

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



In the Matter of the Request for combined preliminary and final plat consisting of 2 building lots and 2 common lots on 3.98 acres of land in the R-4 zoning district and Development Agreement Modification to allow the development of the property with one additional residential lot and specify the requirements for the connection of city services to existing and future residential structures for Pearson Subdivision, by Melanie Pearson.

Case No(s). H-2020-0075

For the City Council Hearing Date of: October 13, 2020 (Findings on October 27, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of October 13, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of October 13, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of October 13, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 13, 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 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 October 13, 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 combined Preliminary/Final Plat and Development Agreement Modification is hereby approved per the conditions of approval in the Staff Report for the hearing date of October 13, 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 Conditional Use Permit Duration

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

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.1, the Director may authorize a single extension of the time to commence the

use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the conditional use comply with the current provisions of Meridian City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

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

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

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

E. 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 October 13, 2020

By action of the City Council at its regular meeting held on the 27th day of October, 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: Charlene Way Dated: 10-27-2020
 City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/13/2020
 TO: Mayor & City Council
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0075
 Pearson Subdivision

LOCATION: The site is located at 175 W. Paint Horse Lane, on the west side of S. Meridian Road approximately ¼ mile south of Lake Hazel Road, in the SE ¼ of the NE ¼ of Section 01, Township 2N., Range 1W.



I. PROJECT DESCRIPTION

Request for a combined preliminary and final plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district and a Development Agreement Modification, by Melanie Pearson.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	3.98 (R-4 zoning district)	
Future Land Use Designation	Mixed Use Regional	
Existing Land Use(s)	Residential (one single-family home)	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	2 total lots – 2 single-family residential (one new lot)	
Phasing Plan (# of phases)	Proposed as one phase	
Number of Residential Units (type of units)	2 units – detached single-family homes	
Density (gross & net)	Gross – 0.5 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	N/A – Project size is below the 5 acre minimum.	
Physical Features (waterways, hazards, flood plain, hillside)	Rawson Canal – runs along eastern property boundary adjacent to Meridian Road (area of minimal flood hazard).	
Neighborhood meeting date; # of attendees:	August 5, 2020 – no attendees.	
Distance to nearest City Park (+ size)	1.6 miles to Discovery Park (76.8 acres in size, roughly 30 acres of this park has been developed at this time)	

Exhibit A

Description	Details	Page
History (previous approvals)	H-2015-0019 (South Meridian Annexation); DA Inst. #2016-007442	

