

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



In the Matter of the Request for Annexation of 1.0 acres of land with an I-L (Light Industrial) zoning for the proposed use of vehicle sales or rental and service., by Nick Rinker.

Case No(s). H-2024-0048

For the City Council Hearing Date of: January 21st, 2025 (Findings on February 4th, 2025)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of January 21st, 2025, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of January 21st, 2025, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of January 21st, 2025, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of February 4th, 2025, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of January 21st, 2025, 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 is hereby approved per the conditions of approval in the Staff Report for the hearing date of January 21st, 2025, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

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

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

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

E. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of January 21st, 2025.

By action of the City Council at its regular meeting held on the _____ day of _____, 2025.

COUNCIL PRESIDENT LUKE CAVENER VOTED_____

COUNCIL VICE PRESIDENT LIZ STRADER VOTED_____

COUNCIL MEMBER DOUG TAYLOR VOTED_____

COUNCIL MEMBER JOHN OVERTON VOTED_____

COUNCIL MEMBER ANNE LITTLE ROBERTS VOTED_____

COUNCIL MEMBER BRIAN WHITLOCK VOTED_____

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: _____
City Clerk's Office

COMMUNITY DEVELOPMENT



DEPARTMENT REPORT

HEARING DATE: 1/21/2025

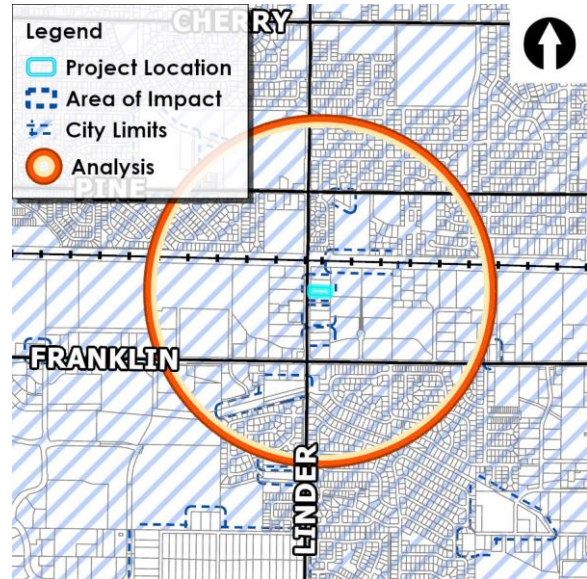
TO: Mayor & City Council

FROM: Nick Napoli, Associate Planner
208-884-5533
nnapoli@meridiancity.org

APPLICANT: Nicholas Rinker

SUBJECT: H-2024-0048
330 Linder Road Annexation

LOCATION: Located at 330 N. Linder Road in the SE ¼ of Section 12, T.3N., R.1W.



I. **PROJECT OVERVIEW**

A. **Summary**

Annexation of 1.0 acre of land with an I-L (Light Industrial) zoning for the proposed use of vehicle sales or rental and service.

B. **Issues/Waivers**

The applicant has received a letter from the northern property owner to allow for a reduced landscape buffer to the residential property. This reduction will be from 25 feet to 5 feet. With this letter, staff finds the intent of the dimensional standards is being met. The applicant is seeking Council waiver to reduce this buffer as requested.

The existing building is proposed to remain which will cause it to be non-conforming with the 35-foot street setback.

C. **Recommendation**

Staff: Approval.

Commission Recommendation: Approval.

D. **Decision**

Council: Approved

COMMUNITY METRICS

Table 1: Land Use

II.	Description	Details	Map Ref.
	Existing Land Use(s)	Residential	-
	Proposed Land Use(s)	Industrial/ Car Dealership	-
	Existing/Proposed Zoning	R1 in Ada County	V.A.2
	Future Land Use Designation	General Industrial	V.A.3

Table 2: Process Facts

Description	Details
Preapplication Meeting date	8/26/2024
Neighborhood Meeting	9/5/2024
Site posting date	11/23/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		III.C
• Comments Received	Yes	-
• Commission Action Required	No	-
• Access	Shared access with the property to the south.	-
• Traffic Level of Service	Better than E.	-
ITD Comments Received	Yes	-
Meridian Public Works Wastewater		III.B
• Distance to Mainline	Available at site	
• Impacts or Concerns	Yes: See comments below.	
Meridian Public Works Water		III.B
• Distance to Mainline	Available at site	
• Impacts or Concerns	No	

Note: See section III. City/Agency Comments & Conditions for comments received or see public record

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=362253&dbid=0&repo=MeridianCity>.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

This property is designated as General Industrial on the Future Land Use Map (FLUM). The use of vehicle sales or rental and service is consistent with the comprehensive plan for the general industrial designation.

