

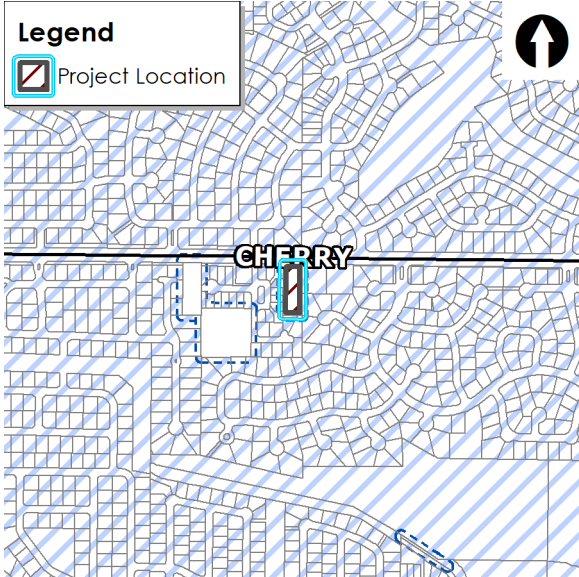
HEARING DATE: May 23, 2023

TO: Mayor & City Council

FROM: Stacy Hersh, Associate Planner
208-884-5533

SUBJECT: Crowley Park Subdivision
H-2023-0006

LOCATION: 4135 W. Cherry Lane in the Northeast 1/4 of the Northwest 1/4 of Section 10, Township 3N, Range 1W (Parcel #S1210212465)



I. PROJECT DESCRIPTION

Annexation of 1.002 acres of land with an R-8 zoning district, Preliminary Plat consisting of 5 residential building lots (including one existing home to remain) and one (1) common lot, and three (3) Alternative Compliance requests for Crowley Park Subdivision.

Alternative compliance is requested to UDC 11-6C-3.D, which requires that no more than three (3) dwelling units be located on one (1) side of the common driveway;

UDC 11-3B-7 (Landscape Buffers along streets), which requires a 25-foot landscape buffer along W. Cherry Lane (a principal arterial); and

UDC Table 11-3C-6, which requires two (2) parking spaces in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.002 acres	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use	Single-family residential (SFR)/ag	
Proposed Land Use(s)	Single-Family attached residential	
Current Zoning	Single-Family residential zone (R1) in Ada County	
Proposed Zoning	R-8 (Medium Density Residential)	
Lots (# and type; bldg/common)	<u>5 building (including 1 existing lot)/1 common</u>	
Phasing plan (# of phases)	1	
Number of Residential Units (type of units)	4 single-family attached units and 1 existing home	
Density (gross & net)	4.99 units/acre (gross)	
Open Space (acres, total [%] / buffer / qualified)	0%, not required for developments under 5 acres	

Amenities	None	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date	11/16/2022	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
<ul style="list-style-type: none"> Existing Conditions 	1. Right-of-Way – Cherry Lane a. Existing Conditions: Cherry Lane is improved with 5-travel lanes, on-street bike lanes, vertical curb, gutter, and 7-foot wide attached concrete sidewalk abutting the site. There is 90-feet of right-of-way for Cherry Lane (45-feet from centerline).	

- CIP/IFYWP

C. Traffic Information

Trip Generation

This development is estimated to generate 29 additional vehicle trips per day (10 existing); and 2 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

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

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Cherry Lane	126 -feet	Principal Arterial	704	Better Than "E"

* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

Average Daily Traffic Count (VDT): Average daily traffic counts are based on ACHD's most current traffic counts.

