

DEVELOPMENT AGREEMENT

PARTIES: 1. City of Meridian
2. Stonehill Church Inc., Owner/Developer

THIS DEVELOPMENT AGREEMENT (this “**Agreement**”) is made and entered into this 22nd day of May, 2024, 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 **Stonehill Church Inc.**, whose address is 1608 N. Meridian Road, Meridian, ID 83642, hereinafter called “**OWNER/DEVELOPER**.”

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner/Developer is the sole owner, in law and/or equity, of a certain tract 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, hereinafter referred to as the “**Property**,” and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, establish provisions governing the creation, form, recording, modification, enforcement and termination of development agreements required or permitted as a condition of zoning that the Owner/Developer make a written commitment concerning the use or development of the 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 and the modification of development agreements; and
- 1.4 **WHEREAS**, Owner/Developer submitted an application for development agreement modification to remove the property listed in **Exhibit “A”** from an existing Development Agreement recorded in Ada County as Instrument #2016-007090, and for the inclusion of the Property into this new Agreement, 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 duly noticed public hearings before 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 development agreement modification held before 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 26th of March, 2024, 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**, Owner/Developer deem it to be in their best interest to be able to enter into this Agreement and acknowledge that this Agreement was entered into voluntarily and at their urging and request; and
- 1.9 **WHEREAS**, the property listed in **Exhibit “A”** shall no longer be subject to the terms of the existing Development Agreement (Inst. #2016-007090) and shall be bound by the terms contained herein in this new agreement; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement modification for the purpose of ensuring 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 designations are 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/DEVELOPER:** means and refers to **Stonehill Church Inc.**, whose address is 1608 N. Meridian Road, Suite 125, Meridian, ID 83642, the parties that own said Property and shall include any subsequent owner(s)/developer(s) of the Property.
- 3.3 **PROPERTY:** means and refers to that certain parcel of Property located in the County of Ada, City of Meridian as described in **Exhibit "A"** describing a parcel to be removed from existing Development Agreement recorded in Ada County as Instrument #2016-007090, with such parcel being bound by this new Agreement, which **Exhibit "A"** is 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 as permitted, conditional and/or accessory uses 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 generally consistent with the site plan and conceptual building elevations included in Section VII of the Staff Report attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit "B" and the provisions contained herein that are applicable to Lot 1, Block 1, Stonehill Crossing Subdivision.
 - b. The future use of this site is limited to a church or place of religious worship and associated accessory uses as allowed by UDC 11-4-3-6. Any change to the use shall require a modification to the agreement.
 - c. The new north/south residential collector street (S. Oak Briar Way) shall be constructed in its entirety prior to issuance of Certificate of Occupancy for the church.

- d. The final plat in which the subject property lies shall be recorded prior to issuance of Certificate of Occupancy for the proposed church.

6. **APPROVAL PERIOD:** If this Agreement has not been fully executed within six (6) months after the date of the Findings, the City may, at its sole discretion, declare the Agreement 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's/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's/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 actions 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 § 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 the City's decision to annex and/or rezone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserve 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 ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion therefor in accordance with the terms and conditions of this Agreement and all other ordinance 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.

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 if 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:
City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, ID 83642

with copy to:
City Attorney
City of Meridian
33 E. Broadway Ave.
Meridian, ID 83642

OWNER/DEVELOPER:

Stonehill Church Inc.
1608 N. Meridian Rd.
Meridian, ID 83642

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/Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, has determined that Owner/Developer has fully performed its 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 reasonable 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. **REMOVED PROPERTY:** The City is hereby authorized, in its sole discretion, to remove a portion of the Property ("Removed Property") from this Agreement at any time, provided that the City and the owner of the Removed Property concurrently enter into a modified development

agreement governing the development and use of the Removed Property. The remaining portion of the Property, which has not been removed from this Agreement as described above, shall continue to be bound by the terms of this Agreement.

22. **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.

22.1 No condition governing the uses and/or conditions governing the 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.

23. **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 rezoning 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/DEVELOPER:

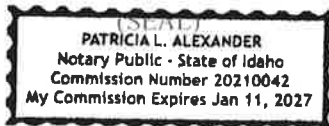
Stonehill Church Inc.

Mason Wedel
By: Mason Wedel
Its: Executive Pastor

STATE OF IDAHO)
 : ss:
County of Ada)

On this 22nd day of May, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Mason Wedel, known or identified to me to be the Executive Pastor of **Stonehill Church Inc.** and the person who signed above and acknowledged to me that they 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.



Patricia L. Alexander
Notary Public
My Commission Expires: Jan. 11, 2027

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)
 : ss:
County of Ada)

On this _____ day of _____, 2024, 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

Description for
Development Agreement Modification
September 20, 2023

A portion of the North 1/2 of Section 36, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 36 from which the Northwest corner of said Section 36 bears North 89°32'29" West, 2,650.91 feet; thence on the north line of said Section 36, South 89°04'30" East, 38.65 feet; thence leaving said north line, South 00°34'07" West, 25.00 feet to the south right-of-way line of W. Amity Road and the **POINT OF BEGINNING**:

thence on said south right-of-way line, South 89°04'30" East, 478.11 feet;

thence leaving said south right-of-way line, South 45°31'08" East, 432.13 feet;

thence South 26°33'19" East, 374.29 feet;

thence 110.35 feet on the arc of a curve to the left, having a radius of 165.50 feet, a central angle of 38°12'15", and a long chord which bears South 52°52'14" West, 108.32 feet;

thence South 33°46'07" West, 11.67 feet;

thence North 89°04'30" West, 942.31 feet;

thence North 00°32'48" East, 50.50 feet;

thence 245.16 feet on the arc of a curve to the right, having a radius of 800.00 feet, a central angle of 17°33'29", and a long chord which bears North 09°19'32" East, 244.20 feet;

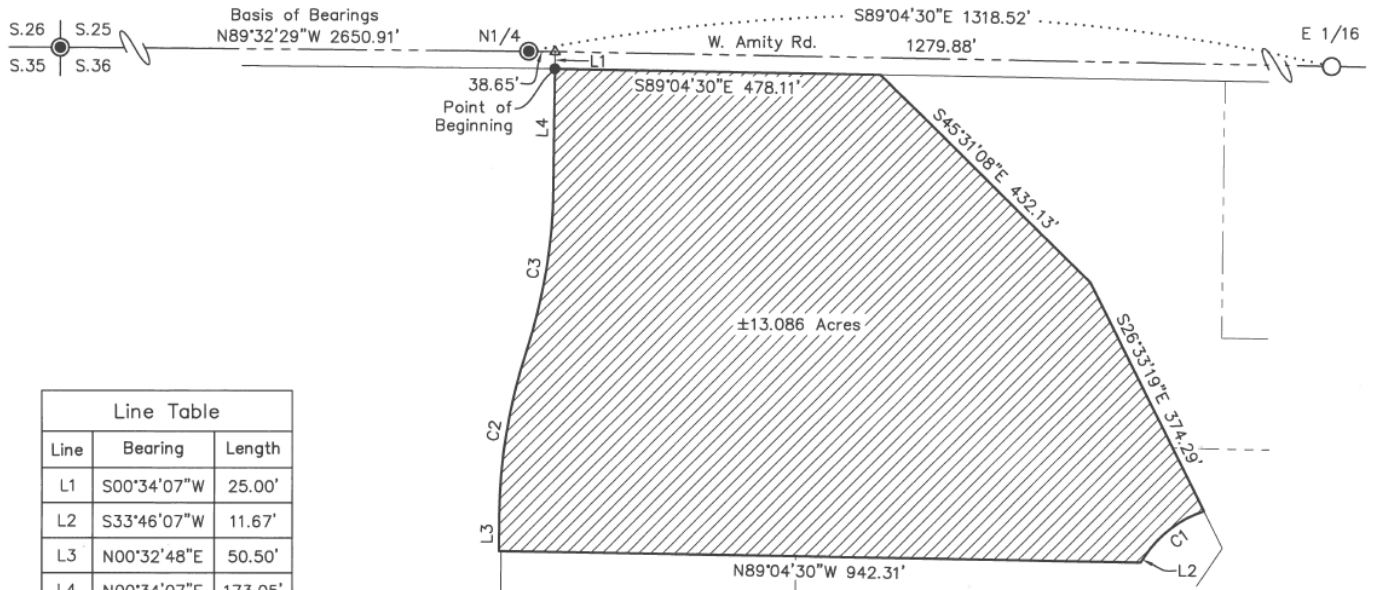
thence 244.85 feet on the arc of a curve to the left, having a radius of 800.00 feet, a central angle of 17°32'10", and a long chord which bears North 09°20'12" East, 243.89 feet;

thence North 00°34'07" East, 173.05 feet to the **POINT OF BEGINNING**.

Containing 13.086 acres, more or less.

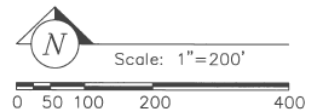
End of Description.





Line Table		
Line	Bearing	Length
L1	S00°34'07"W	25.00'
L2	S33°46'07"W	11.67'
L3	N00°32'48"E	50.50'
L4	N00°34'07"E	173.05'

Curve Table					
Curve	Length	Radius	Delta	Chord Bearing	Chord Length
C1	110.35'	165.50'	38°12'15"	S52°52'14"W	108.32'
C2	245.16'	800.00'	17°33'29"	N09°19'32"E	244.20'
C3	244.85'	800.00'	17°32'10"	N09°20'12"E	243.89'



P:\Stonehill Crossing Sub 22-039\dwg\Exhibit...Development Agreement Modification.dwg 9/20/2023 9:12:20 AM

 IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	Exhibit Drawing for Development Agreement Modification	Job No. 22-039
		Sheet No. 1
	A portion of the N1/2 of Section 36, T.3N., R.1W., B.M., City Of Meridian, Ada County, Idaho.	Dwg. Date 9/20/2023

EXHIBIT B

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



In the Matter of the Request for Modification to the Existing Development Agreement (MDA) (H-2015-0019, Inst. #2016-007090) to Allow for the Development of a Church on a Portion of the Property and Removal of that Property from the Original Agreement for Inclusion in a New Agreement; Rezone (RZ) of 13.49 13.36-acres of Land from the R-4 to the R-8 Zoning District; Conditional Use Permit (CUP) for a Church on 13.21 13.09-acres of Land in an R-8 Zoning District; and Preliminary Plat (PP) Consisting of 4 Building Lots on 65.43-acres of Land in the R-4 and R-8 Zoning Districts for Stonehill Crossing Subdivision, by Stonehill Church.

Case No(s). H-2023-0041

For the City Council Hearing Date of: March 12, 2024 (Findings on March 26, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 12, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 12, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 12, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 12, 2024, incorporated by reference)

B. Conclusions of Law

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

Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of March 12, 2024, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for a modification to the development agreement, rezone, preliminary plat and conditional use permit is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 12, 2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration

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

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the conditional use comply with the current provisions of Meridian City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

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

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

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

E. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of March 12, 2024

By action of the City Council at its regular meeting held on the 26th day of March, 2024.

