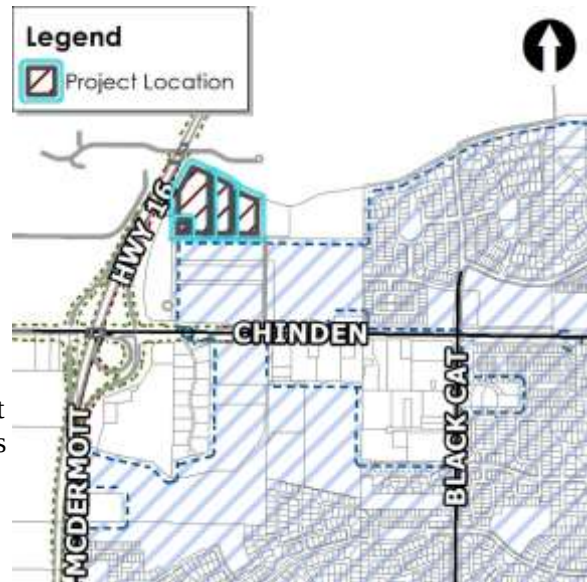
HEARING DATE: 12/6/2022

TO: Mayor & City Council

FROM: Joe Dodson, Associate Planner
208-884-5533

SUBJECT: H-2022-0059
Alden Ridge Subdivision

LOCATION: 6870 N. Pollard Lane and the three (3) parcels to the north and east, directly east of SH 16 and directly south of the Phyllis Canal at the northern edge of the Meridian area of City impact, in the NE 1/4 of the SW 1/4 of Section 21, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Request for Annexation and Zoning of approximately 24.8 acres of land with a request for the R-4 (20.35 acres) and R-8 (4.45 acres) zoning districts and a Preliminary Plat consisting of 65 building lots and 10 common lots on approximately 21.7 acres of land in the requested zoning districts, by Dave Yorgason, Tall Timber Consulting.

NOTE: The Applicant has also requested Alternative Compliance to the required landscape buffer requirements adjacent to State Highway 16; the Director has approved this request per the analysis in Section V and the findings in Section IX below.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	AZ – 24.8 acres; PP – 21.7 acres	
Future Land Use Designation	Low Density Residential (LDR, up to 3 du/ac)	
Existing Land Use(s)	County residential	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	75 total lots – 65 residential building lots and 10 common lots	
Phasing Plan (# of phases)	2 phases	
Number of Residential Units	65 single-family units	
Density	Gross – 2.97 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	Approximately 3.18 acres of open space proposed (approximately 14.4%)	

Description	Details	Page
Amenities	Four (4) amenities are proposed – swimming pool, picnic area, pathway network, and dog waste stations.	
Neighborhood meeting date	May 26, 2022	
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
- Staff report (yes/no) - Requires ACHD Commission Action (yes/no)	Yes No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via new local street connections to Pollard Lane, an existing street (partially private and public) at the southwest corner of the property. Pollard Lane accesses SH 20/26 through a future public road access southeast of the site (N. Rustic Oak Way). Access to all proposed homes is shown from new internal local streets.	
Stub Street/Interconnectivity/Cross Access	No existing stub streets. Applicant is proposing two stub streets with this project; one to the east boundary and one to the southern boundary.	
Existing Road Network	No, except Pollard Lane and Old School Lane, private streets.	
Capital Improvements Plan/Integrated Five Year Work Plan	Meridian North: Bikeway Signage/Community Improvement project is scheduled in the IFYWP to include establishing new bikeway corridors with wayfinding/bikeway signage, from N. Black Cat Road, crossing State Highway 20/26/Chinden Boulevard to N. Long Lake Way construction in 2026. Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to Chinden Boulevard between 2036 and 2040. The intersection of Black Cat Road and Chinden Boulevard/US 20/26 is listed in the CIP to be widened to 5-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 7-lanes on the west leg, and signalized between 2026 and 2030. The intersection of Star Road and Chinden Boulevard/US 20/26 is listed in the CIP to be widened to 5-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 5-lanes on the west leg, and signalized between 2031 and 2035.	
Fire Service		
- Distance to Fire Station - Fire Response Time	3.3 miles from Fire Station #5. The project currently lies outside of the Meridian Fire response time goal of 5 minutes. Future development of public roads may assist in reducing response times in this area.	
- Resource Reliability - Accessibility	Fire Station #5 reliability is 85% (above the goal of 80%) Proposed project meets all required road widths and turnaround dimensions but requires a secondary emergency access to construct more than 30 homes.	
Water & Wastewater		
Impacts/Concerns	See Public Works Site Specific Conditions in Section VIII.	

C. Project Area Maps

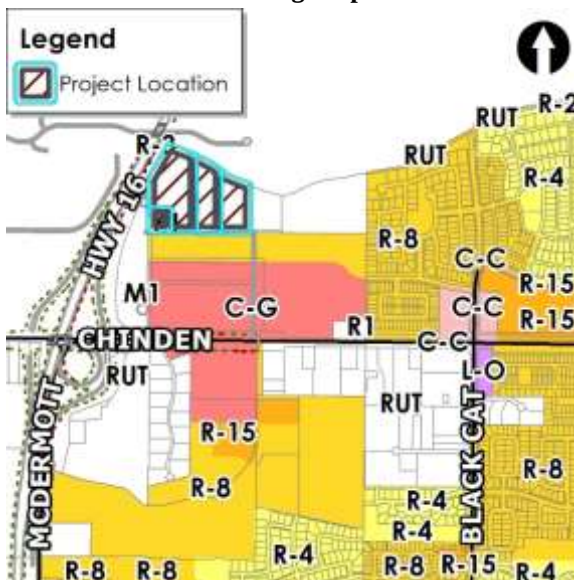
Future Land Use Map



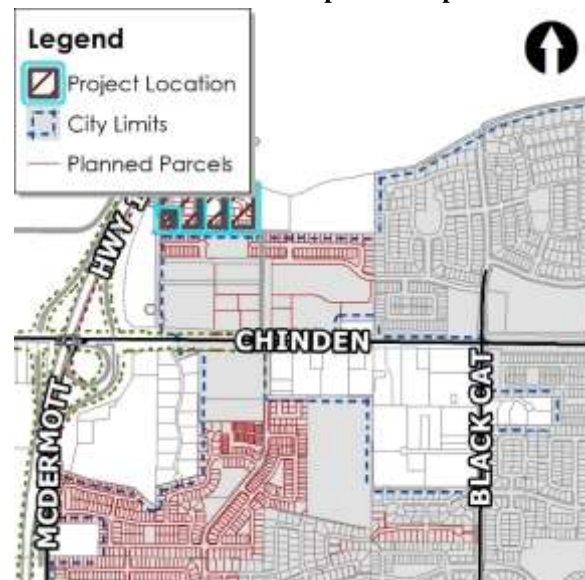
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Dave Yorgason, Tall Timber Consulting – 14254 W. Battenberg Drive, Boise, ID 83713

B. Property Owner:

Kyle Enzler, Ryenn Holdings, LLC – 2610 E. Jasmine Lane, Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	10/19/2022	11/20/2022
Radius notification mailed to properties within 500 feet	10/13/2022	11/17/2022
Site Posting	10/23/2022	11/28/2022
Nextdoor posting	10/13/2022	11/18/2022