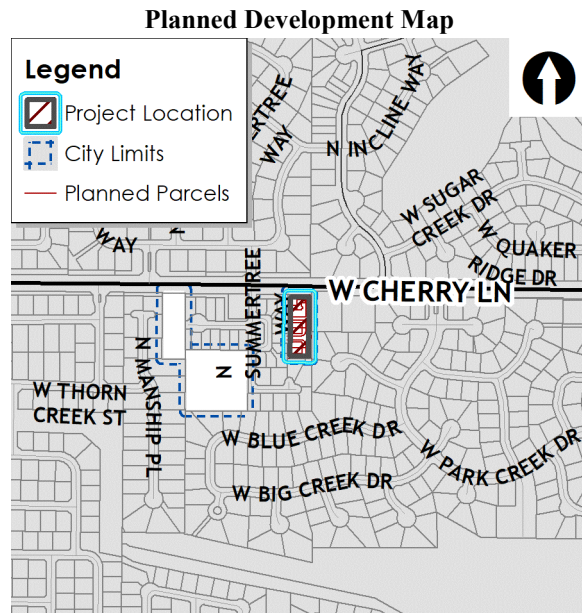
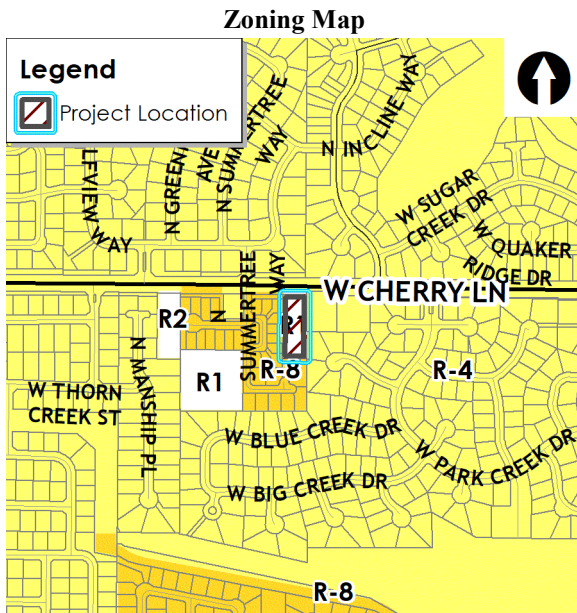
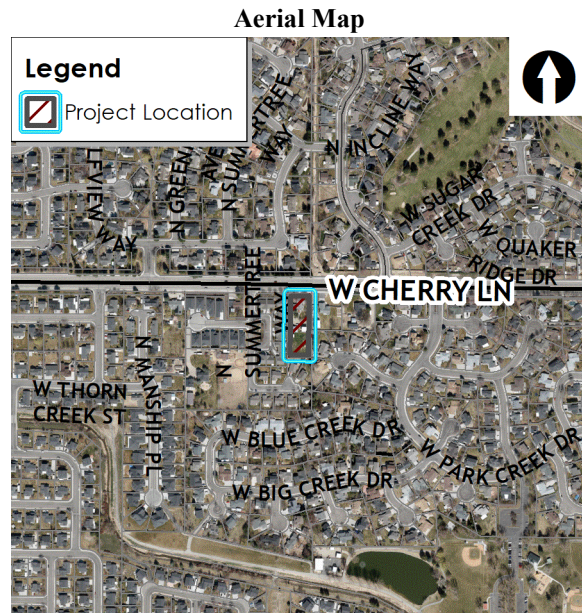
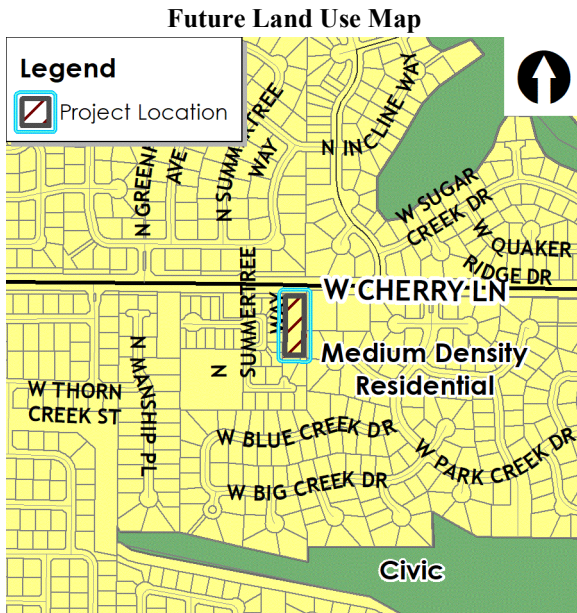
- The average daily traffic count for Cherry Lane west of Ten Mile Road was 14,642 on March 20, 2019.

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Cherry Lane is classified as a principal arterial roadway. Other than the access specifically approved with this application off of W. Cherry Lane, direct lot access is prohibited to this roadway and should be noted on the final plat.
Proposed Road Improvements	None
Fire Service	<i>No comments received</i>
Police Service	<i>No comments received.</i>

West Ada School District	<i>No comments received.</i>
Distance (elem, ms, hs)	
Capacity of Schools	
# of Students Enrolled	

Wastewater	
• Distance to Sewer Services	Directly adjacent
• Sewer Shed	North Black Cat
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/Concerns	See Public Works' Site-Specific Conditions in Section B.
Water	
• Distance to Services	Water available at site.
• Pressure Zone	2
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	See Public Works' Site-Specific Conditions in Section B.

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Penelope Riley, Riley Planning Services LLC – P.O. Box 405, Boise, ID 83701

B. Owner:

Luke Gilbert, Gilbert RE Holdings, LLC – 1065 S. Allante Place, Boise, ID 83709

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	3/22/2023	5/7/2023
Radius notification mailed to property owners within 300 feet	3/16/2023	5/5/2023
Public hearing notice sign posted on site	3/27/2023	5/10/2023
Nextdoor posting	3/16/2023	5/5/2023

V. COMPREHENSIVE PLAN ANALYSIS

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

The subject 1.002-acre property currently contains an existing home and is an enclave surrounded by existing single-family residential homes. The subject site abuts an R-8 development to the west and south, Cherrywood Village Subdivision; to the east is an R-4 development, Rods Parkside Creek Subdivision; and to the north are two R-4 developments, Golf View Estates Subdivision and Cherry Lane Village Subdivision. The subject property is designated as Medium Density Residential on the future land use map consistent with the approved development to the west. The Applicant proposes a 5-lot subdivision for single-family residential attached homes and one existing single-family detached home at a gross density of 4.99 units per acre, which is within the desired density range of the MDR designation.