COUNCIL PRESIDENT JOE BORTON VOTED _____

COUNCIL VICE PRESIDENT LIZ STRADER VOTED AYE

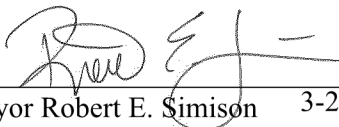
COUNCIL MEMBER DOUG TAYLOR VOTED AYE

COUNCIL MEMBER LUKE CAVENER VOTED AYE

COUNCIL MEMBER JOHN OVERTON VOTED _____

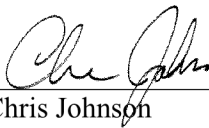
COUNCIL MEMBER ANNE LITTLE ROBERTS VOTED AYE

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)



Mayor Robert E. Simison 3-26-2024

Attest:



Chris Johnson 3-26-2024
City Clerk

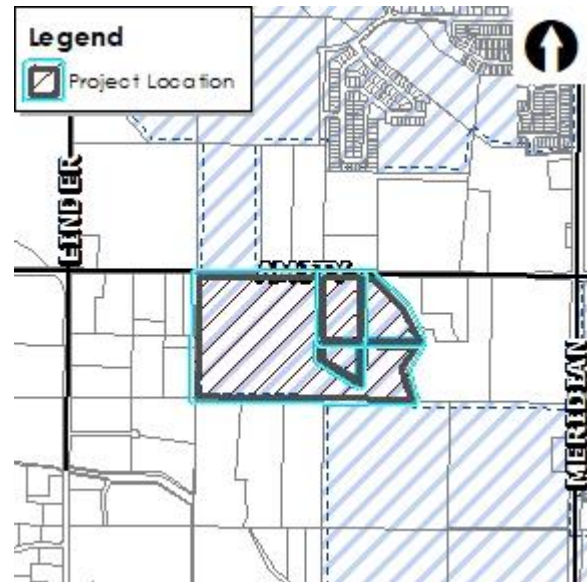


Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By:  _____ Dated: 3-26-2024
City Clerk's Office

STAFF REPORT	
COMMUNITY DEVELOPMENT DEPARTMENT	

HEARING DATE: March 12, 2024
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: Stonehill Church – MDA, RZ, PP, CUP
[H-2023-0041](#)
 LOCATION: 799 W. Amity Rd., in the north 1/2 of
 Section 36, T.3N., R.1W.



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (MDA) ([H-2015-0019](#), Inst. #[2016-007090](#)) to allow for the development of a church on a portion of the property and removal of that property from the original agreement for inclusion in a new agreement; Rezone (RZ) of ~~13.49~~ 13.36-acres of land from the R-4 to the R-8 zoning district; Conditional use permit (CUP) for a church on ~~13.24~~ 13.09-acres of land in an R-8 zoning district; and Preliminary Plat (PP) consisting of 4 building lots on 65.43-acres of land in the R-4 and R-8 zoning districts for Stonehill Crossing Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	65.43-acres
Future Land Use Designation	Low Density Residential (LDR)
Existing Land Use	Rural residential, agriculture with 2 existing homes
Proposed Land Use(s)	Commercial (church) – existing residential homes are proposed to remain
Current Zoning	R-4 (Medium Low-density Residential)
Proposed Zoning	R-8 (Medium-density Residential) for the church site (Lot 1, Block 1). <i>The remaining area (Lots 2-3, Block 1 and Lot 1, Block 2) will remain R-4 (Medium Low-density Residential)</i>
Lots (# and type; bldg/common)	4 building lots/0 common lots
Phasing plan (# of phases)	1
Number of Residential Units (type of units)	2 existing single-family detached units that will remain

Density (gross & net)	0.04 units/acre (R-4 residential portion of the property will be resubdivided in the future prior to development)
Open Space (acres, total [%] / buffer / qualified)	NA (residential portion of the property will be resubdivided in the future)
Amenities	NA (residential portion of the property will be resubdivided in the future)
Physical Features (waterways, hazards, flood plain, hillside)	The Calkins Lateral crosses the western portion of this site and the Belle Sub Lateral runs along the southern portion of the east boundary of the site.
Neighborhood meeting date	6/26/23
History (previous approvals)	H-2015-0019 (South Meridian – Kent & Donna Mills Development Agreement Inst. # 2016-007090 , AZ Ordinance # 16-1670); ROS #2914 (1994); ROS #10324 (2015)

B. Community Metrics

Description	Details
Ada County Highway District	
• Staff report (yes/no)	Yes
• Requires ACHD Commission Action (yes/no)	No
• TIS (yes/no)	No
• Level of Service (LOS)	Amity Rd.: Better than “E”
• Trip Generation (estimate)	351 additional vehicle trips/day (19 existing); 23 additional vehicle trips/hour in the PM peak hour (2 existing)
• Existing Conditions	
• CIP/IFYWP	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): - Linder Road is listed in the CIP to be widened to 3-lanes from Amity Road to Lake Hazel Road between 2036 and 2040. - The intersection of Linder Road and Amity Road is listed in the CIP to be reconstructed as a dual lane roundabout with a westbound right-turn bypass lane with 4-lanes on the north leg, 4-lanes on the south, 4-lanes on the east, and 4-lanes on the west leg between 2036 and 2040. - The intersection of Amity Road/SH-69 is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 7-lanes on the east, and 7-lanes on the west leg and signalized between 2031 and 2035.

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	There are three (3) existing driveways via W. Amity Rd., an arterial street – one for farm access at the west boundary, one for irrigation district access along the Calkins Lateral and one for the existing homes. An emergency only access is proposed via Amity and two accesses are proposed via Oak Briar, the collector street, on Lot 1, Block 1 – one of which will also provide access to the existing residence on Lot 2, Block 1; a temporary access for the existing home is proposed on Lot 1, Block 2. The existing farm access and irrigation district access road are proposed to remain until future resubdivision of the property.
Proposed Road Improvements	- ACHD is requiring dedication of ROW totaling 50’ from centerline of Amity and pavement widening to 17’ from centerline with a 3’ wide gravel shoulder along the frontage of the property. - A roundabout is required at the Amity/Oak Briar intersection.
Fire Service	
• Distance to Fire Station	2.6 miles from Station #6

• Fire Response Time	Don't have total response times that meet NFPA 1710 standards or current City adopted standards.
• Resource Reliability	84% (does meet targeted goal of 80% or greater)
• Risk Identification	4 (current resources are not adequate)
• Accessibility	Meets all required access, road widths and turnarounds.
• Special/resource needs	Will require an aerial device; can meet this need.
• Water Supply	3,000 gallons per minute for 2 hours
• Other Resources	
Police Service	No comments were received
West Ada School District	No comments received
Wastewater	
• Distance to Sewer Services	
• Sewer Shed	
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	14.61 MGD
• Project Consistent with WW Master Plan/Facility Plan	
• Impacts/Concerns	
Water	
• Distance to Services	Available at site
• Pressure Zone	5
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	Fire flow modeled at 2,000 GPM. If additional flow is required, contact Public Works.

C. Project Maps

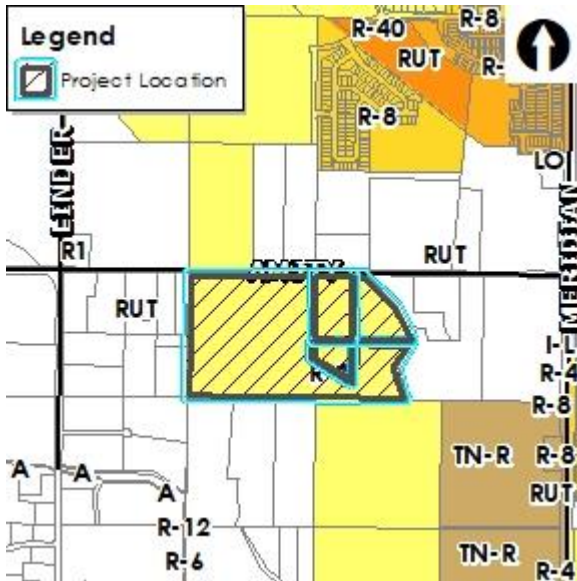
Future Land Use Map



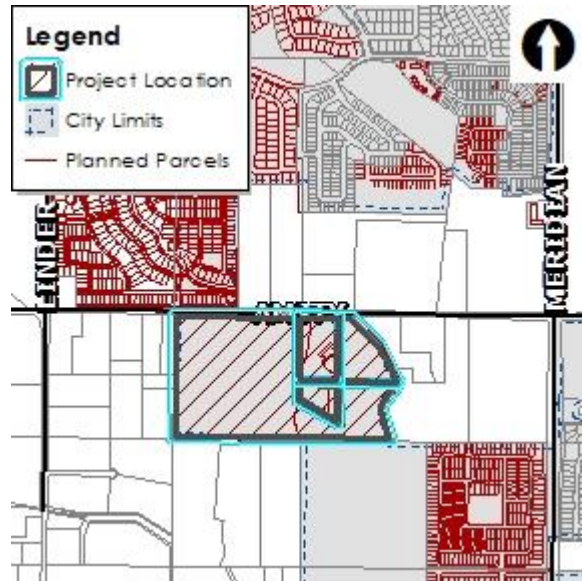
Aerial Map



Zoning Map



Planned Development Map



A. Applicant:

Kason Wedel, Stonehill Church – 1608 N. Meridian Rd., Meridian, ID 83686

B. Owners:

Stonehill Church – 1608 N. Meridian Rd., Meridian, ID 83686

Kent & Donna Mills – 799 W. Amity Rd., Meridian, ID 83642

C. Representative:

Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	1/16/2024	2/25/2024
Radius notification mailed to property owners within 300 feet	1/12/2024	2/24/2024
Public hearing notice sign posted on site	1/12/2024	3/1/2024
Nextdoor posting	1/12/2024	2/26/2024

IV. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low Density Residential (LDR) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation allows for the development of single-family homes on large 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.

TRANSPORTATION: The Master Street Map (MSM) depicts W. Amity Rd. as a residential arterial street along the northern boundary of this site. A north/south residential collector street is depicted on the MSM through this property from Amity Rd. to the southern boundary of the site for future extension to the south. A roundabout is depicted at the Amity Rd./collector street intersection.

ACHD's Roadways to Bikeways Master Plan (BMP) identifies Amity Rd. as an existing Level 1 facility and future Level 3 facility that will be constructed as part of a future ACHD project. The BMP also identifies Level 1 facilities on the new collector street within the site which should be constructed consistent with the MSM and the BMP.

Transit services are not available to serve this site.

PROPOSED USE: The Applicant's proposal to develop a church on this site with future single-family residential uses is generally consistent with the LDR FLUM designation, which supports residential zoning in which a church use is allowed as a conditional use and single-family residential densities at 3 or fewer units per acre are allowed. The portion of the site zoned R-4 is proposed to be platted with "mega" lots for future resubdivision prior to development. With future resubdivision, the density of the overall area should be consistent with the density desired of 3 or fewer units per acre in the LDR FLUM 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 future residential development will contribute to the variety of housing types available within the City for present and future residents.

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

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

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

The proposed site design of the church includes perimeter landscaping which should assist in screening the use from existing and future residential uses in the vicinity. The future redevelopment of the residential area at densities of three (3) or fewer units per acre should be compatible with adjacent existing and future uses.

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

The proposed church and future single-family residential uses should be compatible with existing and future residential uses in the vicinity which should minimize conflicts and maximize use of land.

- "Integrate the Meridian Pathways Master Plan into the site development review process to ensure planned paths are built out as adjacent land develops." (3.07.02H)

With future resubdivision of the residential portion of the property, a segment of the City's multi-use pathway system will be required to be constructed along the Calkins Lateral in accord with the

Pathways Master Plan. In the interim, an easement for the pathway should be recorded with the proposed subdivision.

- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B)

The proposed church will provide an opportunity for public worship in this portion of the City near existing and future residential uses.

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

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

V. STAFF ANALYSIS

A. DEVELOPMENT AGREEMENT MODIFICATION (MDA)

The subject property is part of a larger area annexed into the City with the South Meridian annexation application in 2015 ([H-2015-0019](#)). As a provision of annexation, a Development Agreement (DA) was required between the City and the property owner (Kent & Donna Mills, DA Inst. #[2016-007090](#)). Among other provisions, the DA requires an amendment to the agreement prior to any future development of the site in order to approve the proposed development plan.

An amendment to the DA is requested for the development of a church on the northeast portion of the property. The amendment proposes to remove the church property on proposed Lot 1, Block 1 from the existing DA in favor of a new DA, which will only govern development of the church property. The remainder of the property, will continue to be governed by the existing DA until such time as the property develops in the future, at which time the agreement will be amended to include a conceptual development plan. A legal description for the property subject to the new DA is included in Section IX.A.

A site plan was submitted, included in Section VIII.E, that shows how the portion of the site subject to the new DA will develop with a church and associated access, parking and drive aisles. Analysis of this plan for compliance with UDC standards is included below under Sections VI.C, D. **Future development of this site (proposed Lot 1, Block 1) should be generally consistent with the proposed site plan, subject to the conditions contained in this report for the preliminary plat and conditional use permit as noted below in this section. Staff’s recommended DA provisions are included in Section VIII.A based on the analysis below.**

B. REZONE (RZ)

The Applicant proposes to rezone ~~13.49~~ 13.36-acres of land from the R-4 to the R-8 zoning district for the development of a church, consistent with the LDR FLUM designation as discussed above in Section V. A legal description and exhibit map for the rezone area is included in Section VIII.A.

A site plan was submitted, included in Section VIII.E that shows how the rezone area is proposed to develop with a church.

A church is listed as a conditional 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.

As noted above, a new DA is proposed for the rezone area.

C. PRELIMINARY PLAT (PP):

The proposed preliminary plat consists of 4 building lots on 65.43-acres of land in the R-4 and R-8 zoning districts for Stonehill Crossing Subdivision. **The subdivision is proposed to develop in one (1) phase if Council approves the request for deferral of certain improvements as noted below. If Council does not approve the requested deferral, the Applicant would like to develop the plat in phases.**

Proposed Use: A church is proposed to develop on Lot 1, Block 1. There are two (2) existing homes that are proposed to remain on Lot 2, Block 1 and Lot 1, Block 2. Lot 3, Block 1 and Lot 1, Block 2 are proposed as “mega” lots to be resubdivided in the future consistent with the density desired in the LDR FLUM designation. **Staff recommends no building permits are allowed to be issued on Lot 3, Block 1; and no building permits except for an accessory structure(s) (if desired) is allowed to be issued on Lot 1, Block 2 until these lots are resubdivided in the future.**

Conceptual Development Plan for Resubdivision: A conceptual development plan was submitted for a possible site layout for the future resubdivision of Lot 3, Block 1 and Lot 1, Block 2, as shown in Section VII.D. Future development is not tied to this plan as a DA modification is not proposed or required with this application. However, requested a development plan be submitted for this area for consideration. Staff offers the following comments on this plan:

- Dead end streets (i.e. Street C) should not be longer than 500’; however, City Council may approve a dead end street up to 750’ in length where an emergency access is proposed or a large waterway exists that prevents or makes impractical the extension or other conditions exists as noted in UDC [11-6C-3B.4](#). Although an emergency access via W. Amity Rd. is proposed and there is a large waterway that exists at the east end of the street, the dead end street exceeds 750’ at 870’ in length.
- Block faces are limited to 750’ in length without an intersecting street or alley, except Council may approve a block face up to 1,200’ where block design is constrained by site conditions such as an abutting arterial street or a large waterway and/or irrigation facility, among other conditions. The block face on the north side of Street C exceeds the minimum block face length allowed and would require approval from City Council as proposed.
- Stub streets should be provided to adjacent parcels for future extension and interconnectivity. A collector street is no longer required at the west end of the site along the southern boundary as the collector street has been moved to the south in alignment with Quartz Creek St. and is no longer needed in this location.
- The Applicant should consult the Irrigation District to see if a pedestrian bridge will be allowed across the Calkins Lateral.
- A local street should be provided between Lots 1 and 2, Block 1 from S. Oak Briar St. to the east end of Lot 2, Block 1, at a minimum, to reduce access points on the collector street and in accord with UDC [11-3A-3A.3](#), which requires all subdivisions to provide local street access to any use that currently takes direct access from an arterial or collector street.
- The Calkins Lateral and the Belle Sub Lateral are required to be piped unless used as a water amenity or linear open space as defined in UDC [11-1A-1](#) per UDC [11-3A-6B](#). The decision-making body may waive this requirement if it finds that the public purpose requiring such will not be served and public safety can be preserved.
- If the Calkins Lateral and the Belle Sub Lateral are approved to be left open and not required to be piped and not improved as a water amenity or linear open space as noted above, fencing will be required to deter access to the laterals for public safety per the standards listed in UDC [11-3A-6C](#).

- Common open space and site amenities will be required in accord with the standards set forth in UDC [11-3G-3](#) and [11-3G-4](#).
- Access to the collector (i.e. S. Oak Briar Way) and arterial streets (i.e. W. Amity Rd.) is limited as set forth in UDC [11-3A-3A](#), unless otherwise waived by City Council.

Existing Structures/Site Improvements: There are two (2) existing homes and associated accessory structures on the property that are proposed to remain on Lot 2, Block 1 and Lot 1, Block 2 as shown on the aerial map below. **The addresses of the existing homes are required to change with development of the subdivision as they will no longer be directly accessed from Amity Rd.**

There are four (4) existing radio towers on the abutting property to the east, depicted as green squares on the map below, whose easements encroach on this site.



Existing Easements: There are two (2) existing radio tower easements, recorded in 1945, depicted on the plat on the east side of Lots 1 and 3, Block 1 for the towers shown on the aerial map above. These easements may limit the placement of underground utilities located within the easements until the towers are removed at an undetermined date in the future. The proposed location of the church building on Lot 1, Block 1 is outside of these easements.

Request for Deferral of Improvements: Because Lot 3, Block 1 and Lot 1, Block 2 are not proposed to develop at this time and are proposed to be resubdivided in the future prior to development, the Applicant requests deferral of certain improvements typically required with the plat, as follows:

- Amity Rd. frontage improvements along Lot 1, Block 2 (i.e. pavement widening, borrow ditch/drainage improvements, 10' wide multi-use pathway, street buffer landscaping and associated overhead and underground utility relocations (see [narrative](#) for more information). **(Note: ACHD will require a formal request for a waiver of policy and written support from the City to defer the road widening and sidewalk until future resubdivision of this lot.)**

Staff is amenable to this request if City Council and ACHD finds it appropriate.

- 10' wide multi-use pathway along the east side of the Calkins Lateral on Lot 1, Block 2.

Staff is amenable to this request as this lot will be resubdivided in the future and the pathway can be constructed with future development. In the interim, the Park's Dept. requests a public pedestrian easement for the future pathway is provided with subdivision of the property.

Dimensional Standards (UDC 11-2): Future development is required to comply with the dimensional standards listed in UDC Tables [11-2A-5](#) for the R-4 zoning district and [11-2A-6](#) for the R-8 zoning district. The proposed lots comply with the minimum dimensional standards. The existing homes and

accessory structures on Lot 2, Block 1 and Lot 1, Block 2 appear to comply with the minimum setback standards of the district. **Any structures that do not comply with the minimum setback standards should be removed prior to submittal of the final plat for City Engineer signature.**

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

Transportation: There are currently no public streets within the site and no stub streets exist to this site.

Amity Rd. is currently a 2-lane roadway with no curb, gutter or sidewalk abutting the site within 50' of ROW (20-25' from centerline). ACHD is requiring dedication of ROW totaling 50' from the centerline of Amity Rd. abutting the site and widening of the pavement to 17' from centerline plus a 3' wide gravel shoulder adjacent to the entire site.

There are three (3) existing access driveways via Amity Rd. – one at the west boundary for farm access, one for irrigation district access along the Calkins Lateral, and one that provides access to the two (2) existing residences on the site. The residential driveway will be replaced by the new collector street; the other two (2) driveways may remain until Lot 1, Block 2 is resubdivided in the future, unless otherwise required to be removed by ACHD.

A collector street is proposed as depicted on the plat from W. Amity Rd. at the northern boundary of the site extending to the southern boundary of the site in accord with the Master Street Map (MSM). **A temporary cul-de-sac is required to be constructed at the terminus of the collector street at the south boundary with a minimum turning radius of 50' as required by ACHD.**

The MSM also depicts a multi-lane roundabout at the Amity Rd./Oak Briar Way intersection. The Applicant is required to dedicate right-of-way (ROW) for construction of the roundabout consistent with the template shown in the ACHD report. A roundabout exhibit was submitted, included in Section VIII.B, in accord with this template.

Access (UDC [11-3A-3](#)): Three accesses are proposed to the future church on Lot 1, Block 1. Two (2) accesses are proposed via the collector street (S. Oak Briar Way) on Lot 1, Block 1; the northern access is proposed for the church and the southern access is proposed to be a shared access for the church and the existing residence. The other access at the east end of Lot 1, Block 1 via W. Amity Rd. is proposed is for emergency access only.

The UDC (11-3A-3) limits access points to collector and arterial streets to improve safety and to ensure that motorists can safely enter all streets, unless otherwise waived by City Council. Further, the UDC (11-3A-3A.1) requires all subdivisions to provide local street access to any use that currently takes direct access from an arterial or collector street. **The Applicant requests approval of a waiver from Council for the two (2) proposed accesses via the collector street (Oak Briar) proposed on Lot 1, Block 1.**

Because a subdivision is proposed, Staff recommends a street is constructed from the collector street (Oak Briar) between Lots 1 and 2, Block 1 to provide local street access to the church and the existing residence. A cul-de-sac or ACHD/Fire Dept. approved turnaround should be provided at the end of the street, which should extend to at least the eastern boundary of Lot 2, Block 1 but may extend further depending on the access needs of the church. This street should be extended in the future with resubdivision of Lot 3, Block 1.

Staff recommends bollards are constructed with a chain and a Knox padlock at the emergency access driveway via Amity Rd. to prohibit public access.

Landscaping: A 25-foot wide street buffer is required along W. Amity Rd., an arterial street, measured from *ultimate* back of curb location; and a 20-foot wide street buffer is required along S. Oak Briar Way measured from back of curb. **Landscaping is required to be installed within the buffers in accord with the standards listed in UDC [11-3B-7C.3](#); the proposed landscape plan should be revised to comply with these standards.**

Landscaping should be provided in parkways in accord with the standards listed in UDC [11-3A-17E](#) and [11-3B-7C](#).

There are some existing trees on the site but they appear to be contained within Lots 2, Block 1 and Lot 1, Block where the existing homes are located. A few trees appear to be located in the area where the collector street will be extended, which will not require mitigation.

Common Open Space & Site Amenities (UDC [11-3G-3](#)): Because all of the residential portion of the property except for Lot 2, Block 1 will be resubdivided in the future, Staff recommends the provision of open space and site amenities is deferred until that time.