The subject site is among several Industrial properties along Linder Road in the immediate area. The proposed use of vehicle sales or rental and services is a permitted use in the I-L zoning which is the zoning the applicant is requesting. In conjunction with the existing industrial users surrounding this property, the proposed use satisfies the general industrial designation on the comprehensive plan.

Table 4: Project Overview

Description	Details
History	N/A
Acreage	1.0 acre

B. History and Process

The subject property is part of an enclave area surrounded by City annexed property. Annexation of this land will provide more efficient provision of City services. Industrial uses exist to the west across N. Linder Rd and to the south and east; single-family residences exist to the north and in Ada County.

C. Site Development and Use Analysis

1. Existing Structures/Site Improvements (*UDC 11-1*):

The existing residence is proposed to remain as the main office for the vehicle sales business. The building shall abandon well and septic and connect to city services at the time of annexation in accord with UDC.

2. Proposed Use Analysis (*UDC 11-2*):

The proposed use of vehicle sales or rental and service is a permitted use in the I-L zoning district and aligns with the surrounding area. By adding additional industrial properties in the city, this project contributes to the community's employment and economic growth. Specifically, it adheres to Policy 3.07.01D, which encourages the preservation of industrial land use areas by discouraging non-industrial users. Additionally, the proposal is consistent with Policy 3.06.02D, which recommends locating industrial uses close to state highways and the rail corridor. The property's location adjacent to Linder Road enhances its accessibility to both the rail corridor and state highways. Staff finds the proposed use to be consistent with the UDC and Comprehensive Plan.

3. Dimensional Standards (*UDC 11-2*):

Development of the site shall comply with the dimensional standards of the I-L zoning district in UDC Table 11-3B-3. The applicant has received a letter from the northern property owner to allow for a reduced landscape buffer to the residential property. This reduction will be from 25 feet to 5 feet and requires City Council waiver to reduce the buffer as proposed. Staff is supportive of the reduction since the adjacent property will more than likely develop with an industrial use in the future.

Additionally, the existing building will be non-conforming if annexed due to the 35-foot setback requirement off Linder Road. The building is roughly 37-feet off the curb line but is within the 35-feet when measured from the ultimate right of way. If approved, this would create a non-conforming building and any new construction will be required to comply with the I-L dimensional standards.

4. Specific Use Standards (*UDC 11-4-3*):

Vehicle Sales or rental and service – UDC 11-4-3-38:

- A. Vehicle repair may be allowed as an accessory use, subject to the standards for vehicle repair, major, and minor, in the district where the use is located.
The applicant is proposing a future maintenance shop for vehicle repair purposes. While this is not going to be a use established on the site with the initial development, the applicant will come through permitting for establishing this accessory use in the future.
- B. Inoperable or dismantled motor vehicles shall be stored behind a closed vision fence, wall, or screen or within an enclosed structure and shall not be visible from any street.
The applicant is proposing a future maintenance shop that will house any inoperable vehicles. In the interim, there will be no inoperable or dismantled cars on the site.
- C. Automotive sales and rental areas shall be subject to the minimum perimeter landscape requirement of parking areas in chapter 3, article B, "landscaping requirements", of this title.
The minimum perimeter landscape requirements are being met and a reduction of the northern 25-foot landscape buffer is requested through a council waiver.
- D. In addition to chapter 3, article B, "landscaping requirements", of this title, one (1) square foot of landscaping for every fifty (50) square feet of vehicle display area shall be provided.
The site has 540 square feet of proposed vehicle display area which means 11 square feet of landscaping is required and the applicant exceeds this landscaping requirement.
- E. Vehicle display pads are prohibited in the required landscape buffers.
The vehicle display is outside of the required 12.5-foot with water conserving design landscape buffer along Linder Road fulfilling this requirement. However, the applicant shall only be allowed to have 3 vehicles displayed along N. Linder Road at any one time. UDC 11-3A-19 discusses the importance of building frontage along public roads and requires a minimum of 30% of the façade to occupy the frontage. By limiting the display vehicles to 3, staff finds the façade will maintain its prominent form along the frontage.
- F. Vehicle display areas shall incorporate design features including, but not limited to, landscape islands, curbing, and pedestrian walkways, that define main drive aisles and internal circulation patterns.

The concept plan shows curbing around the vehicle display with landscaping on both sides to meet this requirement.

