

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



In the Matter of the Request for an Amendment to the Comprehensive Plan Future Land Use Map to Change the Designation on Approximately 4.98 Acres of Land from Mixed-use Community to Industrial (3.5 Acres) and Commercial (1.48 Acres); Annexation of 3.5 Acres of Land with an I-L (Light Industrial) Zone; and a Development Agreement Modification to Remove a Portion of the Subject Property from the Medimont Development Agreement (Instrument No. 97072405) for the Purpose of Entering into a New Agreement that Governs a 6.41 Acre Development, by Kent Brown Planning Services.

Case No(s). H-2021-0042

For the City Council Hearing Date of: November 9, 2021 (Findings on November 23, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 9, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 9, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 9, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 9, 2021, 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 approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk with a copy served by the Clerk upon the applicant, the Community Development Dept., the Public Works Dept. and any affected party requesting notice.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION & ORDER
FOR (INTERMOUNTAIN WOOD PRODUCTS – FILE #H-2021-0042)

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of November 9, 2021, 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 comprehensive plan map amendment, annexation and development agreement modification is hereby approved per the conditions of approval in the Staff Report for the hearing date of November 9, 2021, 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. 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 November 9, 2021

By action of the City Council at its regular meeting held on the 7th day of December, 2021.

COUNCIL PRESIDENT TREG BERNT

VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN

VOTED AYE

COUNCIL MEMBER JESSICA PERREAULT

VOTED AYE

COUNCIL MEMBER LUKE CAVENER

VOTED _____

COUNCIL MEMBER JOE BORTON

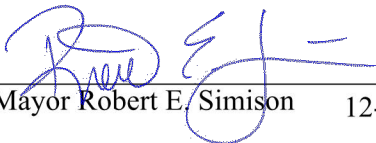
VOTED _____

COUNCIL MEMBER LIZ STRADER

VOTED AYE

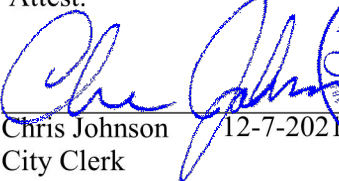
MAYOR ROBERT SIMISON
(TIE BREAKER)

VOTED _____



Mayor Robert E. Simison 12-7-2021

Attest:


Chris Johnson 12-7-2021
City Clerk



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

By:  Dated: 12-7-2021
City Clerk's Office

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION & ORDER
FOR (INTERMOUNTAIN WOOD PRODUCTS – FILE #H-2021-0042)

ANNEXATION DESCRIPTION

A parcel of land described as Parcel 1 in Warranty Deed, Inst. No. 2020-012834, and all that certain Parcel described in Warranty Deed, Inst. No. 2019-121778, located in the Northeast 1/4 of the Northeast 1/4 of Section 18, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, ID, more particularly described as follows;

COMMENCING at the Northeast Corner of said Section 18, from which the East 1/4 Corner common to said Section 18 and Section 17, bears, South 00°00'39" West, (which is the basis of bearing for this description), for a distance of 2658.72 feet; thence along the common line of said Sections 18 and 17, South 00°00'00" East, for a distance of 828.49 feet along the centerline of South Locust Grove Road to the **POINT OF BEGINNING**, from which the North 1/16th corner common to Sections 18 and 17 bears, South 00°00'00" East, for a distance of 501.10 feet;

Thence, continuing South 00°00'00" East along said centerline of South Locust Grove Road, for a distance of 352.08 feet to the intersection of said centerline and the easterly prolongation of the northerly boundary line of that certain Parcel shown on Record of Survey No. 10859, Ada County Records;

Thence along said northerly boundary line and the easterly prolongation thereof, South 89°08'55" West (formerly South 89°11'30" West), for a distance of 435.81 feet to the easterly boundary line of Medimont Subdivision, as recorded in Book 75, at Page 7794, Ada County Records;

Thence along said easterly boundary line, North 00°54'14" East (formerly North 00°55" East), for a distance of 352.53 feet;

Thence North 89°11'30" East, for a distance of 430.24 feet to the **POINT OF BEGINNING**.