Pathways: All pathways should be constructed in accord with the standards listed in UDC [11-3A-8](#) and [11-3B-12C](#). A multi-use pathway is depicted on the Pathways Master Plan along the east side of the Calkins Lateral. **A 14-foot wide public access easement should be submitted to the City and depicted on the plat for the multi-use pathway (10' for the pathway + 2' shoulder each side).** If permission can be obtained from the Irrigation District, the pathway may be located with their easement; if not, the pathway shall be located in a separate linear lot outside of the irrigation easement behind the future rear residential lot lines. Construction of the pathway may be deferred until future development of Lot 1, Block 2.

Sidewalks ([11-3A-17](#)): Minimum 5' wide detached sidewalks are required within street buffers along collector and arterial streets per UDC 11-3A-17. However, ACHD policy requires a greater width of 10' along arterial streets; therefore, a 10' wide pathway should be provided as proposed a minimum of 38' from the centerline of Amity abutting the site.

Waterways: The Calkins lateral crosses the western portion of this site within a 56' wide easement (28' on each side of the centerline); and the Belle Sub Lateral runs along the southeast portion of the site within a 50' wide easement (25' on each side of the centerline) as depicted on the plat.

The UDC ([11-3A-6B](#)) requires all irrigation ditches/laterals crossing the site that aren't being improved as a water amenity or linear open space as defined in UDC [11-1A-1](#) to be piped or otherwise covered, unless otherwise waived by City Council. **Because both of the waterways on this site lie on lots (i.e. Lot 3, Block 1 and Lot 1, Block 2) that will be resubdivided in the future prior to development, Staff recommends the piping of these waterways take place upon resubdivision of these lots.**

This property is located in an "area of minimum flood hazard" in flood zone "X" (see FEMA map for more information).

Fencing: All fencing is required to comply with the standards listed in UDC [11-3A-6C](#) and [11-3A-7](#). Fencing is not depicted on the landscape plan.

Utilities (UDC [11-3A-21](#)): Connection to City water and sewer services is required in accord with UDC 11-3A-21. **However, because Lot 3, Block 1 will be resubdivided in the future prior to development, Staff recommends services are not required to be provided to that lot at this time. The existing homes on Lot 2, Block 1 and Lot 1, Block 2 are required to connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC [9-1-4](#) and [9-4-8](#).**

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

Pressurized Irrigation System (UDC [11-3A-15](#)): Underground pressurized irrigation water is required to be provided to each lot within the subdivision per UDC 11-3A-15. **However, because Lot 3, Block 1 will be resubdivided in the future prior to development, Staff recommends underground pressurized irrigation is not required to be provided to that lot at this time.** Pressurized irrigation should be provided to the existing homes on Lot 2, Block 1 and Lot 1, Block 2.

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

D. Conditional Use Permit (CUP)

A CUP is proposed for a 52,000+/- square foot (s.f.) church on ~~13.24~~ 13.09-acres of land in an R-8 zoning district as required by UDC [Table 11-2B-2](#).

Phasing: The church (and associated drive aisles, parking and landscaping) is proposed to develop in two (2) phases as shown on the phasing plan in Section VIII.E. The first phase will consist of approximately 40,000 s.f. and the second phase will consist of approximately 12,000 s.f.

Specific Use Standards: Churches are subject to the specific use standards listed in UDC [11-4-3-6](#), as follows: *"Schools, child daycare services, meeting facilities for clubs and organizations, and other similar uses not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation may be permitted to the extent the activity is otherwise permitted in the district."*

Dimensional Standards: Future development of this site should comply with the dimensional standards of the R-8 zoning district in UDC [Table 11-2A-6](#).

Access: **The extension of the residential collector street (S. Oak Briar Way) shall be completed with development of the subdivision prior to issuance of Certificate of Occupancy for the church.**

Pathway/walkway: A 5' wide pedestrian walkway is proposed as required from the perimeter sidewalk along Amity and Oak Briar to the main building entrance of the church in accord with UDC [11-3A-19B.4](#). **The walkways should be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks.**

Minimum 5' wide walkways should be provided in the parking area for any aisle length that is greater than 150 parking spaces or 200' away from the primary building entrance(s) as set forth in UDC [11-3A-19B.4c](#).

Pedestrian connections with pathways should be provided from the church site to future abutting residential uses to the east and south for interconnectivity.

Sidewalks (UDC [11-3A-17](#)): All sidewalks around buildings are required to be a minimum of 5' in width.

Parking: Off-street parking is required to be provided based on the square footage of the church per the standards set forth in UDC [11-3C-6B.1](#) for commercial districts (i.e. 1 space for every 500 s.f. of gross floor area). Based on a total of 52,000+/- s.f., including the future addition, a minimum of 104 spaces will be required. The Applicant proposes to provide 545+/- spaces with the first phase and 269+/- spaces with the second phase, which *exceeds* the minimum standards by 710+/- spaces.

Parking stalls and drive aisles should comply with the dimensions noted in UDC [Table 11-3C-5](#). Where parking spaces abut a sidewalk or a perimeter landscape buffer, wheel stops should be provided to prevent vehicle overhang or the length of the parking space may be reduced 2' if an additional 2' is added to the width of the sidewalk or the perimeter buffer to total 7' as set forth in UDC [11-3C-5B.4](#).

The site plan submitted with the Certificate of Zoning Compliance application should depict dimensions that demonstrate compliance with these standards.

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC [11-3B-8C](#); the landscape plan submitted with the Certificate of Zoning Compliance application should comply with these standards.

Landscaping is required to be provided along all pathways in accord with the standards listed in UDC [11-3B-12C](#).

Outdoor Lighting (UDC [11-3A-11](#)): All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C. Light fixtures that have a maximum output of 1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C. **Details of the site lighting demonstrating compliance with these standards should be submitted with the Certificate of Zoning Compliance application.**

Outdoor Service & Equipment Areas (UDC [11-3A-12](#)): Outdoor utility meters, HVAC equipment, trash dumpsters, trash compaction and other service functions should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Safe access and adequate lighting should be provided in these areas. **The site plan submitted with the Certificate of Zoning Compliance application should demonstrate compliance with these standards.**

Building Elevations: Conceptual building elevations of the proposed 2-story church structure are included in Section VIII.G. Building materials consist of a mix of stucco, vertical rough sawn NICHHA architectural wall panels and corrugated painted metal panels in horizontal orientation. These elevations have not been reviewed for compliance with the design standards in the Architectural Standards Manual and are not approved with this application. Review will take place with submittal of a design review application with a Certificate of Zoning Compliance application prior to submittal of a building permit application.

Certificate of Zoning Compliance (CZC): A CZC application is required to be submitted and approved for the proposed church prior to submittal of a building permit application.

Design Review: A Design Review application should be submitted concurrently with the CZC application for approval of the design of the proposed structure. Compliance with the design standards in the [Architectural Standards Manual](#) is required.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed DA modification, rezone, preliminary plat and CUP with the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on February 1, 2024. At the public hearing, the Commission moved to recommend approval of the subject RZ, PP and CUP requests.

1. Summary of Commission public hearing:

- a. In favor: John Rennison, Rennison Design (Applicant's Representative)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: John Rennison, Rennison Design (Applicant's Representative)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. None

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

- a. None

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. The Applicant requests a waiver to UDC 11-3A-3A.1 to allow two (2) access drives via S. Oak Briar Way, a collector street, on Lot 1, Block 1.
 - b. The Applicant requests deferral of several improvements typically required with a subdivision, until such time as Lot 3, Block 1 & Lot 1, Block 2 is re-subdivided in the future, as follows: street buffer landscaping & 10' wide sidewalk along Amity Rd. west of the collector street; the 10' wide multi-use pathway along the Calkins Lateral; open space & site amenities for the residential development; piping or improving the laterals that cross this site as a water amenity or linear open space; and closing of the existing farm access and irrigation district accesses via Amity Rd. *If Council does not approve the request, the Applicant proposes to phase the development to defer these improvements.*
 - b. If Council does *not* require a local street to be provided between Lots 1 and 2, Block 1, Staff recommends a new preliminary plat condition is added for the plat to be amended to include a "flag" out to the future cul-de-sac on the east side of Lot 2, Block 1 as shown on the conceptual development plan and condition #2.1g requiring such is removed.
- C. The Meridian City Council heard these items on March 12, 2024. At the public hearing, the Council moved to approve the subject MDA, RZ, PP and CUP requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: John Rennison, Rennison Engineering; Doug Connelly, Stonehill Church
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. None
 - 3. Key issue(s) of discussion by City Council:
 - a. Council preferred the local street access proposed by the Applicant via the collector street (over the direct access to the collector street) due to the increased connectivity within the development and was in support of one (1) driveway access via the collector street for the church; and
 - b. Council supported the request for deferral of certain improvements associated with the preliminary plat as noted.
 - 4. City Council change(s) to Commission recommendation:
 - a. Council required the construction of a local street between Lots 1 and 2, Block 1 as proposed by the Applicant for access to the church and existing home as shown in the exhibit in Section VII.D; and
 - b. Council approved a waiver to UDC 11-3A-3A.1 for one (1) direct access via the collector street on Lot 1, Block 1 for the church.

VII. EXHIBITS

- A. Legal Descriptions & Exhibit Maps for Rezone & New Development Agreement – REVISED

Rezone:

Description for
R-8 Zone
Stonehill Crossing Subdivision
September 20, 2023

A portion of the North 1/2 of Section 36, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 36 from which the Northwest corner of said Section 36 bears North 89°32'29" West, 2,650.91 feet; thence on the north line of said Section 36, South 89°04'30" East, 38.65 feet to the **POINT OF BEGINNING**:

thence continuing, South 89°04'30" East, 478.26 feet;

thence leaving said north line, South 00°55'30" West, 25.00 feet;

thence South 45°31'08" East, 432.13 feet;

thence South 26°33'19" East, 374.29 feet;

thence 110.35 feet on the arc of a curve to the left having a radius of 165.50 feet, a central angle of 38°12'15", and a long chord which bears South 52°52'14" West, 108.32 feet;

thence South 33°46'07" West, 11.67 feet;

thence North 89°04'30" West, 942.31 feet;

thence North 00°32'48" East, 50.50 feet;

thence 245.16 feet on the arc of a curve to the right, having a radius of 800.00 feet, a central angle of 17°33'29", and a long chord which bears North 09°19'32" East, 244.20 feet;