V. STAFF ANALYSIS

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

Low Density Residential (LDR) – This designation allows for the development of single-family homes on large and estate lots at gross densities of three dwelling units or less per acre. These areas often transition between existing rural residential and urban properties. Developments need to respect agricultural heritage and resources, recognize view sheds and open spaces, and maintain or improve the overall atmosphere of the area. The use of open spaces, parks, trails, and other appropriate means should enhance the character of the area. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The subject 22 acres is located at the northern edge of the Meridian area of city impact (AOCI) and includes four (4) county parcels containing three (3) rural county homes. The largest home located at the northeast corner of the project is proposed to remain while the other two homes are shown to be removed upon development of the site. The subject site abuts SH 16 on its west boundary and the Phyllis Canal along the entire north boundary which limits any connectivity to the north or west. To the east, two county residential parcels exist and will remain with their new access being to the south through an approved development (Pollard Subdivision). South of the subject development is the aforementioned Pollard Subdivision that is zoned R-8 directly abutting the site and C-G south of that; this development was approved as a mixed-use development consisting of residential and flex space/commercial uses. The subject property is designated as Low Density Residential on the future land use map consistent with surrounding large lot development to the north and east and is a transition from the mixed-use designations along Chinden/SH 20/26 to the south.

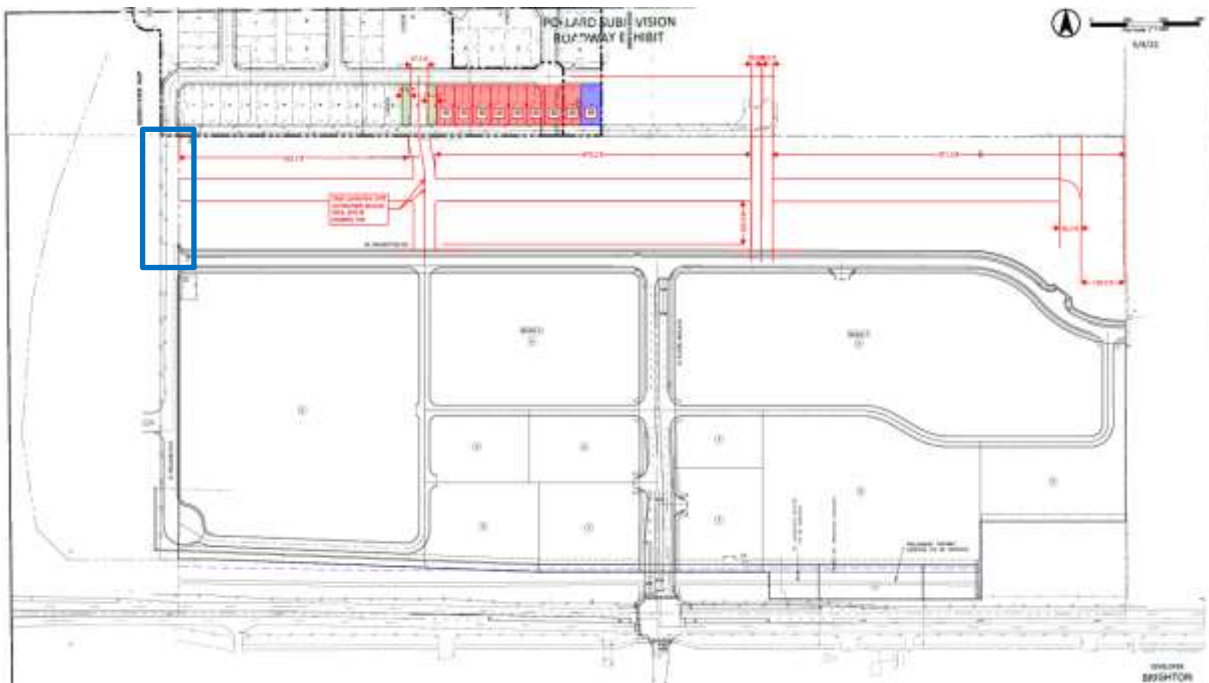
The Applicant is proposing 65 building lots on approximately 21.7 acres of land which constitutes a gross density of 2.97 units per acre, near the maximum density allowed within the LDR designation. The Applicant is proposing two zoning districts within the development to better transition from the R-8 zoning to the south—R-8 zoning is proposed along only the building lots abutting the south boundary with the remaining area proposed with the R-4 zoning district. The minimum building lot size proposed is approximately 5,500 square feet which exceeds the 4,000 square foot minimum lot size for the R-8 zoning district along the south boundary. Within the R-4 area, the minimum building lot size is approximately 8,000 square feet, at the minimum lot size for the zoning district (there are a number of lots along the perimeter of the project that exceed the minimum lot size requirement).

To further help transition from the development to the south, the Applicant is proposing a 30-foot wide buffer with a walking path along the entire south boundary; Staff finds this buffer and the proposed zoning designations to be an adequate transition from south to north. The adjacent county parcel to the east is approximately 4.6 acres in size with the home located on the east third of the property, approximately 230 feet from the east property line of this project. In

addition, the submitted plat depicts a total of four (4) building lots and a stub street along the east boundary. One of these lots is a large estate lot while the other three comply with the minimum lot sizes of the requested zones. Because of the proposed design and the location of the existing county home, staff finds the proposed site design offers adequate transition to the east.

The Phyllis Canal and SH 16 are located wholly outside of the subject project boundary so no direct transition is required as these features are delineations themselves. However, due to the anticipated noise from SH 16, some form of transition and/or buffering should occur along the west boundary. According to the submitted plans, 6 building lots are proposed adjacent to the shared west property boundary with the one remaining home located at the very northeast corner of the site. Code requires a minimum 35' landscape buffer from this project to SH 16 which is shown on the submitted plans. Therefore, the rear lot lines of the proposed homes are no closer than 130 feet to the edge of the pavement for SH 16 and future homes should be even further from the highway after setbacks and building placement are included. Staff finds proposing less lots along this boundary should minimize the number of homes most affected by any noxious effects from the highway.

The proposed development is located at the north edge of the City's AOCI with an approved but undeveloped project to its south as its path to annexation and public street access. Access to the site is a main point of discussion and analysis with this project and timing of development is integral to its success because there are currently no public streets constructed to the subject development from existing public roads. There is existing right-of-way (ROW) from the subject site to Chinden but no physical road within the ROW. This will persist until Brighton constructs Waverton east-west through their site and connects to Pollard Lane at the west boundary. According to the Applicant, Alden Ridge will connect to Pollard Lane with Brighton's first phase of development for its required public street access but full construction (curb, gutter, and sidewalk) of the Brighton owned segment of Pollard will not occur until phase 2; phase 1 of Pollard Subdivision has received final plat approval and does not include the noted segment of Pollard Lane (see blue box below):



The roads outlined in black in the exhibit above are part of Pollard phase 1 and have received final plat approval whereas the roads outlined in red would be part of phase 2 and have not received final plat approval. ACHD has stated within their report that they will not approve any

final plat for Alden Ridge until a public road (Waverton Drive) is constructed to the project for access (see Exhibit VIII.H). Therefore, this development is contingent upon the construction of the adjacent project to the south. Commission and Council should determine if development of this project constitutes orderly growth and satisfies the Comprehensive Plan and City code despite being contingent upon another development for access and sewer infrastructure. Staff recommends a DA provision around the timing of development consistent with ACHD and UDC 11-3A-3 for access to the project. Further analysis is below in subsequent sections.