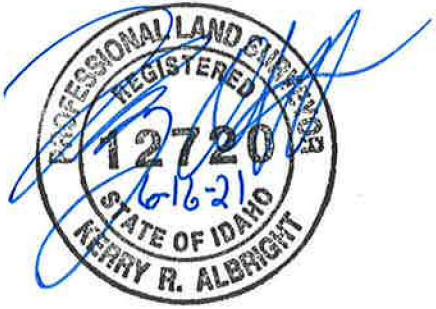
The above-described Parcel contains 3.501 acres, more or less, of which 0.388 acres, more or less is recognized as ACHD right of way.

Subject to easements of record and not of record.



ANNEXATION EXHIBIT MAP FOR INTERMOUNTAIN WOOD PRODUCTS

LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 18, T. 3 N., R. 1 E., B.M.,
CITY OF MERIDIAN, ADA COUNTY, IDAHO
2021



E. FRANKLIN RD. 7 8

18 17

(N89°11'1/2"E 430.7')

N89°11'30"E 430.24'

382.24'

PARCEL 1
WARRANTY DEED
INST NO. 2020-012834

383.84'

S89°11'30"W 431.84'
(S89°11'1/2"W 432.3')

WARRANTY DEED
INST NO. 2019-121778

PARCEL A
3.501± ACRES

387.80'

S89°08'55"W 435.81'
(S89°11'1/2"W 436.3')

RECORD OF SURVEY
NO. 10859
NOT A PART

S89°08'55"W

48.01'

S89°08'55"W 390.15'

828.49'

POB

48.00'

100.96'

(101.0')

48.00'

100.96'

RECORD OF SURVEY NO. 7075

251.12'(250.72')

251.15'

48.01'

149.00'

149.02'

S00°00'00"E 149.00'

149.00'

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149.00'

S00°00'00"E 352.08'

S00°00'00"E 1329.57'

(S00°00'39"W 2658.72')

BASIS OF BEARING

S. LOCUST GROVE RD.

1/16 CORNER

18 17

1329.14'

1329.14'

1329.14'

1329.14'

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1329.14'

1329.14'

MEDMONT SUBDIVISION BOOK 75, PAGE 7794
NOT A PART

(N00°55'E)
N00°54'14"E 352.53'

251.53'
(250.75')

N00°54'14"E 149.07'



SCALE: 1"=100'

FORSGREN
Associates Inc.

917 SOUTH LUSK STREET, SUITE 300, BOISE, ID 83706
PH: 208.342.3144 FAX: 208.383.0819

INTERMOUNTAIN WOOD PRODUCTS

ANNEXATION EXHIBIT

PROJECT NO.:

220158

SHEET NO.

1 OF

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



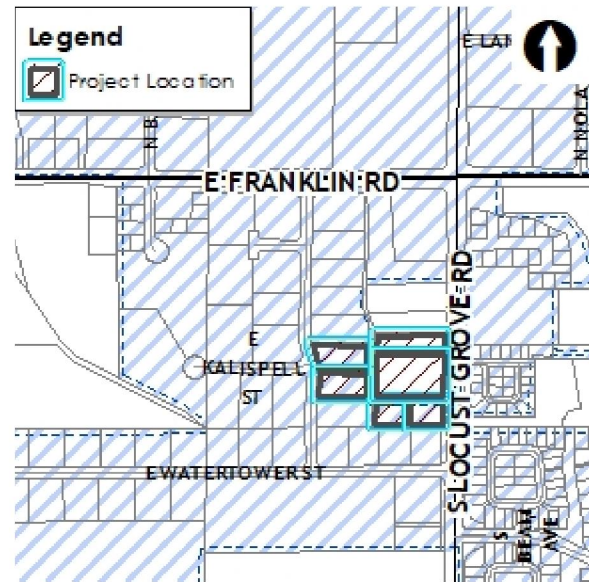
HEARING DATE: November 9, 2021

TO: Mayor & City Council

FROM: Alan Tiefenbach, Associate Planner
Bruce Freckleton, Development Services Manager

SUBJECT: H-2021-0042
Intermountain Wood Products Expansion

LOCATION: The properties are located at 255, 335, 381, and 385 S. Locust Grove Rd, and 220, 300 and 330 S. Adkins Way, in the NE ¼ of the NE ¼ of Section 18, Township 3N, Range 1E.