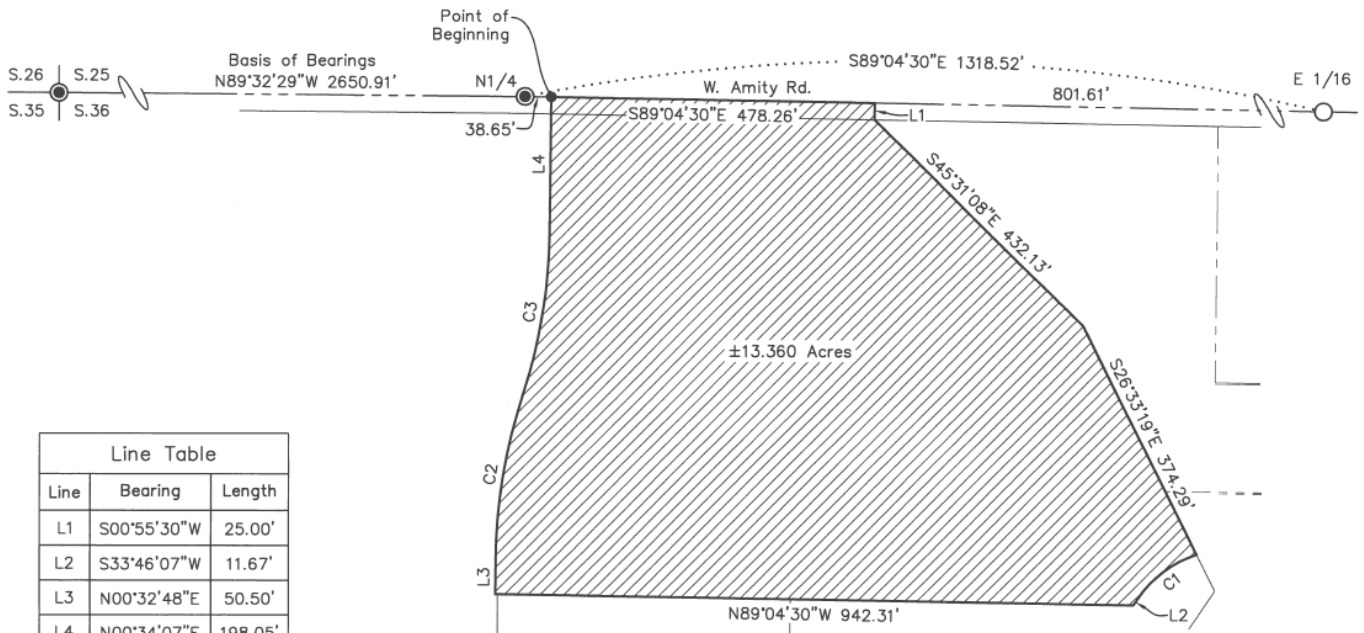
thence 244.85 feet on the arc of a curve to the left, having a radius of 800.00 feet, a central angle of 17°32'10", and a long chord which bears North 09°20'12" East, 243.89 feet;

thence North 00°34'07" East, 198.05 feet to the **POINT OF BEGINNING**.

Containing 13.360 acres, more or less.

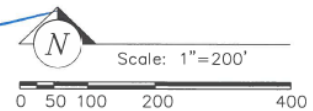
End of Description.





Line Table		
Line	Bearing	Length
L1	S00°55'30\"W	25.00'
L2	S33°46'07\"W	11.67'
L3	N00°32'48\"E	50.50'
L4	N00°34'07\"E	198.05'

Curve Table					
Curve	Length	Radius	Delta	Chord Bearing	Chord Length
C1	110.35'	165.50'	38°12'15\"	S52°52'14\"W	108.32'
C2	245.16'	800.00'	17°33'29\"	N09°19'32\"E	244.20'
C3	244.85'	800.00'	17°32'10\"	N09°20'12\"E	243.89'



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 IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	Exhibit Drawing for		Job No. 22-039
	R-8 Zone		Sheet No.
	Stonehill Crossing Subdivision		1
	A portion of the N1/2 of Section 36, T.3N., R.1W., B.M., City Of Meridian, Ada County, Idaho.		

New Development Agreement:

Description for
Development Agreement Modification
September 20, 2023

A portion of the North 1/2 of Section 36, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 36 from which the Northwest corner of said Section 36 bears North 89°32'29" West, 2,650.91 feet; thence on the north line of said Section 36, South 89°04'30" East, 38.65 feet; thence leaving said north line, South 00°34'07" West, 25.00 feet to the south right-of-way line of W. Amity Road and the **POINT OF BEGINNING**:

thence on said south right-of-way line, South 89°04'30" East, 478.11 feet;

thence leaving said south right-of-way line, South 45°31'08" East, 432.13 feet;

thence South 26°33'19" East, 374.29 feet;

thence 110.35 feet on the arc of a curve to the left, having a radius of 165.50 feet, a central angle of 38°12'15", and a long chord which bears South 52°52'14" West, 108.32 feet;

thence South 33°46'07" West, 11.67 feet;

thence North 89°04'30" West, 942.31 feet;

thence North 00°32'48" East, 50.50 feet;

thence 245.16 feet on the arc of a curve to the right, having a radius of 800.00 feet, a central angle of 17°33'29", and a long chord which bears North 09°19'32" East, 244.20 feet;

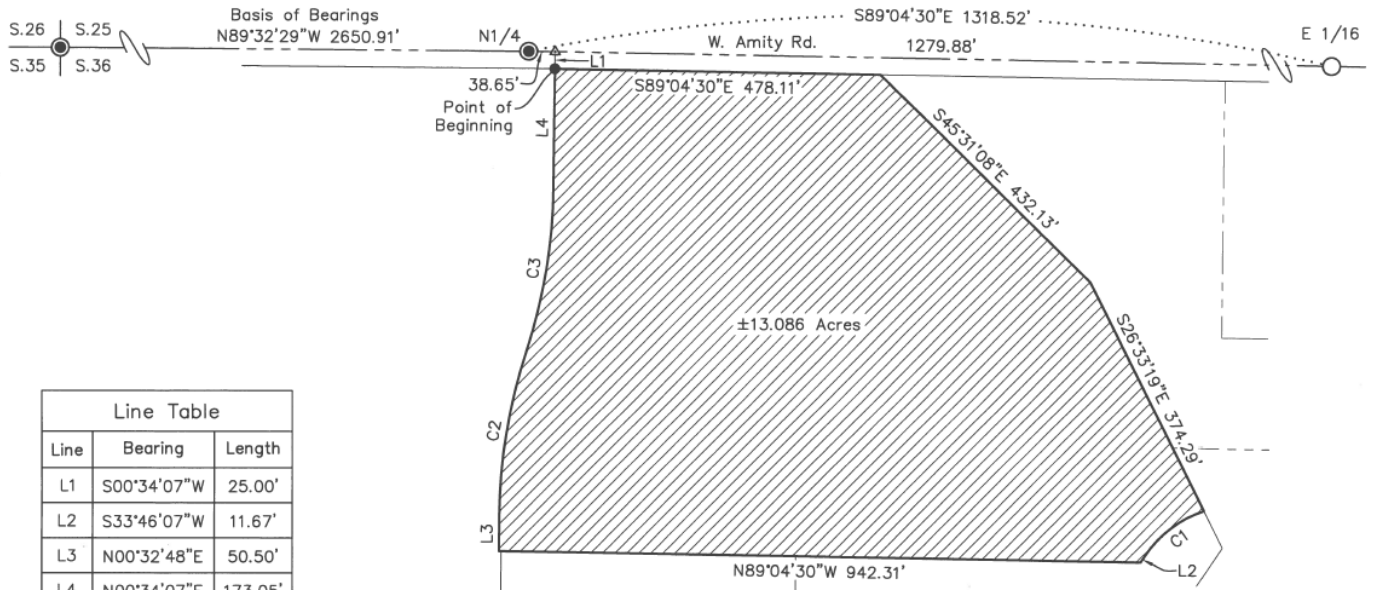
thence 244.85 feet on the arc of a curve to the left, having a radius of 800.00 feet, a central angle of 17°32'10", and a long chord which bears North 09°20'12" East, 243.89 feet;

thence North 00°34'07" East, 173.05 feet to the **POINT OF BEGINNING**.

Containing 13.086 acres, more or less.

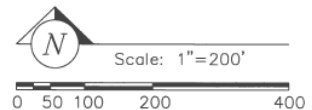
End of Description.





Line Table		
Line	Bearing	Length
L1	S00°34'07"W	25.00'
L2	S33°46'07"W	11.67'
L3	N00°32'48"E	50.50'
L4	N00°34'07"E	173.05'

Curve Table					
Curve	Length	Radius	Delta	Chord Bearing	Chord Length
C1	110.35'	165.50'	38°12'15"	S52°52'14"W	108.32'
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C3	244.85'	800.00'	17°32'10"	N09°20'12"E	243.89'