D. Design Standards Analysis

1. Landscaping (UDC 11-3B):

i. Landscape buffers along streets

The applicant is proposing waterwise landscaping which allows for a 50% reduction in street landscape buffers. A 12.5-foot wide street buffer is required to be constructed along N. Linder Rd., an arterial street, measured from back of sidewalk, landscaped per the standards listed in UDC 11-3B-7C. Landscaping requirements will be analyzed with the Certificate of Zoning Compliance.

ii. Parking lot landscaping

Parking lot landscaping is required per the standards listed in UDC 11-3B-8C. **A minimum 5-foot wide buffer should be provided along the east property boundary unless the requirement is reduced or waived by the Director for truck maneuvering areas as set forth in UDC 11-3B-8C.1a.** Staff recommends the applicant shift the planter islands to the eastern buffer where the easement begins to maximize the parking on site. Landscaping requirements will be analyzed with the Certificate of Zoning Compliance.

iii. Landscape buffers to adjoining uses

A 25-foot wide buffer is required to the residential land use to the north as set forth in UDC Table 11-2C-3 and 11-4-3-34F, landscaped per the standards listed in UDC 11-3B-9C. **The Applicant requests City Council approval of a reduced buffer width from 25- to 5-feet adjacent to the residential use to the north as allowed by UDC 11-3B-9C.2 with notice to surrounding property owners. A reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width required in the I-L district (i.e. 25-feet).** A letter was submitted from the abutting property owner to the north, Christopher and Angela Olson, agreeing to the proposed reduced buffer. While the landscape buffer will be reduced, the building will still be 25 feet from the north property line. Additionally, the eastern landscape buffer shall be landscaped in accordance with the irrigation districts' allowances.

iv. Tree preservation

A Tree Mitigation Plan should be submitted with the certificate of zoning compliance detailing all existing trees and methods of mitigation outlined by the City Arborist before any trees are to be removed as set forth in UDC 11-3B-10C.5.

v. Storm integration

Storm drainage is required to comply with the standards listed in UDC 11-3A-18. Drainage swales should not be within the landscape setbacks along N. Linder Road.

2. Parking (UDC 11-3C):

i. Nonresidential parking analysis

UDC 11-3C-6 requires one space for every two thousand (2,000) sq. ft. of gross floor area in industrial districts. The applicant has provided 27 parking spaces which exceeds the UDC requirement. However, the applicant shall provide details for where customers will park on the lot. This shall be separate from the vehicles for sale on the property.

- ii. Bicycle parking analysis
A minimum of one (1) bicycle parking space must be provided for every 25 vehicle spaces or portion thereof per UDC 11-3C-6G; bicycle parking facilities are required to comply with the location and design standards listed in UDC 11-3C-5C. Bicycle parking is not depicted in the plans and shall be included with the certificate of zoning compliance application.
3. Building Elevations (*Comp Plan, Architectural Standards Manual*):
The applicant is proposing to keep the existing residence and convert it into the main office. Since the building is proposed to remain, it is not subject to the architectural standards. However, a tenant improvement permit will be required from the Meridian Building Department to convert the residence into a commercial building. Additionally, the applicant is proposing a future maintenance building that will be required to comply with the architectural standards manual.
4. Fencing (*UDC 11-3A-6, 11-3A-7*):
The applicant is not proposing fencing with this application. However, staff recommends a 6-foot tall privacy fence is installed and maintained on the north boundary to help buffer the neighboring residential.

E. Transportation Analysis

1. Access (*Comp Plan, UDC 11-3A-3, UDC 11-3H-4*):
One (1) full driveway access exists to this site via Linder Rd. that is proposed to be eliminated, and the applicant will share access with the property to the south through a cross-access agreement.

The intent of the UDC (11-3A-3) is to improve safety by combining and/or limiting access points to arterial streets to ensure motorists can safely enter all streets. Where local street access is not available, the property owner is required to grant cross-access/ingress-egress easements to adjoining non-residential properties. Although the use to the north is currently residential, it's anticipated to change to a non-residential use at some point in the future. The use to the south is commercial; as a provision of the development agreement, a cross-access/ingress-egress easement was required to be provided to the subject property at the time of future construction on the site and/or expansion of the existing parking lot, which has not occurred.

In accord with UDC 11-3A-3, Staff recommends as a provision of the development agreement, driveway stubs are constructed to the north and south property lines and a cross-access/ingress-egress easement granted to the properties to the north (Parcel #R3579000012) and south (Parcel #R3579000020) in an effort to combine and limit access points to the arterial street (i.e. Linder Rd.). Copies of the recorded easements should be submitted with the Certificate of Zoning Compliance application for the proposed use.