I. PROJECT DESCRIPTION

This is a request to expand an existing wood products business by annexing 3.5 acres of property with the I-L zoning district, and modifying the Medimont Development Agreement to create a new development agreement to remove a requirement for an internal landscape buffer. This application includes requests for two Comprehensive Plan Map Amendments. The first amendment is to change the designation of the properties to be annexed from mixed use community to industrial to allow zoning to I-L for the warehouse. The second map amendment involves the two properties to the south at 381 and 385 S. Locust Grove Rd (not part of the development) being designated from mixed use community to commercial to make them more consistent with the FLUM designations of surrounding properties to the south and west.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	3.5 acres	
Future Land Use Designation	Mixed Use Community	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Industrial (distribution and warehousing for wood products)	
Lots (# and type; bldg./common)	6 existing lots	
Phasing Plan (# of phases)	N/A	
Number of Residential Units (type of units)	N/A	

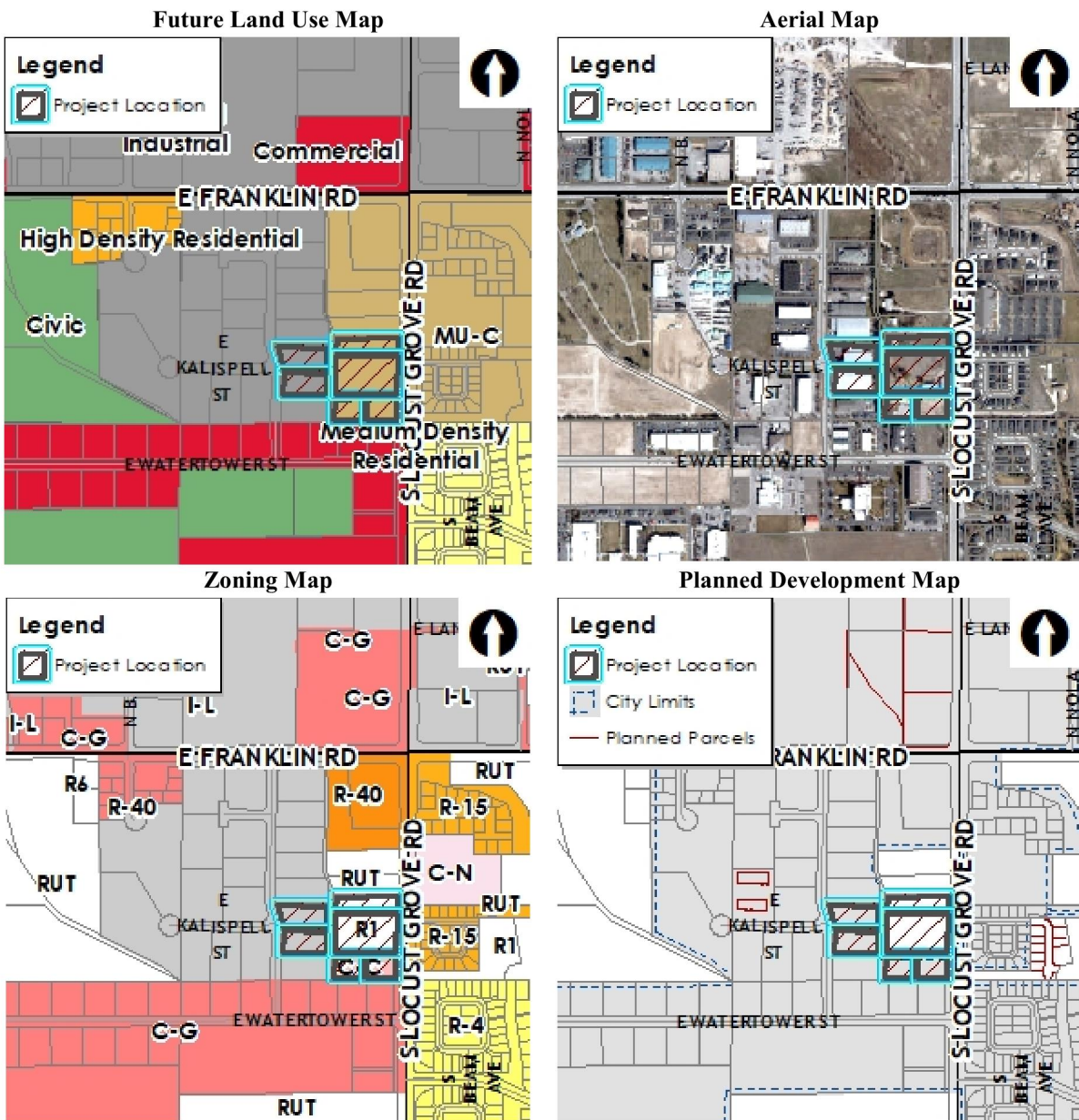
Description	Details	Page
Density (gross & net)	N/A	
Physical Features (waterways, hazards, flood plain, hillside)	No known unique physical features.	
Neighborhood meeting date; # of attendees:	June 3, 2021, 3 attendees	
History (previous approvals)	<p>The three lots containing the existing business were annexed in 1996 (DA Inst. #97072405) and platted as the Medimont Subdivision No. 2. (FP 99-010). A conditional use was approved for a wholesale building materials building in 2001 (CUP 01-035) and the CZC was approved in 2003 (CZC 03-007). The two parcels proposed to be annexed and zoned to I-L to allow for expansion of the existing business (255 and 335 S. Locust Grove Rd) are presently un-platted.</p> <p>The two additional lots proposed for a Comprehensive Plan Map Amendment (385 and 381 S. Locust Grove Rd) were annexed in 1999, and CZCs were issued for or the existing daycare in 2012 and 2017 (CZC 12-064, CZC A-2017-0191, MDA 09-002). Although these lots are being included as part of the Comprehensive Plan Map Amendment with this application, they are otherwise not part of the development.</p>	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access presently occurs from S. Locust Grove Rd (arterial) and S. Adkins Way (Local)	
Traffic Level of Service	Better than "E"	
Stub Street/Interconnectivity/Cross Access	Site plan only shows internal access to the west.	
