

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



In the Matter of the Request for Comprehensive Plan Future Land Use Map (CPAM) to Change the Future Land Use Designation on 2.10-Acres of Land from Commercial to Medium High-Density Residential; and Rezone (RZ) of 2.10-Acres of Land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) Zoning District. Preliminary Plat (PP) Consisting of 19 Building Lots and 4 Common Lots (Including One Lot for a Private Street) on 1.97-Acres of Land in the R-15 Zoning District for Woodcrest Townhomes Subdivision, by Blaine A. Womer Civil Engineering.

Case No(s). H-2021-0015; H-2021-0082

For the City Council Hearing Date of: January 4, 2022 (Findings on January 18, 2022)

A. Findings of Fact

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

B. Conclusions of Law

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

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

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of January 4, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for a comprehensive plan map amendment, rezone and preliminary plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of January 4, 2022, attached as Exhibit A. A development agreement is required as a provision of the rezone.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in

accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

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

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of January 4, 2022

By action of the City Council at its regular meeting held on the 18th day of January, 2022.

COUNCIL PRESIDENT TREG BERNT

VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN

VOTED AYE

COUNCIL MEMBER JESSICA PERREAULT

VOTED AYE

COUNCIL MEMBER LUKE CAVENER

VOTED AYE

COUNCIL MEMBER JOE BORTON

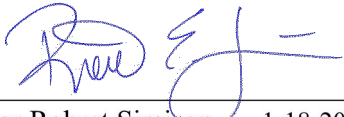
VOTED AYE

COUNCIL MEMBER LIZ STRADER

VOTED AYE

MAYOR ROBERT SIMISON
(TIE BREAKER)

VOTED _____



Mayor Robert Simison 1-18-2022

Attest:



Chris Johnson
City Clerk


1-18-2022

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


By:  _____ Dated: 1-18-2022
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



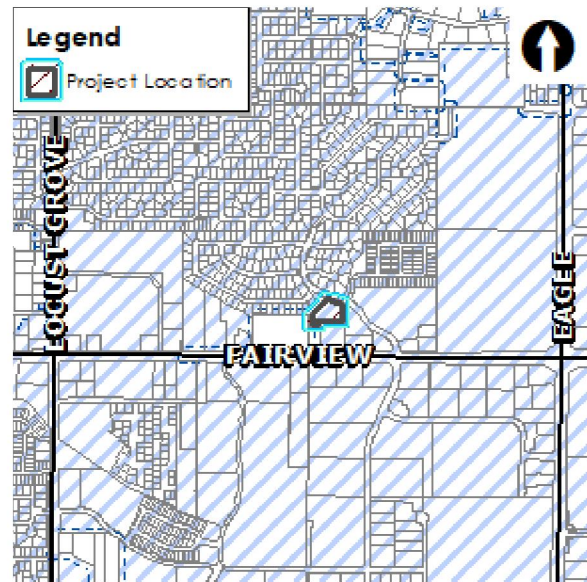
HEARING DATE: January 4, 2022

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: Woodcrest Townhomes
H-2021-0015 (CPAM & RZ)
H-2021-0082 (PP, PS)

LOCATION: 1789 N. Hickory Way, in the SE ¼ of
Section 5, Township 3N., Range 1E.



The Commission heard the CPAM & RZ requests on June 3rd and July 1st and recommended approval of these applications to City Council. At the City Council hearing on Sept. 7th, City Council directed the Applicant to submit a preliminary plat (PP) application to be heard concurrently with the CPAM & RZ requests. The Applicant submitted a PP application as directed & Staff updated the staff report to include analysis on the PP application (see underlined text). The Commission heard the PP application on December 2, 2021 and recommended approval to City Council. A private street application was submitted for approval of an internal private street for access to the proposed lots.

I. PROJECT DESCRIPTION

Amendment to the Comprehensive Plan Future Land Use Map (CPAM) to change the future land use designation on 2.10-acres of land from Commercial to Medium High-Density Residential; and Rezone (RZ) of 2.10-acres of land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) zoning district. Preliminary Plat (PP) consisting of 19 building lots and 4 common lots (including one lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district. A private street (PS) is proposed for internal access to the proposed lots.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.97-acres	
Future Land Use Designation	Commercial	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Residential and office	
Current Zoning	Limited Office (L-O)	
Proposed Zoning	R-15 (Medium High-Density Residential)	
Lots (# and type; bldg/common)	19 building/4 common	
Phasing plan (# of phases)	NA	
Number of Residential Units (type of units)	19 units (single-family attached & townhouse dwellings)	
Density (gross & net)	9.64 units/acre (gross)/13.5 units/acre (net)	
Open Space (acres, total [%] / buffer / qualified)	NA	

Amenities	10' wide multi-use pathway along Meridian Rd./SH-69	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	1/28/21; 10 attendees	
History (previous approvals)	Annexed & subdivided in 1992 as Angel Park Sub. (Lot 1, Block 1) with L-O zoning; re-subdivided in 2001 (Mallane Commercial Complex PP-00-021); FP-03-001 (Lot 4, Block 1); H-2017-0165 (RZ & CUP – denied)	

B. Community Metrics

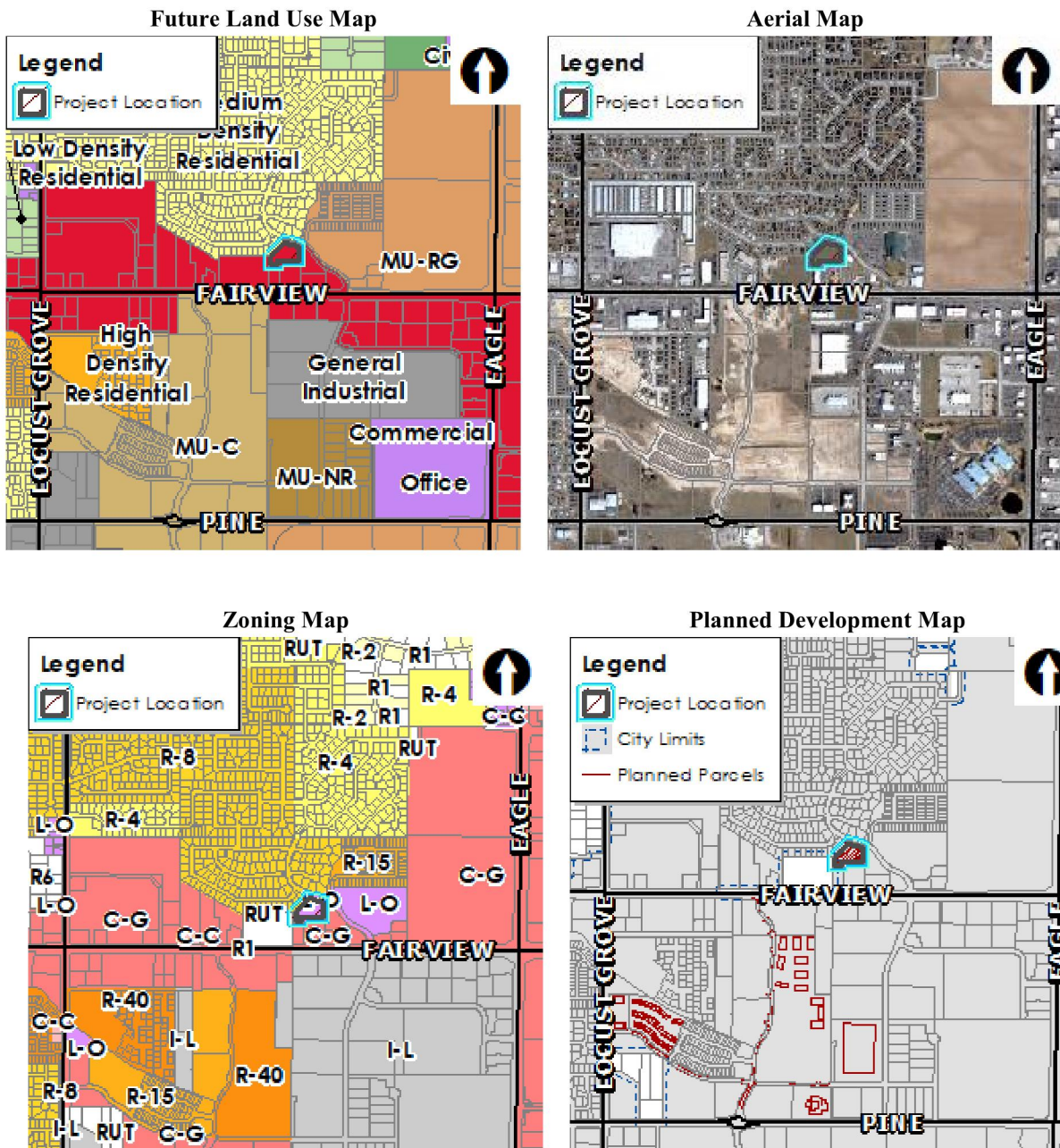
Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
• Existing Conditions	Hickory Way is improved with 2-travel lanes, curb, gutter & 5' attached sidewalk. <i>No additional improvements or right-of-way dedication is required with this application.</i>	
• CIP/IFYWP	NA	

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via the existing driveway via Hickory Way.	
Proposed Road Improvements	None	
Fire Service	See Section IX.C	
Police Service	No comment.	