While a fire truck turnaround is provided on-site, the applicant shall widen the cross-access from the south to a 25-foot drive aisle. Additionally, the applicant shall work with our fire department to ensure the turning radius for the entrance is sufficient. This will be analyzed with the certificate of zoning compliance.

2. Sidewalk/Pathways (*UDC 11-3A-5*):

An attached 7-foot wide sidewalk was recently constructed along N. Linder Rd. along the frontage of this site. The Pathways Plan designates a 10-foot wide detached multi-use pathway in this area. Because the sidewalk was recently constructed, the Park's Dept. does *not* recommend it's removed and a new pathway constructed in its place at this time. If a new pathway is constructed in the future, there should be adequate room within the existing right-of-way (11'+/-) for the pathway without dedication of a public use easement.

F. Services Analysis

1. Pressurized Irrigation (*UDC 11-3A-15*):

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

2. Storm Drainage (*UDC 11-3A-18*):

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

3. Utilities (*Comp Plan, UDC 11-3A-21*):

Connection to City water and sewer services is required and are available to be extended by the developer with development in accord with UDC 11-3A-21 and Goals 3.03.03G & 3.03.03F. Urban sewer and water infrastructure and curb, gutter, and sidewalks are required to be provided with development.

III. **CITY/AGENCY COMMENTS & CONDITIONS**

A. Meridian Planning Division

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer. **A final plat or certificate of zoning compliance shall not be submitted until the DA and Ordinance is approved by City Council.**

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

- A. Future development of this site shall be generally consistent with the concept plan, landscape plan, and conceptual building elevations included in Section VIII and the provisions contained herein.
- B. No more than ~~five~~^{three} (3) cars shall be displayed along N. Linder Road at any one time. The vehicles shall not be displayed in front of the building.
- C. In accord with UDC 11-3A-3, the applicant shall construct driveway stubs to the north in the area between the future maintenance shop and parking area and to the south property line in alignment with the existing driveway from the abutting property. ~~and a cross access/ingress egress easement granted to the properties to the north (Parcel #R3579000012) and south (Parcel #R3579000020) in an effort to~~

~~combine and limit access points to N. Linder Road.~~ Copies of the recorded cross-access/ingress-egress easements shall be submitted with the Certificate of Zoning Compliance application for the proposed use.

- D. The applicant shall install a 6-foot-tall privacy fence on the north property boundary to help buffer the neighboring residential.
- E. The existing structure is nonconforming with the 35-foot setback along N. Linder Road. Any future expansion will require compliance with the I-L zoning regulation per UDC 11-2C-3.

B. Meridian Public Works

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 	<p>Available at Site</p> <p>See application</p> <p>Yes</p>
<ul style="list-style-type: none"> Impacts/concerns 	<ul style="list-style-type: none"> See Public Works Site Specific Conditions
Water	
<ul style="list-style-type: none"> Distance to Water Services Pressure Zone Estimated Project Water ERU's Water Quality Project Consistent with Water Master Plan Impacts/Concerns 	<p>Water Available at Site</p> <p>See application</p> <p>None</p> <p>Yes</p> <p>None - Ensure no trees are located within 10' of the Water Meter</p>

NON-PLAT CONDITIONS

PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. If a Well is located on the site it must be abandoned per regulatory requirements and proof of abandonment must be provided to the City.
2. Ensure no sewer services pass through infiltration trenches.
3. Provide 20' Easements for mains, hydrant laterals and water services. Easements should extend up to the end of main/hydrant/water meter and 10' beyond it.
5. No permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) to be built within the utility easement.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department.
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.

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). Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. 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.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to prior to receiving development plan approval.
5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
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.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
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.
9. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
10. 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.
11. 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.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
14. 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.
15. 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.
16. 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.

17. 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.
18. 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.
19. 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.
20. 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. Ada County Highway District (ACHD)



Alexis Pickering, President
Miranda Gold, Vice-President
Jim Hansen, Commissioner
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

Date: September 27, 2024

To: Nicholas Rinker, via email

Staff Contact: KaraLeigh Troyer, Planner

Project Description: Linder Road Car Rental & Sales

This is an annexation and rezone application for the development of a 1,194 square foot office space and 1,429 square foot automobile maintenance shop on 0.87-acres.

