

EXHIBIT B

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



In the Matter of the Request for Annexation of 31.96 Acres of Land with an R-4 Zoning District; and a Preliminary Plat Consisting of 75 Buildable Lots, 11 Common Lots and 2 Other Lots on 30.6 Acres of Land in the R-4 Zoning District, by Todd Tucker, HHS Construction, LLC.

Case No(s). H-2019-0123

For the City Council Hearing Date of: March 24, 2020 (Findings on April 7, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 24, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 24, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 24, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 24, 2020, 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 at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 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 24, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for annexation & zoning and preliminary plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 24, 2020, 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 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. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **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 March 24, 2020

By action of the City Council at its regular meeting held on the 7th day of April, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED AYE

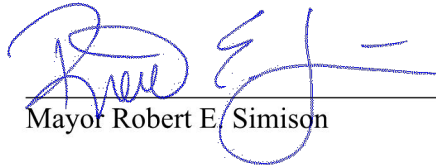
COUNCIL MEMBER JESSICA PERREAULT VOTED AYE

COUNCIL MEMBER LUKE CAVENER VOTED AYE

COUNCIL MEMBER JOE BORTON VOTED AYE

COUNCIL MEMBER LIZ STRADER VOTED AYE

MAYOR ROBERT SIMISON VOTED ---
(TIE BREAKER)



Mayor Robert E. Simison

Attest:



Chris Johnson
City Clerk



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

By:  _____ Dated: 4-7-2020
City Clerk's Office

EXHIBIT A

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



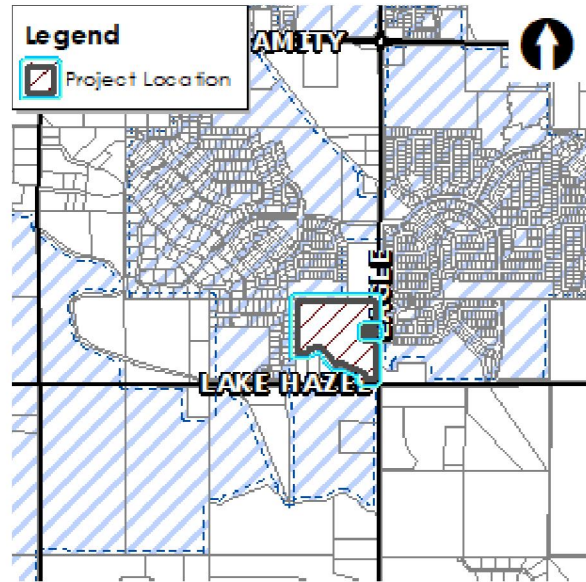
HEARING DATE: March 24, 2020
Continued from: February 4 and 25, and March 10, 2020

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
 208-884-5533
 Bruce Freckleton, Development Services Manager
 208-887-2211

SUBJECT: Sky Mesa Highlands
 H-2019-0123

LOCATION: Northwest corner of S. Eagle Rd. and E. Lake Hazel Rd., in the SE ¼ of Section 32, T.3N., R.1E. (Parcel #R1835500100 & #S1132449300)



I. PROJECT DESCRIPTION

Annexation of 31.96 acres of land with an R-4 zoning district; and preliminary plat consisting of 75 building lots, 11 common lots and 2 other lots on 30.6 acres of land in the proposed R-4 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	30.6	
Future Land Use Designation	LDR (Low Density Residential) (3 or fewer units/acre)	
Existing Land Use(s)	Rural residential/agricultural with one (1) home	
Proposed Land Use(s)	SFR (single-family residential)	
Lots (# and type; bldg./common)	75 building; 11 common; 2 other (common driveways)	
Phasing Plan (# of phases)	None (± 2 phases)	
Number of Residential Units (type of units)	75 (SFR detached)	
Density (gross & net)	2.45 gross; 3.96 net	
Open Space (acres, total [%]/buffer/qualified)	6.55 acres; 21% (consisting of half the street buffer along Eagle Rd., arterial street; internal parkways; and open space areas over 50' x 100' in area)	
Amenities	11% additional qualified open space (of at least 20,000 s.f. in area) above the minimum required; Applicant also	

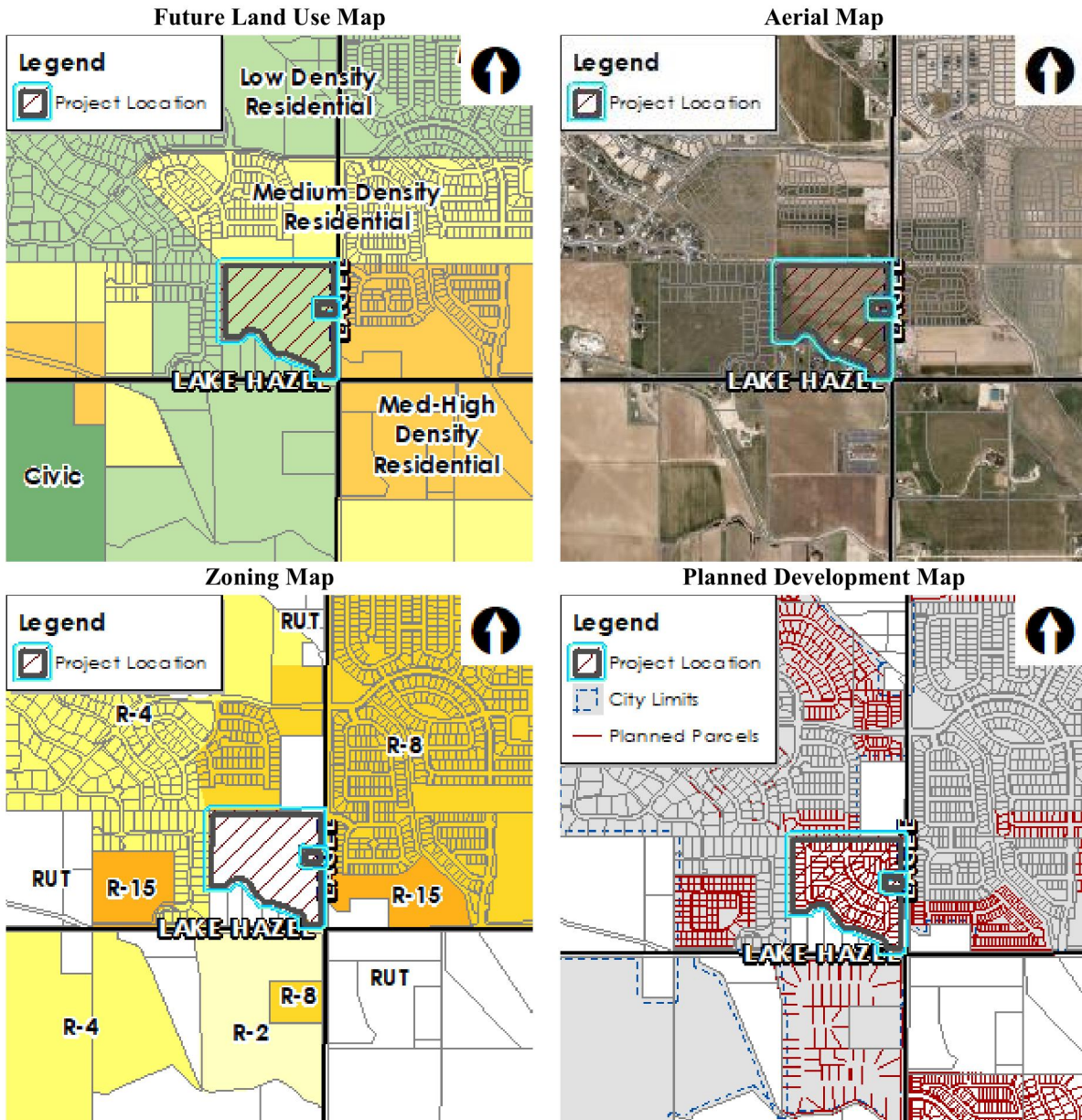
Description	Details	Page
	proposes to provide access to the amenities in Sky Mesa to the north through HOA CC&R's	
Physical Features (waterways, hazards, flood plain, hillside)	The topography of the site slopes up toward E. Lake Hazel Rd. toward the south and west boundaries; there are steep slopes within the common areas on Lot 14, Block 3 and Lot 10, Block 1	
Neighborhood meeting date; # of attendees:	10/7/19; 1 attendee	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Not yet	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access from the north via the extension of S. Cubola Way and S. Pioneer Trail Way in Sky Mesa Commons Sub.	
Traffic Level of Service		
Stub Street/Interconnectivity/Cross Access	Connection to two (2) future stub streets to the north is proposed; no stub streets exist to this site from the west; no stub streets are proposed to the south for topography reasons	
Existing Road Network	None	
Existing Arterial Sidewalks / Buffers	None	
Proposed Road Improvements	S. Eagle Rd. between Amity & Lake Hazel Rds. is planned to be widened to 5 lanes with curb, gutter & sidewalk and a Level 3 bike facility; and the intersection at Lake Hazel/Eagle Rds. is planned to be widened to 4/5 lanes on Eagle and 3/5 lanes on Lake Hazel & signalized in 2023 per The Five Year Work Plan	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	2.6 miles (Fire Station #4)	
<ul style="list-style-type: none"> Fire Response Time 	6:00 minutes (under ideal conditions)	
<ul style="list-style-type: none"> Resource Reliability 	78% (does <i>not</i> meet targeted goal of 80% or greater)	
<ul style="list-style-type: none"> Risk Identification 	2 (current resources would not be adequate to supply service)	
<ul style="list-style-type: none"> Accessibility 	Meets all required access, road widths and turnarounds	
<ul style="list-style-type: none"> Special/resource needs 	None (will not require an aerial device)	
<ul style="list-style-type: none"> Water Supply 	1,000 gallons/minute for one hour	
<ul style="list-style-type: none"> Other Resources 		
Police Service		
	No comments submitted	
West Ada School District		
	No comments submitted	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	0-feet	
<ul style="list-style-type: none"> Sewer Shed 	North Black Cat	
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	75	
<ul style="list-style-type: none"> WRRF Declining Balance 	13.82	