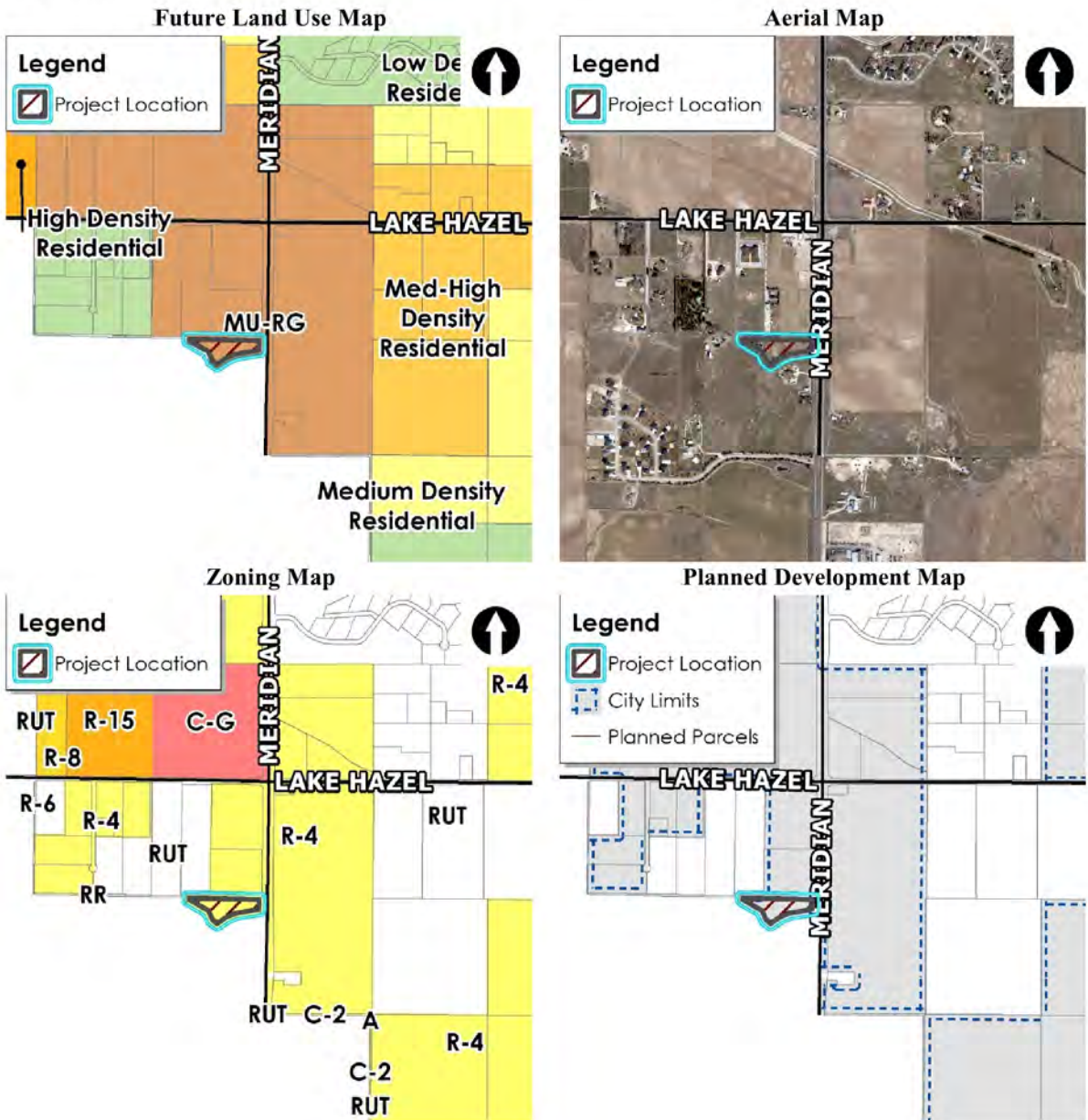
B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	Letter received from ACHD No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via existing W. Paint Horse Lane, a private drive. No access is proposed to S. Meridian Road other than via existing access of Paint Horse Lane.	
Stub Street/Interconnectivity/Cross Access	Other properties use existing W. Paint Horse Lane; no need for stub street access at this time.	
Existing Road Network	Yes; private lane is existing and no new road dedication is proposed or required.	
Existing Arterial Sidewalks / Buffers	The subject property has a small area of arterial street frontage along S. Meridian Road. There are currently no improvements along this frontage. There is an existing berm and buffer.	
Proposed Road Improvements	Applicant is not proposing nor required to improve any right-of-way along S. Meridian Road or Paint Horse Lane at this time.	
Fire Service		
	No Comments – required turnaround is shown on property.	
Police Service		
	No Comments	
West Ada School District		
	No comments were received for this project.	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services Sewer Shed Estimated Project Sewer ERU's WRRF Declining Balance Project Consistent with WW Master Plan/Facility Plan Additional Comments 	N/A South Black Cat Trunkshed See application 13.96 NO – Subdivision will be on septic until utilities are available in the area. <ul style="list-style-type: none"> Flow has been committed Both units for this subdivision will be on septic. No proposed changes to Public Sewer Infrastructure within Record. Any changes or modifications, to the Public Sewer Infrastructure, shall be reviewed and approved by Public Works. 	
Water		
<ul style="list-style-type: none"> Distance to Water Services Pressure Zone Estimated Project Water ERU's Water Quality Concerns 	N/A 5 See application N/A	

Exhibit A

Description	Details	Page
<ul style="list-style-type: none"> Project Consistent with Water Master Plan Impacts/Concerns 	<p>NO – no utilities are proposed with this subdivision as they are not available at this time.</p> <p>There are no City utilities located in the area. The City Engineer will need to review and grant the utility variance request to not hook up to City water.</p>	

C. Project Area Maps



III. APPLICANT INFORMATION

- A. Applicant:
Melanie Pearson – 1717 N. 7th Street, Boise, ID 83702
- B. Owner:
Mary Taysom – 175 W. Paint Horse Lane, Meridian, ID 83642
- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/17/2020	9/25/2020
Radius notification mailed to properties within 300 feet	7/14/2020	9/23/2020
Site Posting	7/25/2020	9/23/2020
Nextdoor posting	7/14/2020	9/23/2020

V. STAFF ANALYSIS

To be concise, the subject application is proposing to subdivide one 4 acre lot into two lots for the purposes of allowing the current owner of the parcel to deed the new lot over to her daughter so that her and her family are close-by, this includes helping her daughter with her newborn child.