The City may require a development agreement (DA) in conjunction with an annexation and rezone pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA that encompasses the land proposed to be annexed and zoned with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone and annexation approval. A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.*

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

The applicable Comprehensive Plan policies are cited below with 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). Staff finds the proposed design to develop this site with two large estate lots, a majority R-4 development, and a transitional row of R-8 lots promotes a diverse set of housing options that should meet the needs, preferences and financial capabilities of future residents.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are not currently available for the project site due to its location being at the north rim of the City's AOCI. Specifically, Alden Ridge is dependent upon Pollard Subdivision to the south for sewer and public road access. There are anticipated and approved improvements in this area that will provide City sewer to the property with Brighton constructing a lift station with phase 1 of Pollard Subdivision; water will be provided to the project from Veolia (Suez) Water and not the City of Meridian. In conjunction with the timing of utility development, ACHD has noted they will not approve a final plat for this project without a public road being constructed to the subject site. This future connection should occur with phase 1 of the Pollard Subdivision to the south where an existing segment of Pollard Lane resides within public ROW and will connect to the new east-west road, W. Waverton Drive. Staff has concerns regarding the construction timeline for the required public road access to Alden Ridge.

Staff finds the existing development does not provide for appropriate levels of service for this project but the planned development of the immediate area should create appropriate conditions for levels of service to and for this proposed project. Staff has included provisions regarding the timing of this development with the noted and anticipated hurdles.

“With new subdivision plats, require the design and construction of pathways 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 project will construct sidewalks within the entire development and extend public roads to adjacent underdeveloped county parcels for future connectivity. There are no nearby schools but the submitted plans show adequate pedestrian access to the proposed open space and amenities within Alden Ridge. Future public road connectivity will also allow for easy and safe pedestrian and vehicular access to commercial development planned along Chinden Boulevard, SH 20/26 to the south. Staff anticipates both customer and employment opportunities to be nearby the subject development.

“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). *The Applicant is proposing to construct new local streets within this development that stub to underdeveloped properties to the east and provide connectivity through the mixed-use project to the south, Pollard Subdivision. However, as discussed, the timing to establish these street connections is not entirely clear due to the project to the south not currently being complete and no existing public road connection to Chinden exists. The Applicant is coordinating with the adjacent developer to the south but the fact remains Alden Ridge development is directly tied to the development of Pollard Subdivision to the south for public road access. For this reason, Staff supports the internal circulation and the proposed stub street locations but has concerns regarding the overall connectivity to nearby roadways and their timing of construction.*

Staff finds this development to be generally consistent with the Comprehensive Plan but notes the important access deficiencies that exist at this time.

C. Existing Structures/Site Improvements:

According to GIS imagery, there are three (3) existing homes and several outbuildings within the project boundary. Staff understands the home located in the northwest corner of the site, located on the proposed Lot 13, Block 1, is to remain while the other two homes and outbuildings will be removed. In addition, there is a private street (W. Old School Lane) that exists along the entire southern boundary and provides access to the two county parcels to the east, 6854 and 5500 W. Old School Lane. According to City GIS imagery, it does not appear that this private lane is within the subject project boundary but has confirmed with the Applicant that it is in fact within the property lines. Further analysis on this is below in the Access section.

Located at the southwest corner of the property, there is currently a cul-de-sac for Pollard Lane that was utilized when it was a private street; this cul-de-sac now has public right-of-way over it as it is intended to provide public street access to this development. However, the cul-de-sac and a large area of the existing right-of-way is not needed anymore as the design of this project has shifted to the east to accommodate a future Veolia (Suez) Water well site (Lot 5, Block 1) where the cul-de-sac is currently located. The remaining area of the right-of-way that is no longer needed will be vacated at a later date with ACHD; the Applicant should provide the City proof that the right-of-way has been vacated with the submittal of the first final plat application.

D. Proposed Use Analysis:

The proposed use is detached single-family residential with a minimum lot size of approximately 5,500 square feet and an average lot size of approximately 6,000 square feet, based on the submitted plat (Exhibit VII.B). This use is a permitted use in the requested R-4 and R-8 zoning districts per UDC Table 11-2A-2. The Applicant has noted the development is expected to develop in two phases with a majority of the development occurring within phase 1 (48 lots in phase 1 and 17 in phase 2). Staff supports the proposed phasing plan because it includes a majority of the open space, pedestrian and vehicular connectivity, and both zoning designations. No common driveways or alleys are proposed within this development.

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

The residential lots are shown to meet all UDC dimensional standards per the submitted plat. All lots are shown to meet the minimum lot size and minimum street frontage requirements for each zone. In fact, nearly all of the lots within the subdivision are proposed to be larger than the minimum lot size and with at least 10 more feet of frontage than code requires for each zone. For example, the R-8 lots are shown with at least 50 feet of frontage (40 feet is required) and the R-4 lots are shown with at least 70 feet of frontage, except one lot that is proposed with 65 feet of frontage (60 feet is required).

In addition, the subject development appears to comply with all Subdivision Design and Improvement Standards outlined in UDC 11-6C-3.

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

The Applicant submitted conceptual building elevations for the proposed detached single-family homes. Note that detached single-family homes **do not** require Design Review approval, therefore Staff does not review these for compliance with any architectural standards.

The submitted elevations depict a number of different architectural design variations of both farmhouse and modern style homes. The homes are depicted with varying roof profiles, building materials, and window designs. All of the images depict some form of side-loaded garages which allows the streetscape to include more building façade instead of being garage dominated. Overall, Staff finds the submitted elevations to show high quality and attractive detached single-family homes. However, there is concern the submitted conceptual elevations depict homes that will not fit on the R-8 lots so Staff is requesting additional elevations that are confirmed to fit on the proposed R-8 lots.

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

As discussed within the Comprehensive Plan section above, access to the subject site is concern of Staff due to the required timing component and the fact the subject development is wholly dependent upon development of Pollard Subdivision to the south. Existing ROW exists from Chinden to the southwest corner of Alden Ridge via a small segment of Pollard Lane (a previous private lane) but most of this ROW does not include any road at this time. Pollard Subdivision No. 1 is approved and will include the extension of W. Waverton Drive from the east within Fairbourne Subdivision. The below image depicts the ROW (shown in pink) versus the actual location of the existing roadways (gray asphalt) with the overlay of the planned improvements (burgundy lines):



Once Waverton is constructed with Pollard Subdivision No. 1, ACHD will approve the phase 1 final plat for this development, according to their staff report.

Beyond the noted access from off-site, access for the development is proposed via a new local street (shown as W. Scoria Court) connection to Pollard Lane at the southwest corner of the property. All building lot access is proposed to internal local streets shown as 33 feet wide within 47 feet of ROW, consistent with ACHD standards.