West Ada School District		
Distance (elem, ms, hs)		

Capacity of Schools # of Students Enrolled		<u>Enrolled for 21-22</u>	<u>Capacity</u>	<u>Approved prelim plat parcels per attendance area</u>	<u>Approved MF units per attendance area</u>	<u>Miles (Dev. to School)</u>
	River Valley Elementary	445	700	571	764	1.6
	Lewis & Clark Middle School	866	1000	978	1319	2.4
	Centennial High School	1981	1900	549	1234	4.8
	<u>School of Choice Options</u>					
	Pioneer Elementary (Arts)	713	775	N/A	N/A	4.4
	Spalding Elementary (Stem)	697	750	N/A	N/A	4.1
Wastewater						
• Distance to Sewer Services	Directly Adjacent					
• Sewer Shed	Five Mile Trunkshed					
• Estimated Project Sewer ERU's	See application					
• WRRF Declining Balance	14.14					
• Project Consistent with WW Master Plan/Facility Plan	Yes					
• Impacts/Concerns	<ul style="list-style-type: none"> • Do not have services crossing private lots • Flow is committed. • Existing sewer not shown correctly. Missing existing manhole and shown as extends further into the property then existing sewer actually goes. • There is an existing 8" stub from existing manhole that looks like it will not be used. If this is the case the existing stub must be abandoned at the manhole per City Requirements. • Ensure that infiltration trenches are located so that sewer services do no pass through them. 					
Water						
• Distance to Services	Directly adjacent					
• Pressure Zone	3					
• Estimated Project Water ERU's	See application					
• Water Quality Concerns	None					
• Project Consistent with Water Master Plan	Yes					
• Impacts/Concerns	<ul style="list-style-type: none"> • Do not have services crossing private lots 					

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Andrew Newell, Blaine A. Womer Civil Engineering – 4355 W. Emerald St., Ste. 145, Boise, ID 83706

B. Owner:

Don Newell, Landmark Pacific Development, LLC – PO Box 1939, Eagle, ID 83616

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	5/14/2021 & 11/16/2021	7/23/2021 & 12/19/2021
Radius notification mailed to property owners within 300 feet	5/12/2021 & 11/10/2021	7/20/2021 & 12/15/2021
Public hearing notice sign posted on site	6/10/2021 & 11/19/2021	7/15/21 & 8/23/21 & 12/15/21
Nextdoor posting	5/11/2021 & 11/12/2021	7/20/2021 & 12/16/2021

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Commercial on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation provides for a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses.

The Applicant proposes an amendment to the FLUM to change the existing Commercial designation to Medium High-Density Residential (MHDR). The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

The Applicant proposes to develop the site with a total of 19 single-family attached and townhome dwellings at a gross density of 10.8 units per acre consistent with the land uses and density desired in MHDR designated areas; ~~and an office building.~~

This site abuts a larger residential neighborhood to the north and is located in close proximity to mixed use designated land and employment uses to the east and southeast, including vacant land yet to be developed, The Village at Meridian, Scentsy and other uses along the Eagle Road corridor, which will provide convenient access to services and jobs for residents. **The development should incorporate high quality architectural and site design to ensure quality of place and incorporate connectivity with adjacent uses and pathways and include attractive landscaping and a project identity as desired in MHDR designated areas.**

Transportation: The Master Street Map (MSM) does not depict any collector streets across this property.

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

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

The proposed single-family attached dwellings and 3- and 4-unit townhomes will contribute to the variety of residential housing types in this area and within the City as desired. Single-family detached and attached homes exist to the north and northeast in Dove Meadows subdivision, zoned R-8.

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

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

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

The proposed single-family attached and townhouse dwellings will contribute to the diversity in housing types in this area, which currently consist of single-family attached and detached homes.

- “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 residential uses will provide a transition in uses between existing single-family homes to the north and commercial/office uses to the south.

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

The proposed residential development and site design should be compatible with existing abutting single-family residential homes to the north.

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

The proposed residential infill development shouldn't negatively impact abutting development as existing uses are also residential in nature and the medium high-density residential uses will assist in providing a transition to the commercial/office uses to the south.

- “Maintain a range of residential land use designations that allow diverse lot sizes, housing types, and densities.” (2.01.01C)

The proposed MHDR FLUM designation for this property will contribute to the range of residential land use designations in this area of the City which mainly consists of medium density residential (MDR).

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

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

- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.).” (3.07.01C)

A street buffer already exists along N. Hickory Way, a collector street, along the northern boundary of the site.

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

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

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

Development of the subject infill parcel will maximize public services.

VI. STAFF ANALYSIS

A. COMPREHENSIVE PLAN MAP AMENDMENT (CPAM)

As discussed above, the Applicant requests an amendment to the FLUM to change the future land use designation on 2.10-acres of land from Commercial to MHDR for the development of 19 single-family attached and townhome dwellings at a gross density of 10.8 units per acre. An exhibit map showing the existing and proposed FLUM designations is included in Section VIII.A.

Approval of the proposed amendment to MHDR will contribute to the range of residential land use designations and diversity in housing types and densities in this area as desired. Additionally, it will provide for a transition in land uses between existing medium density residential uses to the north and commercial/office uses to the south and east. The change to a residential designation and subsequent proposed development will provide for fewer vehicle trips per day than would result from commercial development. For these reasons, Staff is in support of the request for a map amendment to MHDR.

B. REZONE (RZ)

The Applicant proposes to rezone 2.10-acre of land from the L-O (Limited Office) to the R-15 (Medium High-Density Residential) zoning district consistent with the proposed FLUM designation of MHDR. A legal description and exhibit map for the rezone area is included in Section VIII.B.

This vacant/undeveloped property is an enclave surrounded by property developed with single-family residential uses to the north and commercial/office uses to the south and east; only the property to the west is yet to develop. Development of the subject property will provide more efficient provision of City services.

A conceptual site plan and building elevations were submitted showing how the property is planned to develop with (19) single-family attached and townhouse dwelling units consisting of (1) single-family attached structure, (3) 3-unit townhouses, and (2) 4-unit townhouses ~~and a 2,500-square foot office building.~~

The property is ~~planned~~ proposed to be subdivided ~~through a future application.~~ The existing subdivision plat (i.e. Mallane Subdivision) requires all lots in the subdivision to obtain conditional use permit approval prior to construction commencing on the lots; this requirement will be removed with re-subdivision of the property. The existing plat also depicts a 10' PUDI easement and 25' wide landscape easement along the west and north boundaries and a sanitary sewer, water main and public utilities easement along the east boundary of the site. The landscape buffer easement will be removed since a landscape buffer isn't required between residential uses and the PUDI easements will be replaced with new easements with the future plat.

Single-family attached and townhouse dwellings are listed as a principal permitted use in the R-15 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-7](#) for the R-15 zoning district.