The subject property was annexed in 2015 as part of a larger annexation known as South Meridian Annexation (H-2015-0019). There is an existing Development Agreement (DA) associated with the original annexation and property and this application constitutes development under City code. In reviewing the existing DA, the Applicant needs to apply for a Development Agreement Modification prior to the City Council hearing for this combined preliminary/final plat. Per the existing DA, the first modification is at no cost to the Applicant. The Applicant has submitted a concurrent DA Modification since being heard at the Planning and Zoning Commission; the new DA provisions are provided below in Section VIII.A1.

The subject property has also received City Engineer and Public Works Director approval for a utilities waiver to not connect to City services at this time due to services being more than a half mile away. Staff finds that making a singular property owner pay for extending City services for a two lot subdivision is neither fair nor necessary. Central District Health (CDH) has also approved of an additional temporary well site and septic system—this fact further diminishes any concern Staff has with the Applicant’s application regarding water and sewer services.

Please see further Staff analysis below.

- A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)
Mixed Use Regional – The purpose of this designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate

Exhibit A

supporting uses. For example, an employment center should have supporting retail uses; a retail center should have supporting residential uses as well as supportive neighborhood and community services.

The subject site is part of a large area in south Meridian with this future land use designation. However, much of these sites are already zoned R-4, medium-low density residential. This zoning does not allow or offer the Applicant the opportunity to develop the site in accordance with the future land use designation. Because this site is relatively small in comparison to most mixed use properties, Staff finds that the mixed use requirements and policies cannot be obtained at this time. These policies should not be aimed for at this time due to the fact that no other nearby properties offer any mix of uses and have not been redeveloped since their annexation in 2015—Staff’s review shows all of the nearby properties to still be low-density residential homes. There is always the chance that in the future much of this area in south Meridian will redevelop with larger parcels of land. At that time, it will be up to the property owners to determine if redevelopment is applicable.

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

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“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 main purpose of the proposed development is to create a new lot for the Applicant to build a home nearby her mother, the existing property owner. All of the surrounding homes lay on large undeveloped lots even though they are annexed into the City. This subdivision will not change the existing character of the surrounding development and will add an additional single-family home for the City of Meridian.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *Staff finds that the existing and known development of the immediate area create conditions that do not allow for this property owner to connect to City water and sewer services as required by code. Public Works, Meridian Police Department and Meridian Fire have no objections to this small subdivision. No other services should be affected as the existing access is to remain.*

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *Due to the size of the subject property being less than 5 acres, there are no open space requirements. However, this application is only a two-lot subdivision where a majority of each parcel will be undeveloped and remain natural space for each property owner to enjoy.*

Although the proposed development does not align entirely with the current vision of the Comprehensive Plan, the predominate FLUM designation in the area is MU-R. Staff is of the opinion that it may be quite some time before City utilities are available to this area of Meridian and therefore supports the development of this property as it is consistent with the current R-4 zoning of the property. A mix of uses should occur in the vicinity with the redevelopment of the adjacent property to the north and east. For these reasons, staff believes the proposed development is generally consistent with the Comprehensive Plan.

C. Existing Structures/Site Improvements:

The subject site currently holds a single family home on the entire 4 acre parcel owned by the mother of the Applicant. **This property, along with nearby properties, was annexed in 2015 but were not required to connect to City services at that time due to services not being available. This situation has not changed and because this subdivision is only for the purposes of creating one additional lot, Staff does not find it appropriate to require this owner to provide public utilities to their property at this time.** However, when services do

Exhibit A

become available in S. Meridian Road, the Applicant will be required to connect to them as conditioned in this application and the existing Development Agreement.