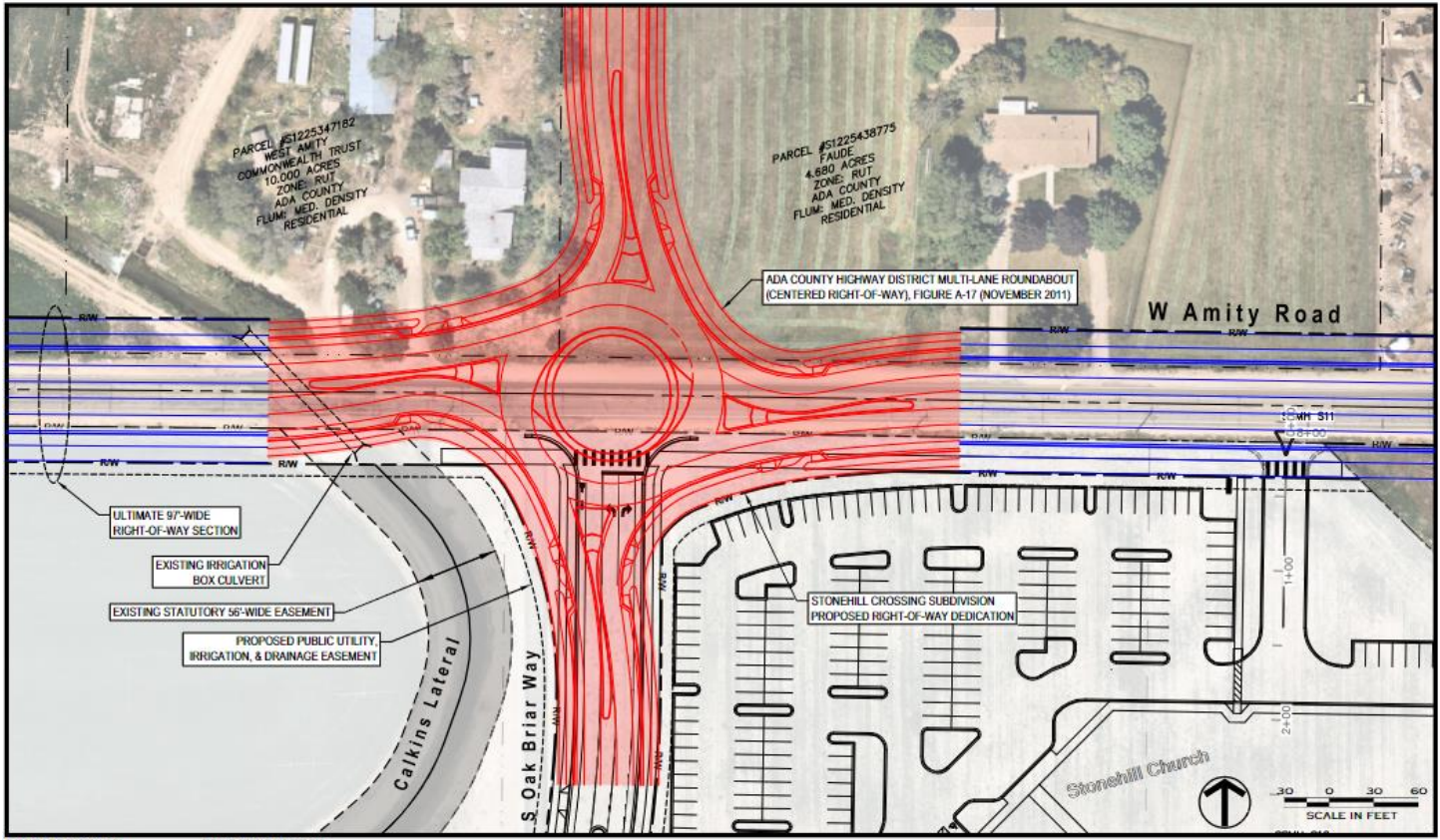


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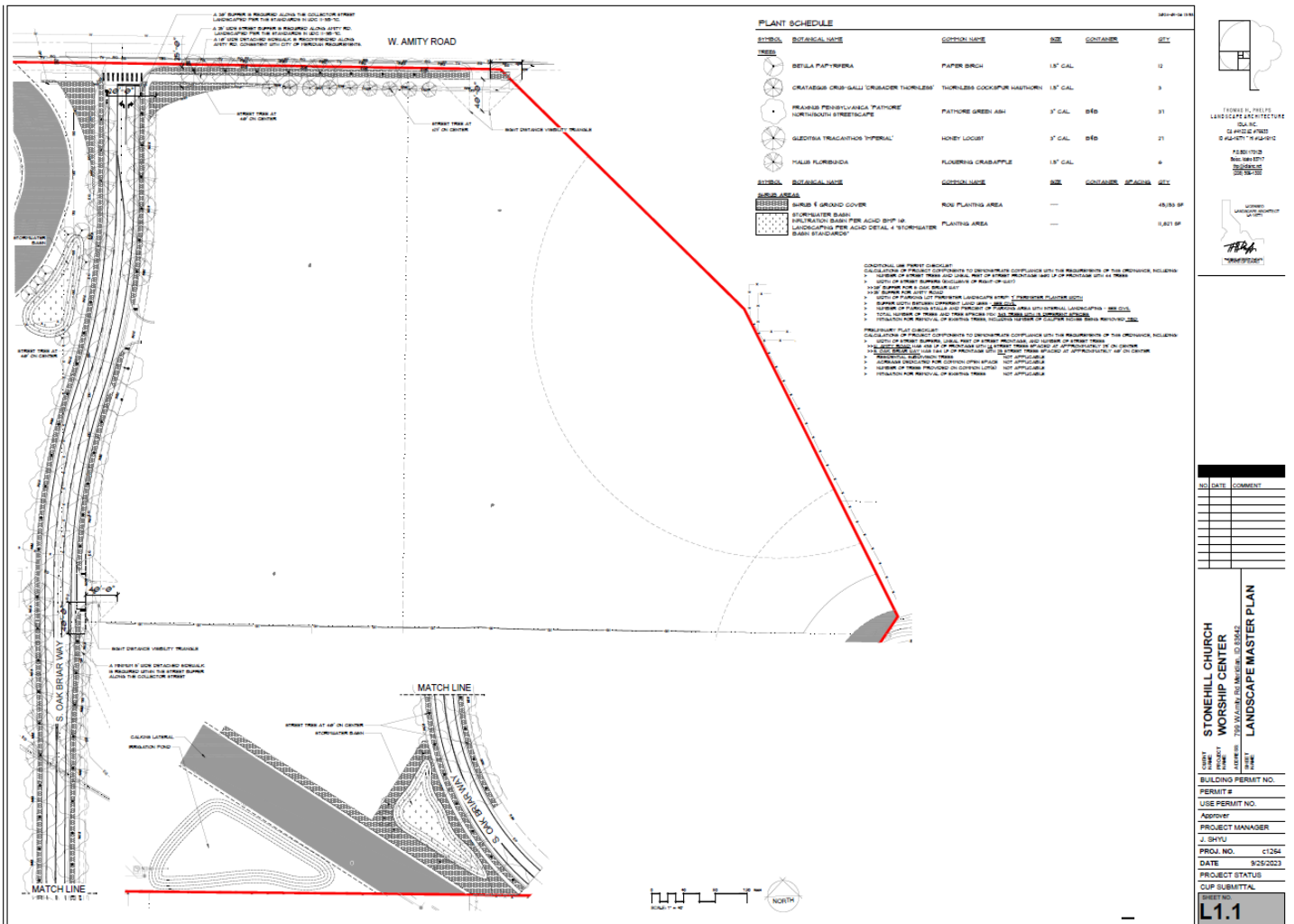
 IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	Exhibit Drawing for Development Agreement Modification	Job No. 22-039
		Sheet No. 1
	A portion of the N1/2 of Section 36, T.3N., R.1W., B.M., City Of Meridian, Ada County, Idaho.	Dwg. Date 9/20/2023

[illegible]

Stonehill Crossing Subdivision
FUTURE ROUNDABOUT PLANNING EXHIBIT



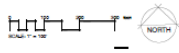
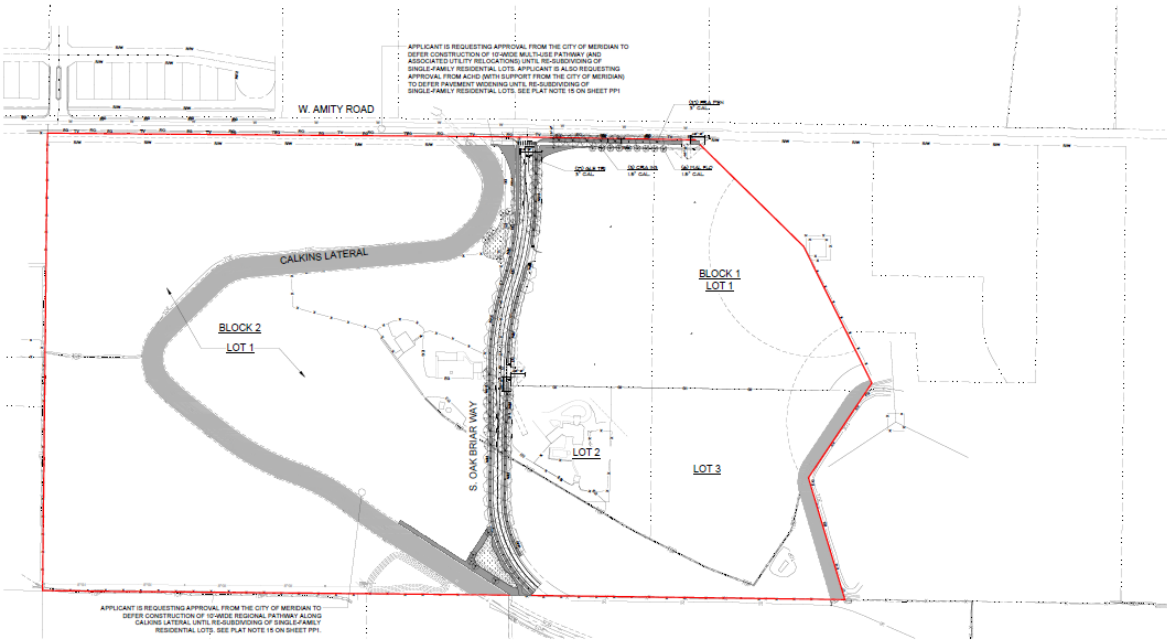
C. Preliminary Plat - Landscape Plan (dated: 9/25/2023)



STONEHILL CROSSING SUBDIVISION



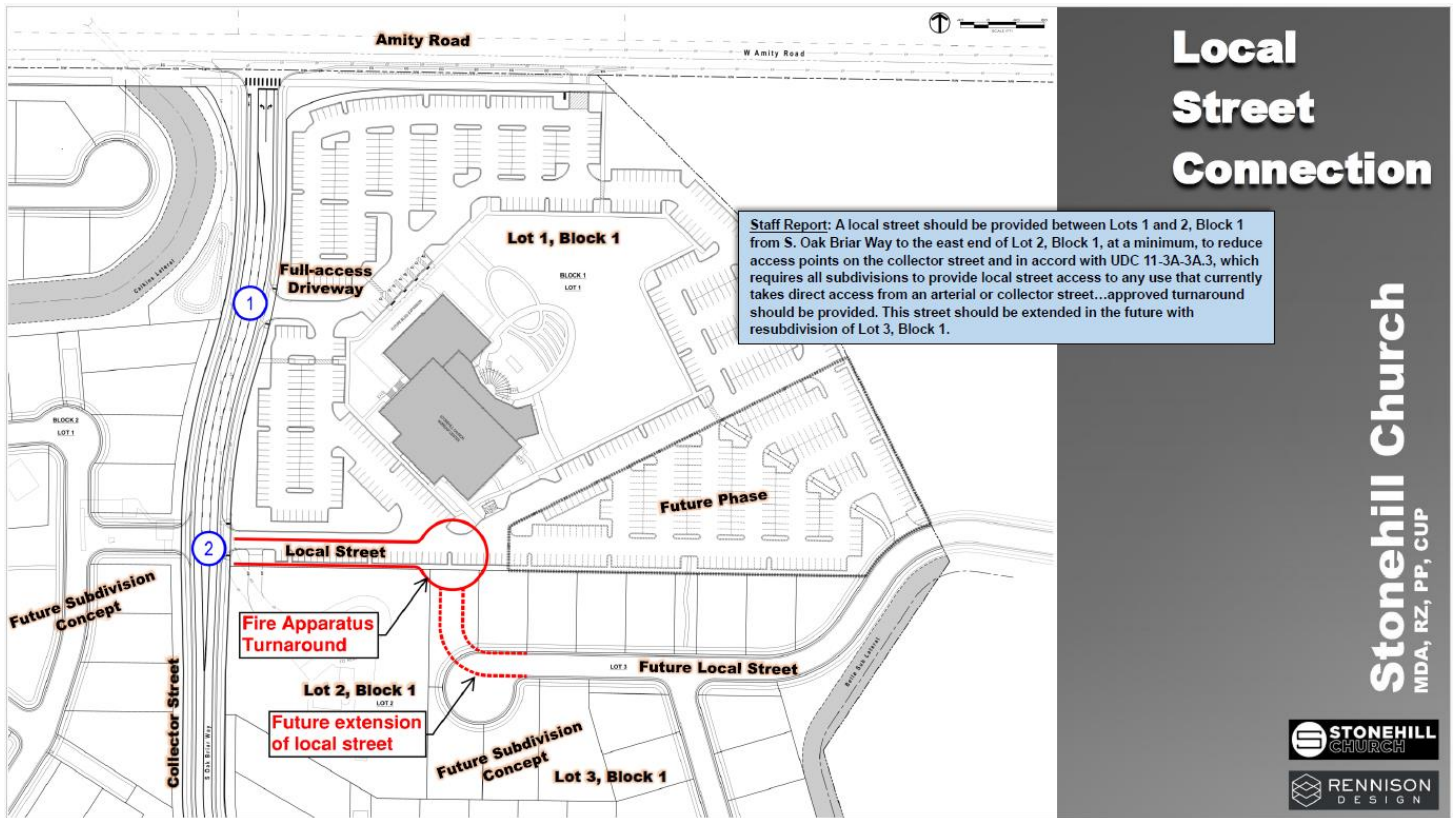
STONEHILL CHURCH
WORSHIP CENTER
LANDSCAPE ARCHITECTURE
11100 17TH ST
SUITE 100
DALLAS, TX 75244
PHONE: 214-343-1111
WWW.STONEHILLCHURCH.COM