The conceptual development plan depicts access to the site via a cross-access easement from an existing driveway from N. Hickory Way, a collector street; no stub streets exist to this property. Direct access via N. Hickory Way is prohibited. A private street is planned to provide access to the proposed development and for addressing purposes; an application for such should be submitted prior to the City Council meeting with the preliminary plat application and compliance with the standards listed in UDC [11-3F-4](#) is required. **Staff recommends the Applicant work with the property owner to the east to extend the private street to Hickory Way in order to better facilitate emergency access to the site for wayfinding purposes and to comply with UDC 11-3F-4A.2, which requires the private street to connect to a local or collector street.**

An attached sidewalk is proposed along one side of the private street for pedestrian access.

Off-street parking is required to be provided in accord with the standards listed in UDC Table [11-3C-6](#). A minimum of 2 spaces are required per dwelling unit for 1- and 2-bedroom units, with at least one of those in an enclosed garage, the other space may be enclosed or a minimum 10' x 20' parking pad. For 3- and 4-bedroom units, a minimum of 4 spaces are required per dwelling unit with at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pad. Garages are proposed for each unit with parking pads in front of the garages. ~~Four~~ Twenty (20) extra spaces for guests are proposed in the common areas ~~near the entry~~. On-street parking is not allowed due to the width of the private street.

~~A minimum of one (1) off-street parking space is required for every 500 square feet (s.f.) of gross floor area for non-residential uses (i.e. the office). Based on 2,500 s.f. for the office, a minimum of (5) spaces are required. A total of (9) spaces are proposed, exceeding the minimum standards. Most of the parking spaces for the office encroach within the required 20-foot wide buffer to residential uses, which is not allowed. An office is no longer proposed.~~

Because the site is below 5-acres in size, qualified open space and site amenities are not required by the UDC per UDC 11-3G-2. A total of ~~0.29~~ 0.40-acre of open space is proposed as shown on the concept plan, which includes the street buffer along Hickory Way and parking.

A 20-foot wide landscaped street buffer and attached sidewalk exists on this site along N. Hickory Way that was installed with the subdivision improvements that is proposed (and required) to remain.

Conceptual building elevations were submitted for the single-family attached and 3-unit and 4-unit townhouse structures as shown in Section VIII.D. Building elevations consist of a mix of materials including horizontal wood siding, vertical board and batten siding, wood shake siding and cement plaster with stone veneer accents and architectural asphalt roofing. ~~Conceptual building elevations were also submitted for the office with building materials consisting of cement plaster with stone veneer and decorative wood timber accents and architectural asphalt roofing consistent with the residential structures.~~ Final design of all structures is required to comply with the design standards in the [Architectural Standards Manual](#). Detailed review of the elevations for compliance with these standards will take place with the ~~Certificate of Zoning Compliance and Design Review~~ application prior to application for building permits.

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

Staff Recommendation: ~~Because this is an infill property and has an irregular configuration, development of this site is difficult. The proposed concept plan with an office at the southeast corner with parking that encroaches within the required land use buffer does not comply with UDC standards as noted above and is constricted.~~ The Comprehensive Plan states development in MHDR designated areas should incorporate high quality architectural and site design to ensure

quality of place and incorporate connectivity with adjacent uses and pathways and include attractive landscaping and a project identity. To achieve this goal ~~and alleviate some of the spacial constrictions on the site, Staff recommends as a provision of the rezone that the office building is removed from the plan and the plans were updated to include additional open space with quality landscaping and some additional parking as directed by the City Council is provided instead with a pathways along the south and east sides of the development and a gazebo with a seating area as an amenity which can be shared between the residential and commercial development. Staff recommends a pathway is also provided from the sidewalk along the private street through the common area to the parking area at the southeast corner of the site. Prior to the City Council hearing, the Applicant should revise the concept plan accordingly.~~

C. **PRELIMINARY PLAT (PP):**

The proposed PP consists of 19 building lots and 4 common lots (including one lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district. Proposed lots range in size from 3,789 to 2,000 square feet (s.f.) with an average lot size of 2,701 s.f. The proposed gross density of the subdivision is 9.64 units per acre. The subdivision is proposed to develop in one phase.

Existing Structures/Site Improvements: There are no existing structures on this site. The western portion of the drive-aisle along the eastern boundary on the site lies on this property.

Dimensional Standards (UDC 11-2):

The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-15](#) for the R-15 zoning district. The proposed plat appears to comply with the dimensional standards of the district.

Access: Access is proposed from an existing driveway from N. Hickory Way, a collector street. A private street is proposed for internal access to the proposed lots. **A private street application should be submitted prior to the City Council hearing.** Compliance with the standards listed in UDC [11-3F-4](#) is required.

Landscaping (UDC 11-3B): A street buffer exists along N. Hickory Way, a collector street, that complies with the standards listed in UDC 11-3B-7C.

Landscaping is required to be provided in internal common open space areas in accord with the standards listed in UDC 11-3G-3E.

The stormwater drainage pond on Lot 16, Block 1 is required to be landscaped per the standards listed in UDC 11-3B-11C.

Landscaping is required along all pathways per the standards listed in UDC 11-3B-12C; the landscape plan shall be revised accordingly.

Common Open Space & Site Amenities (UDC 11-3G-3): Because this site is below 5-acres in size, common open space and site amenities are not required. A total of 0.40-acre of open space is proposed as shown on the concept plan, which includes the street buffer along Hickory Way and parking.

Sidewalks (11-3A-17): There is an existing attached sidewalk along N. Hickory Way, a collector street. The UDC requires 5-foot wide detached sidewalk along collector streets; however, because the existing sidewalk is in good condition, Staff does not recommend it's reconstructed as a detached sidewalk.

Utilities (UDC 11-3A-21): Connection to City water and sewer services is required in accord with UDC 11-3A-21.

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

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

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

D. PRIVATE STREET (PS) (UDC 11-3F):

A private street application was submitted for an internal private street providing access to the proposed units. All private streets are required to be designed and constructed to the standards listed in [UDC 11-3F-4](#).

Private streets are not intended for single-family developments other than those that create a common mew through the site design or that propose a limited gated residential development. The applicability may be extended where the Director or Fire Marshall determines that a private street will enhance the safety of the development. **A common mew is not proposed; therefore, a gated development should be provided unless otherwise approved through Alternative Compliance in accord with UDC 11-3F-4B.3 as set forth in UDC 11-5B-5. Gates are required to comply with the standards listed in UDC 11-3F-4A.4.**

The Fire Dept. has approved the design of the proposed private street. **"No Parking Fire Lane" signs are required to be installed the entire length of the street in accord with ACHD standards; if a curb exists next to the drive aisle, it shall be painted red per UDC 11-3F-4B.2d. The gated entries to the private street should also be approved by the Fire Dept. to ensure emergency access can be provided to the site.**

The private street is required to be constructed in accord with roadway and storm drainage standards of the transportation authority or as approved by the City based on plans submitted by a certified engineer.

An attached sidewalk is proposed along one side of the private street.

The Director is supportive of a private street for this development for the following reasons: a named private street will assist in wayfinding for homes in this development off the collector street (N. Hickory Way); no local street access exists to this property; and a public street isn't desired in this location. Thus, the Director has tentatively approved the private street application subject to completion of the tasks listed in UDC [11-3F-3B](#) within one (1) year.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed amendment to the Future Land Use Map and Rezone with the requirement of a Development Agreement, and preliminary plat per the provisions in Section IX in accord with the Findings in Section X. The Director tentatively approved the request for a private street subject to completion of the tasks listed in UDC 11-3F-3B within one (1) year.

B. The Meridian Planning & Zoning Commission heard these items on June 3, and July 1, 2021. At the public hearing on July 1st, the Commission moved to recommend approval of the subject CPAM and RZ requests to the City Council.