D. Proposed Use Analysis:

The proposed use is single-family residential; single-family detached dwellings are listed as principally permitted uses in the R-4 zoning district per UDC Table 11-2A-2. The average lot size is 2 acres with the largest lot being 2.6 acres in size. The proposed use complies with all UDC requirements for the R-4 zoning district.

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

The submitted Preliminary Plat and Final Plat show lots that are 1.36 and 2.62 acres in size. These proposed lot sizes are vastly larger than the minimum lot size requirement of 8,000 square feet for the R-4 zoning district. The existing R-4 zoning district also requires a minimum dwelling size of 1,400 square feet with the first floor gross area being at least 800 square feet.

The proposed plat meets the UDC dimensional standards for the R-4 zoning district. In addition, any future home built on the new parcel will be required to meet the minimum dwelling size requirements as outlined in UDC Table 11-2A-5.

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

Access to this development is proposed via an existing private lane, W. Paint Horse Lane. ACHD is not requiring any public road dedication due to the access not being changed—the subject application does not warrant a public road or road improvements at this time according to ACHD. In accord with the existing access, UDC 11-3H-4 requires that if an existing state highway access has an increase in intensity that it is to be removed upon development or dedicated to ACHD and be constructed as noted on the Master Street Map (MSM). Paint Horse Lane is shown as a future collector roadway on the MSM but the addition of one single-family home does not warrant the construction of a collector roadway at this time. With the DA Modification the Applicant needs to apply for prior to City Council, new DA provisions will address this and ensure any future development meets the required development standards.

As noted above, the subject application is proposing to subdivide one 4 acre lot into two lots and is proposing to use the existing access; there is no proposal to add an additional access to the state highway. Staff and ACHD find that the existing private access is sufficient for one additional single family home. Because other abutting properties are not redeveloping at this time there is no feasible way for the Applicant and owner to comply with those requirements in 11-3H-4. In addition, adding one home does not warrant sufficient traffic to construct a collector roadway as shown on the MSM. However, Staff understands that should any more intensive redevelopment occur on site or surrounding the property, the access will be evaluated for compliance with these requirements. Staff is recommending DA provisions be added with the DA Modification application that requires a future collector street consistent with the MSM if/when this or adjacent properties redevelop with more intense uses consistent with the MU-R land use designation.

G. Pathways ([UDC 11-3A-8](#)):

Per UDC 11-3H-4C.4, the Applicant is required to construct a ten (10) foot multi-use pathway along the frontage that abuts S. Meridian Road (SH 69). The Applicant is not proposing a multi-use pathway along Meridian Road at this time.

The Parks Department has reviewed this application for the applicability of the required multi-use pathway along Meridian Road. Per the comments received by Parks (see Section VIII.C), the Applicant is not required to construct this section of the multi-use pathway along Meridian Road.

Exhibit A

The closest pathway that is currently under construction is adjacent to Prevail Subdivision and is located approximately 3/4 of a mile north of this and is on the opposite of Meridian Road. Because of this, this short segment of pathway would be constructed and then lead to nowhere for the foreseeable future. Therefore, Staff is recommending that the Applicant grant a multi-use pathway easement within the required street buffer prior to final plat signature. This future pathway is the only required pedestrian infrastructure at this time due to Paint Horse Lane being a private lane that will likely be removed or redeveloped when other, larger nearby properties redevelop in the future.

H. Sidewalks (UDC 11-3A-17):

No sidewalks are proposed with this development. See pathway analysis above for further clarification.

As noted above, the Applicant will be using an existing private easement for access and therefore no streets are being constructed with this application. Sidewalks will be required in the future with the extension of the collector street as this area redevelops.

I. Landscaping (UDC 11-3B):

A 35-foot wide street buffer is required adjacent to S. Meridian Road, a state highway and entryway corridor, landscaped per the standards listed in UDC 11-3B-7C. *The landscape plan depicts a 25-foot wide landscape buffer instead of the required 35 feet. The correct amount of landscaping and a berm/fence combination at least 10' above the height of Meridian Road centerline height in accord with UDC 11-3H-4D is shown on the submitted landscape plans (see Exhibit VII.D). Staff is recommending a condition of approval to correct the width of the required landscape buffer along the state highway—the buffer width shall begin its measurement into the site at the edge of the ultimate right-of-way for Meridian Road/SH 69.*