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

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

The proposed single-family attached and one existing single-family detached dwellings with a mix of lot sizes will contribute to the variety of housing options in this area and within the City as desired. Existing single-family attached and detached dwellings are in the Medium-Density Residential development to the west and south and existing Medium Low-Density Residential developments consisting of detached dwellings are located within the surrounding area.

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

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

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

This area consists primarily of single-family detached homes with some single-family attached homes located to the west; only single-family attached homes and one existing single-family detached home are proposed within this development. The proposed development offers lot sizes ranging from 4,011 to 5,768 square feet (s.f.) with the existing home on a 9,744 s.f. lot.

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

The proposed medium-density residential single-family detached homes contribute to the variety of residential categories within the surrounding area as desired.

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

The proposed site design provides maximum use of the land with the proposed residential dwelling types and should be compatible with the existing developments on adjacent properties that are also designated for MDR uses.

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

The proposed development will not likely impact the existing abutting developments to the east, west, and south.

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

The proposed development will connect to City water and sewer systems with development of the subdivision; services are required to be provided to and through this development in accord with current City plans.

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

A 5-foot-wide existing pedestrian sidewalk connection is located along W. Cherry Lane. The existing sidewalk provides a link between all subdivisions east and west of this site.

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

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

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

If annexed, the existing home will be required to abandon the existing septic system and connect to the City wastewater system.

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

Development of the subject infill parcel will maximize public services.

Based on the analysis above, staff finds the proposed development is consistent with the Comprehensive

Plan.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 1.002 acres of land with an R-8 zoning district. A legal description and exhibit map for the annexation area is included in Section VIII.A. This property is within the City's Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be subdivided and developed with 4 single-family residential attached dwelling units, 1 existing single-family detached dwelling unit, and 1 common lot at a gross density of 4.99 units per acre (see Sections VIII.B, E). The proposed use and density of the development is consistent with the MDR FLUM designation.

Single-family detached and attached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-8 zoning district.

There is an existing home on approximately a quarter of an acre adjacent to W. Cherry Lane. The property owner intends to annex and connect to City utilities with this development.

The property is contiguous to City annexed land to the north and is within the City's Area of City Impact boundary. A legal description and exhibit map of the overall annexation area for the R-8 zoning districts are included in Section VIII.A.

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

B. PRELIMINARY PLAT (PP):

The proposed preliminary plat consists of 5 building lots and 1 common lot on 1.002 acre property in the proposed R-8 zoning district. Proposed lots range in size from 4,011 to 9,744 square feet (s.f.) (or 0.09 to 0.22 acres). The proposed gross density of the subdivision is 4.99 units per acre. The subdivision is proposed to develop in one phase as shown in Section VIII.B.

Existing Structures/Site Improvements: An existing home on the property is proposed to remain on Lot 1, Block 1. The outbuildings located on Lots 2, 3, and 4, Block 1 should be removed with development of this property. **Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the district are required to be removed.**

Dimensional Standards (UDC 11-2): The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district. **The proposed plat appears to comply with the dimensional standards of the district, except for the front porch on the existing home which encroaches more than two feet into the required setback (see alternative compliance analysis under landscape buffers below).** Per UDC 11-2A-3B.3, lots taking access from a common drive do not require street frontage.

Access: Access is proposed from W. Cherry Lane from a common driveway on Lot 2, Block 1. Direct lot access from W. Cherry Lane for Lot 1, Block 1 is prohibited. The interior Lots 3, 4, 5, and 6 Block 1 are proposed to take access via a common drive to W. Cherry Lane, meeting the street access requirements of UDC 11-3A-3A.

Common Driveways (UDC 11-6C-3D): Common driveways shall serve a maximum of four (4) dwelling units. In no case shall more than three (3) dwelling units be located on one (1) side of the

driveway. The Applicant is proposing five (5) dwelling units take access off the common driveway, all five (5) dwelling units are also located on one (1) side of the driveway. *Per UDC 11-6C-3D.9, the Director may approve or recommend approval of alternative design or construction standards when the applicant can demonstrate that the proposed overall design meets or exceeds the intent of the required standards of this section and shall not be detrimental to the public health, safety, and welfare.*

Alternative Compliance (ALT) to the common driveway standards is requested due to the lot only having access from an arterial roadway; there is no local street connection available to this site. Staff recommended this site layout to allow for more usable backyards for the southernmost lots, as the south boundary is encumbered by an irrigation easement. Based on the analysis, the Director is supportive of the request for ALT for the proposed five (5) dwelling units taking access off the west side of the common driveway.