1. Summary of Commission public hearing:

- a. In favor: Blaine Womer, Applicant's Representative; Louie Mallane
- b. In opposition: None
- c. Commenting: Dave McDonald; Shirley Moon; Randy Nelson; Ann Atarian
- d. Written testimony: None

- e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Bill Parsons
 - 2. Key issue(s) of public testimony:
 - a. Desire for a time limit to be put on the residential FLUM designation/R-15 zoning (if development doesn't occur within a certain timeline, the land use and zoning would revert to Commercial/L-O zoning); traffic & safety concerns on Hickory Way; maintenance of the existing masonry wall and landscape strip along north boundary of site;
 - b. Inadequacy of parking in this area (Louie's restaurant/bank patrons park on this property);
 - c. Unsafe driving conditions due to lack of visibility of cars pulling out onto Hickory Way from the site due to the curve of the road.
 - 3. Key issue(s) of discussion by Commission:
 - a. In favor of the proposed development plan over previous plans for this site;
 - b. Concern pertaining to safety of access onto Hickory Way;
 - c. Preference for the 4-unit townhome proposed along the north boundary to be reduced to a 2- or 3-unit townhouses for better transition to the existing homes to the north.
 - 4. Commission change(s) to Staff recommendation:
 - a. None
 - 5. Outstanding issue(s) for City Council:
 - a. None
- C. The Meridian City Council heard these items on August 10 and September 7, 2021. At the public hearing on August 10th, the Council moved to continue the project to September 7th in order for the Applicant to prepare a parking analysis for the overall area. See submitted [parking analysis](#). At the September 7th hearing, Council continued the project to a future hearing date to be scheduled concurrently with the future preliminary plat application.
- 1. Summary of the City Council public hearing:
 - a. In favor: Blaine Womer, Applicant's Representative
 - b. In opposition: None
 - c. Commenting: Dave McDonald, Ryan Abbott, Louie Mallane
 - 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. Request for the 4-unit townhomes to be relocated to the southern lots or reduced to fewer units;
 - b. Concerns pertaining to traffic and parking.
 - 3. Key issue(s) of discussion by City Council:
 - a. Council questioned the Applicant on why residential is more appropriate than commercial office use of the property as currently zoned – concern due to the loss of commercially zoned land;
 - b. The bulk and height of structures proposed along the northern boundary of the site adjacent to existing single-family residential homes;
 - c. The adequacy of parking proposed for the development and concern for the parking situation for the overall development area including the adjacent restaurant/commercial and bank uses.
 - 4. City Council change(s) to Commission recommendation:
 - a. At the hearing on Sept. 7th, Council directed the Applicant to make changes to the conceptual development plan to include additional parking in one of the common areas

(wherever it can be fit in); and expressed concern pertaining to the height and location of the structures proposed along the north boundary adjacent to existing residents.

D. The Meridian Planning & Zoning Commission heard this item (PP – H-2021-0082) on December 2, 2021. At the public hearing, the Commission moved to recommend approval of the subject PP request.

1. Summary of Commission public hearing:
 - a. In favor: Blaine Womer, Applicant's Representative
 - b. In opposition: None
 - c. Commenting: Dave McDonald, Jerry Evans
 - 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. Concern pertaining to parking along the adjacent collector street (Hickory Way) from the proposed development;
 - b. Preference for the previous site design without parking on the periphery of the southeast boundary;
 - c. Concern pertaining to planting of shrubs within the utility easement (that contains utilities) along the northwest boundary of the site and adequacy of parking for the development;
 - d. Concern pertaining to traffic on Fairview and desire for improvements on Hickory to increase traffic flow.
3. Key issue(s) of discussion by Commission:
 - a. Discussion pertaining to the *parking analysis* submitted by the Applicant for this area.
4. Commission change(s) to Staff recommendation:
 - a. None
5. Outstanding issue(s) for City Council:
 - a. None

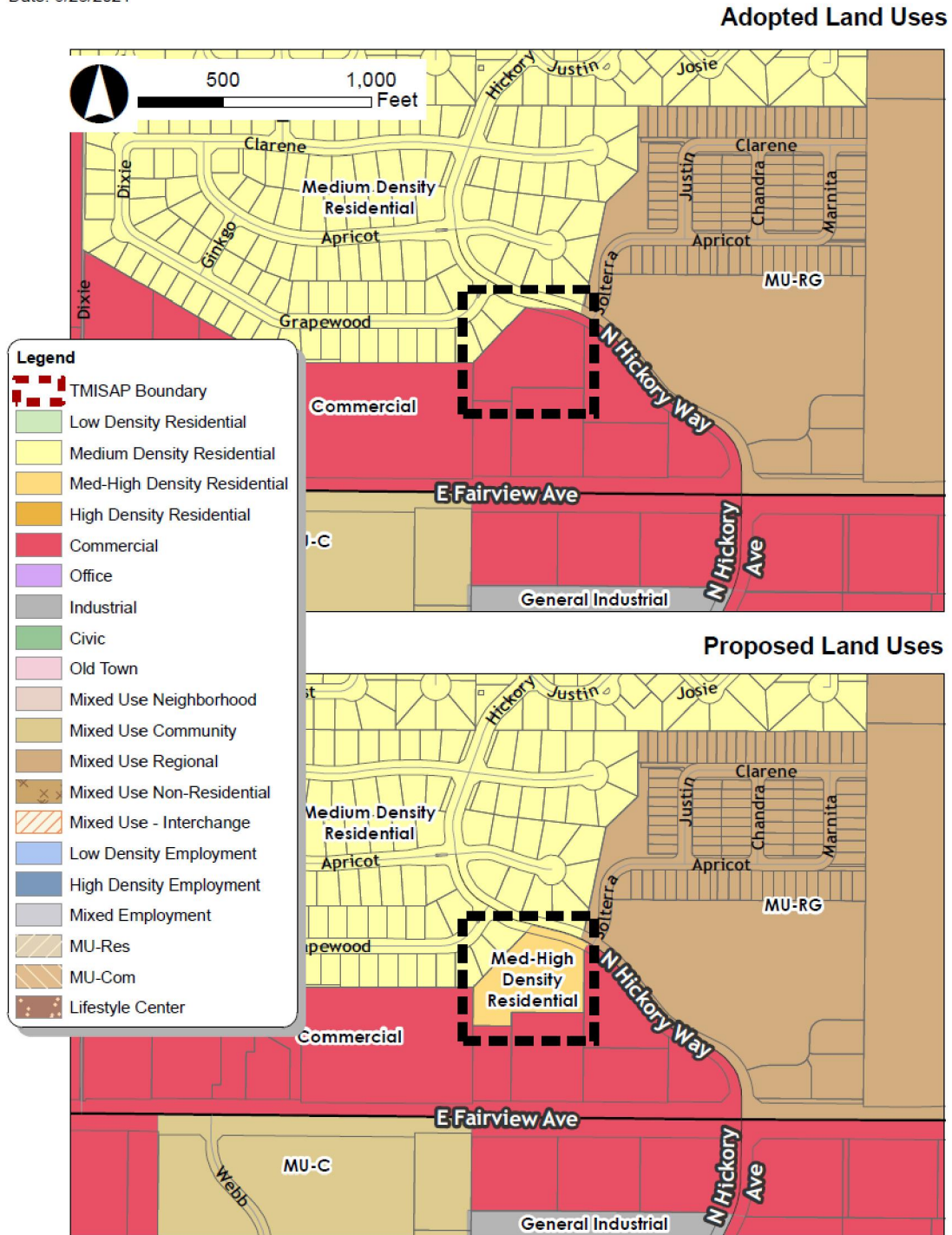
D. The Meridian City Council heard these items on January 4, 2022. At the public hearing, the Council moved to approve the subject CPAM, RZ and PP requests.