In accord with UDC 11-3B-7C, the required street buffer is to be placed in a common lot and owned and maintained by a homeowner’s association. *The nature of this two lot subdivision will not create a homeowner’s association and therefore that requirement cannot be applied in this case. In addition, the submitted plat and landscape plans do not show the street buffer to Meridian Road in a common lot. Staff is recommending a condition of approval to amend the plat prior to City Council to show this lot in a common lot to be owned and maintained by the Applicant, Melanie Pearson.*

Parallel to Meridian Road, the Rawson canal runs through the eastern edge of the subject site. The required buffer landscaping is shown to be outside of the easement for the Rawson Canal meeting the Boise Project Board of Control (BPBC) requirements. In addition, the Meridian Lateral abuts the property along its southern boundary but is not on the subject site. The Applicant is not proposing any landscaping within its easement per the requirements of BPBC.

J. Fencing (UDC 11-3A-6, 11-3A-7):

All fencing is required to comply with the standards listed in UDC 11-3A-7. The existing fencing along the boundary of the subject site is shown on the landscape plans. This fence appears to be open vision fencing and is proposed to be protected in place. In addition, the Applicant is proposing a 6-foot tall vinyl privacy fence along the top of the proposed landscape berm.

The existing and proposed fencing appear to meet those standards listed in UDC 11-3A-7.

K. Waterways (UDC 11-3A-6):

The Rawson Canal runs along the eastern boundary of the subject site and appears to already be tiled. The Applicant has not proposed any improvements within its easement other than shrubs and grass as allowed by BPBC.

VI. DECISION

A. Staff:

Staff recommends approval of the requested combined preliminary and final plat application per the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard this item on August 20, 2020. At the public hearing, the Commission moved to recommend approval of the subject combined Preliminary and Final Plat request.

1. Summary of Commission public hearing:

- a. In favor: Melanie Pearson, Applicant
- b. In opposition: None
- c. Commenting: Melanie Pearson
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

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

- a. What is the timeline for services being available to the site;
- b. Ensuring the Applicant is aware of the potential future costs associated with developing the site.

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 October 13, 2020. At the public hearing, the Council moved to approve the subject combined Preliminary/Final Plat and Development Agreement Modification requests.

1. Summary of the City Council public hearing:

- a. In favor: Melanie Pearson, Applicant
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

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

- a. None

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

- a. None

VII. EXHIBITS

A. Preliminary Plat (dated: April 30, 2020)



CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED IS THE OWNER OF THE REAL ESTATE AND HEREAFTER DESCRIBED AND THAT IT IS HIS INTENTION TO ENDEAVOR SAID PROPERTY IN THE SURVIVISON THAT

A PARCEL OF LAND KNOWN AS THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 28N, RANGE 14W, COUNTY OF CLAY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ONE QUARTER CORNER OF SAID SECTION 17, FOUR WAYS AND APPROXIMATELY 75 FEET OF THE NORTH SIDE OF SAID SECTION 17, ALONG THE PART LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, DISTANCE OF 100 FEET, BEING 80 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 17, THENCE S89°45'W A DISTANCE OF 100 FEET TO THE WESTLY BOUNDARY OF SAID MERIDIAN ROAD, BEING 100 FEET WIDE AND THE POINT OF BEGINNING.

THENCE ALONG THE NORTH LINE OF SAID SECTION 17, EAST 100 FEET TO THE POINT OF BEGINNING.

THENCE ALONG THE EAST LINE OF SAID SECTION 17, AND THE NORTHWEST CORNER OF THE TOWNSHIP SUBDIVISION.

THENCE ALONG THE NORTH BANK OF THE MERIDIAN IRRIGATION LATERAL AND THE NORTH BOUNDARY OF THE TOWNSHIP SUBDIVISION THE FOLLOWING COURSE, BEING 100 FEET DISTANCE OF BEGINNING:

THENCE S89°45'W A DISTANCE OF 100 FEET
THENCE S89°45'W A DISTANCE OF 100 FEET
THENCE S89°45'W A DISTANCE OF 100 FEET
THENCE S89°45'W A DISTANCE OF 100 FEET
THENCE S89°45'W A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

THENCE ALONG THE NORTH LINE OF SAID SECTION 17, EAST 100 FEET AND BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS SOME 3.3 ACRES, MORE OR LESS.