Description	Details	Page
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Slope needs to be 5% or less Common Driveway at east end of line C needs an additional manhole to ensure sewer tie-in is not less than 90 degrees. 	
Water		
<ul style="list-style-type: none"> Distance to Water Services 	0-feet	
<ul style="list-style-type: none"> Pressure Zone 	4	
<ul style="list-style-type: none"> Estimated Project Water ERU's 	75	
<ul style="list-style-type: none"> Water Quality Concerns 	None	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ol style="list-style-type: none"> Waterlines size not shown. Modeled as 8" throughout project. As currently designed, the water main in the northwest corner will not extend/connect to the northern development. As such, this design does not meet fire flow requirements and the water main must have a second connection to meet minimum fire flows. As currently designed, the static pressure for the southern portion of the development does not meet the requirement of 55 psi. A portion of the property needs to be located in Zone 5 in order to achieve the required pressure. Applicant to coordinate with Engineering to ensure proper pressure and to make sure reconfiguration does not cause dead-end lines. No mainlines in common driveways. Water service lines only. Hydrant needed at the east end of E. Brace Street. 	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Todd Tucker, HHS Construction, LLC – 729 S. Bridgeway Place, Eagle, ID 83616

B. Owner:

Donald Cantrell – PO Box 5099, Boise, ID 83705

C. Representative:

Scott Wonders, J-U-B Engineers, 250 S. Beechwood Ave., Boise, ID 83709

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published	12/13/2019	1/17/2020 <i>(not required for 3/24/2020 hearing)</i>
Radius notification mailed to property owners within 300 feet	12/10/2019	1/14/2020; 3/12/2020
Public hearing notice sign posted on site	12/17/2019	1/16/2020; 3/12/2020
Nextdoor posting	12/10/2019	1/14/2020; 3/12/2020

V. STAFF ANALYSIS

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

Low Density Residential (LDR): The purpose of this designation is to allow for the development of single-family homes on large lots where urban services are provided. Uses may include single-family homes at gross densities of 3 dwelling units or less per acre.

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

- “Provide for a wide diversity of housing types (single-family, modular, mobile homes and multi-family arrangements) and choices between ownership and rental dwelling units for all income groups in a variety of locations suitable for residential development.” (3.07.03B)
The proposed single-family detached homes will contribute to the diversity in housing types in the City. Staff is unaware if the proposed units will be owner occupied or rental units.
- “Provide housing options close to employment and shopping centers.” (3.07.02D)
The proposed development is approximately 2.5 miles away from employment areas along Overland Rd. to the north; the project is not in close proximity to shopping centers.
- “Require open space areas within all development.” (6.01.01A)
Qualified open space is required to be provided in accord with the standards listed in UDC 11-3G-3. As proposed, the proposed qualified open space exceeds the minimum standards.
- “Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City.” (3.01.01F)
Urban services can be provided and this development is contiguous to the City.
- “Restrict private curb cuts and access points on collectors and arterial streets.” (3.06.02D);
Access is proposed via the extension of internal local streets from Sky Mesa Subdivision from the north; no access is proposed via Eagle Rd., the arterial street.
- “Require pedestrian access connectors in all new development to link subdivisions together to promote neighborhood connectivity as part of a community pathway system.” (3.03.03B)
There are no pedestrian connections proposed from the adjacent developments to the north and west to this property; a couple of pedestrian connections are proposed to the properties to the south across Lot 10, Block 1.

The proposed land use (i.e. single-family residential) and density (i.e. 2.45 units per acre gross) is consistent with the Comprehensive Plan. The Applicant should comply with UDC standards related to the provisions in the Comprehensive Plan as noted in Section VIII of the staff report.

C. Existing Structures/Site Improvements:

There is one (1) existing home and three (3) accessory structures on this site that are proposed to remain on Lot 29, Block 1; this property is included in the boundary of the annexation and subdivision because it cannot be verified as an original parcel of record. No changes are proposed to this property; access is proposed to remain the same (via S. Eagle Rd.).

The configuration of the lot should be designed so that all structures comply with the minimum dimensional standards/setbacks listed in UDC Table 11-2A-5 for the R-4 zoning district.

D. Proposed Use Analysis:

Single-family residential detached homes are proposed within this development and are allowed as a principal permitted use in the R-4 zoning district per UDC Table 11-2A-2.

The proposed lots average in size at 11,000 square feet with a minimum lot size of 8,000 square feet (s.f.); the majority of lots are 65 feet wide consistent with lots located in other phases of Sky Mesa development to the north. The plat is ~~not~~ proposed to be developed in two (2) phases.

E. Specific Use Standards ([UDC 11-4-3](#)):

Not Applicable

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

Development is required to comply with the dimensional standards for the R-4 district listed in UDC Table 11-2A-5.

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

Access is proposed via internal local streets (S. Cubola Way and S. Pioneer Trail Way) extended from the north from Sky Mesa Subdivision; no access is proposed via S. Eagle Rd. except for the existing home proposed to remain on Lot 29, Block 1 which is proposing to retain their access until such time as the property redevelops – at that time, access will be taken internally from within the subdivision. The western access from the north (S. Pioneer Trail Way) was not previously planned on the approved preliminary plat for Sky Mesa; the Applicant has submitted a concept plan showing how access will be provided from the north, which should be vetted through ACHD (see Section VII.B).

The UDC (11-3A-3A.3) requires all subdivisions to provide local street access to any use that currently takes direct access from an arterial street such as S. Eagle Rd.; **therefore, Staff recommends the existing driveway access via S. Eagle Rd. on Lot 29, Block 1 is removed and access is provided internally in accord with UDC 11-3A-3A.3, unless otherwise waived by City Council.** An access easement is depicted on the plat over Lot 30, Block 1, a common lot, for future access to this lot upon redevelopment.

The development to the west did not provide a stub street to this property; no stub streets are proposed to the south because of the steep slopes in that area.

Two (2) common driveways are proposed on Lots 8 and 16, Block 1; common driveways are required to comply with the standards listed in UDC 11-6C-3D.

H. Parking ([UDC 11-3C](#)):

Off-street parking is required for single-family detached dwellings as set forth in UDC Table 11-3C-6. Guest parking can be accommodated on both sides of local streets.

I. Pathways (*UDC 11-3A-8*):

There are no multi-use pathways required on this site per the Pathways Master Plan. However, there are 675+/- linear feet of pathways proposed as amenities in the common areas on Lot 14, Block 3 and Lot 10, Block 1.

J. Sidewalks (*UDC 11-3A-17*):

Sidewalk are required to be provided with development as set forth in UDC 11-3A-17. A 5-foot wide detached sidewalk is proposed along S. Eagle Rd. and a 7-foot wide detached sidewalk is proposed along E. Lake Hazel Rd. Detached sidewalks are proposed along internal local streets.

The sidewalk is not proposed to extend across Lot 29, Block 1 where the existing home is to remain; Staff recommends the sidewalk is extended across the frontage of this lot with development as required by UDC 11-3A-17 for safe pedestrian access along Eagle Rd.