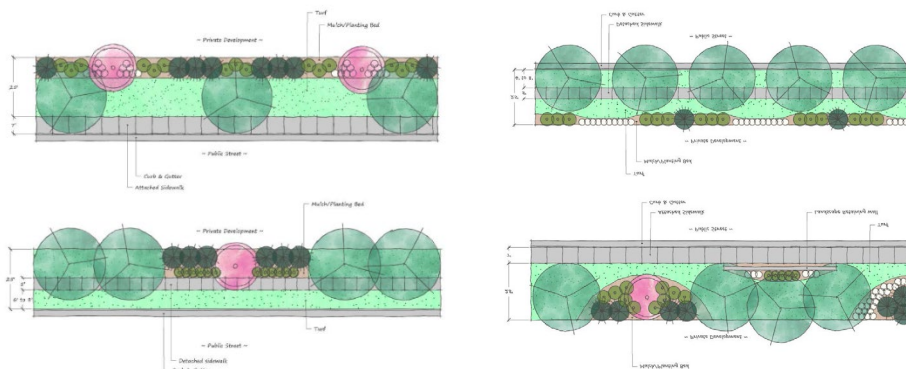
Parking (UDC 11-3C): Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. The Applicant has provided an additional three (3) parking stalls at the end of the common drive on the southeast side of the site for overflow parking. The existing home does not meet the required number of off-street parking spaces per [UDC Table 11-3C-6](#) for a three (3) bedroom home; four (4) parking spaces are required, at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad. The existing home does not have an enclosed two-car garage; however, the required number of parking spaces is provided via an existing carport and driveway. The Applicant is *not* proposing to construct a 2-car garage as required and requests alternative compliance to this standard. *Per UDC 11-3C-7, the Director may approve, or recommend approval of, an alternative off-street parking and loading plan, through the alternative compliance process specified in section 11-5B-5 of this title when the overall design, as proposed by the applicant, meets or exceeds the intent and the requirements of this article.*

Alternative Compliance (ALT) to the off-street parking standards is requested because converting the existing carport to a garage would substantially impact the residence's structural integrity. The carport shares a roofline with the existing home and is currently accessed from the west; access to the carport will change to the south upon approval and completion of the subdivision site improvements. To obscure the carport the Applicant proposes to install hardiboard to match the existing house ~~has installed lattice~~ on the north face of the carport and ~~will add additional lattice~~ to the west side once the entry point to the carport is shifted to the south and the common drive is constructed. The Applicant is also proposing to add a fence to provide additional screening of the carport from W. Cherry Lane. Staff recommends that the Applicant pave the driveway on Lot 1, Block 1 to comply with the 10-foot by 20-foot parking pad in accord with [UDC 11-3C-4](#). The existing home is recognized as non-conforming due to the off-street parking requirements in UDC 11-3C-6. *Per UDC 11-1B-4, no existing structure containing a nonconforming use may be enlarged, extended, constructed, reconstructed, moved, or structurally altered except through the approval of a conditional use permit. As a result of the non-conformity, the Applicant is required to apply for a Conditional Use Permit if the ALT is not granted for the carport and for any future expansions on the property. Based on the analysis, the Director is supportive of the request for ALT for the existing carport with the addition of the lattice hardiboard.*



Landscaping (UDC 11-3B): A twenty-five foot landscape buffer is required along W. Cherry Lane in accord with UDC 11-3B-7. The landscape plan submitted depicts a 20-foot landscape buffer along W. Cherry Lane that includes four (4) existing trees. *Per UDC 11-3B-7C.1(c), in a development where the required street buffer width results in an otherwise unavoidable hardship to the property, a written request for a buffer reduction may be submitted through the alternative compliance process. The request shall demonstrate evidence of the unique hardship caused by the required street buffer and propose a specific alternative landscape plan that meets or exceeds the intent of the required buffer. In no case shall the width be reduced to less than ten (10) percent of the depth of the lot. A reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width required in the applicable zoning district.*

Alternative Compliance (ALT) to the landscape buffer width is requested due to the front porch on the existing home encroaching more than two feet into the required Landscape buffer; however, Staff recommends that the Applicant modify the plans to include the required 25-foot landscape buffer around the front porch. The landscape plan submitted does not depict an alternative means of mitigating the encroachment of the porch into the required landscape buffer. Staff recommends the Applicant add additional landscaping for mitigation as well as meet the requirements for the buffer landscaping materials. Per UDC 11-3B-7C.3, all required landscape buffers along streets shall be designed and planted with a variety of trees, shrubs, lawn, or other vegetative ground cover. Plant materials in conjunction with site design shall elicit design principles including rhythm, repetition, balance, and focal elements (see figures below).



Based on the analysis, the Director is supportive of the request for ALT with Staff's recommendation to modify the plans to include the required 25-foot landscape buffer meandering around the front porch and adding additional landscaping for mitigation to meet the requirements for the buffer landscaping materials in accord with UDC 11-3B-7C.3. The landscape plan should be revised with the final plat application.