Further, two stub streets are proposed; one to the east property line and one to the south property line. The stub street along the south property line is planned to be extended by Pollard No. 2 in the future but will be constructed as a temporary secondary emergency access from Waverton to the new local street with phase 1 of the subject development. This secondary access is required by the Meridian Fire Department in order to construct more than 30 homes. The stub street to the east property line will be extended in the future should the adjacent underdeveloped county parcels ever redevelop.

In addition to access for the properties within the subject application, W. Old School Lane is also the access to the two county properties east of the subject site. The Applicant has shown an alternative access for these properties by maintaining a portion of Old School Lane along the south boundary that connects to the proposed stub street to the south boundary; this access is proposed to remain until such time that phase 2 of Pollard Subdivision develops to the south and constructs a public road to the east terminus of Old School Lane as their permanent access, as approved with the Pollard Lane Subdivision preliminary plat. All of these improvements are noted within the access exhibit in Exhibit VII.D below.

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 dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. Note that there is opportunity for on-street parking where there are no driveways because the internal streets are proposed as a 33-foot wide street sections. Further, due to the relatively low density and wide building lots, there should not be number of driveways placed close together that limit on-street parking typically seen within higher density developments.

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

A combination of 5-foot wide attached and detached sidewalks are proposed along the internal local streets consistent with UDC and ACHD requirements. No multi-use regional pathways are required or proposed within the development as the Phyllis canal along the north property line is not located within the project boundary. The Applicant is also proposing micro-paths throughout the site for access to the proposed open spaces and Staff specifically notes their inclusion within linear open space along the south boundary as well as within between the row of homes in Block 2 that runs north-south and adds a pedestrian loop between two local streets. The proposed sidewalks and micro-paths comply with UDC standards; therefore, Staff is supportive of the proposed pedestrian network of Alden Ridge Subdivision.

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

There are no collector or arterial streets adjacent to the subject development so no street buffers are required that are typical in most subdivisions. However, a portion of the west project boundary abuts ITD right-of-way for SH 16 and requires a 35-foot landscape buffer per UDC 11-2A-5 for the R-4 zoning district as it is depicted as an entryway corridor (no portion of the R-8 lots abut this right-of-way). The required buffer should be landscaped per the standards in UDC Table 11-3B-7C and UDC 11-3H-4 because it is adjacent to a state highway. In addition, all landscape areas should be landscaped per UDC 11-3B-5, the general landscaping standards. Lastly, according to the submitted plans, the Applicant is proposing micro-paths which should be landscaped in accord with UDC 11-3B-12 standards.

The Applicant is showing a common lot along the west boundary that is 20-feet in width and does not comply with the required width of 35 feet. Due to the existing location of the home and mature trees, a required easement by the water company along the rear of the building lots, and the relative limited number of homes along the highway (6 building lots), the Applicant has requested Alternative Compliance (ALT) to the location of the buffer and its required width on the subject property—the Applicant is not requesting to reduce the actual buffer width but to shift it over the west property line so that 20 feet is on the subject property and 20 feet is within the ITD right-of-way. According to the submitted narrative, the Applicant states that ITD has approved the inclusion of landscaping within their ROW as they have excess area that will not be used for future road widening. In addition, ITD has included additional requirements surrounding the approval of the proposed buffer location; for example, the requirement for ITD to be able to access any SH 16 landscape areas from within the subdivision and not along the highway for safer access. Staff is supportive of this request because the actual buffer width proposed is 5 feet larger than the minimum requirement, it will allow for existing mature vegetation to remain, and allow for a wider berm and more dense landscaping to be placed along this frontage offering more noise and fume mitigation than if the buffer was solely on the subject property. Specific ALT findings can be found in the findings section of this staff report, see Section IX.

As discussed above, the required 35-foot landscape buffer is due to the SH 16 frontage being an entryway corridor. Per UDC 11-3B-7C.3, entry way corridors require additional landscape design than typical landscaping. For example, additional vegetative ground cover beyond that of grasses and additional landscape features are required to meet UDC standards. Landscape features may include berms at a three-foot minimum height, decorative landscape walls, decorative open vision fencing, or a dry creek design with river rock, boulders, etc. are acceptable to meet this standard. The Applicant is proposing trees in excess of code with the combination of a berm and wall but there is no exhibit depicting the style of the wall and no other elevated landscape features are proposed. In order to comply with the entryway corridor standards, the Applicant should add additional features as outlined above; Staff has included a condition of approval to comply with this standard.

As discussed, the Applicant has proposed linear open space and micro-paths around and through the development. These areas should be landscaped in accord with UDC 11-3B-12 with trees at least every 100 linear feet and include other vegetative ground cover. According to the submitted landscape plans, the Applicant is proposing trees in excess of code requirements with sod throughout; additional vegetative ground cover is required in accord with UDC 11-3B-12. The Applicant should revise the landscape plans to depict the required revisions with the relevant final plat applications.

The Applicant is also proposing a relatively short segment of parkways near the north end of the site in front of Lots 14-22, Block 1. According to the submitted landscape plans, the proposed parkway includes one tree per lot and is 8 feet wide, consistent with UDC requirements.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7.

According to the submitted landscape plans, the Applicant is proposing two types of fencing throughout the site, vinyl privacy fencing and vinyl semi-privacy fencing, in addition to proposing a masonry wall at the top of the berm along the west boundary adjacent to SH 16. Staff finds the locations of all of the proposed fencing to comply with UDC requirements. However, the type of semi-private vinyl fencing shown within the submitted landscape plans do not comply with the exhibits depicted with the UDC that requires the solid portion to be no more than 4 feet in height and the top 2 feet must be at least 80% open-vision. The Applicant is required to revise this type of fencing shown on the submitted plans with future final plat applications.

In addition, the Applicant is proposing a berm/wall combination along the SH 16 frontage at the northwest property boundary and notes the wall to be approximately 4 feet in height with a 4-foot to 5-foot tall berm; therefore, the combined height of the berm/wall is approximately 8-9 feet in height. UDC 11-3H-4, development along state highways, is applicable in this area of the project because of the frontage with SH 16. Code requires the berm/wall combination to be a minimum of 10 feet above the centerline of the highway. Therefore, the applicant should revise the height of the proposed berm and wall to comply with the UDC.

L. Open Space and Amenities (UDC [11-3G](#)):

The proposed project is approximately 21.7 acres in size requiring a minimum amount of open space based on the requested zoning. Per UDC Table 11-3G-3, the R-4 area requires a minimum of 12% qualified open space and the R-8 area requires a minimum of 15% open space. Because both zones are located within the same project, it is anticipated all of the open space is to be shared and the total open space required is based on the calculations of combining the minimum required. Per the calculations, the minimum amount of qualified open space required is 2.77 acres, approximately 120,661 square feet. According to the submitted plans, the Applicant is proposing 4.1 acres of common open space with 3.18 acres of this area as qualified open space, exceeding the minimum amount required. The proposed 3.18 acres equates to approximately 14.4% qualified open space for the overall project.