Existing Road Network	S. Locust Grove Rd and S. Adkins Way	
Existing Arterial Sidewalks / Buffers	7' sidewalk already exists along S., Locust Grove Rd.	
Proposed Road Improvements	No improvements required	
Fire Service	No comments submitted	
Police Service	No comments submitted	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	NA	
<ul style="list-style-type: none"> Sewer Shed 	Five Mile Trunkshed	
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See Application	
<ul style="list-style-type: none"> WRRF Declining Balance 	14.18	
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	

Description	Details	Page
<ul style="list-style-type: none"> Comments 	<ul style="list-style-type: none"> Flow is committed Sewer is available from Locust Grove Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Ensure no sewer services pass through infiltration trenches. If existing sewer main into the site is not used it must be abandoned at the manhole. 	
Water		
<ul style="list-style-type: none"> Distance to Water Services 	0	
<ul style="list-style-type: none"> Pressure Zone 	3	
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application	
<ul style="list-style-type: none"> Water Quality 	No concerns	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Any changes to public infrastructure must be approved by Public Works. If the existing water main stub is not used it needs to be abandoned at the main in Locust Grove. Water main will require a 20' utility easement. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Any well that will no longer be used must be abandoned according to IDWR requirements. 	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant / Representative:

Kent Brown Planning Services – 3161 E. Springwood Dr, Meridian, ID 83642

B. Owner:

Banks Group, LC – PO Box 65970, Salt Lake City, UT, 84165

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	9/17/2021	10/24/2021
Radius notification mailed to properties within 300 feet	9/15/2021	10/20/2021
Sign Posting	9/17/2021	10/28/2021
Nextdoor posting	9/16/2021	10/20/2021

V. STAFF ANALYSIS

Background

The applicant proposes to annex 3.5 acres of property (the subject property) at 255 and 335 S. Locust Grove Rd. in order to construct a 59,300 sq. ft. +/- warehouse for their existing wood wholesale distribution business. The existing business is to the west of the subject properties at 300 and 330 S. Adkins Way. This request also includes a request for a development agreement modification and comprehensive plan map amendments.