Sidewalks (11-3A-17): Cherry Lane is improved with an existing 7-foot wide attached concrete sidewalk abutting the site in accord with UDC standards. Staff is not recommending that this sidewalk be replaced with and 5-foot deatched sidewalk.

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

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

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 project description, the Applicant is proposing fencing in front of the carport for screening provided there is not a conflict with the proposed layout of the fire hydrant service line. A detail of the fencing should be provided with the final plat.**

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

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

Building Elevations: Two (2) conceptual building elevations were submitted that demonstrate what future homes in this development will look like (see Section VIII.D). Variations of two-story homes with a two-car garage are proposed. **The submitted elevations depict a number of different architectural and design styles with field materials of lap siding, differing color accents, roof profiles, and stone.** The final design of the structure is required to comply with the design standards listed in the Architectural Standards Manual.

VII. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard these items on April 6, 2023. At the public hearing, the Commission moved to recommend denial of the subject Annexation and Preliminary Plat request.

1. Summary of Commission public hearing:

- a. In favor: Penelope Constantikes, Riley Planning Services, LLC;
- b. In opposition: None
- c. Commenting: Penelope Constantikes;
- d. Written testimony: None
- e. Staff presenting application: Stacy Hersh, Associate Planner
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

a. None

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

a. Concerns with the amount of density proposed on the one (1) acre lot;

b. Concerns with emergency services ability to gain access in and out of the property;

c. Not in agreement with the Alternative Compliance for the use of lattice on both sides of the existing attached carport as mitigation for an enclosed garage.

d. Concerns with overflow parking.

4. Commission change(s) to Staff recommendation:

a. None

5. Outstanding issue(s) for City Council:

a. None

C. City Council:

To be heard at future date.

VIII. EXHIBITS

A. Annexation Legal Description and Exhibit Map



DAVID EVANS
AND ASSOCIATES INC.

**ANNEXATION
BOUNDARY DESCRIPTION**

The following Describes a Parcel of Land lying in a portion of the NW 1/4 of Section 10, Township 3 North., Range 1 West., Boise Meridian, City of Meridian, Ada County Idaho being more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 10 which is being Monumented with a found 5/8" Iron pin with "No Cap"; From which, the North 1/4 Corner of said Section 10 which is being Monumented with a found Brass Cap bears, South 89°15'31" East, 2645.04 feet; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 10, South 89°15'31" East, 2195.88 feet to the **POINT OF BEGINNING:**

Thence continuing, South 89°15'34" East, 124.22 feet;

Thence leaving said Northerly Boundary Line, South 00°04'22" East, 386.74 feet to a found 5/8" Iron Pin "PLS 4116";

Thence, North 88°23'57" West, 130.98 feet to a found 5/8" Iron Pin "PLS 4116";

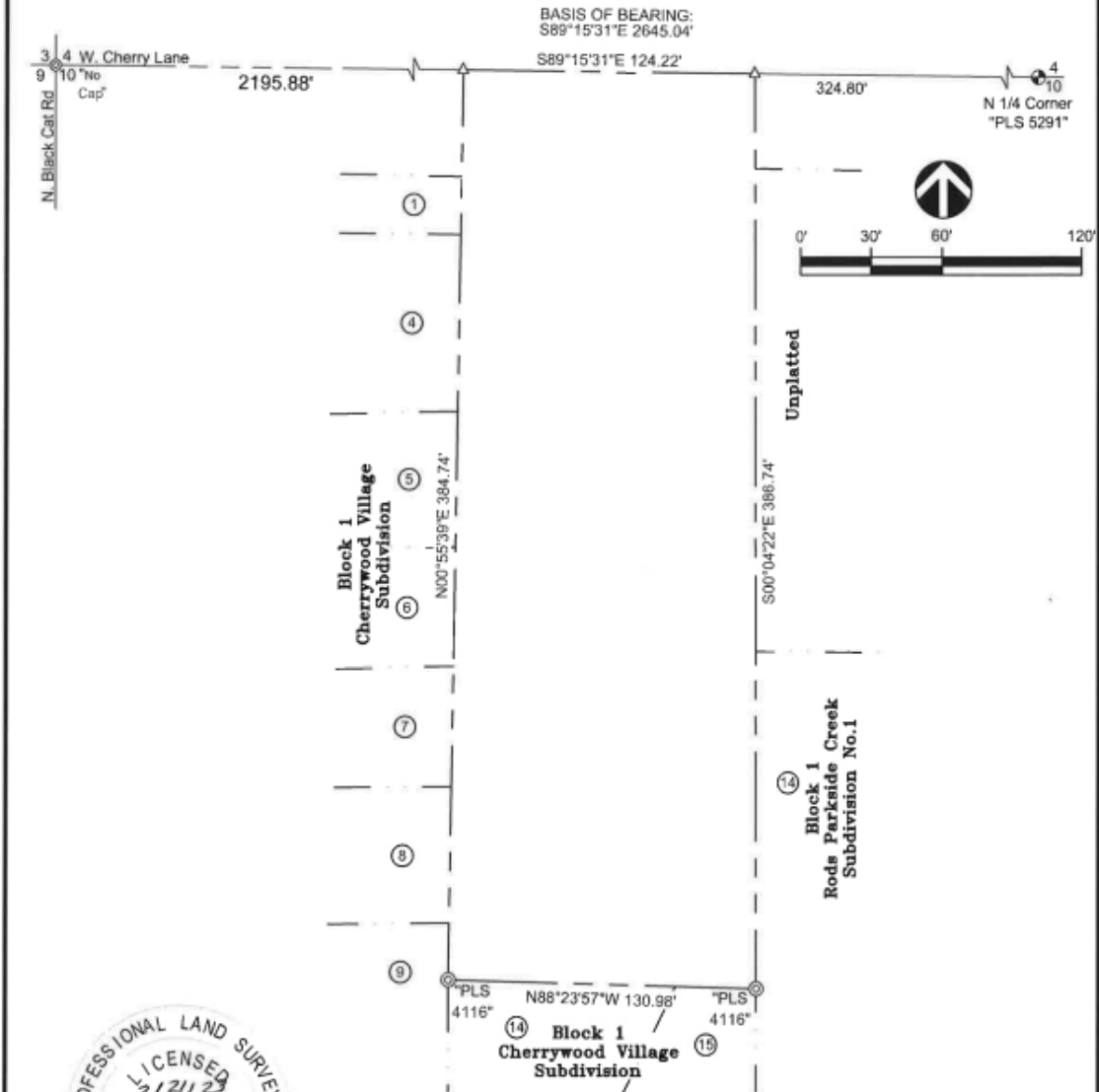
Thence, North 00°55'39" East, 384.74 feet to the **POINT OF BEGINNING:**