K. Parkways (*UDC 11-3A-17*):

Parkways are proposed along all internal local streets with landscaping per the standards listed in UDC 11-3B-7C.

L. Landscaping (*UDC 11-3B*):

Landscaping is required to be provided with development as set forth in UDC Table 11-2A-5 and 11-3B and 11-3G-3E.

A minimum 25-foot wide street buffer is required along S. Eagle Rd. and E. Lake Hazel Rd. per UDC Table 11-2A-5, landscaped per the standards listed in UDC 11-3B-7C. **The street buffer should be extended along the frontage of Lot 29, Block 1 where the existing home is to remain in a common lot as required by UDC 11-3B-7C.2a.** If the unimproved street right of way is ten feet (10') or greater from the edge of pavement to edge of sidewalk or property line, the developer shall maintain a ten foot (10') compacted shoulder meeting the construction standards of the transportation authority and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5a.

Landscaping is required along all pathways in accord with the standards listed in UDC 11-3B-12C; a minimum of 1 tree is required per 100 linear feet of pathway – the landscape plan should be revised accordingly to include landscaping along the pathways in Lot 14, Block 3 and Lot 10, Block 1. The Landscape Requirements table should also include calculations for the linear feet of pathways proposed and the number of trees required and proposed.

Landscaping is required within all common areas per the standards in UDC 11-3G-3E (i.e. one deciduous shade tree per 8,000 square feet and lawn, either seed or sod); the landscape plan should be revised accordingly to include landscaping in Lot 14, Block 3 and Lot 10, Block 1 in accord with this requirement; calculations should also be included in the Landscape Requirements table demonstrating compliance.

M. Qualified Open Space (*UDC 11-3G*):

A minimum of 10% *qualified* open space is required to be provided for this development per UDC 11-3G-3A. A qualified open space exhibit is included in Section VII.D that depicts a total of 6.55 acres (or 21%) of qualified open space consisting of half the street buffer along Eagle Rd. and E. Lake Hazel Rd., 8' wide parkways along internal local streets and common areas over 50' x 100' in area in *excess* of UDC standards. A large part of the common area includes two areas with significant slopes that are proposed to be landscaped in accord with the standards listed in UDC 11-3G-3E.2.

N. Qualified Site Amenities ([UDC 11-3G](#)):

A minimum of one (1) site amenity is required to be provided for this development per UDC 11-3G-3A.2 that meets the standards set forth in UDC 11-3G-3C.

Approximately 675 linear feet of pedestrian pathways are proposed; however, they do not count as a “qualified” amenity because they do not connect to an existing or planned pedestrian or bicycle route outside the development as designated on the Pathways Master Plan per UDC 11-3G-3C.3.

This development is proposed to be included in the Sky Mesa Homeowner’s Association and will be granted access to all amenities in that development consisting of (2) swimming pools and clubhouses, sports fields (i.e. ball field, basketball court), walking paths, playground structure and a swing set. The distance to these amenities range from 950-2,400 feet away from the northwest corner of this development (see exhibit in Section VII.D). Because this will essentially be another phase of Sky Mesa and amenities were provided above the minimum standards for that development, Staff is amenable to the Applicant’s request.

O. Waterways ([UDC 11-3A-6](#)):

The Grimmatt Lateral runs along the west and north boundaries of the site within a 30-foot wide irrigation easement that is proposed to remain open on the west side and be piped on the north side; along the west boundary, this easement lies approximately 17 feet off the property line resulting in a 47’+/- encroachment/building setback for affected lots. Fencing is proposed along the east side of the easement line within building lots resulting in a very large area that will be unusable for homeowner’s of these lots that they will have to pay taxes on, although it may provide an amenity of sorts with wildlife. Note: When East Ridge Estates Subdivision was approved on the adjacent property to the west in 2017, Council approved a waiver for the easement to be located within adjacent building lots which resulted in a 45-foot wide building setback for adjacent building lots.

The UDC (11-3A-6E) requires irrigation easements wider than 10 feet to be included in a common lot that is a minimum of 20 feet wide and outside of a fenced area, unless modified by City Council at a public hearing; the Applicant requests approval of a waiver to this requirement to allow the easement to be located within adjacent building lots. If Council does *not* approve the waiver, the easement should be placed in common lots.

The UDC (11-3A-6B) requires all laterals to be piped unless used as a water amenity or linear open space as defined in UDC 11-1A-1; the Applicant requests Council approval of a waiver to this requirement to leave the Grimmatt Lateral open. Council may grant a waiver *if* it finds the public purpose requiring such will not be served and public safety can be preserved. If Council does *not* approve the requested waiver, the lateral should be piped.

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

Fencing is required to comply with the standards listed in UDC 11-3A-6C and 11-3A-7.

Fencing is depicted on the landscape plan as follows: 6’ open vision black tube steel is proposed along the canal easement at the west and north boundaries; a 6’ tall closed vision vinyl fence is proposed at the back edge of the street buffer along S. Eagle Rd. and along the rear and sides of building lots abutting common areas along local streets; a 4’ tall open vision black tube steel fence is proposed adjacent to other internal common areas.

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

Connection to City water and sewer services is proposed via existing 8-inch water and sewer mains in Sky Mesa Commons subdivision at the north boundary of this site. Street lighting is

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

Pressure irrigation will be provided by the Boise Project Board of Control via the existing Sky Mesa pressure irrigation system.

The existing home is required to hook up to City water and sewer services at the developers expense within 60 calendar days of such services becoming available in accord with MCC 9-1-4 and 9-4-8. At such time, the septic tank should be abandoned and the well solely used for irrigation purposes.

See Section VIII.B below for Public Works comments/conditions.

R. Storm Drainage (*UDC [11-3A-18](#)*)

An adequate storm drainage system is required to be provided in this development in accord with the City's adopted standards, specifications and ordinances; design and construction is required to follow Best Management Practices as adopted by the City.

Storm drainage is proposed to be mitigated by detention/retention ponds and/or underground seepage bed disposal in accord with ACHD design criteria.

A master grading and drainage plan is required to be submitted with the final plat application.

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

Conceptual building elevations were submitted that demonstrate the architecture and building materials for single and 2-story structures proposed within the development that include a mix of materials and colors with stone veneer wainscot (see Section VII.F). Because all of the proposed units are detached, they are not subject to design review.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed AZ and PP applications with the requirement of a Development Agreement per the comments and conditions in Section VIII and the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on January 2, 2020. At the public hearing, the Commission moved to recommend approval of the subject AZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Todd Tucker, Applicant's Representative; Travis Hunter, Applicant
- b. In opposition: None
- c. Commenting: Sherrie Ewing
- d. Written testimony: Rick Thurber, Todd Tucker
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Mr. Thurber requests the proposed irrigation system, which will replace the current one, has at least 60 psi to operate his sprinkler system, instead of the 52 psi proposed; and that homes constructed on lots directly north of his property be restricted to a single-story in height so as not to obstruct his views and similarly, trees that are planted be of a variety they won't grow tall to obstruct his views.

- b. Ms. Ewing requested information on who will maintain their irrigation system; what type of landscaping will be installed along south boundary of development adjacent to her home; and how many feet from her back fence line to the road that is proposed below the hill from them.
- c. The Applicant responded to the aforementioned issues as follows:
 - 1) the purchase and sale agreements of homes adjacent to the street at the southern boundary of the development will have a scenic easement restricting the height/roofs of those homes to at least 5' below the ground elevation of Mr. Cantrell's property, which is roughly the same height as the other lots adjacent to him to the east and west, to protect views;
 - 2) landscaping in the common area along the southern boundary of the site will consist of a dry land seed mix and will contain trees in accord with UDC standards (1 per 8,000 square feet) that will be planted at the base/bottom of the slope so as not to interfere with views;
 - 3) the Developer agrees to provide an irrigation system with at least 60 psi as requested;
 - 4) the distance from the back of the homes along Lake Hazel to the street (i.e. slope) along the southern boundary of this development is approximately 60 feet, which with ROW (50') is approximately 110' to the homes.
- 3. Key issue(s) of discussion by Commission:
 - a. Implications on adjacent buildable lots if the Grimmatt Lateral is allowed to remain open (or be piped) in an easement on buildable lots vs. being placed in a common lot and improved as a water amenity (or being piped);
 - b. Future redevelopment (and access) of the lot where the existing home is proposed to remain;
 - c. Continuance of the pathway in the central common area to the street on the west end;
 - d. The Applicant's request to remove the pathway from the central common area – Commission likes the pathway and wants it to remain;
 - e. Type of fencing adjacent to the central common area/pathway on Lot 14, Block 3.
 - f. The retention of the existing access via Eagle Rd. for the existing home proposed to remain.
- 4. Commission change(s) to Staff recommendation:
 - a. In response to the Applicant's request to remove the pathway in the central common area on Lot 14, Block 3, the Commission wants the pathway to remain and at a minimum extend from the east to the cul-de-sac on S. Burgo Pl. as recommended by Staff (no change necessary to conditions);
 - b. The Commission directed the Applicant to work with Staff on the type of fencing to be constructed adjacent to the common area on Lot 14, Block 3 – Staff met with the Applicant and 4' solid fencing with 2' open vision at the top is proposed in accord with UDC standards.
 - c. The Commission directed the Applicant to work with ACHD and the Fire Dept. to resolve concerns with traffic and secondary accesses and phasing – a revised phasing plan was submitted which depicts a secondary emergency access that has been approved by the Fire Dept. (see Section VII.B) (no change to conditions).
 - d. The Commission recommends Council *not* require the Grimmatt Lateral to be piped as requested by the Applicant (condition #A.8 in Section VIII); and that the Applicant work with Staff and the Irrigation District on landscaping possibilities or potential water features there. *The Applicant contacted the Irrigation District and the only landscaping they'll allow within the easement is grass.*
 - e. Include a DA provision requiring a scenic easement for homes on Lots 15-27, Block 3 to be 5' below the ground elevation of Mr. Cantrell's and neighboring homes adjacent