The existing wholesale and distribution business was constructed in 2003 and is within the Medimont Subdivision (annexed in 1996). The Medimont DA has a requirement for a 20' planting strip along the eastern boundary of the plat area (intended as a residential buffer). This puts the required planting strip between the existing business and the properties intended for annexation and expansion. Accordingly, the applicant proposes a DA modification to remove the requirement for the planting strip in this area.

This application also includes a request for two comprehensive plan map amendments. The first amendment is to change the designation of the 3.5 acres of property to be annexed from mixed use community to industrial to allow zoning to I-L for the warehouse. The second map amendment involves the two properties to the south (1.48 acres total) at 381 and 385 S. Locust Grove Rd (already zoned C-C but not part of the existing business or expansion). Until recently this was the location of the Tree House Learning Center daycare. These properties are also designated for mixed use community but are directly adjacent to industrial designation to the west and commercial designation to the south along W. Watertower St. and S. Locust Grove Rd. At the pre-application meeting, staff informed the applicant that it was not preferable to pursue a land use map amendment that would leave a small enclave of mixed-use community designation and encouraged the applicant to work with the adjacent property owners to amend the map to commercial with the same application. There will still be approximately 7.2 acres of property remaining along this side of S. Locust Grove Rd designated for MU-C, staff is unsure how viable the remainder of this property will be for mixed use community development, particularly the two residential properties directly north of the subject property.

Annexation

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. To ensure the site develops as proposed by the applicant, staff is recommending a new development agreement as part of the annexation approval. The applicant has provided a new legal description of the property boundary subject to the new DA (see Exhibit VIII below).

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

Comprehensive Plan Map Amendments

The area is presently designated for mixed use community under the future land use map (FLUM). The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.

To the east of the subject property across S. Locust Grove Rd is single family attached (Bellabrook Subdivision) and a religious institution. There are commercial and office uses to the south, and directly adjacent to the west is a 27-acre industrial park. Adjacent to the north are two existing single-family residences, and north of those is a 2.4-acre property zoned R-40 with an existing development agreement for up to 95 multifamily units (Cobblestone Village AZ 99-005).

Given the existing development in the vicinity, the size of the remaining undeveloped properties, and that UDC 11-3A-3 requires site circulation to occur from a local street (S. Adkins Way) rather than an arterial (S. Locust Grove), staff does not believe the subject properties have the accessibility and are viable for the integrated, walkable, synergistic development oriented around open space that is anticipated by the Plan for mixed use community. Staff does believe a plan amendment is appropriate to allow a change to industrial designation for the subject properties and commercial designation for the properties to the south.

However, staff does have reservations with how the proposed development will interact with the remaining properties to the north which would still be designated for Mixed Use Community. The two properties directly north of the subject property are still in the County, the two properties north of those are within the City and zoned R-15. Staff has concerns with whether the proposed warehouse will limit future redevelopment in this area. Staff has not received any correspondence from the owners of either of those properties.

B. Development Agreement Modification

The existing Intermountain Wood Products buildings are within the Medimont Development Agreement, which was approved in 1997 (Inst. 97072405). Provision 4d requires a permanent 20-foot-wide landscaped planning strip along the east boundary landscaped with 6-8-foot-high scotch pines at a maximum distance of 15 ft. each. This was required to provide a screen for the adjacent residential properties, two of which are now proposed for the warehouse expansion. This proposal would create a new development agreement for the subject properties and would remove this requirement.