There are three main open space areas proposed within Alden Ridge, the centralized common open space area, the linear open space along the southern boundary, and the linear open space in the west half of the site with Block 2. The large central open space area is approximately 52,000 square feet in size and is the largest common area within the project. The Applicant has proposed multiple micro-paths throughout this open space for easy pedestrian access. The linear open space along the southern boundary is approximately 30 feet in width and over 1,000 feet in length. This linear open space is shown with trees and a micro-path for an added pedestrian element and will also act as a buffer between this project and the project to the south, Pollard Subdivision, that is approved with higher density housing than what is being requested with Alden Ridge. The other areas noted as qualified open space include half of the buffer area to SH 16 and a portion of the future well site lot at the southwest corner of the project that is at least 5,000 square feet in size. Both of these areas are allowed to count towards the qualified open space per the UDC. Because of the pedestrian connectivity and the general locations and uses of the open space, staff supports the proposed qualified open space.

UDC 11-3G-4 dictates the minimum amenity points required for projects over 5 acres in size. The project size of 21.7 acres requires a minimum of four (4) amenity points (1 point for every 5 acres). According to the submitted plans and narrative, the Applicant is proposing the following amenities worth 9 amenity points: a picnic area (2), pathways (2), two dog waste stations (1), and a swimming pool (4). According to UDC Table 11-3G-4, the proposed amenities and their point value is correct and exceed UDC requirements for a project of this size.

Consistent with the overall design of the open space, the Applicant has proposed to place the swimming pool with changing facilities and a picnic area near each other and within the large centralized open space lot, Lot 13, Block 3. The two dog waste stations are located in separate areas of the site for ease of access to both the east and west half of the project. Lastly, the proposed micro-paths are located throughout the development and add multiple pedestrian connections through the project that are not located adjacent to the street. Based on the proposed site design and zoning, Staff supports the proposed amenities.

M. Utilities (UDC [11-3A-21](#)):

The Applicant is proposing and is required to extend sanitary sewer services to adjacent parcels to the east for future connectivity. No other connectivity options are available due to the Phyllis

Canal located along the entire north property line and a segment of SH 16 along a portion of the west boundary. Water service for this project will be provided by Veolia (Suez) Water and not the City of Meridian. Public Works has reviewed the subject plans for compliance with their standards and finds them to be in general compliance except for specific conditions outlined in Section VIII.B of this report.

*As discussed throughout this report, sewer service for this development is not yet available and must be provided to this site via construction of the adjacent development to the south, Pollard Subdivision. Further, a lift station is also required to service this area for both Pollard Subdivision and this subject development, Alden Ridge. **In short, the subject development is wholly contingent upon the construction and completion of the adjacent project to the south.***

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and preliminary plat applications with the requirement of a Development Agreement per the conditions of approval in Section VIII of this report per the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on November 3, 2022. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning and Preliminary Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Dave Yorgason, Applicant Representative; John Peterson, neighbor;
- b. In opposition: None
- c. Commenting: Dave Yorgason; John Peterson;
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: Bill Parsons, Planning Supervisor.

2. Key issue(s) of public testimony:

- a. Support for project due to proposed density and general lot sizes;

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

- a. Fencing questions regarding lots surrounding open space areas;
- b. Commission supported the proposed density and lot sizes because they saw the proposed project to provide adequate transition and would blend in well with the existing character of the neighborhood.

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 12/06/2022. At the public hearing, the Council voted to approve the subject AZ and PP request.

1. Summary of the City Council public hearing:

- a. In favor: Dave Yorgason and John Peterson
- b. In opposition: None
- c. Commenting: Noted above
- d. Written testimony: None
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: Joe Bongiorno

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by City Council:

a. Fire response times.

b. Timing for the construction of the infrastructure (well lot, sewer lift station, and public street extension) to serve the proposed development.

4. City Council change(s) to Commission recommendation:

a. None

VII. EXHIBITS

A. Annexation and Zoning Legal Descriptions and Exhibit Maps:



Annexation Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

Commencing at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21 and the **POINT OF BEGINNING**;

Thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane;

Thence N 00° 29' 13" E along said centerline for a distance of 365.15 feet;

Thence N 89° 30' 47" W along said centerline for a distance of 33.33 feet;

Thence S 83° 33' 30" W along said centerline for a distance of 55.00 feet;

Thence S 85° 48' 43" W along said centerline for a distance of 36.25 feet to a found aluminum cap monument on the southeasterly right-of-way of State Highway 16;

Thence N 68° 56' 21" W for a distance of 155.65 feet to the centerline of State Highway 16;

Thence along said centerline 770.84 feet along a curve to the right, said curve having a radius of 10,000.00 feet, a central angle of 4° 25' 00" and a long chord bearing N 28° 30' 55" E a distance of 770.65 feet;

Thence S 60° 34' 55" E for a distance of 158.30 feet to a found 4 inch brass cap monument on the southwesterly line of the Phyllis Canal;

Thence along said line the following 8 courses and distances:

- 1.) along a curve to the right 60.81 feet, said curve having a radius of 340.00 feet, a central angle of 10° 14' 52" and a long chord bearing S 74° 09' 59" E a distance of 60.73 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 2.) S 67° 00' 00" E for a distance of 244.90 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;

- 3.) S 67° 00' 46" E for a distance of 47.31 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 4.) S 61° 59' 06" E for a distance of 202.70 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 5.) S 53° 06' 27" E for a distance of 109.48 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 6.) S 52° 52' 46" E for a distance of 107.17 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 7.) S 66° 52' 05" E for a distance of 184.95 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 8.) S 70° 40' 30" E for a distance of 112.43 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence S 00° 31' 50" W for a distance of 557.08 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence N 89° 27' 18" W along the sixteenth line for a distance of 1164.95 feet to the **POINT OF BEGINNING.**

Said parcel contains 24.802 acres, more or less.



EXHIBIT MAP

ANNEXATION
LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.
COUNTY OF ADA — STATE OF IDAHO

SCALE: 1"=300'



LEGEND

- ANNEX BOUNDARY
- - - SECTION LINE
- - - PARCEL LINE
- - - RIGHT-OF-WAY
- - - CENTERLINE
- FOUND 4" BRASS CAP
ITD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,
LABELED PLS 5710,
OR AS NOTED
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°30'47" W	33.33'
L2	S 83°33'30" W	55.00'
L3	S 85°48'43" W	36.25'
L4	N 68°56'21" W	155.65'
L5	S 60°34'55" E	158.30'
L6	S 67°00'46" E	47.31'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	770.84'	10000.00'	4°25'00"	N 28°30'55" E	770.65'
C2	60.81'	340.00'	10°14'52"	S 74°09'59" E	60.73'



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Boise, Idaho 83702
(208) 488-4227
www accuratesurveyors.com

DATE: JUNE, 2022

JOB 22-197

Zoning R4 Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

Commencing at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21; thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane; thence N 00° 29' 13" E along said centerline for a distance of 163.00 feet to the **POINT OF BEGINNING**;

Thence N 00° 29' 13" E along said centerline for a distance of 202.15 feet;

Thence N 89° 30' 47" W along said centerline for a distance of 33.33 feet;

Thence S 83° 33' 30" W along said centerline for a distance of 55.00 feet;

Thence S 85° 48' 43" W along said centerline for a distance of 36.25 feet to a found aluminum cap monument on the southeasterly right-of-way of State Highway 16;

Thence N 68° 56' 21" W for a distance of 155.65 feet to the centerline of State Highway 16;

Thence along said centerline 770.84 feet along a curve to the right, said curve having a radius of 10,000.00 feet, a central angle of 4° 25' 00" and a long chord bearing N 28° 30' 55" E a distance of 770.65 feet;

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Thence along said line the following 8 courses and distances:

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- 8.) S 70° 40' 30" E for a distance of 112.43 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence S 00° 31' 50" W for a distance of 394.08 feet;

Thence N 89° 27' 18" W for a distance of 1190.07 feet to the **POINT OF BEGINNING**.