The above Described Parcel of Land contains 1.13 Acres (49,213 Sq. Ft.), more or less.



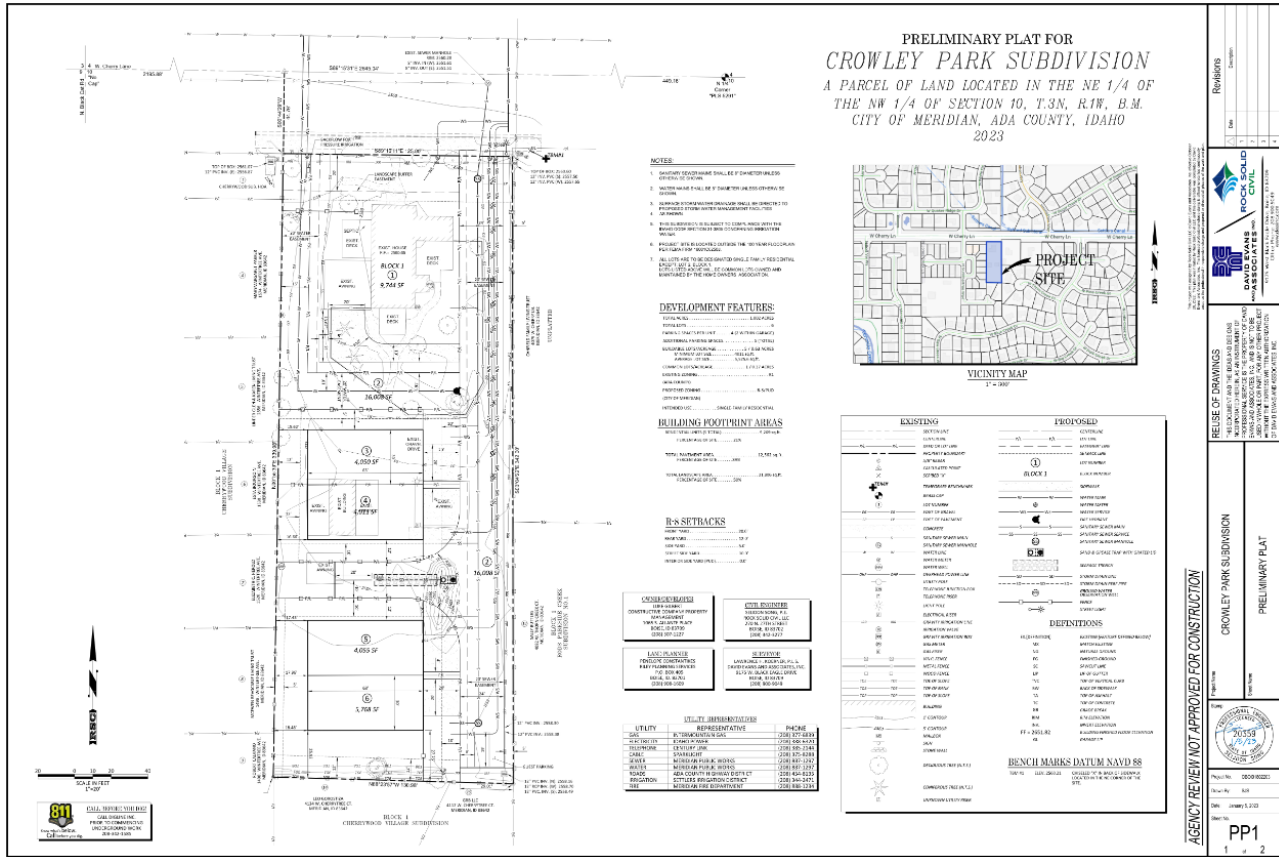
ANNEXATION EXHIBIT

A PORTION OF THE NW 1/4 OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 1 WEST,
BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2023