At the time the Medimont No. 2 Final Plat was approved a common lot (Lot 2 Block 2) was platted along the eastern perimeter of the subdivision for the purpose of this landscape screen. This common lot was owned and maintained by the Stonebridge Owners Association. In February of 2021 the portions of the common lot between the existing business and the parcels to be annexed were deeded to the applicant.

As the intent of the landscape strip was to buffer the adjacent residential properties from the industrial development, and the properties to be annexed are no longer proposed for residential, staff supports elimination of the DA requirement in this area. However, Lot 2, Block 2 (the common lot) was split improperly. This results in two common lots – a common lot strip north of

the subject properties, and a common lot strip south of the subject properties. Also, an unbuildable common lot is now being converted to a buildable lot for a warehouse. This makes the applicant ineligible for a parcel boundary adjustment and a short plat is necessary to legitimize the subdivision. This will require cooperation with the Stonebridge Owners Association that owns the remainder of the common lot. All the trees that were within this portion of the buffer have been removed, which should be addressed. This is discussed in the landscaping section.

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

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

The subject property is surrounded by the City limits to the south, east and west. City water and sewer service is available and can be extended by the developer of the property proposed to be annexed with development in accord with UDC 11-3A-21.

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

The proposed industrial use will be required to provide a landscaped buffer along property lines adjacent to residential uses (i.e. to the north) with development per UDC Table 11-2C-3. No outdoor storage is proposed with this development.

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

Staff does have concerns regarding the present concept plan as will be discussed in the dimensional standards section below. Staff has red-marked on the concept plan that this plan should not be approved and future development should comply with all pertinent regulations and the Architectural Standards Manual.

In regard to the proposed use, with appropriate design the proposed warehouse should be compatible with the existing industrial uses to the west and the commercial uses to the south. The required buffer to residential land uses to the north should minimize conflicts between land uses. However, staff does have concerns regarding how industrial development on the subject property could affect future development potential for the properties to the north, which will still have the Plan designation of mixed-use community.

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

The proposed infill industrial development should not negatively impact abutting uses as other industrial uses exist to the west, commercial to the south, and a landscaped buffer is required along the north property boundaries to residential uses which should minimize conflicts. As noted in the Architecture Section below, the building architecture as submitted should not be approved and the warehouse should meet all standards of the ASM at time of Certificate of Zoning Compliance (CZC).

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

(3.03.03A)

The proposed development will be required to connect to City water and sewer systems with development.

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

Curb, gutter and sidewalk has already been constructed along S. Locust Grove Rd and S. Adkins Wy, and in their staff report dated September 13, 2021 ACHD noted no additional road improvements were necessary. Hook-up to City water and sewer service is required with development.

- Reduce the number of existing access points onto arterial streets by using methods such as cross access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity. (6.01.02B)

The concept plan indicates primary access, including for trucks, occurring directly from S. Locust Grove, an arterial. Also, staff has recommended to the applicant that cross access be provided to the properties to the north and south, although the concept plan does not reflect this. Staff has addressed this in the conditions of approval.

D. Proposed Use Analysis:

The applicant requests to annex and zone to I-L to allow a warehouse. This is an allowed use per UDC 11-2C-2.

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

There are specific use standards for a warehouse use per UDC 11-4-3-42. This includes a limitation on square footage of office and retail, and outdoor activity areas not being located within 300 feet of an adjacent residence or residential district. The 4,800 sq. ft. office area is well under the 25% limitation on office uses, but the concept plan reflects an outdoor loading area as close as 100 feet from the adjacent residential property to the north. At the time of the certificate of zoning compliance (CZC), the applicant will need to either move the loading bay to conform to the regulation or fully enclose the loading bay.

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

The I-L zoning district requires a 35 ft. street setback. A 25 ft. wide landscape buffer is required along S. Locust Grove Rd., which is the same width required for landscape buffers on any side bordered by residential. Building height is limited to 50 ft. The site plan as submitted does suggest the landscape buffer along S. Locust Grove Rd. is met, but the width of the residential buffer to the north does not meet UDC standards.