THE EASEMENTS AS SHOWN ON THIS PLAT ARE DEDICATED TO THE PUBLIC, HOWEVER THE RIGHT TO USE AND REAPRINTS ARE RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS NECESSARY FOR THE PROPER OPERATION OF SAID UTILITIES AND FOR THE PROPER OPERATION OF SAID UTILITIES, EACH AS TO BE DEDICATED TO THE PUBLIC.

NAME _____ OWNER _____

ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF CLAY)
ON THIS _____ DAY OF _____ 2020, BEFORE ME, _____ A PUBLIC PUBLIC NOTARIAL OFFICER, _____ OWNERS OF SAID PROPERTY OF SAID PARCEL TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE BELONGS TO THE SAID

BY COMMISSION EXPIRES _____

PEARSON SUBDIVISION 2020

CERTIFICATE OF SURVEYOR

I, JAMES SHARP, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF MISSOURI AND THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT AND THAT I AM A MEMBER IN GOOD STANDING WITH THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF MISSOURI.



APPROVAL OF CITY OF MERIDIAN PLANNING AND ZONING COMMISSION

AND IT IS THE APPROVED THIS _____ DAY OF _____ BY THE CITY OF MERIDIAN PLANNING AND ZONING COMMISSION OF CLAY COUNTY, MISSOURI.

BY: _____ DATE _____

APPROVAL OF SOUTHWEST DISTRICT HEALTH

SAINTARY RESTRICTIONS AS REQUIRED BY MISSOURI CODE TITLE 20, CHAPTER 13, HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE RECORDED WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CODES TO BE APPROVED. SANITARY RESTRICTIONS MAY BE REVOKED IN ACCORDANCE WITH SECTION 201.030, MISSOURI CODE BY THE ISSUANCE OF A PUBLIC HEALTH ORDER.

HEALTH DISTRICT CHAIRMAN: _____ DATE _____

APPROVAL OF MERIDIAN CITY ENGINEER

THE PLAT IS ACCEPTED AND APPROVED THIS _____ DAY OF _____ A.D. 2020, BY THE CHIEF ENGINEER OF THE CITY OF MERIDIAN, MISSOURI.

CHIEF ENGINEER: _____ DATE _____

APPROVAL OF MERIDIAN CITY

I, THE UNDERSIGNED, CITY CLERK OF THE CITY OF MERIDIAN, MISSOURI, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE _____ DAY OF _____ 2020, THIS PLAT WAS ACCEPTED AND APPROVED.

CITY CLERK: _____ DATE _____

CERTIFICATE OF COUNTY RECORDER

INSTRUMENT NO. _____
STATE OF MISSOURI)
COUNTY OF CLAY)
I, THE COUNTY RECORDER, HAVE FILED FOR RECORD THIS INSTRUMENT PASSED FOR RECORD AT THE OFFICE OF SAID COUNTY RECORDER AT SAID COUNTY OFFICE AND WAS FULLY RECORDED AS BOOK _____ OF PLAT BOOK _____ THROUGH _____
INSTRUMENT NUMBER _____
REPLY RECEIVED _____ RECORD RECORDED _____
DATE _____

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED COUNTY TREASURER FOR THE COUNTY OF CLAY, STATE OF MISSOURI, FOR THE REQUIREMENTS OF MISSOURI DO HEREBY CERTIFY THAT ALL APPLICABLE COUNTY AND LOCAL LAWS AND ORDINANCES HAVE BEEN FULLY PAID FOR THE PROPERTY DESCRIBED BY THIS INSTRUMENT AND THAT THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.
COUNTY TREASURER: _____ DATE _____

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR FOR CLAY COUNTY, MISSOURI, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF MISSOURI REGULATIONS AND STANDARDS.
COUNTY SURVEYOR: _____ DATE _____

Prepared by:
Sharp & Smith, Inc.
Engineers & Surveyors
127 N. 27th St. Meri., MO 64502
Date: OCTOBER 07, 2020 Job No. 2019
Index No. 182-82-4-2-02-00

PEARSON SUBDIVISION
W PAINT HORSE LN
MERIDIAN, IDAHO 83642

PRELIMINARY PLAN

DATE: 11/11/2014
PROJECT NO: 14-0002
DRAWN BY: [Name]
CHECKED BY: [Name]