**DAVID EVANS
AND ASSOCIATES INC.**
9179 W. BLACK EAGLE DR.
Boise Idaho
Phone: 208-900-9049

B. Preliminary Plat (dated: 1/5/23)



C. Landscape Plan (dated: 1/23/23) – NOT APPROVED (NEEDS TO BE REVISED)

LANDSCAPE NOTES:

1. SEE ATTACHED 3-D DIMENSIONS FOR ALL PLANTINGS AND SPECIES.
2. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF CHICAGO LANDSCAPE MAINTENANCE ORDINANCE.
3. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF CHICAGO LANDSCAPE MAINTENANCE ORDINANCE.
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10. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF CHICAGO LANDSCAPE MAINTENANCE ORDINANCE.

LANDSCAPE REQUIREMENTS

COMPLY WITH ALL CITY CODES AND ORDINANCES.

PLANT SCHEDULE

SYMBOL	PLANT SPECIES	SIZE	QUANTITY	NOTES
1	Small Tree (e.g., Dogwood)	4" DBH	5	Plant in 12" x 18" hole
2	Medium Tree (e.g., Maple)	6" DBH	3	Plant in 18" x 24" hole
3	Large Tree (e.g., Oak)	8" DBH	2	Plant in 24" x 36" hole
4	Shrub (e.g., Hydrangea)	3' H	10	Plant in 18" x 18" hole
5	Flowering Shrub (e.g., Spirea)	2' H	15	Plant in 12" x 12" hole
6	Perennial Flower (e.g., Hosta)	12" H	20	Plant in 12" x 12" hole
7	Groundcover (e.g., Sedum)	6" H	30	Plant in 6" x 6" hole
8	Grass (e.g., Fescue)	6" H	100	Plant in 6" x 6" hole
9	Moss (e.g., Sheet Moss)	6" H	50	Plant in 6" x 6" hole
10	Other			

LANDSCAPE PLAN

4135 W CHERRY LN
CHICAGO, IL 60654

STACK ROCK
LANDSCAPE ARCHITECTURE & PLANNING

500 N. LA SALLE ST.
CHICAGO, IL 60610
(312) 467-1111

THE ENGINEER HAS REVIEWED THIS PLAN AND APPROVED IT FOR ALL CITY CODES AND ORDINANCES. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: 1/23/23

SCALE: 1" = 10'

D. Conceptual Building Elevations



E. Existing Home







IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

~~1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.~~

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

~~a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, and conceptual building elevations included in Section VIII and the provisions contained herein.~~

~~b. The existing home on Lot 1, Block 1 shall be required to connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC [9-1-4](#) and [9-4-8](#).~~

~~2. The final plat shall include the following revisions:~~

~~a. Revise the plat to include a 25-foot easement meandering around the front porch of the existing home for the proposed common lot adjacent to W. Cherry Lane.~~

~~3. The landscape plan submitted with the final plat shall include the following revisions:~~

~~a. Revise the landscape plan to include a 25-foot easement meandering around the front porch of the existing home for the proposed common lot adjacent to W. Cherry Lane.~~

~~b. Revise the landscape plan to depict a variety of trees, shrubs, lawn, or other vegetative ground cover in the landscape buffer along W. Cherry Lane per UDC 11-3B-7C.3.~~

~~c. Depict a fencing detail for all new fencing proposed for the subject site.~~

~~d. Mitigation shall be required for all existing trees four inch caliper or greater that are removed from the site with equal replacement of the total calipers lost on site up to an amount of one hundred (100) percent replacement per UDC 11-3B-10C.5.~~

~~4. The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.~~

~~5. Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the R-8 zoning district shall be removed.~~

~~6. The Director has approved the three (3) Alternative Compliance Requests to the common driveway requirements (UDC 11-6C-3D), off-street parking requirements (UDC 11-3C-6), and landscape street buffer requirements (UDC 11-3B-7).~~

~~7. 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, except for the existing residence on Lot 1, Block 1.~~

~~8. The Applicant shall comply with all ACHD conditions of approval.~~

~~9. Direct lot access from W. Cherry Lane is prohibited.~~

10. ~~A Design Review application shall be submitted and approved for the proposed single family attached homes prior to submittal of a building permit application. The design standards listed in the [Architectural Standards Manual](#) and the Development Agreement.~~
11. ~~The applicant and/or assigns shall have the continuing obligation to provide irrigation that meets the standards as set forth in UDC 11 3B 6 and to install and maintain all landscaping as set forth in UDC 11 3B 5, UDC 11 3B 13 and 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's 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.~~