to the southern boundary of the site on Lake Hazel Rd. (see DA provision #A.1e in Section VIII and Line of Site exhibit in Section VII.F);

- f. Include a new condition for trees planted within the common lot on Lot 10, Block 1 to be planted at the base of the slope (see condition #A.31 in Section VIII).
 - f. Include a DA provision requiring an irrigation system with at least 60 psi for the property owners to the south along Lake Hazel Rd. (see DA provision #A.1d in Section VIII).
5. Outstanding issue(s) for City Council:
- a. The Applicant requests a Council waiver to UDC 11-3A-6B.3, which requires the waterway along the west boundary of the site to be piped unless used as a water amenity or linear open space as defined in UDC 11-1A-1, to leave the waterway open. *Council may grant a waiver if it finds the public purpose requiring such will not be served and public safety can be preserved. The Commission recommends Council approve the Applicant's request for a waiver. (Condition #A.8 in Section VIII)*
 - b. The Applicant requests a Council waiver to UDC 11-3A-6E, which requires irrigation easements wider than 10 feet to be included in a common lot that is a minimum of 20 feet wide and outside of a fenced area unless modified by City Council at a public hearing; the Applicant requests approval for the easement for the Grimmett Lateral located along the north & west boundaries of the site to be located within adjacent building lots rather than in common lots. *If Council does not approve the waiver, the easements should be placed in common lots. (Conditions #A.2g and A.3j in Section VIII)*
 - c. The Applicant requests Council approval of a waiver to 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 street (i.e. Eagle Rd.), to allow the driveway access via Eagle Rd. for the existing home on Lot 2928, Block 1 to remain until such time as the property redevelops. At that time access would be provided internally from within the subdivision via a common driveway.
- C. The Meridian City Council heard these items on February 4 and 25, and March 10 and 24, 2020. At the public hearing on March 24th, the Council moved to approve the subject AZ and PP requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: Todd Tucker, Applicant's Representative; Travis Hunter, Applicant
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Southern Rim Coalition
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. The Southern Rim Coalition has the following comments:
 - 1) a large portion of the qualified open space is unusable slope areas – they request these areas *not* be counted toward the minimum open space standard and that green space adequate for recreational activities are provided;
 - 1) concern pertaining to the native grasses on the slope between homes on Lot 14 and who would be responsible for trimming and weed prevention – concern pertaining to fire hazard if not properly maintained and less than desirable Fire Dept. response time to the site; and,
 - 2) need for protection of the view sheds and property values of the homes on large estate size properties at the southern end of the development area;

3. Key issue(s) of discussion by City Council:
 - a. The area of the qualified open space without the slope areas;
 - b. Impact of proposed development on area schools (comments were not submitted from WASD);
 - c. The Applicant's request for the scenic easement to only apply to Mr. Cantrell's property and not adjacent properties;
 - d. The proposal to count amenities in previous phases of Sky Mesa to the north toward the requirement for this subdivision;
 - e. The nature of the existing access (i.e. 3 driveways to Eagle) for the existing home and the Applicant's request to retain the accesses;
 - f. The Applicant's request to leave the western portion of the Grimmatt Lateral open and not pipe it.
4. City Council change(s) to Commission recommendation:
 - a. The City Council approved the Applicant's requests for a waiver to UDC 11-3A-3A to allow the existing accesses via Eagle Rd. for the existing home to remain; and a waiver to UDC 11-3A-6B.3 to allow the Grimmatt lateral along the west boundary to remain open and not be piped.
 - b. The City Council did not require the street buffer and detached sidewalk along S. Eagle Rd. to be extended across the lot where the existing home is proposed to remain (delete conditions #A.2b and #A.2c in Section VIII).

VII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map



J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

**SKY MESA HIGHLANDS SUBDIVISION
CITY OF MERIDIAN ANNEXATION
LEGAL DESCRIPTION**

That portion of the Southeast Quarter of the Southeast Quarter of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, particularly described as follows:

BEGINNING at the southeast corner of said Section 32, Township 3 North, Range 1 East, Boise Meridian, from which the south quarter corner of said Section 32 bears North 89°56'45" West, 2,659.18 feet;

Thence N 89°56'45" W, 275.07 feet along the south line of said Section 32;

Thence N 00°03'15" E, 40.00 feet to the northerly right-of-way line of East Lake Hazel Road and the southerly line of Lot 1 in Block 1 of Diamond Ridge Estates Subdivision according to the official plat thereof filed in Book 71 of Plats at Pages 7308-7309, Ada County Records;

Thence along the southerly line of said Lot 1 the following twelve (12) courses:

- 1) N 00°03'15" E, 109.46 feet;
- 2) N 68°00'17" W, 288.92 feet;
- 3) N 69°22'09" W, 74.72 feet;
- 4) S 86°16'08" W, 79.22 feet;
- 5) N 63°20'09" W, 24.81 feet;
- 6) N 45°18'10" W, 20.07 feet;
- 7) N 45°23'07" W, 105.37 feet;
- 8) N 36°35'59" W, 199.55 feet;
- 9) N 75°46'48" W, 61.61 feet;
- 10) S 75°04'22" W, 88.17 feet;
- 11) S 44°58'11" W, 89.60 feet;
- 12) N 89°50'51" W, 197.33 feet to the west line of said Southeast Quarter of the Southeast Quarter;

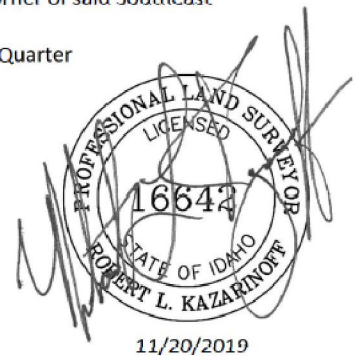
Thence N 00°13'08" E, 874.31 feet along said west line to the northwest corner of said Southeast Quarter of the Southeast Quarter;

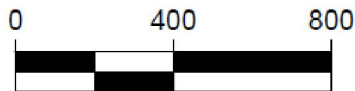
Thence S 89°48'42" E, 1,329.75 feet along the north line of said Southeast Quarter of the Southeast Quarter to the east line of said Section 32;

Thence S 00°13'37" W, 1,338.07 feet along said east line to the **POINT OF BEGINNING**, containing 31.96 acres, more or less.

END DESCRIPTION

This description was prepared by me or under my supervision. If any portion of this description is modified or removed without the written consent of Robert L. Kazarinoff, PLS, all professional liability associated with this document is hereby declared null and void.