1. Summary of the City Council public hearing:
 - a. In favor: Blaine Womer, Applicant's Representative
 - b. In opposition: None
 - c. Commenting: Dave McDonald
 - 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. Landscaping along the northwest boundary and maintenance of the utilities in the easement along that boundary;
 - b. Cross-parking agreement is not going away with development of this property.
3. Key issue(s) of discussion by City Council:
 - a. Appropriateness of residential development on this site as opposed to the current office designation;
 - b. Concern pertaining to impact of proposed development on existing parking issues in this area.
4. City Council change(s) to Commission recommendation:
 - a. None

VIII. EXHIBITS

A. Future Land Use Map – Adopted & Proposed Land Uses

Date: 6/28/2021



B. Rezone Legal Description and Exhibit Map

**WOODCREST TOWNHOMES SUBDIVISION
EXHIBIT 'A'
LEGAL DESCRIPTION**

A PARCEL LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND ALSO BEING A PORTION OF LOT 4, BLOCK 1 OF MALLANE SUBDIVISION, AS SHOWN IN BOOK 87 OF PLATS ON PAGES 9881 THROUGH 9883, RECORDS OF ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 5 AS SHOWN ON SAID PLAT;

THENCE NORTH 00°28'03" EAST A DISTANCE OF 67.14 FEET TO A 5/8 INCH DIAMETER IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 3, BLOCK 1 OF SAID MALLANE SUBDIVISION;

THENCE CONTINUING NORTH 00°28'03" EAST ALONG THE WESTERLY LINE OF SAID LOT 3, A DISTANCE OF 252.95 FEET TO A 1/2 INCH DIAMETER IRON PIN MARKING THE SOUTHWEST CORNER OF SAID LOT 4 AND THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING NORTH 00°28'03" EAST ALONG THE WESTERLY BOUNDARY OF SAID LOT 4, A DISTANCE OF 129.73 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE NORTH 43°19'32" EAST ALONG THE NORTHWESTERLY BOUNDARY OF SAID LOT 4, A DISTANCE OF 257.72 FEET TO 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING NORTH 43°19'32" EAST ALONG THE NORTHEASTERLY PROLONGATION OF SAID NORTHWESTERLY BOUNDARY, A DISTANCE OF 34.48 FEET TO THE CENTER LINE OF NORTH HICKORY WAY;

THENCE SOUTH 76°12'56" EAST ALONG SAID CENTER LINE, A DISTANCE OF 90.01 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 400.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CENTER LINE AND SAID TANGENT CURVE, 93.24 FEET THROUGH A CENTRAL ANGLE OF 13°21'21" TO A POINT OF INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY BOUNDARY OF SAID LOT 4;

PAGE 1 OF 2

THENCE SOUTH 00°26'44" WEST ALONG SAID PROLONGATION, A DISTANCE OF 33.93 FEET TO A 1/2 INCH DIAMETER IRON PIN MARKING THE NORTHEAST CORNER OF SAID LOT 4;

THENCE SOUTH 00°26'44" WEST ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 210.08 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE LEAVING SAID EASTERLY BOUNDARY NORTH 89°34'20" WEST, A DISTANCE OF 244.66 FEET TO A 5/8 INCH DIAMETER IRON PIN;

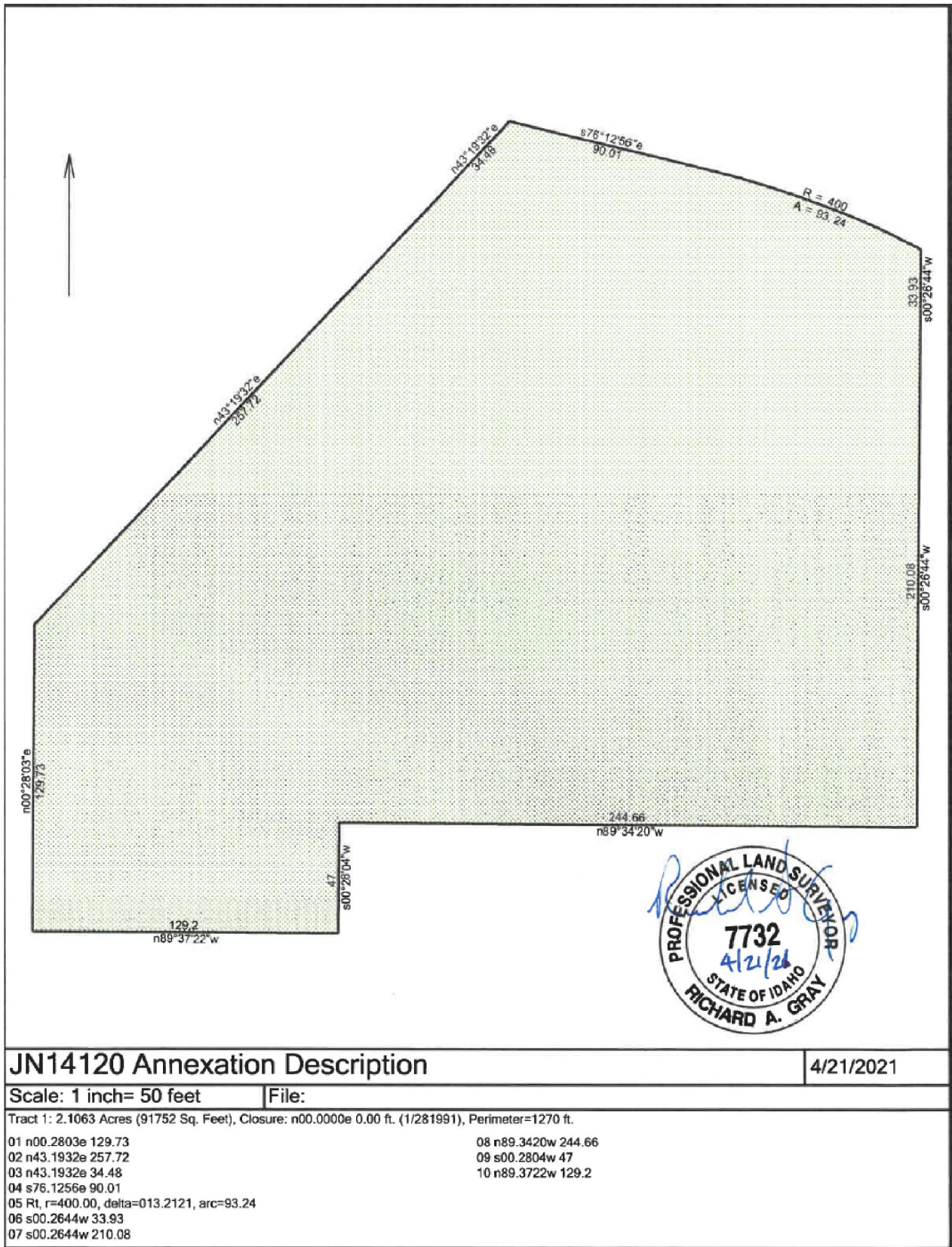
THENCE SOUTH 00°28'04" WEST, A DISTANCE OF 47.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE SOUTHERLY BOUNDARY OF SAID LOT 4;

THENCE NORTH 89°37'22" WEST ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 129.20 FEET TO THE **TRUE POINT OF BEGINNING**.