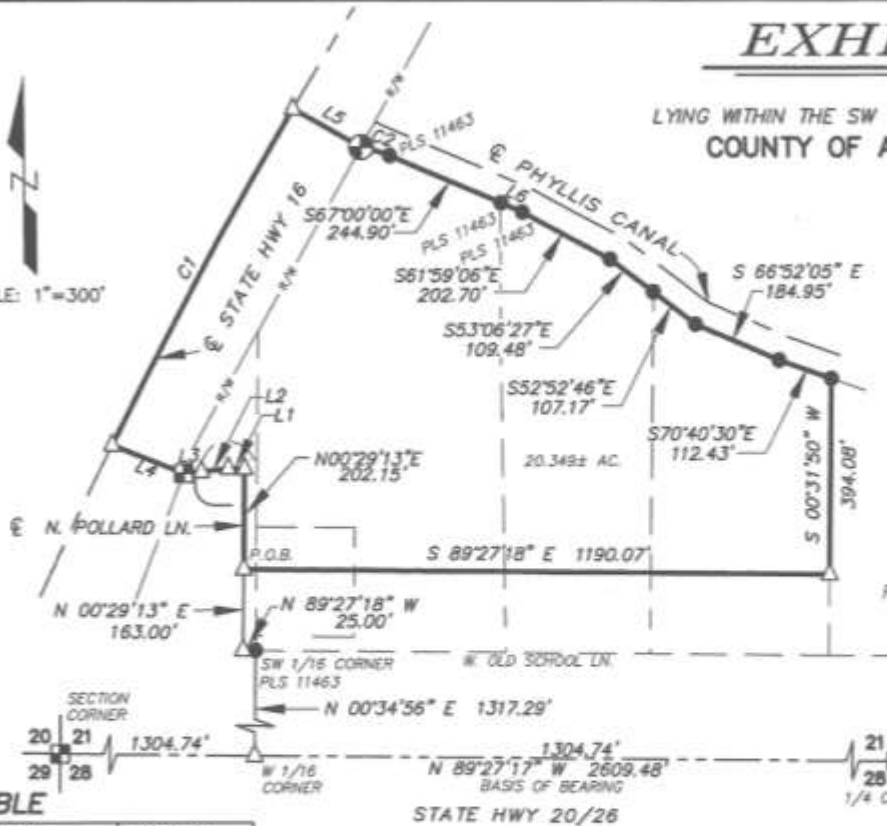
Said parcel contains 20.349 acres, more or less.



EXHIBIT MAP

REZONE - R4
LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.
COUNTY OF ADA—STATE OF IDAHO

SCALE: 1"=300'



- LEGEND**
- REZONE BOUNDARY
 - SECTION LINE
 - PARCEL LINE
 - RIGHT-OF-WAY
 - CENTERLINE
 - FOUND 4" BRASS CAP
1TD R/W MONUMENT
 - FOUND 2" ALUM. CAP MONUMENT,
STAMPED PLS 8961
 - FOUND 5/8" IRON PIN,
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OR AS NOTED
 - CALCULATED POINT
 - P.O.B. POINT OF BEGINNING



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DATE: JUNE, 2022

JOB 22-197

Zoning R8 Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

Commencing at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21 and the **POINT OF BEGINNING**;

Thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane;

Thence N 00° 29' 13" E along said centerline for a distance of 163.00 feet;

Thence S 89° 27' 18" E for a distance of 1190.07 feet;

Thence S 00° 31' 50" W for a distance of 163.00 feet to a found 5/8th inch iron pin with a cap labeled PLS 5710;

Thence N 89° 27' 18" W along the sixteenth line for a distance of 1164.95 feet to the **POINT OF BEGINNING**.

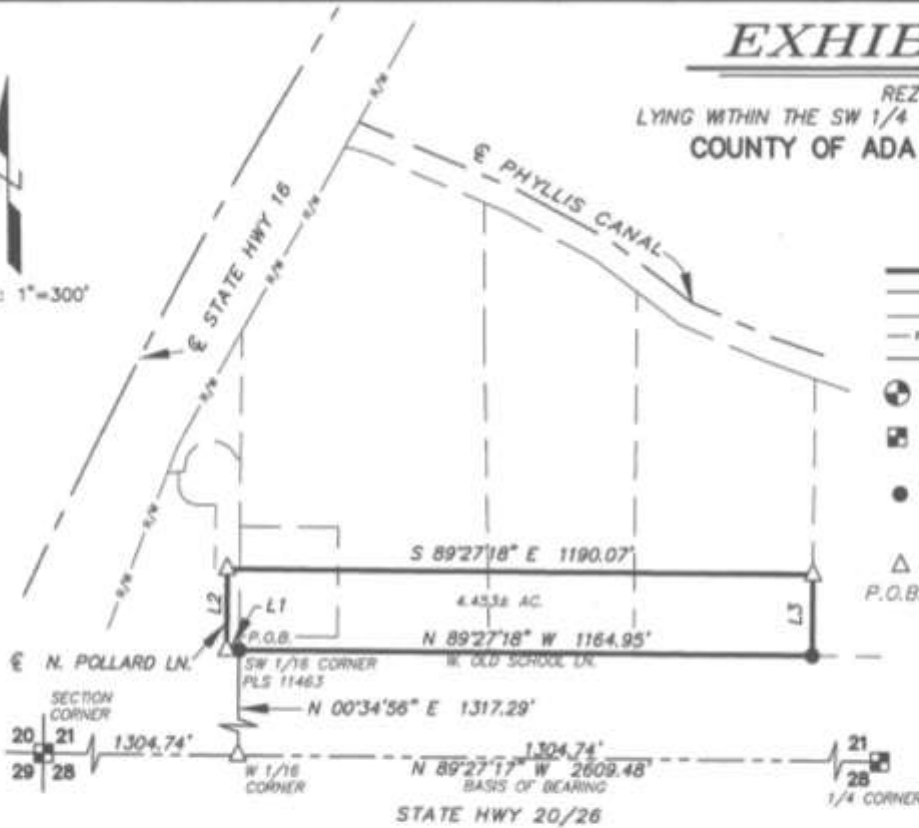
Said parcel contains 4.453 acres, more or less.