Trip Generation: This development is estimated to generate 24 vehicle trips per day, 3 vehicle trip per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Proposed Development Meets	
All ACHD Policies	*
Requires Revisions to meet ACHD Policies	

Area Roadway Level of Service	
Do area roadways meet ACHD's LOS Planning Thresholds?	
Yes	X
No	
Area roads will meet ACHD's LOS Planning Thresholds in the future with planned improvements?	
Yes	
No	

Traffic Impact Study	
Yes	
No	X
If yes, is mitigation required	

ACHD Planned Improvements	
IPYWP	X
CIP	X

Livable Street Performance Measures	
Pedestrian	LTS 1
Cyclist	LTS 2

Is Transit Available?	
Yes	
No	X

Comments: The tables above list the existing conditions of the surrounding roadways without the proposed development as this application is for annexation and rezone only. With a future development application, this summary will be updated to reflect the development and its impact.

connecting you to more

Ada County Highway District • 3775 Adams Street • Garden City, ID • 83714 • PH 208 387-6100 • FX 345-7650 • www.achdidaho.org

FINDINGS

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

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

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

The City Council finds the Applicant's proposal to annex 1.0-acre of land with I-L zoning for the development of a vehicle sales or rental service facility is consistent with the General Industrial FLUM designation for this property. (See section V above for more information.)

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

The City Council finds the proposed map amendment to I-L and conceptual development plan generally complies with the purpose statement of the I-L district in that it will encourage industrial uses that are clean, quiet and free of hazardous or objectionable elements and that are operated entirely or almost entirely within enclosed structures and is accessible to an arterial street (i.e. Linder Rd.).

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 industrial use should be conducted entirely within a structure.

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

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

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

The City Council finds the proposed annexation is in the best interest of the City.

IV. ACTION

A. Staff:

Staff recommends approval of the proposed annexation with the requirement of a Development Agreement.

B. Commission:

The Meridian Planning & Zoning Commission heard this item on December 5th, 2024. At the public hearing, the Commission moved to recommend approval of the subject Annexation request.

1. Summary of Commission public hearing:

- a. In favor: Nick Rinker and Matt Wilke
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Nick Napoli
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. None

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

- a. Cross access to the property to the north.
Creating a non-conforming structure with the approval of this application.

The amount of vehicles being displayed along Linder Road.

4. Commission change(s) to Staff recommendation:

a. None

5. Outstanding issue(s) for City Council:

a. The number of vehicles being displayed along Linder Road and cross-access to the northern property. Staff has talked with the applicant and ITD about vehicle display areas as ITD requires 5 spaces. Staff is proposing a change to this DA provision for your consideration. Additionally, the applicant would like to defer cross-access until his property is redeveloped into a use separate from a vehicle sales or rental and service center. Staff is proposing alternative language to allow for the cross-access to be deferred until redevelopment of the subject property.

C. City Council:

The Meridian City Council heard this item on January 7th and 21st, 2025. At the public hearing, the Council moved to approve the subject annexation request.

1. Summary of the City Council public hearing:

a. In favor: Nick Rinker and Matt Wilke

b. In opposition: None

c. Commenting: Nick Rinker and Matt Wilke

d. Written testimony: None

e. Staff presenting application: Nick Napoli

f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

a. None

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

a. Cross access to the property to the north. The council discussed the need for a stub rather than an easement and where the best location for the cross access.

The council determined the best location for this would be at the rear of the property between the maintenance shop and parking.

b. The council also briefly discusses the changes from 3 to 5 vehicle display areas.

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

a. Council approved the change to provision B to change the amount of vehicles able to be displayed along Linder Road from 3 to 5.

b. Additionally, Council approved a change to provision C requiring a stub street between the maintenance shop and rear parking to the property to the north.