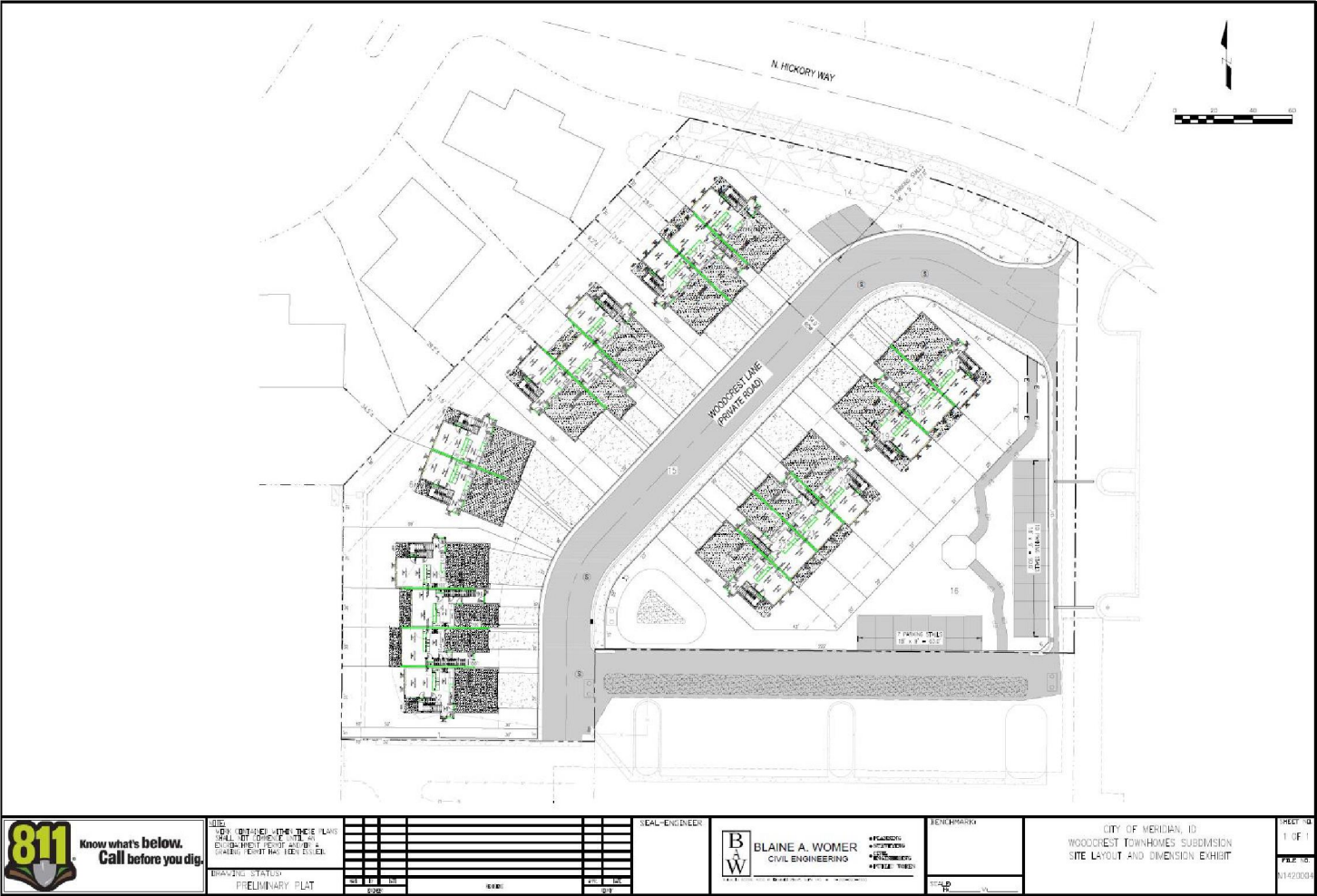
CONTAINS 2.10 ACRES, MORE OR LESS.

EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

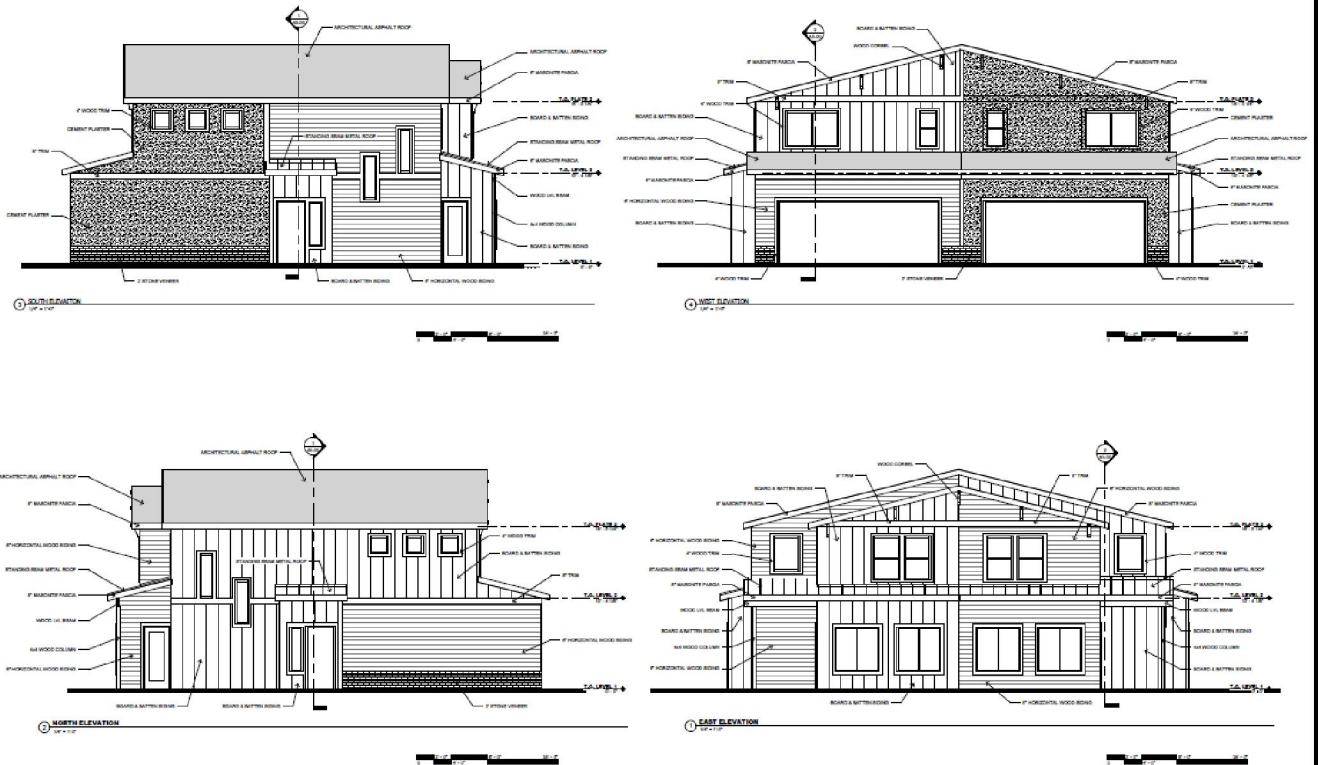




C. Conceptual Development Plan - REVISED



D. Conceptual Building Elevations – REVISED

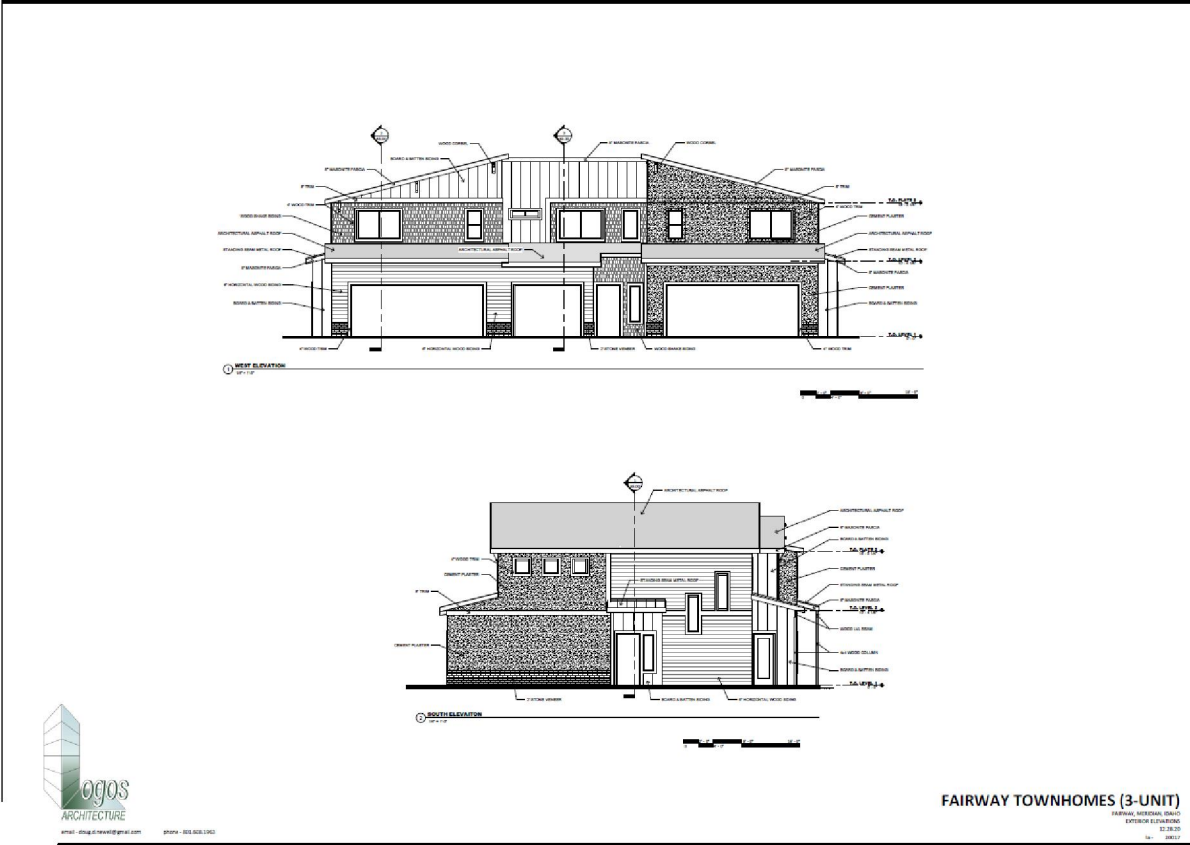
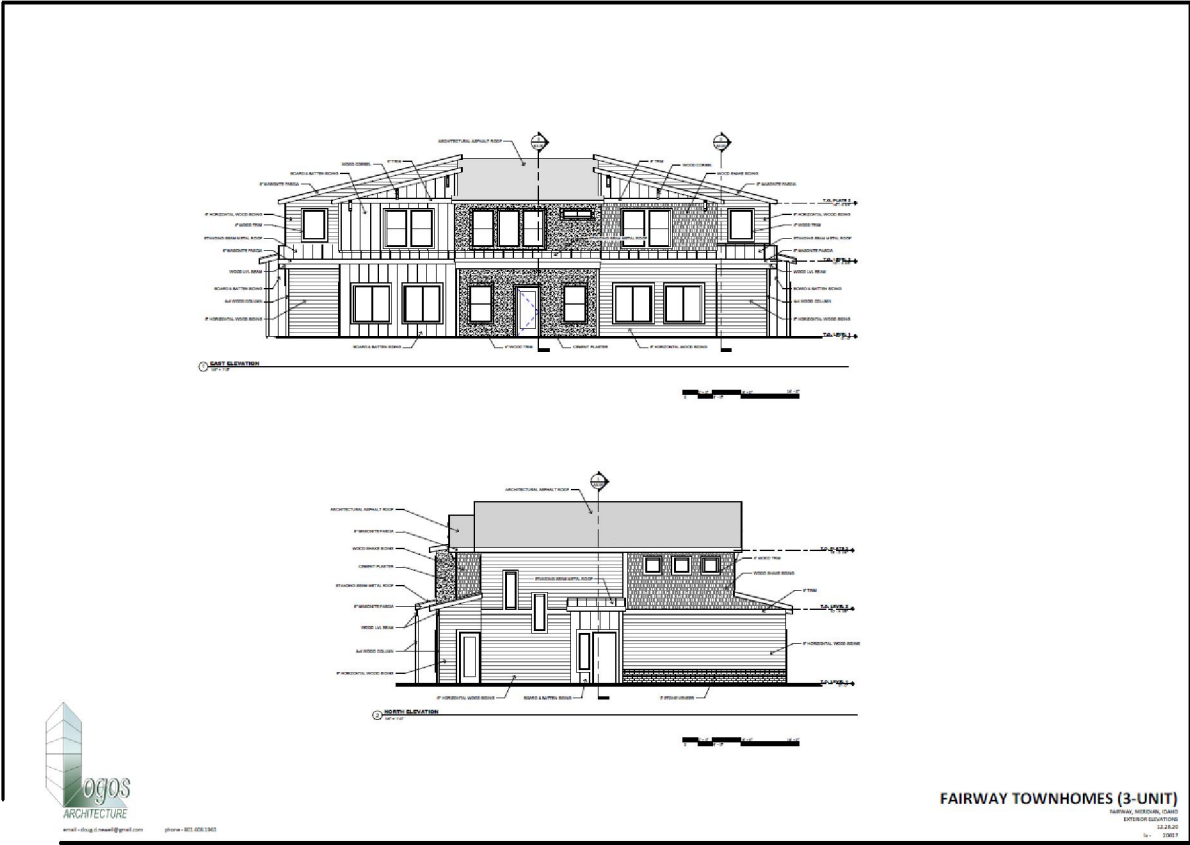


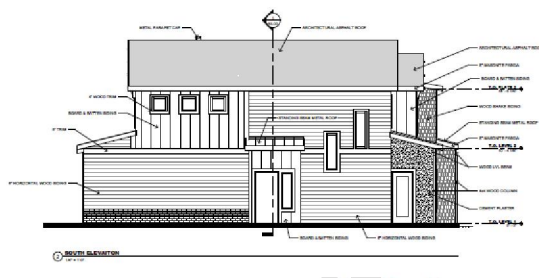
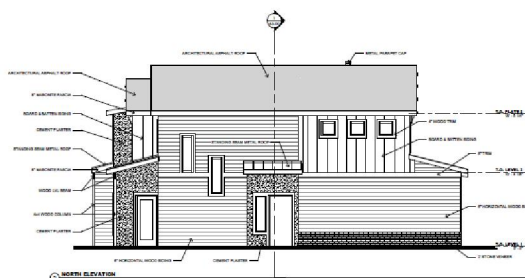
email - doug.d.navarro@gmail.com phone - 803.505.1363

FAIRWAY TOWNHOMES (2 UNIT)

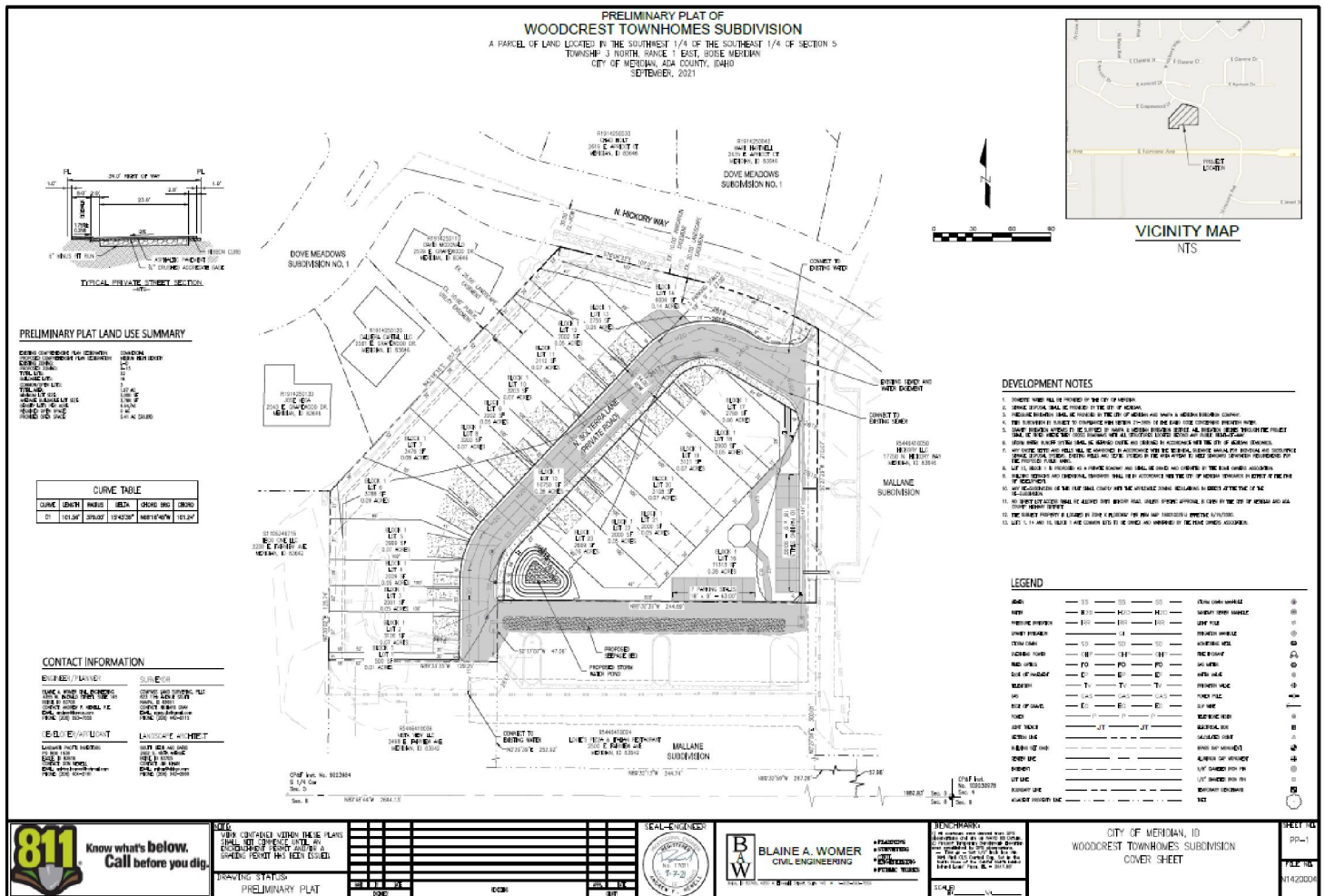
FAIRWAY, MICHIGAN, 48130
EXTERIOR ELEVATIONS
12.28.20