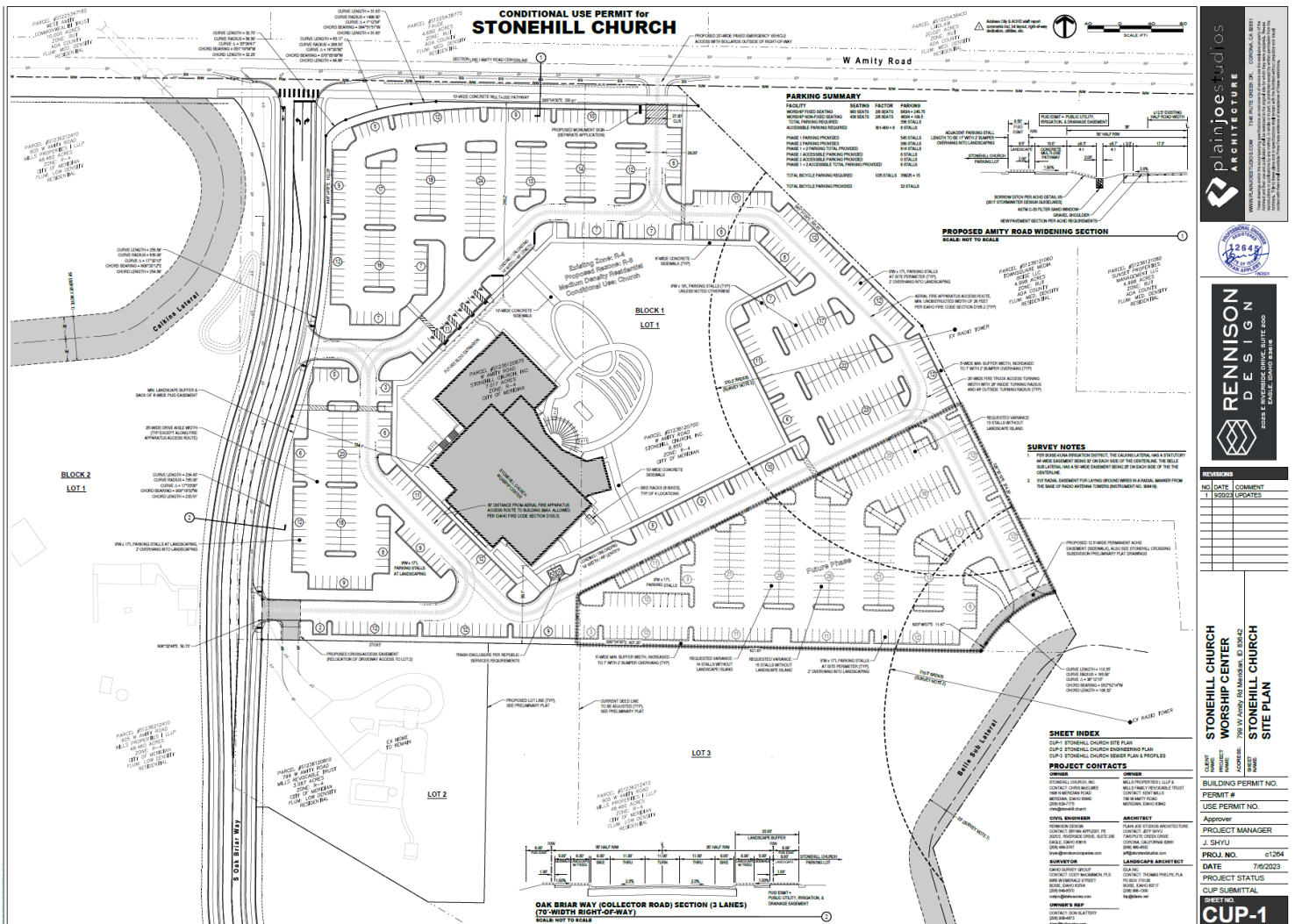
NO.	DATE	COMMENT

STONEHILL CHURCH WORSHIP CENTER LANDSCAPE MASTER PLAN	
PROJECT NO.	100-000000-000-0000
DATE	3/25/2023
PROJECT STATUS	CUP SUBMITTAL
L1.2	

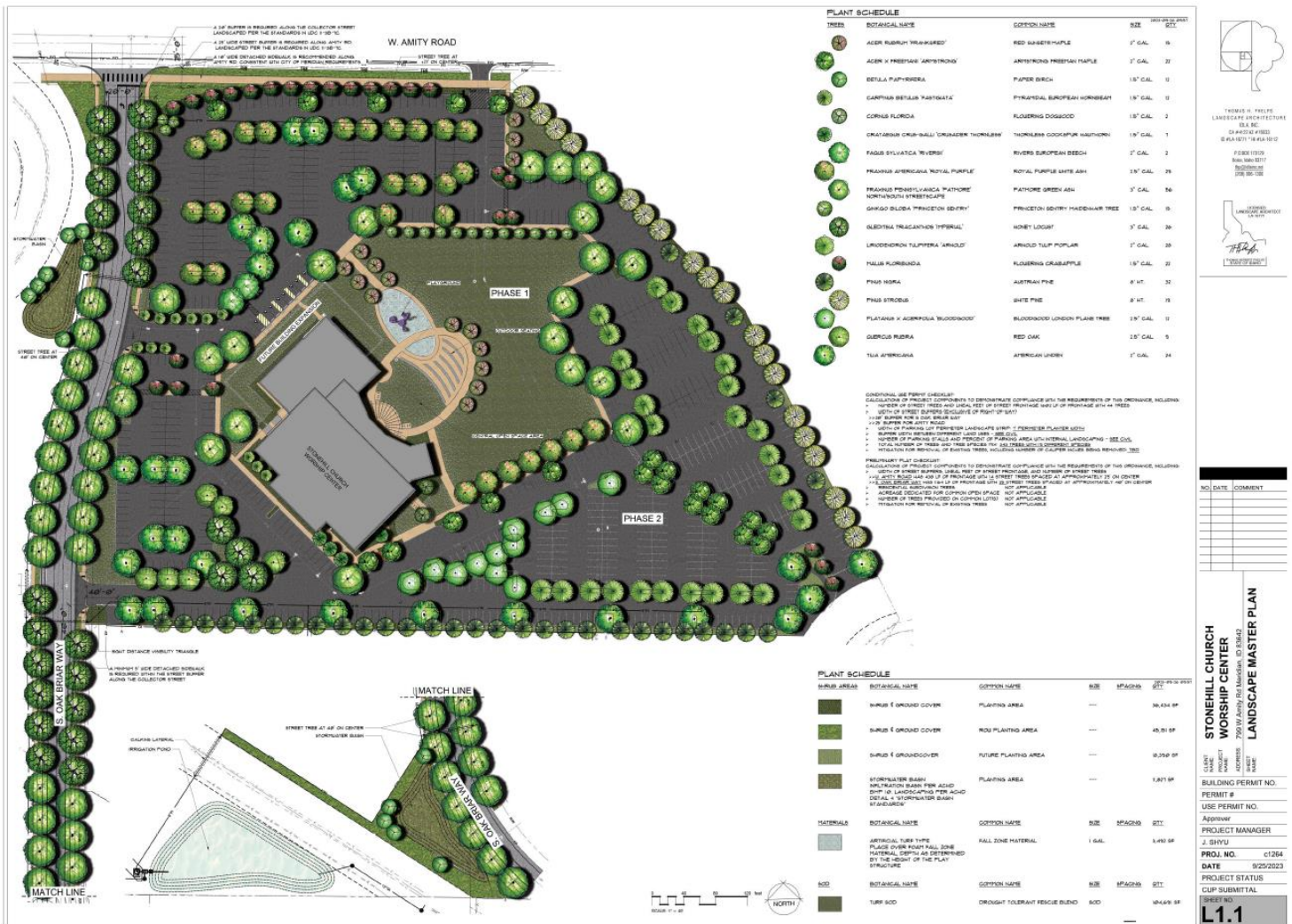
D. Conceptual Development Plan for Future Resubdivision of Lot 3, Block 1 & Lot 1, Block 2 - REVISED



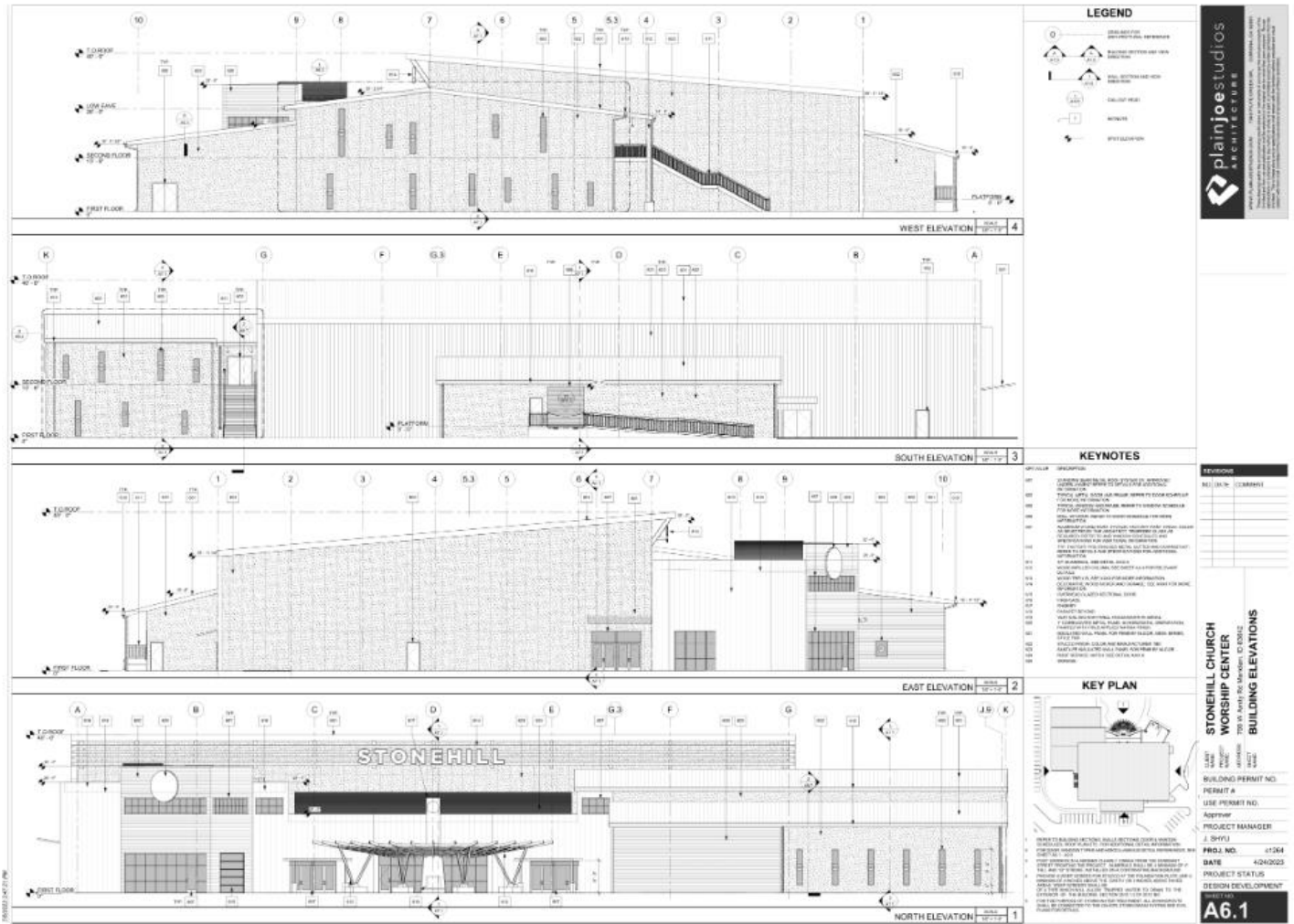
E. Conditional Use Permit – Site Plan & Phasing Plan (dated: ~~7/6/2023~~ 09/20/23) - REVISED



F. Conditional Use Permit – Landscape Plan (dated: 9/25/2023)



G. Conditional Use Permit – Conceptual Building Elevations (dated: 4/24/23)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Development Agreement Modification

- 1.1 The amended DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council approval of the Findings. The DA shall, at minimum, incorporate the following provisions:
- a. Future development of this site shall be generally consistent with the site plan and conceptual building elevations included in Section VII and the provisions contained herein that are applicable to Lot 1, Block 1, Stonehill Crossing Subdivision.
 - b. The future use of this site is limited to a church or place of religious worship and associated accessory uses as allowed by UDC [11-4-3-6](#). Any change to the use shall require a modification to the agreement.
 - c. The new north/south residential collector street (S. Oak Briar Way) shall be constructed in its entirety prior to issuance of Certificate of Occupancy for the church.
 - d. The final plat in which the subject property lies shall be recorded prior to issuance of Certificate of Occupancy for the proposed church.