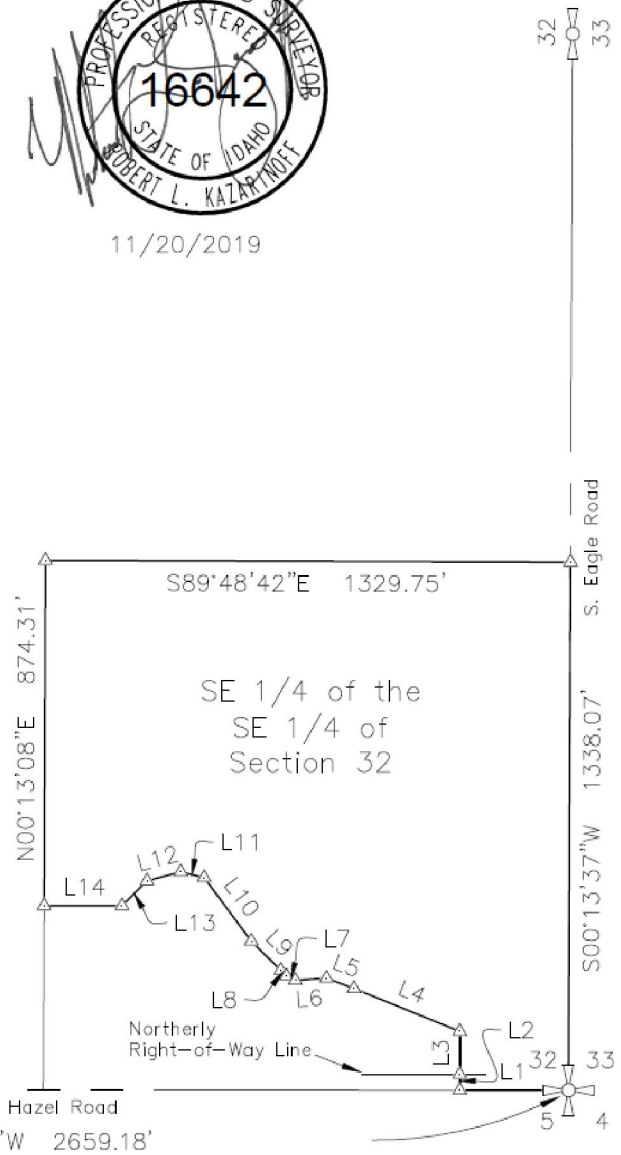


Scale in Feet



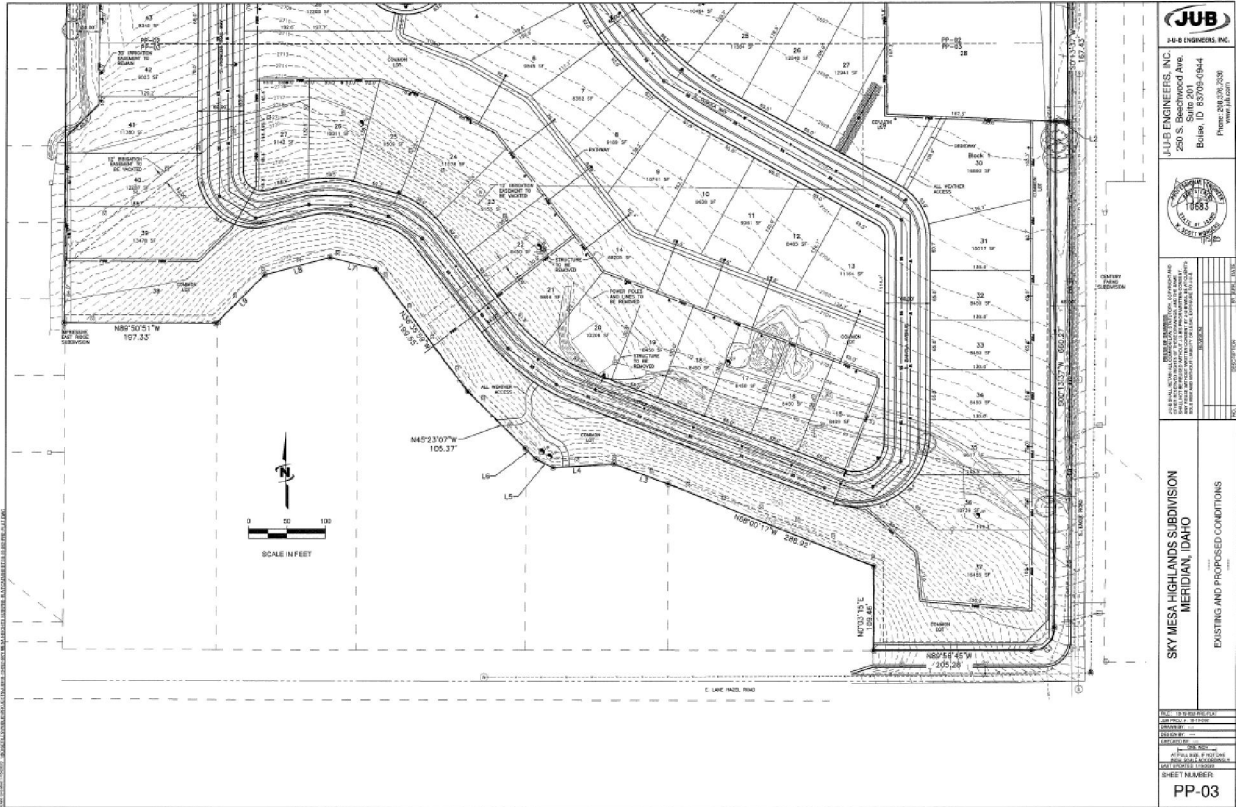
11/20/2019

Line Table		
Line #	Direction	Length
L1	N89°56'45"W	275.07'
L2	N00°03'15"E	40.00'
L3	N00°03'15"E	109.46'
L4	N68°00'17"W	288.92'
L5	N69°22'09"W	74.72'
L6	S86°16'08"W	79.22'
L7	N63°20'09"W	24.81'
L8	N45°18'10"W	20.07'
L9	N45°23'07"W	105.37'
L10	N36°35'59"W	199.55'
L11	N75°46'48"W	61.61'
L12	S75°04'22"W	88.17'
L13	S44°58'11"W	89.60'
L14	N89°50'51"W	197.33'



C:\projects\19020 SKY MESA HEIGHTS SUBDIVISION\19020 SKY MESA HEIGHTS ANNEX EXHIBIT.DWG

REUSE OF DRAWINGS THIS DOCUMENT, AND THE TITLES AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF J-U-B ENGINEERS, INC. AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF J-U-B ENGINEERS, INC.	FILE: 19020 SKY MESA HEIGHTS ANNEX EXHIBIT JUB PROJ #: 19-15-020	 J-U-B ENGINEERS, INC.	Sky Mesa Highlands Subdivision City of Meridian Annexation Portion of the Southeast Quarter of the Southeast Quarter of Section 32 Township 3 North, Range 1 East, Boise Meridian, Idaho	SHEET 1 of 1
	DRAWN BY: RLK DESIGN BY: RLK CHECKED BY: RLK			

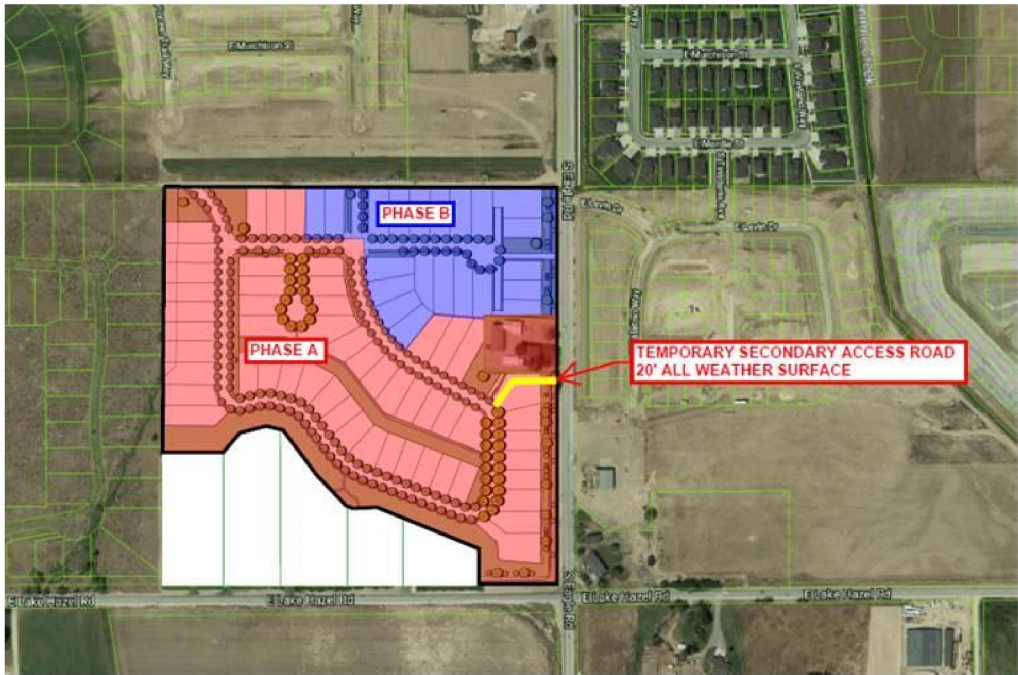


JUB
 JUB ENGINEERS, INC.
 204 S. Boise Blvd. Suite 201
 Boise, ID 83725-0344
 Phone: 208.333.2288
 Fax: 208.333.2287