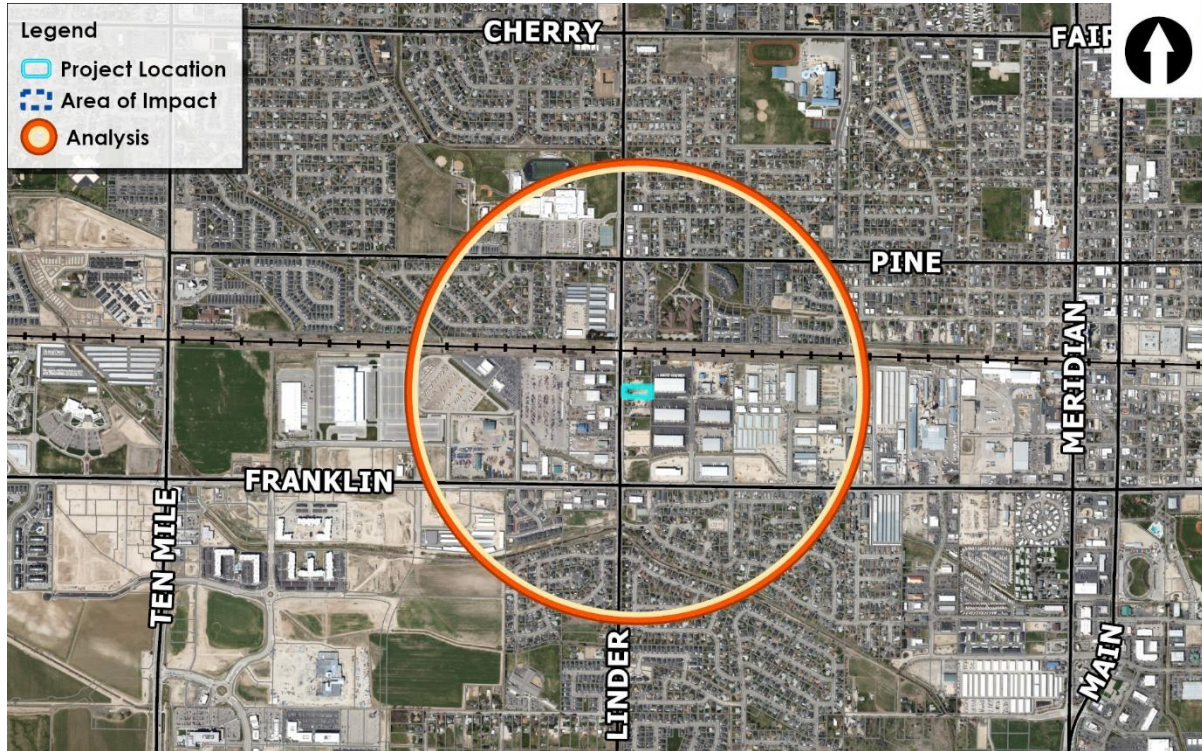
EXHIBITS

A. Project Area Maps

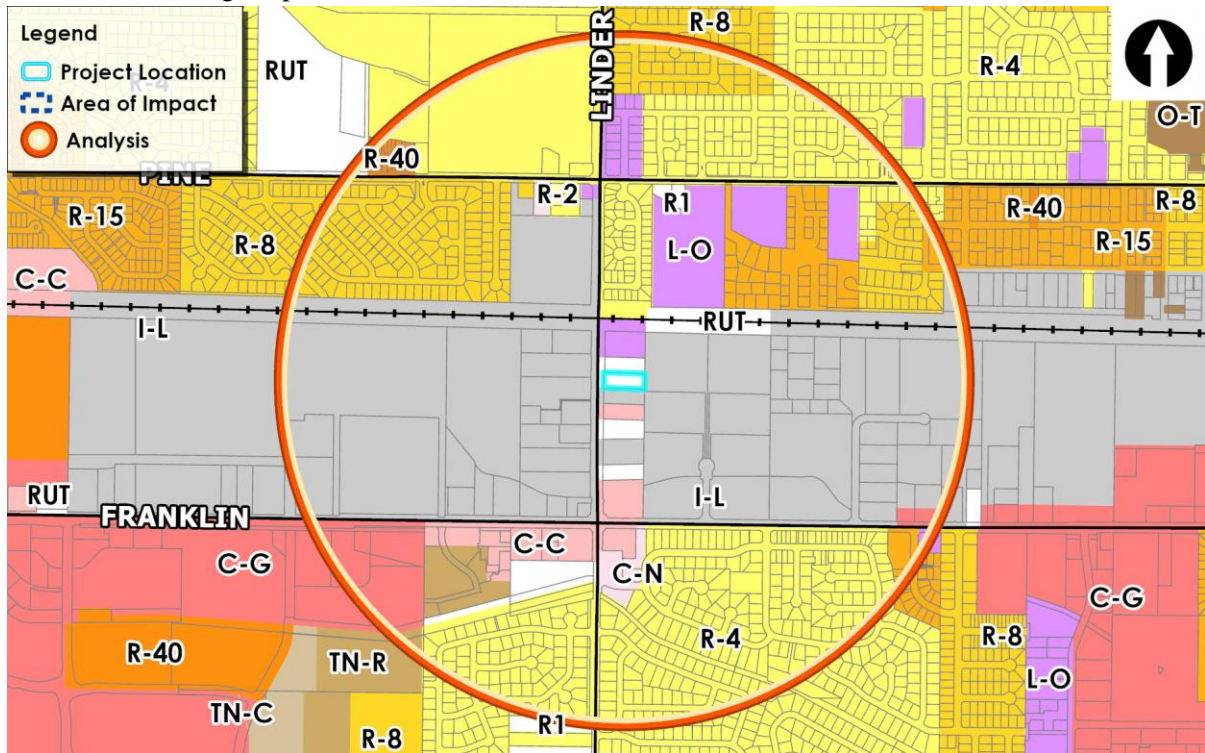
(link to [Project Overview](#))