2. Preliminary Plat

- 2.1 The final plat shall include the following revisions:

- a. Depict a minimum 25-foot wide street buffer along W. Amity Rd., an arterial street, in a common lot or a permanent dedicated buffer easement maintained by the property owner in accord with UDC [11-3B-7C.2a](#). The buffer shall be measured from the ultimate curb location as anticipated by ACHD.
- b. Depict a minimum 20-foot wide street buffer along both sides of S. Oak Briar Way, a collector street, measured from back of curb, in a common lot or a permanent dedicated buffer easement maintained by the property owner or homeowner's association in accord with UDC [11-3B-7C.2a](#).
- c. Depict a temporary cul-de-sac at the south end of the collector street (S. Oak Briar Way) with a minimum turning radius of 50' as required by ACHD.
- d. Graphically depict a 14' wide public pedestrian easement along the Calkins Lateral on Lot 1, Block 2 and include the recorded instrument number of the easement.
- e. Include a note stating direct lot access via W. Amity Rd. is prohibited except for the existing driveways on Lot 1, Block 2 for farm and irrigation access and the emergency only access on Lot 1, Block 1 (unless otherwise restricted by ACHD).
- f. Include a note stating direct lot access via S. Oak Briar Way is prohibited except for a temporary access for the existing home on Lot 1, Block 2, which shall be removed upon resubdivision of that lot in the future; and one (1) driveway access for the church on Lot 1, Block 1. At that time, access shall be provided from an internal local street if the home remains on a lot in the subdivision. The location of ~~this~~ these accesses (curb cuts) shall be depicted on the plat.
- g. Depict a local street off S. Oak Briar Way between Lots 1 and 2, Block 1 for local street access to these lots in accord with UDC 11-3A-3. This street shall extend at a minimum, to the east boundary of Lot 2, Block 1 and shall be extended with future resubdivision of Lot 3, Block 1 in the future. A turnaround shall be provided at the end of the street that meets ACHD and Fire Dept. standards.

- h. All sidewalks and parkways shall comply with the standards listed in UDC [11-3A-17](#).
- 2.2 The landscape plan submitted with the final plat shall include the following revisions:
- a. Depict landscaping within the 20' wide street buffer along S. Oak Briar Way; and within the 25-foot wide street buffer along W. Amity Rd. on Lot 1, Block 1 in accord with the standards listed in UDC [11-3B-7C.3](#). *The street buffer along Amity Rd. on Lot 1, Block 2 is deferred until future resubdivision of that lot.*
 - b. Include a calculations table that demonstrates compliance with the aforementioned street buffer requirements, including required vs. provided number of trees, percentages and tree classifications.
 - c. Landscaping shall be depicted in parkways in accord with the standards listed in UDC [11-3A-17E](#).
- 2.3 All existing structures that do not comply with the setbacks of the R-4 zoning district in UDC [Table 11-2A-5](#) shall be removed from the site prior to submittal of the final plat for City Engineer signature.
- 2.4 Comply with the subdivision design and improvement standards listed in UDC [11-6C-3](#).
- 2.5 The existing homes on Lot 2, Block 1 and Lot 1, Block 2 shall connect to City water and sewer service within 60 days of it becoming available and disconnect from private service as set forth in MCC [9-1-4](#) and [9-4-8](#).
- 2.6 The addresses of the existing homes shall change with recordation of the subdivision.
- 2.7 No building permits shall be issued on Lot 3, Block 1 until this lot is resubdivided in the future; and no building permits shall be issued on Lot 1, Block 2 except for accessory structures associated with the primary residence.
- 2.8 A 14-foot wide public access easement shall be submitted to the City and depicted on the plat for the 10' wide multi-use pathway along the east side of the Calkins Lateral (10' for the pathway + 2' shoulder each side). *If permission can be obtained from the Irrigation District, the pathway may be located with their easement; if not, the pathway shall be located in a separate linear lot outside of the irrigation easement behind the future rear residential lot lines.*
- 2.9 Underground pressurized irrigation water shall be provided to Lots 1 and 2, Block 1 and the existing home on Lot 1, Block 2 with development of the subdivision as set forth in UDC [11-3A-15](#); underground pressurized irrigation is *not* required to be provided to Lot 3, Block 1 until resubdivision of this lot occurs in the future.
- 2.10 Connection to City water and sewer services is required for the proposed church on Lot 1, Block 1 and the existing homes on Lot 2, Block 1 and Lot 1, Block 2 in accord with UDC [11-3A-21](#); services are not required to be provided to Lot 3, Block 1 until resubdivision of this lot occurs in the future.
- 2.11 The frontage improvements along Amity Rd. on Lot 1, Block 2 (i.e. pavement widening, borrow ditch/drainage improvements, 10' wide multi-use pathway, street buffer landscaping and associated overhead and underground utility relocations is deferred until resubdivision of this lot in the future. *(Note: ACHD will require a formal request for a waiver of policy and written support from the City to defer the road widening and sidewalk until future resubdivision of this lot.)*
- 2.12 The piping of the Calkins Lateral and the Belle Sub Lateral, which lie on Lot 1, Block 2 and Lot 3, Block 1, respectively, is deferred until resubdivision of these lots in the future.
- 2.13 The two (2) driveways on Lot 1, Block 2 via Amity Rd., used for farm and irrigation access, may remain until resubdivision of this lot in the future unless otherwise required by ACHD to be closed; access will be evaluated at that time.

- 2.14 Construction of the 10' wide multi-use pathway required along the east side of the Calkins Lateral on Lot 1, Block 2 per the Pathways Master Plan is deferred until resubdivision of this lot in the future.
- 2.15 A sign shall be erected at the terminus of the collector stub street (S. Oak Briar Way) that states the street will be extended and widened in the future as required by ACHD.
- 2.16 Approval of a preliminary plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat. Upon written request and filing by the applicant prior to the termination of the period, the director may authorize a single extension of time to obtain the city engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title.

3. Conditional Use Permit

- 3.1 The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
- a. All outdoor utility meters, HVAC equipment, trash dumpsters, trash compaction and other service functions shall be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#). Safe access and adequate lighting should be provided in these areas.
 - b. The pedestrian walkways from the perimeter sidewalks along W. Amity Rd. and S. Oak Briar Way to the main building entrance shall be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in [11-3A-19B.4](#).
 - c. Depict pedestrian pathway connections from the church site to future abutting residential uses to the east and south for interconnectivity; landscaping shall be depicted along all pathways in accord with the standards listed in UDC [11-3B-12C](#).
 - d. Depict minimum 5' wide walkways in parking areas for any aisle length that is greater than 150 parking spaces or 200' away from the primary building entrance(s) in accord with UDC [11-3A-19B.4c](#).
 - e. Depict bollards with a chain and a Knox padlock as required by the Fire Dept. across the emergency access driveway via Amity Rd. on Lot 1, Block 1 to prohibit public access.
 - f. Depict dimensions for parking stalls and drive aisles that comply with the dimensions noted in UDC [Table 11-3C-5](#). Where parking spaces abut a sidewalk or a perimeter landscape buffer, wheel stops should be provided in parking stalls to prevent vehicle overhang; or, the length of the parking stalls may be reduced 2' if an additional 2' is added to the width of the sidewalk or the perimeter buffer to total 7' as set forth in UDC [11-3C-5B.4](#).
 - g. Depict landscaping in the parking lot in accord with the standards listed in UDC [11-3B-8C](#).
 - h. Remove the southern driveway via the collector street and depict access to the local street between Lots 1 and 2, Block 1; reconfigure the drives and parking accordingly.
- 3.2 Compliance with the standards listed in UDC [11-4-3-6](#) Church or Place of Religious Worship is required.

- 3.3 Direct access via W. Amity Road is prohibited except for emergency only access on Lot 1, Block 1 and the existing farm access at the west boundary of the site and the irrigation district access along the Calkins Lateral on Lot 1, Block 2, unless otherwise approved by City Council.
- 3.4 Future development of this site shall comply with the dimensional standards of the R-8 zoning district in UDC [Table 11-2A-6](#).
- 3.5 Details of the lighting proposed on the site shall be submitted that demonstrate compliance with the standards listed in UDC [11-3A-11](#).
- 3.6 A Certificate of Zoning Compliance (CZC) application shall be submitted and approved for the proposed church use and site layout prior to submittal of a building permit application.
- 3.7 A Design Review application shall be submitted concurrently with the CZC application and approved for the proposed structure prior to submittal of a building permit application. The design of the proposed structure shall comply with the standards listed in the Architectural Standards Manual.
- 3.8 The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=316105&dbid=0&repo=MeridianCity>

C. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=316107&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=324861&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=317458&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=329876&dbid=0&repo=MeridianCity>

G. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=316108&dbid=0&repo=MeridianCity>

H. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=324823&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD) – Revised

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=335356&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

The City Council finds the Applicant's request to rezone a portion of the subject property to the R-8 zoning district for the development of a church is generally consistent with the Comprehensive Plan per the analysis in Section V.

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

The City Council finds the proposed map amendment to the R-8 zoning district will allow the proposed church as a conditional use.

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

The City Council finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed church use should be compatible with adjacent existing and future 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

The City Council finds City services are available to be provided to this development and the proposed church use will not impact the school district.

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

This finding is not applicable as the request is for a rezone, not annexation.

B. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The City Council finds Lot 1, Block 1 where the church is proposed will be large enough to accommodate the proposed use and dimensional and development regulations of the R-8 zoning district (see Analysis, Section V for more information).

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

The City Council finds that the proposed church use will be harmonious with the Comprehensive Plan as noted in Section V and is allowed as a conditional use in UDC Table 11-2A-2 in the R-8 zoning district.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The City Council finds the proposed design of the development, construction, operation and maintenance of the church should be compatible with existing and future residential uses in the general vicinity and that such use should not adversely change the character of the area. The proposed church should provide more options for public worship for area residents in this area of the City.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The City Council finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The City Council finds that essential public services are available to this property and that the use will be adequately served by these facilities. Police and Fire currently provides service to this property.

C. 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)

The City Council finds the proposed plat is in conformance with the UDC and generally conforms with the Comprehensive Plan.

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

The City Council finds public services are currently provided and/or can be made available to the subject property and will be adequate to accommodate the proposed development.

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

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

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

The City Council finds there is public financial capability of supporting services for the proposed development.

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

The City Council finds the proposed development will not be detrimental to the public health, safety or general welfare.

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

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