EXHIBIT MAP

REZONE - R8
LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.
COUNTY OF ADA — STATE OF IDAHO

SCALE: 1"=300'



LEGEND

- REZONE BOUNDARY
- - - SECTION LINE
- ... PARCEL LINE
- . - . - RIGHT-OF-WAY CENTERLINE
- FOUND 4" BRASS CAP
1TD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,
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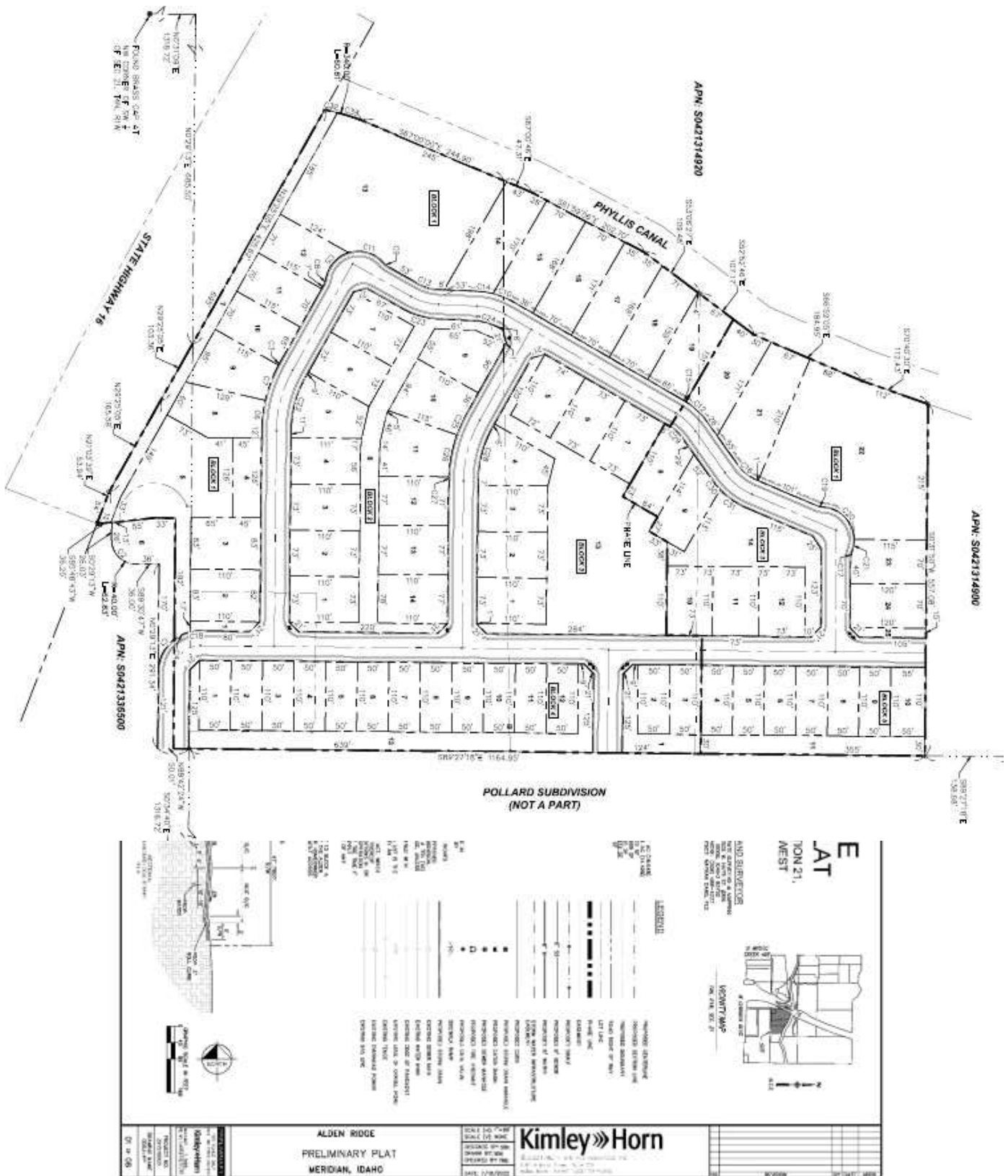
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DATE: JUNE, 2022

JOB 22-197

B. Preliminary Plat (dated: 7/18/2022)



C. Landscape Plans (date: 7/18/2022)

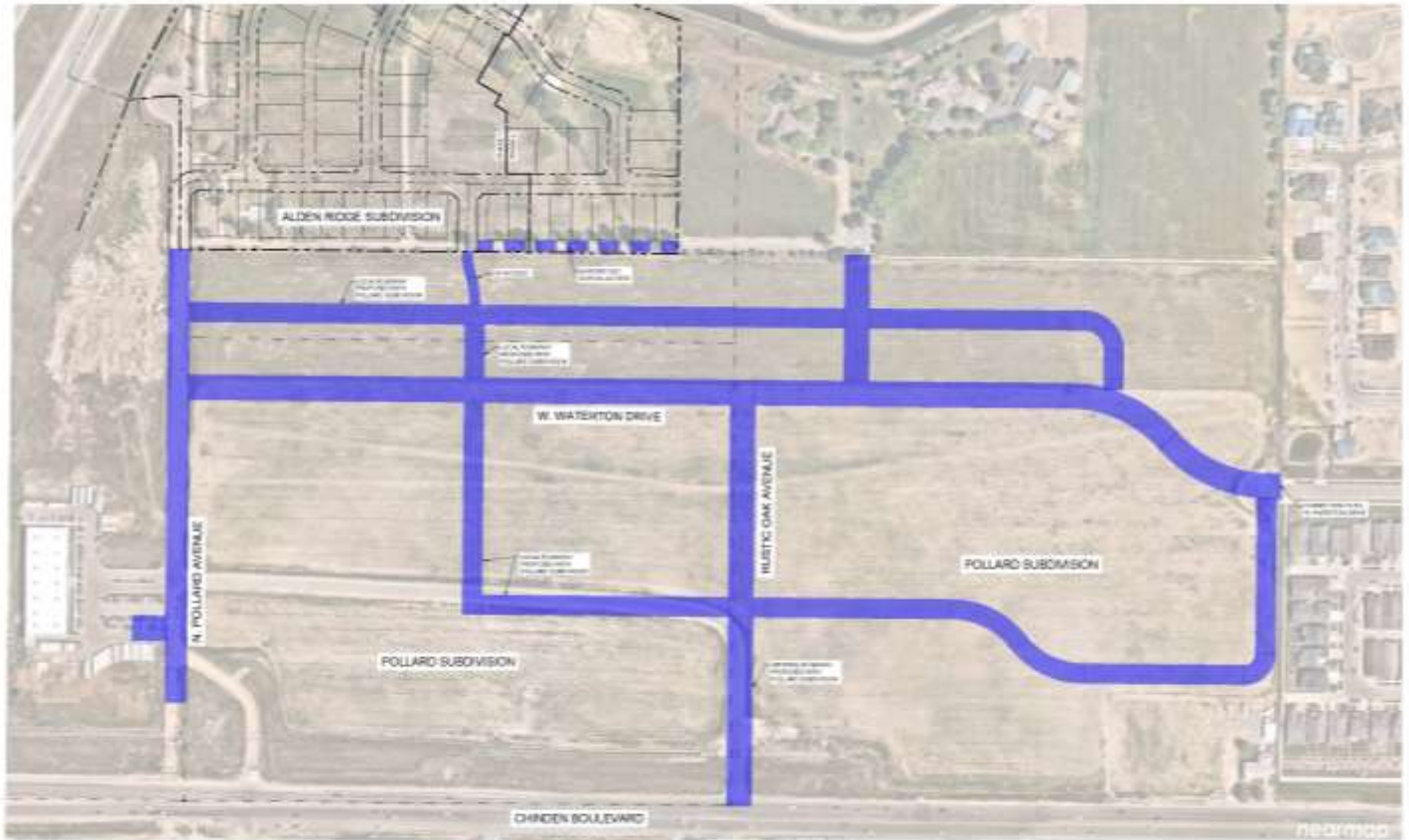


LANDSCAPE SET SHEET INDEX
 SEE SHEETS L1.1-L1.4 FOR DETAILED LANDSCAPE PLANS.
 SEE SHEET L2.0 FOR LANDSCAPE DETAILS.
 SEE SHEET L2.1 FOR NOTES AND SPECIFICATIONS.
 SEE SHEET L3.0 FOR TREE MITIGATION PLAN.