811

BECKON

LANDSCAPE ARCHITECTS

LANDSCAPE AREA PREPARATION NOTES:

- REMOVE ALL EXISTING VEGETATION AND TOPSOIL TO A MINIMUM DEPTH OF 6" BELOW FINISH GRADE.
- REMOVE ALL EXISTING CONCRETE, ASPHALT, OR OTHER IMPERMEABLE SURFACES TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING UTILITY LINES AND MARK THEM WITH RED SPRAY PAINT AND FLAG.
- REMOVE ALL EXISTING CURBS, WALKWAYS, OR OTHER SURFACES TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING FENCES OR BARRIERS TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING SIGNAGE OR MARKERS TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING LIGHT FIXTURES OR ELECTRICAL BOXES TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING DRAINAGE STRUCTURES TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING EROSION CONTROL STRUCTURES TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.
- REMOVE ALL EXISTING LANDSCAPE STRUCTURES TO A MINIMUM DEPTH OF 4" BELOW FINISH GRADE.

TOPSOIL NOTES:

- TOPSOIL SHALL BE 12" DEEP FOR PLANTING OF ALL PLANTS.
- TOPSOIL SHALL BE 6" DEEP FOR PLANTING OF ALL PLANTS.
- TOPSOIL SHALL BE 3" DEEP FOR PLANTING OF ALL PLANTS.
- TOPSOIL SHALL BE 1" DEEP FOR PLANTING OF ALL PLANTS.
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1 LANDSCAPE AREA PREPARATION

2 DECIDUOUS TREE PLANTING

3 SHRUB PLANTING

4 PERENNIAL & GROUND COVER PLANTING

5 PLANTER BED CUT EDGE TYPICAL TREES IN CUT AREAS

6 VINYL FENCE PANEL

1 BERM ADJACENT TO MERIDIAN ROAD

Exhibit A

D. Utilities Waiver Letter – City Engineer approval to delay utility hook-up (dated: July 30, 2020)



Mayor Robert E. Simison
City Council Members:
Treg Bernt Brad Hoaglund
Joe Borton Jessica Perreault
Luke Cavener Liz Strader

MEMORANDUM

DATE: July 30, 2020
TO: Mayor Robert Simison
Members of the City Council
CC: Warren Stewart, Joseph Dodson
FROM: Dale Bolthouse
RE: Waiver of water and sewer services connection for 175 Painted Horse Ln.

The City of Meridian received an application to develop property at 175 Painted Horse Lane (see attached map). The property owner has requested a waiver to connect to the City's water and sewer systems. The requestor is dividing their property to add an additional building lot. The property was annexed a few years ago as part of the larger South Meridian Annexation. The existing property is served with well water and septic. City water and sewer services are likely several years away.

Public Works has reviewed the application information for 175 Paint Horse Ln. along with other supporting documents. Based on the current distance to existing water and sewer infrastructure, and the fact the applicant is only requesting a two lot subdivision in order to build one additional home, the Public Works Department supports the request to waive the requirement to connect to the City's water and sewer system. However, we recommend the property owner enter into a Connection Agreement with the City of Meridian requiring them to connect to water and sewer services when those services are adjacent to the property. The following conditions should be included as part of that agreement:

- Owner pays the applicable assessment fees required to connect at time of connection
- Owner constructs the water and sewer service connections
- All other required City of Meridian fees be paid
- Development meets Planning and Zoning requirements

Please feel free to contact Warren Stewart or me if you have any questions regarding this matter.

Dale
Dale Bolthouse
Director of Public Works
City of Meridian Public Works

Attachment: Map of Request Location

Public Works Department • 33 E. Broadway Avenue, Suite 200, Meridian, ID 83642
Phone 208-898-5500 • Fax 208-898-9551 • www.meridiancity.org