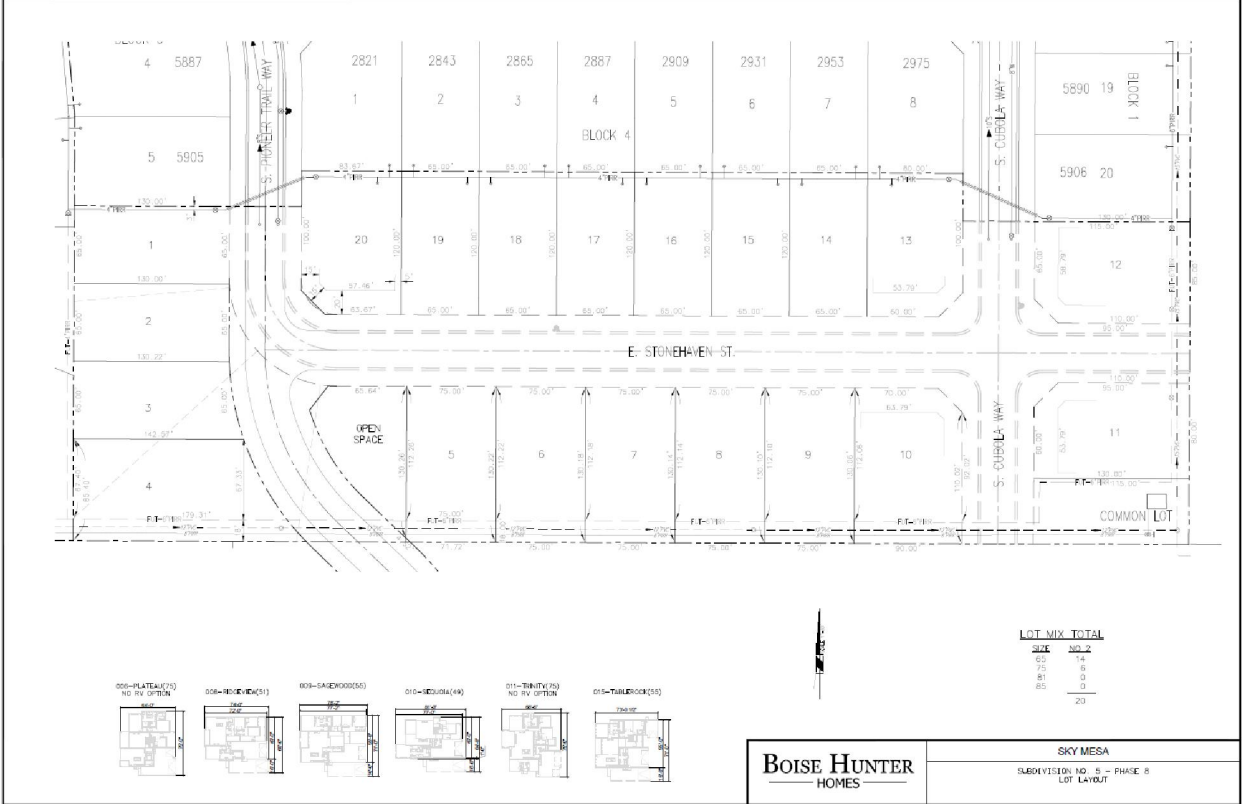
PROFESSIONAL SEAL
 JUB ENGINEERS, INC.
 No. 10000
 State of Idaho
 Exp. 12/31/2020

**SKY MESA HIGHLANDS SUBDIVISION
 MERIDIAN, IDAHO**
 EXISTING AND PROPOSED CONDITIONS

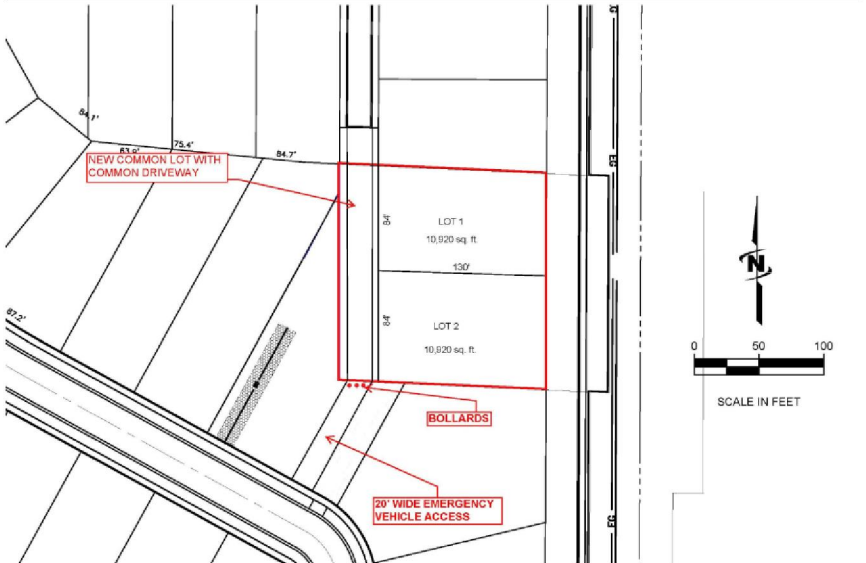
PP-03



Revised concept plat for adjacent property to the north (Sky Mesa) showing access to the subject property



Conceptual redevelopment plan for Lot 2928, Block 1



C. Landscape Plan (date: 10/22/2019 1/30/2020) & Site Amenities in Sky Mesa Subdivision

1 BALL AND BURLAP TREE PLANTING
10' x 10'

2 SHRUB PLANTING
10' x 10'

3 CLOSED VISION FENCE
10' x 10'

4 CLOSED VISION FENCE
10' x 10'

5 CONCRETE SIDEWALKS ADJ LANDING 12"
10' x 10'

LANDSCAPE OVERVIEW

LANDSCAPE NOTES

1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
4. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
5. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
6. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
7. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
8. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
9. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.
10. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SCHEDULE AND WATERING SCHEDULE PROVIDED BY THE CONTRACTOR.

LANDSCAPE REQUIREMENTS

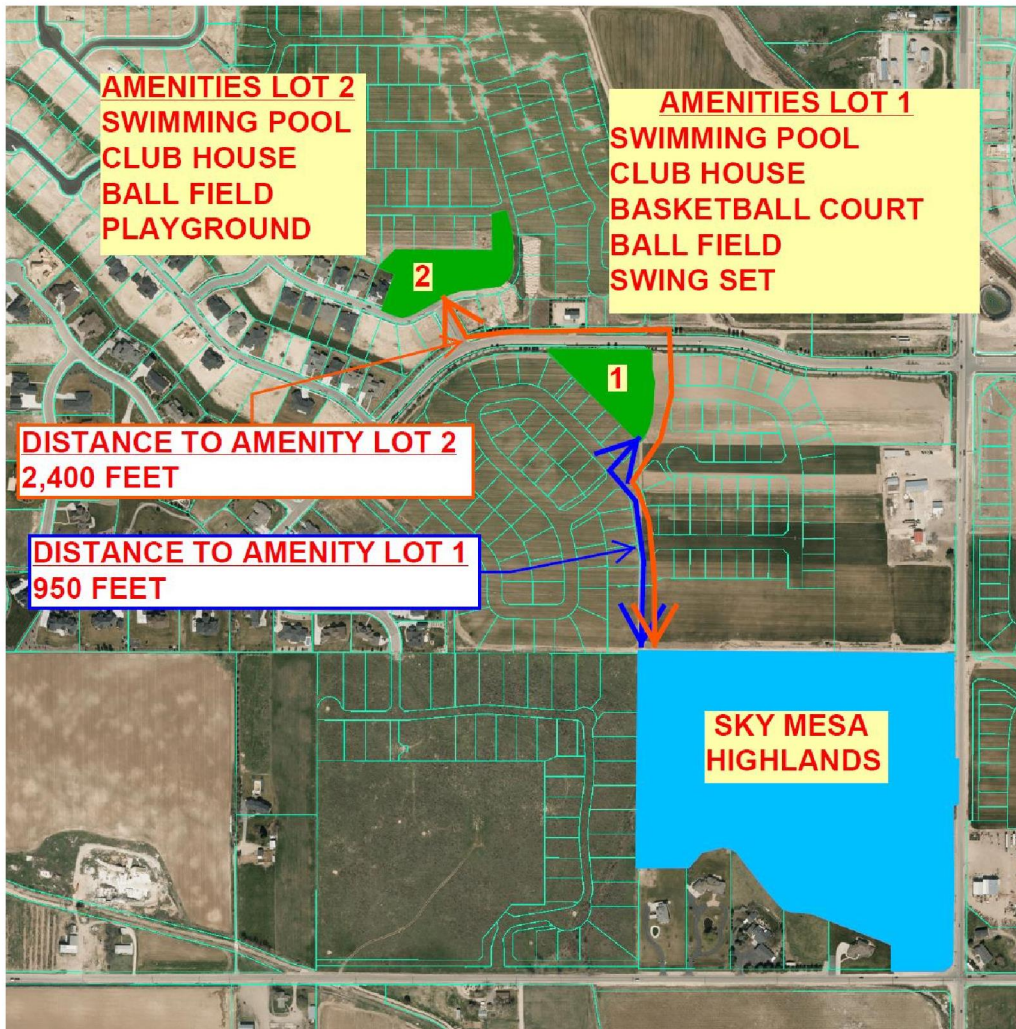
PLANTING	QUANTITY	PLANT SPECIES	PLANT SIZE
1. BALL AND BURLAP TREE PLANTING	10	FRUITING CONTRACTOR	10' x 10'
2. SHRUB PLANTING	10	FRUITING CONTRACTOR	10' x 10'
3. CLOSED VISION FENCE	10	FRUITING CONTRACTOR	10' x 10'
4. CLOSED VISION FENCE	10	FRUITING CONTRACTOR	10' x 10'
5. CONCRETE SIDEWALKS ADJ LANDING 12"	10	FRUITING CONTRACTOR	10' x 10'