~~B. PUBLIC WORKS~~

~~1. Site Specific Conditions of Approval~~

- 1.1 ~~Ensure no sewer services cross infiltration trenches~~
- 1.2 ~~Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within water/sewer easements.~~
- 1.3 ~~Sewer must be at least 10' from edge of easement.~~
- 1.4 ~~The well located on the site must be abandoned per regulatory requirements and proof of abandonment must be provided to the City unless the well will be used for irrigation. If used for irrigation all connections to potable water must be disconnected.~~
- 1.5 ~~Instead of having multiple connections to Cherry Ln (Three are shown) bring a single 8" stub into the property and have all connections (meters and hydrants) come from this one connection.~~
- 1.6 ~~Connections of meters and hydrant to the stub coming into the property should be made on the property and not in the ROW.~~
- 1.7 ~~Main stubs, water services up to the meter, and fire hydrants all require a 20' easement up to and 10' beyond the main/meter/hydrant. Lines should be centered in the easement.~~
- 1.8 ~~Some of the services are very long. The design engineer to verify that house will have adequate pressure during peak water usage. Possible evaluate upsizing the service line from the meter to the house to reduce pressure lose.~~
- 1.9 ~~The fire hydrant lateral requires a 20' easement with the line centered in the easement. No trees, fences or any other permanent structures are allowed in the easement.~~

~~2. General Conditions of Approval~~

- 2.1 ~~Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right of way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.~~
- 2.2 ~~Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8 6 5.~~
- 2.3 ~~The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20 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 development plan approval.~~

- ~~2.4 — The City of Meridian requires that pressurized irrigation systems be supplied by a year round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single point connection to the culinary water system shall be required. If a single point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.~~
- ~~2.5 — All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.~~
- ~~2.6 — 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.~~
- ~~2.7 — 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.~~
- ~~2.8 — Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9-4-8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.~~
- ~~2.9 — Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.~~
- ~~2.10 — A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.~~
- ~~2.11 — All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.~~
- ~~2.12 — 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.~~
- ~~2.13 — It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.~~
- ~~2.14 — Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.~~

- ~~2.15 — Developer shall coordinate mailbox locations with the Meridian Post Office.~~
- ~~2.16 — Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.~~
- ~~2.17 — The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3 feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1 foot above.~~
- ~~2.18 — 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.~~
- ~~2.19 — 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.~~
- ~~2.20 — A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.~~
- ~~2.21 — The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.~~
- ~~2.22 — The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.~~

C. FIRE DEPARTMENT

The entire driveway shall be signed “No Parking Fire Lane”.

D. POLICE DEPARTMENT

No comments at this time.

E. PARK’S DEPARTMENT

No comments at this time.

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=290739&dbid=0&repo=MeridianCity>

G. ADA COUNTY DEVELOPMENT SERVICES (ACDS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=290606&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

No comments were received from WASD.

I. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=291408&dbid=0&repo=MeridianCity&cr=1>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=291274&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=290556&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

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

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

Commission finds the Applicant's request to annex the subject property with R-8 zoning and develop single-family attached dwellings on the site at a gross density of 4.99 units per acre is consistent with the density desired in the MDR designation for this property; however the preliminary plat and site design is not consistent with the Comprehensive Plan.

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

Commission finds the proposed map amendment to R-8 and development generally does comply with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

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

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

Commission finds City services are available to be provided to this development. Comments were not received from WASD on this application so Staff is unable to determine impacts to the school district.

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

Commission finds the proposed annexation is not in the best interest of the city based on the design of the plat and the proposed density.

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

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

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

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

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

Commission finds public services can be made available to the subject property and will be adequate to accommodate the proposed development however Commission expressed concerns with the impacts of emergency service providers given the limited access and parking being proposed with the development.

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

Commission finds there are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.

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

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

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

Commission finds the proposed development may be detrimental to the public health, safety or general welfare due to limited access for emergency services.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

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

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 that it is not feasible to meet the UDC requirement for common driveways for the proposed five (5) dwelling units all taking access off the west side of the common driveway.

The Director is not feasible to meet the UDC requirement for off-street parking due to the existing carport attached to the home.

The Director finds it is not feasible to meet the UDC requirement for a portion of the location of the required street buffer due to the front porch of the existing home encroaching into the street buffer.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and
Per the analysis above in section VI.B, the Director finds the proposed alternatives will be equal to the code requirement due to the following: the long rectangular shape of the property doesn't have access to any other street except for Cherry Lane, designated an arterial, which necessitates the need to develop the property with a common driveway to limit access to the Cherry Lane in accord with UDC 11-3A-3;
the carport shares a roofline with the existing home, four (4) parking spaces are being provided, and the Applicant has installed lattice for screening and plans to install a fence to provide additional screening of the carport from W. Cherry Lane; and
the actual buffer width will be 25 feet except for where the front porch to the existing home encroaches into the buffer.
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.