1. Aerial

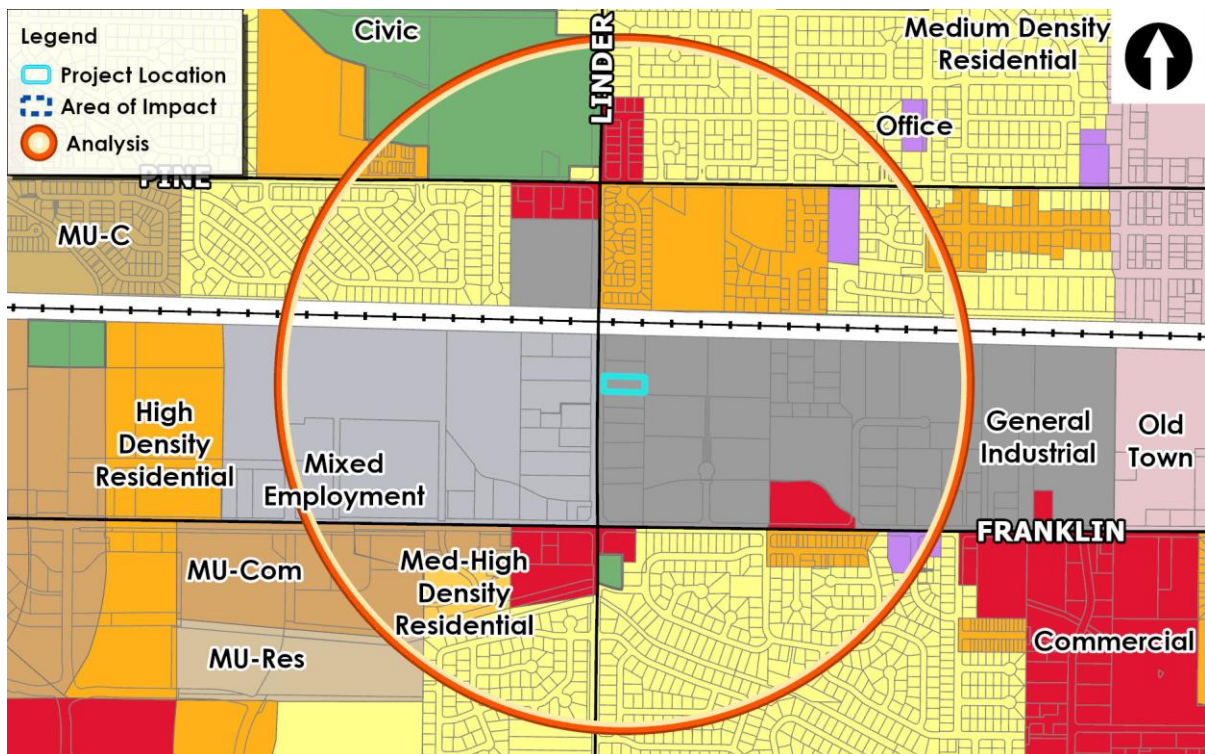
v.