POOL AMENITY PROXIMITY & VISUAL

SKY MESA HIGHLANDS BOISE HUNTER HOMES

LANDSCAPE PLAN OVERVIEW

L100



AMENITIES LOT 2
SWIMMING POOL
CLUB HOUSE
BALL FIELD
PLAYGROUND

AMENITIES LOT 1
SWIMMING POOL
CLUB HOUSE
BASKETBALL COURT
BALL FIELD
SWING SET

DISTANCE TO AMENITY LOT 2
2,400 FEET

DISTANCE TO AMENITY LOT 1
950 FEET

**SKY MESA
HIGHLANDS**

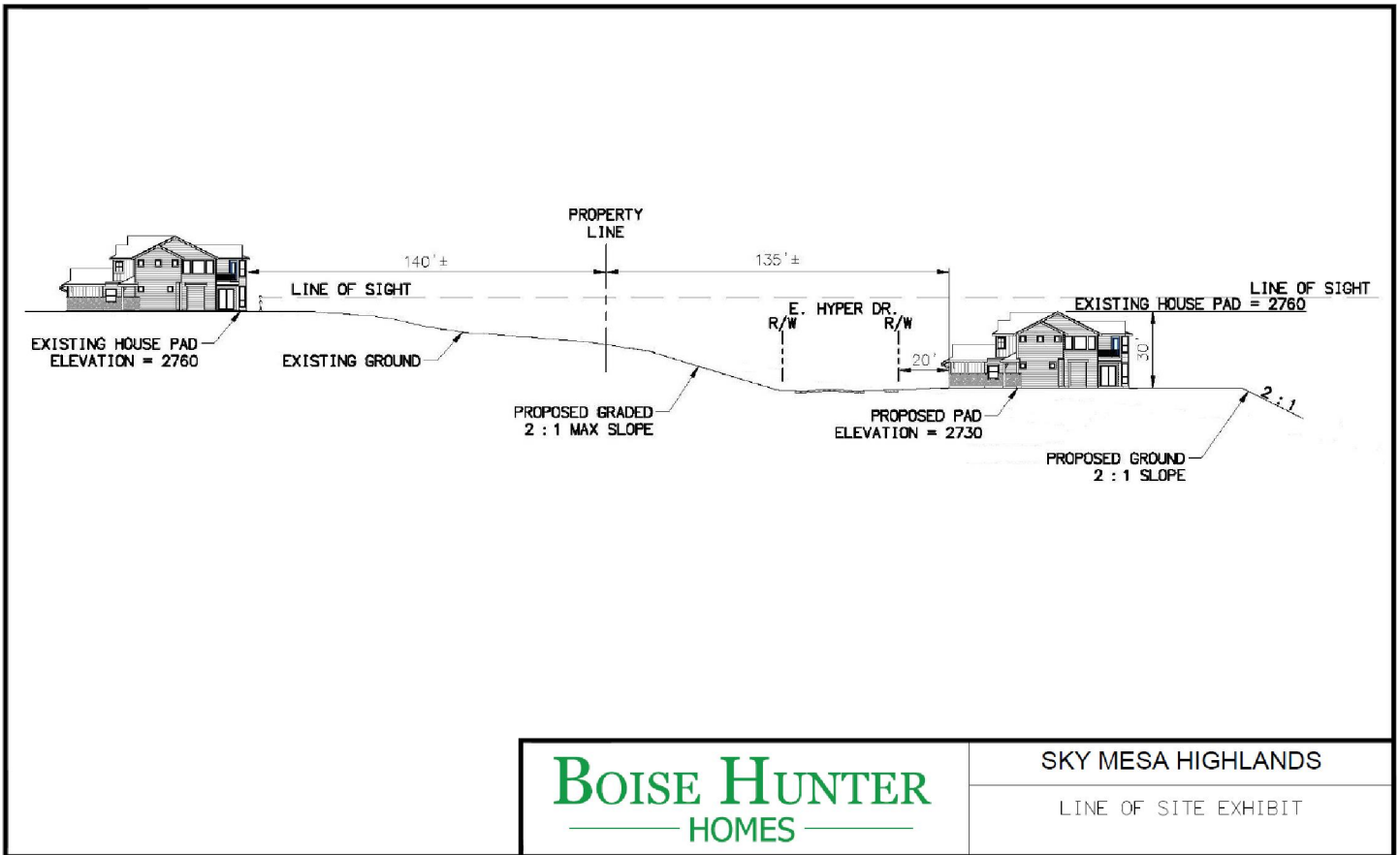
D. Qualified Open Space Exhibit (Revised)



E. Conceptual Building Elevations



F. Line of Site Exhibit for Lots 15-27, Block 3



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

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 preliminary plat, landscape plan, future redevelopment plan and conceptual building elevations included in Section VII and the provisions contained herein.
- b. The existing home proposed to remain on Lot ~~2928~~, Block 1 shall hook up to City water and sewer services at the developers expense within 60 calendar days of such services becoming available in accord with MCC 9-1-4 and 9-4-8.

At such time, the septic tank shall be abandoned and the well solely used for irrigation purposes.

- c. The CC&R's for Sky Mesa Subdivision shall allow for this development to use their common area and site amenities; a revised copy of the recorded CC&R's demonstrating compliance with this provision shall be submitted with the final plat application.
 - d. The irrigation system provided for the development shall have at least 60 psi to accommodate the property owners to the south along Lake Hazel Rd.
 - e. A scenic easement shall be recorded on Lots 15-27, Block 3 for homes to be five feet (5') below the ground elevation of Mr. Cantrell's (#R1835500400) and neighboring homes adjacent to the southern boundary of the site on Lake Hazel Rd. A copy of the easement shall be submitted to the Planning Division prior to signature on the first phase final plat by the City Engineer.
 - f. The City Council approved the Applicant's request for a waiver to UDC 11-3A-3A.3 to allow the existing accesses via Eagle Rd. to remain for Lot 28, Block 1 until the property redevelops in the future. Upon redevelopment, access shall be taken internally from within the subdivision via a common driveway and emergency access shall be provided as shown on the conceptual redevelopment plan included in Section VII.B.
2. The preliminary plat included in Section VII.B, dated 10/22/2019, shall be revised **prior to the City Council hearing** as follows:
- a. ~~Remove the existing driveway access via S. Eagle Rd. on Lot 2928, Block 1 where the existing home is to remain in accord with UDC 11-3A-3A.3, unless otherwise waived by City Council. If access via Eagle Rd. isn't approved, access should be provided via a common driveway as depicted on the conceptual redevelopment plan in Section VII.B. The City Council approved the Applicant's request for a waiver to UDC 11-3A-3A.3 for the existing driveway accesses to remain until redevelopment occurs.~~
 - b. ~~Extend the detached sidewalk along S. Eagle Rd. across Lot 2928, Block 1 where the existing home is to remain in accord with UDC 11-3A-17. Council did not require the sidewalk to be extended across this lot.~~
 - c. ~~Extend the minimum 25-foot wide street buffer along S. Eagle Rd. across the frontage of Lot 2928, Block 1 in a common lot as set forth in UDC Table 11-2A-5 and 11-3B-7C.2a. Council did not require the street buffer to be extended across this lot.~~
 - d. ~~Lot 29, Block 1 is required to have street frontage on a public street (30' flag or 60') or on a common driveway, which doesn't require frontage per UDC 11-2A-3B and Table 11-2A-5. The revised plat depicts access via a common driveway.~~
 - e. Include a minimum 15-foot wide common lot for a micro-path and landscaping at the end of the S. Burgo Pl. cul-de-sac connecting to Lot 14, Block 3.
 - f. The existing home and accessory structures proposed to remain on Lot 2928, Block 1 shall comply with the minimum dimensional standards listed in UDC Table 11-2A-5 for the R-4 zoning district; make any revisions to the lot configuration necessary for compliance.
 - g. **~~The irrigation easements depicted along the west and north property boundaries shall be included in common lots outside of a fenced area, unless otherwise modified~~**