Exhibit A



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The Applicant shall apply for a concurrent Development Agreement Modification application prior to this application being heard in front of City Council and at a minimum the following new provisions shall be added to the amended DA:
 - a. This development is not currently serviceable by Meridian Sanitary Sewer or Water Systems. The parcel owners shall be required to cease using their wells and septic systems and connect at their expense, to the Meridian Sanitary Sewer or Water Systems when they become available per MCC 9-1-4 and 9-4-8.
 - b. Prior to City Engineer's signature on the final plat, the Applicant shall enter into a Connection Agreement with the City of Meridian in accord with the connection waiver letter attached in Exhibit VII.D.
 - c. The applicant shall place W. Paint Horse Lane (a private road) in a separate 50-foot wide non-buildable lot for the construction of a public collector street in accordance with the Master Street Map. Timing for the extension of the roadway is predicated on the redevelopment of the parcel beyond two residential lots or with the redevelopment of the MU-R designated parcels to the north. At the time said roadway is constructed, the Applicant shall relinquish their rights to the use of said easement in favor of taking access from a future public street.
2. The final plat included in Section VII.B is ~~approved as revised, dated April 30, 2020, shall be revised as follows prior to City Engineer signature on the plat:~~
 - a. ~~Revise the plat to add a 35-foot wide common lot along S. Meridian Road/SH 69 to hold the required landscape buffer starting at the western edge of ultimate right-of-way.~~
 - b. ~~Revise plat note #6 to add: "...; direct lot access to S. Meridian Road/SH 69 is prohibited."~~
 - c. ~~Add a 50-foot wide common lot along the northern property boundary over the existing W. Paint Horse Lane to reserve this area for future public right-of-way.~~
 - d. ~~Add a plat note that states the new common lot placed over the existing W. Paint Horse Lane is a non-buildable lot until such time that it is constructed as a collector roadway.~~
3. The landscape plan included in Section VII.C, dated ~~June 18, 2020, shall be revised prior to City Engineer signature on the plat: September 21, 2020, is approved as submitted.~~
 - a. ~~Revise the landscape plan to show a 35-foot wide landscape street buffer along S. Meridian Road/SH 69 that begins at the western edge of the ultimate right-of-way of Meridian Road.~~
 - b. ~~Revise the berm/fence-combo exhibit to meet UDC 11-3H-4D requirements—the required berm/fence-combo along Meridian Road shall be at least ten (10) feet high as measured from the centerline of the road and not from the edge of pavement.~~
4. Prior to City Engineer signature on the Final Plat, the applicant shall submit a public access easement for the required multi-use pathway along Meridian Road/SH 69 within the required landscape buffer, wholly outside of the right-of-way. Submit easements to the Planning Division for Council approval and subsequent recordation. The easements shall be a minimum of 14' wide (10' pathway + 2' shoulder each side). Use standard City template for public access easement. Easement checklist must accompany all easement submittals. Coordinate with Kim Warren from the City of Meridian Parks Department.

Exhibit A

5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-4 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per dwelling.
7. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
8. Upon completion of the landscape buffer installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
9. Approval of this combined preliminary and final plat shall become null and void if the applicant fails to obtain the city engineer's signature on the plat within two (2) years of the approval of the combined preliminary and final plat.

B. PUBLIC WORKS**1. Site Specific Conditions of Approval**

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation agreement for streetlights will be required for the required lights on Meridian Road. Contact the Meridian Transportation and Utility Coordinator for additional information.
- 1.2 **This development is not currently serviceable by Meridian Sanitary Sewer or Water Systems. The parcel owners shall be required to cease using their wells and septic systems and connect at their expense, to the Meridian Sanitary Sewer or Water Systems when they become available per MCC 9-1-4 and 9-4-8.**

2. General Conditions of Approval

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.5 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.6 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.7 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.
- 2.8 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.

C. PARK’S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191554&dbid=0&repo=MeridianCity>

D. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191386&dbid=0&repo=MeridianCity>

E. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190916&dbid=0&repo=MeridianCity>

F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191398&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192079&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Combined Preliminary and Final Plat Findings:

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

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

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

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

Water and Sewer services cannot be provided to the subject property at this time. The City Engineer and Public Works Director have approved a waiver for this requirement (See Exhibit VII.D). Council finds that all other services are available for the subject property. (See Section VIII of the Staff Report for more details from public service providers.)

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

Because City water and sewer and any other utilities will be provided by the development at a later date as discussed above, Council finds that the subdivision will not require the expenditure of capital improvement funds.

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

Exhibit A

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

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

Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

Council is unaware of any significant natural, scenic or historic features that exist on this site that require preserving. The Applicant is not proposing any improvements along either waterway on or adjacent to the site other than landscaping outside of the applicable easements.