The site and design standards of UDC 11-3A-19 state that for properties greater than two (2) acres in size, no more than fifty (50) percent of the total off street parking area for the site shall be located between building facades and abutting streets. The concept site plan as submitted shows the entirety of the parking between the building and S. Locust Grove Rd.

UDC 11-3A-19 also requires an applicant to extend or improve streets, drive aisles, cross access easements or similar vehicular and pedestrian connections provided from adjacent properties. The concept plan as submitted does not provide access to the properties to the north and the south. As a condition of approval of the development agreement, staff is recommending cross access to these adjacent properties.

Staff does have concerns with the concept site plan as submitted because of the comments listed above. Staff has additional concerns regarding the size and visibility of the proposed warehouse

as would be viewed from S. Locust Grove Rd., and is unsure the building as shown would meet all the requirements of the Architectural Standards Manual (ASM). Although staff is overall supportive of annexation of the property for the purpose of the expansion, staff believes additional revisions need to be made to the site plan in order to be consistent with the regulations. Staff is not supportive of the concept plan as submitted.

G. Access (*UDC 11-3A-3, 11-3H-4*):

The existing business presently takes access from two driveways off of S. Adkins Way, a local commercial street. The two properties to be annexed are currently both rural residential, each with a driveway access from S. Locust Grove Rd.

S. Locust Grove Road is classified as an arterial roadway and is improved with 5-travel lanes, bike lanes, vertical curb, gutter, and 7-foot wide sidewalk abutting the site. The concept plan as submitted shows access for this site occurring via a 40 ft. driveway directly from S. Locust Grove Rd. The applicant has mentioned employee, customer and truck access could occur at this driveway. ACHD has noted this proposal complies with all ACHD requirements. The Council can grant a waiver to allow the access, but staff prefers the applicant develop the site plan with internal circulation and send trucks through S. Adkins Way as previously discussed at the pre-application meetings.

Staff has concerns with access occurring from S. Locust Grove Rd. UDC 11-3A-3 states where access to a local street is available, the applicant shall reconfigure the site circulation plan to take access from such local street. Also, where access to a local street is not available, the property owner shall be required to grant cross-access/ingress-egress and extend or improve streets, drive aisles, cross access easements or similar vehicular and pedestrian connections provided to adjacent properties.

During the March 2021 Pre-Application meeting, it was mentioned to the applicant that the site plan as submitted should be revised to remove primary access from S. Locust Grove, access should be provided to the properties to the north and south, and it would be preferable for truck access to occur via the existing driveway from S. Adkins Way. The concept plan as submitted does not reflect any of these access points. As a condition of approval, staff recommends the access from S. Locust Grove Rd be closed, and the site plan be revised to indicate access from the north, south and west.

H. Parking (*UDC 11-3C*):

UDC 11-3C-6 requires one space for every 2,000 sq. ft. of gross floor area for industrial uses (warehouse). Based on a 53,350 sq. ft. warehouse and 4,800 sq. ft. of office space this amounts to 27 parking spaces required whereas 44 are provided. However, as mentioned above in the dimensional standards section above, the parking configuration as shown on the site plan does not comply with UDC 11-3A-19 in that all parking area is located between building facades and abutting streets.

11-3C-5 requires all off street parking areas to be provided with a substantial wheel restraint to prevent cars from encroaching upon abutting private and public property or overhanging beyond the designated parking stall dimensions. When a bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two (2) feet in length if two (2) feet is added to the width of the sidewalk or landscaped area planted in ground cover. The concept plan does not appear to meet either of these requirements.

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

8 ft. wide sidewalk exists along S. Locust Grove Rd. and sidewalk of at least 5 ft. exists along S. Adkins Way. ACHD has submitted a staff report and does not request any additional sidewalk improvements.