~~by City Council per UDC 11-3A-6E. The revised plat depicts the irrigation easements within common lots; no waiver was requested or approved by City Council.~~

3. The landscape plan included in Section VII.C, dated 10/22/2019, shall be revised **prior to the City Council hearing** as follows:
 - a. ~~Remove the existing driveway access via S. Eagle Rd. on Lot 2928, Block 1 where the existing home is to remain in accord with UDC 11-3A-3A.3, unless otherwise waived by City Council. The City Council approved the Applicant's request for a waiver to UDC 11-3A-3A.3 for the existing driveway accesses to remain until redevelopment occurs.~~
 - b. ~~Extend the detached sidewalk along S. Eagle Rd. across Lot 2928, Block 1 where the existing home is to remain in accord with UDC 11-3A-17. Council did not require the sidewalk to be extended across this lot.~~
 - c. ~~Extend the minimum 25-foot wide street buffer along S. Eagle Rd. across the frontage of Lot 2928, Block 1 in accord with UDC Table 11-2A-5 in a common lot; depict landscaping within the buffer as set forth in UDC 11-3B-7C. Council did not require the street buffer to be extended across this lot.~~
 - d. Include the width of the street buffer proposed along S. Eagle Rd. and E. Lake Hazel Rd. in the Landscape Requirements table (minimum 25-feet wide).
 - e. Include a minimum 15-foot wide common lot with a minimum 5-foot wide micro-path and landscaping on either side per the standards listed in UDC 11-3B-12C at the end of the S. Burgo Pl. cul-de-sac connecting to Lot 14, Block 3.
 - f. Correct "Block 1 Lot 50" in the Landscape Requirements table to read "Block 1 Lot 49".
 - g. Depict landscaping along the pathways in Lot 14, Block 3 and Lot 10, Block 1 in accord with the standards listed in UDC 11-3B-12C; include calculations in the Landscape Requirements table for the linear feet of pathways proposed and the number of trees required and proposed that demonstrate compliance.
 - h. Depict landscaping within the common areas on Lot 14, Block 3 and Lot 10, Block 1 in accord with the standards listed in UDC 11-3G-3E.2 (i.e. one deciduous shade tree per 8,000 square feet and lawn, either seed or sod); also include calculations demonstrating compliance in the Landscape Requirements table.
 - i. If topography allows, extend the pathway on Lot 14, Block 3 out to the sidewalk along Pioneer Trail Way.
 - j. **The irrigation easements depicted along the west and north property boundaries shall be included in common lots outside of a fenced area, unless otherwise modified by City Council per UDC 11-3A-6E. The revised plat depicts the irrigation easements within common lots; no waiver was requested or approved by City Council.**
 - k. If the unimproved street right of way is ten feet (10') or greater from the edge of pavement to edge of sidewalk or property line, a ten foot (10') compacted shoulder meeting the construction standards of the transportation authority with the remainder landscaped with lawn or other vegetative ground cover shall be depicted as set forth in UDC 11-3B-7C.5a.
 - l. Trees planted within the common lot on Lot 10, Block 1 shall be planted at the base of the slope and depicted accordingly on the plan.
4. All common driveways shall comply with the standards listed in UDC 11-6C-3D.

5. For lots accessed by common driveways, an exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope and orientation of the lots and structures as set forth in UDC 11-6C-3D. Driveways for abutting properties that aren't taking access from the common driveway(s) shall be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.
6. A perpetual ingress/egress easement for the common driveways on Lots 8 and 16, Block 1 shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment in accord with UDC 11-6C-3D.8. **A copy of said easement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.**
7. Provide address signage for homes accessed by the common driveways on Lots 8 and 16, Block 1 at the public street for emergency wayfinding purposes.
8. ~~The Grimmitt Lateral that lies along the west and north boundaries of the site shall be piped as set forth in UDC 11-3A-6B unless otherwise waived by City Council. The Applicant requests a waiver to this requirement to allow the lateral along the west boundary of the site to remain open; the lateral on the north side of the site is proposed to be piped. Council may grant a waiver if it finds the public purpose requiring such will not be served and public safety can be preserved. The Commission recommends Council approve the Applicant's request for a waiver. Council approved the Applicant's request for a waiver to UDC 11-3A-6B to allow the Grimmitt Lateral along the west boundary of the site to remain open and not be piped.~~
9. A master grading and drainage plan is required to be submitted with the final plat application.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1. Waterlines sizes are not shown. Conceptually modeled as 8" throughout project.
- 1.2. As currently designed, the water main in the northwest corner will not extend/connect to the northern development. As such, this design does not meet fire flow requirements and the water main must have a second connection to meet minimum fire flows.
- 1.3. As the water system is currently designed, the static pressure for the southern portion of the development does not meet the requirement of 55 psi. A portion of the property needs to be located in Zone 5 in order to achieve the required pressure. Applicant to coordinate with Engineering to ensure proper pressure and to make sure reconfiguration does not cause dead-end lines.
- 1.4. No water mainlines in common driveways. Water service lines only.
- 1.5. Fire Hydrant needed at the east end of E. Brace Street.
- 1.6 Sanitary sewer slope needs to be 5% or less.
- 1.7 The common driveway at east end of sanitary sewer mainline C needs an additional manhole to ensure sewer tie-in is not less than 90 degrees.
- 1.8 Due to the elevation differentials in this development, the applicant shall be required to submit an engineered master grading and drainage plan for approval by the Community Development Department prior to signature on the final plat by the City Engineer. This plan shall establish, at a minimum; the finish floor elevation for each building lot, the finish grade

elevations of the rear lot corners, the drainage patterns away from each building pad, the drainage patterns of the overall blocks, and any special swales or subsurface drainage features necessary to control and maintain storm water drainage. Applicant's engineer shall consult the 2012 International Residential Code when establishing the finish floor elevations and drainage patterns away from the building pads.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 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 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

<http://weblink.meridiancity.org/WebLink8/DocView.aspx?id=179906>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=182684&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=182750&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<http://weblink.meridiancity.org/weblink8/0/doc/181049/Page1.aspx>

E. BOISE PROJECT BOARD OF CONTROL

<http://weblink.meridiancity.org/weblink8/browse.aspx>

F. CENTRAL DISTRICT HEALTH DEPARTMENT

<http://weblink.meridiancity.org/weblink8/0/doc/180514/Page1.aspx>

G. DEPARTMENT OF ENVIRONMENTAL QUALITY

<http://weblink.meridiancity.org/weblink8/0/doc/180404/Page1.aspx>

H. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO

<http://weblink.meridiancity.org/weblink8/0/doc/180617/Page1.aspx>

I. ADA COUNTY HIGHWAY DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184776&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 is proposing to annex and develop the subject property with 75 single-family residential units in the R-4 zoning district at a gross density of 2.45 units/acre consistent with the LDR FLUM designation. (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 and development complies with the purpose statement of the residential districts in that it will contribute toward the range of housing opportunities available within 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 low density residential uses should be compatible with adjacent existing and future residential development.

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. The School District has not submitted comments on this application.

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

The City Council finds the proposed annexation is in the best interest of the City if the Applicant complies with the conditions in Section VIII.

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

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 conditions of approval in Section VIII.

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 the proposed plat is in conformance with scheduled public improvements in accord with the City's 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.