DISCLAIMER:
 THE DESIGNER HAS PREPARED THESE PLANS FOR THE PROJECT AND HAS NOT CONDUCTED A FIELD SURVEY OF THE PROJECT. THE DESIGNER HAS RELIED ON THE INFORMATION PROVIDED BY THE CLIENT AND HAS NOT CONDUCTED A FIELD SURVEY OF THE PROJECT. THE DESIGNER HAS NOT CONDUCTED A FIELD SURVEY OF THE PROJECT. THE DESIGNER HAS NOT CONDUCTED A FIELD SURVEY OF THE PROJECT.

OPEN SPACE LEGEND
 OPEN SPACE
 LANDSCAPED OPEN SPACE

D. Alden Ridge Access Exhibit:



E. Conceptual Building Elevations







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 and the property owner(s)/developer at the time of annexation ordinance adoption, and the developer. **A final plat will not be accepted until the DA is executed and the Annexation and Zoning ordinance is approved by City Council.**

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 substantially consistent with the approved plat, landscape plan, phasing plan, access exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
- b. Any existing structures shall be removed upon project development, except for those specifically noted within the preliminary plat to remain.
- c. The existing home shown to remain on Lot 13, Block 1 shall connect to City sewer services with the first phase of development.
- d. Due to access and sewer availability, phase 1 development shall not commence until a public road access is available to the site and the required sanitary sewer lift station is constructed by the adjacent development to the south (Pollard Subdivision).
- e. The Applicant shall relinquish their rights to access W. Old School Lane and provide the Planning Division with written proof of this relinquishment with phase 1 development and maintain access for 6854 N. Pollard Lane & 5500 N. Pollard Lane as depicted on the access exhibit (Exhibit VII.E) until such time their permanent access through Pollard Subdivision is constructed.
- f. The rear and/or sides of homes visible from SH 16 (Lots 8-12, Block 1) 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 that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

Preliminary Plat Conditions:

2. The preliminary plat included in Section VII.B, dated July 18, 2022, shall be revised as follows prior to submitting for Final Plat approval:
 - a. With the first final plat submittal, provide the City written proof that the right-of-way for Pollard Lane has been vacated with ACHD (Lots 5 & 6, Block 1).
 - b. Existing home will get a new address upon development of the first phase of this project consistent with the development of the new local street access.
3. The landscape plan included in Section VII.C, dated July 18, 2022, shall be revised as follows prior to submitting for Final Plat approval:

- a. Depict additional vegetative ground cover in all linear open space consistent with UDC 11-3B-12.
 - b. Revise the design of the semi-private open vision fencing proposed to be consistent with Figure 1 in UDC 11-3A-7.
 - c. Per UDC 11-3H-4, revise the height of the berm/wall combination to be at least 10 feet above the centerline of SH 16 and depict this height within the exhibit on the Landscape Plans.
4. Prior to the Commission hearing, the Applicant shall verify the location of the irrigation ditch along the south boundary to determine if it is on the subject property; if said ditch is proven to be on the subject property, the Applicant should revise any relevant plans to depict this ditch as being piped prior to the City Council hearing in accord with UDC 11-3A-6B.
 5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
 6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
 7. The Applicant shall comply with all ACHD conditions of approval.
 8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
 9. The Director has approved the Alternative Compliance Request to the landscape street buffer requirements (UDC 11-3B-7).
 10. Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review for the pool changing facilities located on Lot 13, Block 3 prior to building permit submittal for this facility.
 11. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
 12. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
 13. Prior to the City Council hearing, submit conceptual building elevations for the R-8 building lots.
 14. The submitted R-4 & R-8 zoning legal descriptions and exhibit maps are mislabeled as Rezone exhibits; prior to the City Council hearing, the applicant shall provide revised legal descriptions and exhibit maps noting these to be "Zoning" instead of "Rezone."

B. PUBLIC WORKS

SITE SPECIFIC CONDITIONS:

1. Subject to the Oaks Lift Station and Pressure Sewer reimbursement agreement.
2. Area requires Pollard Lift Station and force main before area can be serviced.
3. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.
4. Ensure no sewer services pass through infiltration trenches.

5. Water serviced by Suez and not the City.
6. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. This includes, the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. In addition, rain gutters should be placed around all sides of residences, and backfill around stem walls, should be placed and compacted in a controlled manner.

GENERAL CONDITIONS:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. 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.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water 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 applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
7. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.

9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. 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.
15. The 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.
16. 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.
17. 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.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.

21. 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.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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 development plan approval.
24. 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.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273989&dbid=0&repo=MeridianCity>

D. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274704&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274066&dbid=0&repo=MeridianCity>

F. SETTLER'S IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274280&dbid=0&repo=MeridianCity>

G. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275949&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278247&dbid=0&repo=MeridianCity>

I. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277898&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Annexation and Zoning (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;

The Council finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-4 & R-8 zoning districts with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.

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

The Council finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-4 & R-8 zoning districts and is consistent with the purpose statement of the requested zone.

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

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

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

The Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

The Council finds the annexation is in the best interest of the City, if all conditions of approval are met.

B. Preliminary Plat Findings:

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

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

The Council finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

The Council finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

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

Because City sewer and any other utilities will be provided by the development at their own cost, the Council finds that the subdivision will not require the expenditure of capital improvement funds.

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

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

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

The Council is not aware of any health, safety, or environmental problems associated with the platting of this property.

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

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

C. Alternative Compliance findings (Landscape buffers along streets UDC 11-3B-7):

The Director has approved your request for alternative compliance to Unified Development Code (UDC) 11-3B-7 for the subject property, based on the required Findings listed in UDC 11-5B-5E, as follows:

1. Strict adherence or application of the requirements are not feasible; or

The Director finds it is feasible to meet the UDC requirement for the location of the required street buffer but Staff finds it may not be the ideal location when all parameters are considered (location of the existing home and mature trees that are to remain, a required easement by the water company along the rear of the building lots, and the relative limited number of homes along the highway, 6 building lots).

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

Per the analysis above in section V, the Director finds the proposed alternative will be equal or superior to the code requirement because the actual buffer width proposed is 5 feet larger than the minimum requirement, it will allow for existing mature vegetation to remain, and the proposed buffer location allows for a wider berm and more dense landscaping to be placed along this frontage offering more noise and fume mitigation than if the buffer was solely on the subject property.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.

The Director finds that the alternative means will not be materially detrimental to the public welfare or impair the intended use and/or character of surrounding residential properties if the proposed conditions of approval are maintained.