34 - 208521





E. Preliminary Plat (dated: 9/7/21)



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

~~Prior to the City Council hearing, Staff recommends the conceptual development plan is revised to remove the office building and replace it with common open space with quality landscaping that incorporates the following: parking, pedestrian pathways along the south and east sides of the development, and a gazebo with a seating area which can be shared between the residential and commercial development.~~

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

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

- a. Future development of this site shall be generally consistent with the conceptual development plan, preliminary plat and building elevations included in Section VIII and the provisions contained herein.
 - b. Future development shall comply with the design standards listed in the Architectural Standards Manual. An application for Design Review shall be submitted and approved for the single-family attached and townhouse structures prior to submittal of building permit applications.
 - c. Direct lot access via Hickory Way is prohibited except for the private street common lot.
 - d. The proposed development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Medium High-Density Residential Future Land Use Map designation in the Comprehensive Plan.
 - e. The subject property shall be subdivided prior to submittal of a ~~Certificate of Zoning Compliance and Design Review~~ building permit application(s) for the site.
 - f. The Applicant shall work with the property owner to the east to extend the private street to Hickory Way if possible in order to better facilitate emergency access to the site for wayfinding purposes. Note: The private street is required to connect to the collector street (i.e. N. Hickory Way); the connection requires approval from ACHD. If not possible to connect, the Applicant shall submit an application for alternative compliance to UDC 11-3F-4A.2.
2. The final plat shall include the following revisions:
 - a. A separate common lot shall be provided from the private street lot (i.e. Lot 15, Block 1) for the property along the east boundary; ~~include the portion along the east boundary in a separate common lot.~~
 - b. Note #8: "Lot 15, Block 1 is ~~proposed~~ as a private roadway that shall provide access to all lots in the subdivision and shall be owned and ~~operated~~ maintained by the home owner's association."
 3. The landscape plan submitted with the final plat shall include the following revisions:
 - a. Depict a pathway from the sidewalk along the private street on the west end of the site through the common area to the parking area at the southeast corner of the site.
 - b. Depict landscaping along all pathways in accord with the standards listed in UDC 11-3B-12C.

4. A private street application ~~shall be~~ was submitted and tentatively approved by the Director for the proposed private street; compliance with the standards for such listed in UDC [11-3F-4](#) is required. The Applicant has one (1) year to complete the tasks listed in UDC [11-3F-3B](#) in order to obtain final approval of the private street. Upon completion of these tasks, the Applicant shall submit documentation to the Planning Division verifying completion and the Director will issue a letter stating the private street has been approved. **No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved per UDC 11-3F-3B.5.**
5. “No Parking Fire Lane” signs are required to be installed the entire length of the private street in accord with ACHD standards; if a curb exists next to the drive aisle, it shall be painted red per UDC 11-3F-4B.2d.
6. Gates shall be provided at each end of the private street in accord with UDC 11-3F-5D and shall comply with the standards listed in UDC 11-3F-4A.4 and be approved by the Fire Marshall, unless otherwise approved through Alternative Compliance in accord with UDC 11-3F-4B.3 as set forth in UDC 11-5B-5.
7. Submit a detail of the proposed gazebo on Lot 16, Block 1 with the final plat application.
8. A Design Review application shall be submitted for all of the structures in the development and approved prior to submittal of application(s) for building permits. The elevations submitted shall comply with the design standards in the Architectural Standards Manual and the provisions in the Development Agreement.

B. PUBLIC WORKS

Site Specific Conditions of Approval

- 1.1 No Permanent structures (buildings, carports, trash receptacle walls, fences, infiltration trenches, lightpoles, etc.) can be built within the utility easement.
- 1.2 Do not have water and/or sewer services crossing private lots.
- 1.3 The existing sewer is not shown correctly. Missing existing manhole and shown as extending further into the property then existing sewer actually goes.
- 1.4 There is an existing 8" sewer stub from existing manhole that looks like it will not be used. If this is the case the existing stub must be abandoned at the manhole per City Requirements.
- 1.5 Ensure that infiltration trenches are located so that sewer services do no pass through them.

General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian’s standard forms. The

easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.

- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211..

C. FIRE DEPARTMENT

- 1. Roadways: When required by the Fire Marshall, "No Parking Fire Lane" signs shall be used per appendix D of the 2018 IFC. No other signs shall be approved:
Roadways: All entrances, internal roads, drive aisles, and alleys shall have a turning radius of 28' inside and 48' outside, per International Fire Code Section 503.2.4.
Roadways: All common driveways and alleys shall be maintained at all times for access by fire, police and EMS at all times of the year.

D. POLICE DEPARTMENT

No comments at this time.

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228988&dbid=0&repo=MeridianCity&cr=1>

F. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228242&dbid=0&repo=MeridianCity>

G. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229685&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=228193&dbid=0&repo=MeridianCity>

X. FINDINGS**A. Comprehensive Plan Map Amendment**

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 amendment to the Comprehensive Plan, the Council shall make the following findings:

1. The proposed amendment is consistent with the other elements of the Comprehensive Plan.

The City Council finds that the proposed infill development will provide a transition in uses from single-family residential to commercial uses to the south and contribute to the diversity in housing types in this area as desired.

2. The proposed amendment provides an improved guide to future growth and development of the city.

The City Council finds that the proposal to change the FLUM designation from Commercial to MHDR will allow a transition in uses between existing medium density residential homes and commercial uses and will provide an improved guide to future growth and development of the City.

3. The proposed amendment is internally consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

The City Council finds that the proposed amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan as noted in Section V.

4. The proposed amendment is consistent with the Unified Development Code.

The City Council finds that the proposed amendment is consistent with the Unified Development Code.

5. The amendment will be compatible with existing and planned surrounding land uses.

The City Council finds the proposed amendment will be compatible with abutting existing residential uses and existing commercial land uses in the near vicinity.

6. The proposed amendment will not burden existing and planned service capabilities.

The City Council finds that the proposed amendment will not burden existing and planned service capabilities in this portion of the city. Sewer and water services are available to be extended to this site.

7. The proposed map amendment (as applicable) provides a logical juxtaposition of uses that allows sufficient area to mitigate any anticipated impact associated with the development of the area.

The City Council finds the proposed map amendment provides a logical juxtaposition of uses and sufficient area to mitigate any development impacts to adjacent properties.

8. The proposed amendment is in the best interest of the City of Meridian.

For the reasons stated in Section V and the subject findings above, the City Council finds that the proposed amendment is in the best interest of the City.

B. 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 the subject property with R-15 zoning and develop single-family attached and townhouse dwellings on the site at a gross density of 9.64 units per acre is consistent with the proposed MHDR FLUM designation for this property. (See section V above for more information.)

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 R-15 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

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

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

The City Council finds City services are available to be provided to this development.

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

This findings is not applicable as a rezone, not an annexation, is proposed.

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 generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions and conditions of approval in Section IX.

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

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

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

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

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

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.

D. Private Street (UDC 11-3F-5)

1. The design of the private street meets the requirements of this article:

The Director finds the proposed private street complies with the design and construction standards listed in UDC 11-3F-4 if the Applicant complies with the conditions of approval in Section IX.

2. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and

The Director finds approval of the private street will not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity.

3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

The Director finds the location and use of the private street will not conflict with the comprehensive plan and/or the regional transportation plan.

4. The proposed residential development (if applicable) is a new or gated development.

The Director finds the proposed development shall be a gated development in order to comply with this finding.