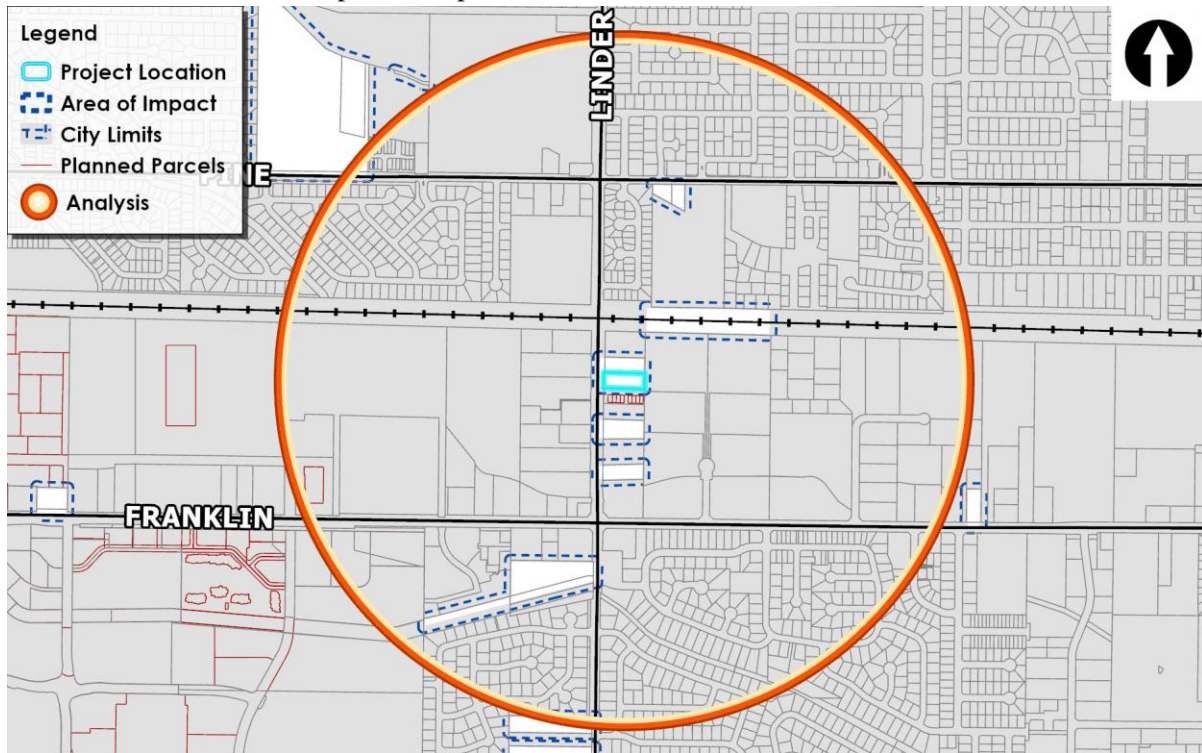
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Subject Site Photos



C. Service Accessibility Report

Criteria	Description	Indicator
Location	Within 1/2 mile of City Limits	YELLOW
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Within 100 yr floodplain & < 2 acres	RED
Emergency Services Fire	Response time < 5 min.	GREEN
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Within 1/4 mile of current transit route	GREEN
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) matches existing (# of lanes)	GREEN
School Walking Proximity	Within 1/2 mile walking	GREEN
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	No park within walking distance by park type	RED

[illegible]

Project	Date
24-100	11.04.2024

Sheet
AS1

THIS DOCUMENT INCLUDING THE CLAS AND DISCLOS INCORPORATED HEREIN IS THE PROPERTY OF CANTOR DEBBS, L.L.C. AND SHALL NOT BE USED IN NO-OLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CANTOR DEBBS, L.L.C.

E. Annexation Legal Description & Exhibit Map

ELS ENGBRITSON LAND SURVEYS, PLLC.

2251 S. Sumac Street, Boise, Idaho 83706

Telephone (208) 859-6032 mike@elsurveys.com

17 October 2024

ELS Project No. 240506

Land Description

EXHIBIT A

Lot 3 of Heppers Acre Subdivision (a recorded plat on file in Book 20 of Plats at Page 1298, records of Ada County, Idaho) and a portion of the SE ¼ of Section 12, T. 3 N., R. 1 W., B.M., Meridian, Ada County, Idaho, described as follows:

Commencing at a found brass cap monument marking the NW corner of said SW ¼ of Section 12, thence southerly along the westerly line of said Section S 00°31'39" W a distance of 1483.12 feet to the POINT OF BEGINNING.

Thence leaving said line S 88°13'52" E a distance of 40.01 feet to a found steel pin monumenting the northwest corner of said Lot 3 on the easterly rights-of-way line of North Linder Road;
Thence leaving said rights-of-way and continuing along the northerly line of said Lot 3 S 88°13'52" E a distance of 316.87 feet to a found steel pin monumenting the northeast corner of said Lot;
Thence southerly along the east line of said Lot S 00°38'53" W a distance of 120.00 feet to a found steel pin monumenting the southeast corner of said Lot;
Thence westerly along the southerly line of said Lot N 88°13'52" W a distance of 316.62 feet to the southwest corner of said lot on the easterly rights-of-way line of said North Linder Road;
Thence leaving said line N 88°13'52" W a distance of 40.01 feet to a point on the westerly line of said Section 12;
Thence northerly along said westerly line of Section 12 N 00°31'39" E a distance of 120.00 feet to the POINT OF BEGINNING.

The above-described tract of land contains 42,800 square feet more or less subject to all existing easements and rights-of-way.



K:\ELSI\Projects\2024\240506\1\Admin\Legals\240506 Desc for annexation 090624.doc