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

UDC Table 11-2C-3 requires a 25 ft. wide landscape buffer along arterial roads (S. Locust Grove Rd), 10 ft. wide buffer along local road (S. Adkins Way), and 25 ft. wide landscape buffers when sharing a property line with a residential use. There are also landscaping requirements (UDC 11-3B-8C) for parking lots, including not more than 12 parking spaces in a row without at least a 50 sq. ft. planter islands and a 5 ft. wide perimeter buffer adjacent to parking, loading or other vehicular use areas.

A landscape buffers meeting the minimum dimensions will be required along S. Locust Grove Rd. There is an existing landscape buffer along S. Adkins Way and the parking lot appears to meet minimum requirements. The residential landscape buffer to the north of the site does not appear to meet the minimum width of at least 25 ft. The properties to the south (381 and 385 S. Locust Grove Rd) are not part of the current development and are subject to a separate development agreement.

As mentioned in the DA modification section above, the existing Medimont Development Agreement has a requirement for a permanent 20 ft. wide planting strip along the eastern boundary of the subdivision, planted with 6-8 ft. high pines at no less than 15 ft. apart. When staff initially did the site visit for the pre-application meeting, staff discovered all trees that had been in this required planting strip between the existing business and the properties to be annexed had been cut down. Staff mentioned to the applicant these trees were a requirement of the final plat and DA and could not be removed without a DA modification. Staff requested the applicant account for all trees that had removed, and the applicant responded 11 trees had been removed in this area ranging in diameter from 11.5 in. to 20 in. to a total of 169 inches. As these trees were a requirement of the DA, staff recommends a condition that the applicant shall coordinate with the City Arborist to ensure an additional 169 caliper inches of trees meeting the minimum 6-foot height requirement be planted on the property in excess of other minimum landscaping requirements.

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

There are no waterways known to traverse the property. There is an ACHD detention pond on another property approximately 500 feet to the north.

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

The existing business has chain link fencing along the sides and rear of the facility. The properties to be annexed currently have, 3-strand wire, chain link and open split rail fencing. The concept site plan does indicate some of the existing fencing along the side property lines will remain. At time of CZC, the applicant will be required to submit a landscape plan that reflects all fencing meets the provisions of UDC 11-3A-7. This includes screening of any outdoor storage as required by UDC 11-3A-14.

M. Utilities (*UDC 11-3A-21*):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. See Section VI below for Public Works comments/conditions.

N. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

Conceptual elevations have been provided with this submittal. The elevations do not meet the minimum requirements of the ASM. This includes nearly the entirety of the building materials being metal siding, lack of accents of at least 30% along the base of the building, façade sections longer than 50 ft. without modulation, rooflines longer than 50 ft. without roofline or parapet variations, and possibly not meeting the 30% fenestration requirement or fenestration alternatives. Staff recommends the conceptual elevations not be approved. Also, due to visibility of this property from S. Locust Grove Rd and that it is surrounded on three sides by commercial and residential development, staff recommends a DA provision that requires architecture comply with the commercial, not industrial standards.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed amendment to the Future Land Use Map, DA modification and Annexation with the requirement of a Development Agreement per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard this item on October 7, 2021. At the public hearing, the Commission moved to recommend approval of the subject annexation, map amendment and development agreement modification request.

1. Summary of the Commission public hearing:

- a. In favor: Kent Brown
- b. In opposition: None
- c. Commenting: Kent Brown.
- d. Written testimony: A letter was received from Camy Donahue at 336 S. Truss Lane. She voiced concerns with decrease in property values, traffic, particularly for trucks, lighting, and landscaping.
- e. Staff presenting application: Alan Tiefenbach
- 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. Commission discussed traffic, particularly the proposed access from S. Locust Grove Rd.

4. Commission change(s) to Staff recommendation:

- a. Commission noted the updated site plan that was presented at the meeting should be approved with a revision showing a northern cross access to the property at 255 S. Locust Grove Rd.
- b. Commission recommended approval with staff's recommendations and the additional recommendation that Council approve the S. Locust Grove Rd access.

C. The Meridian City Council heard these items on November 9, 2021. At the public hearing, the Council moved to approve the subject annexation, comprehensive plan map amendments and development agreement modification requests.

1. Summary of the City Council public hearing:

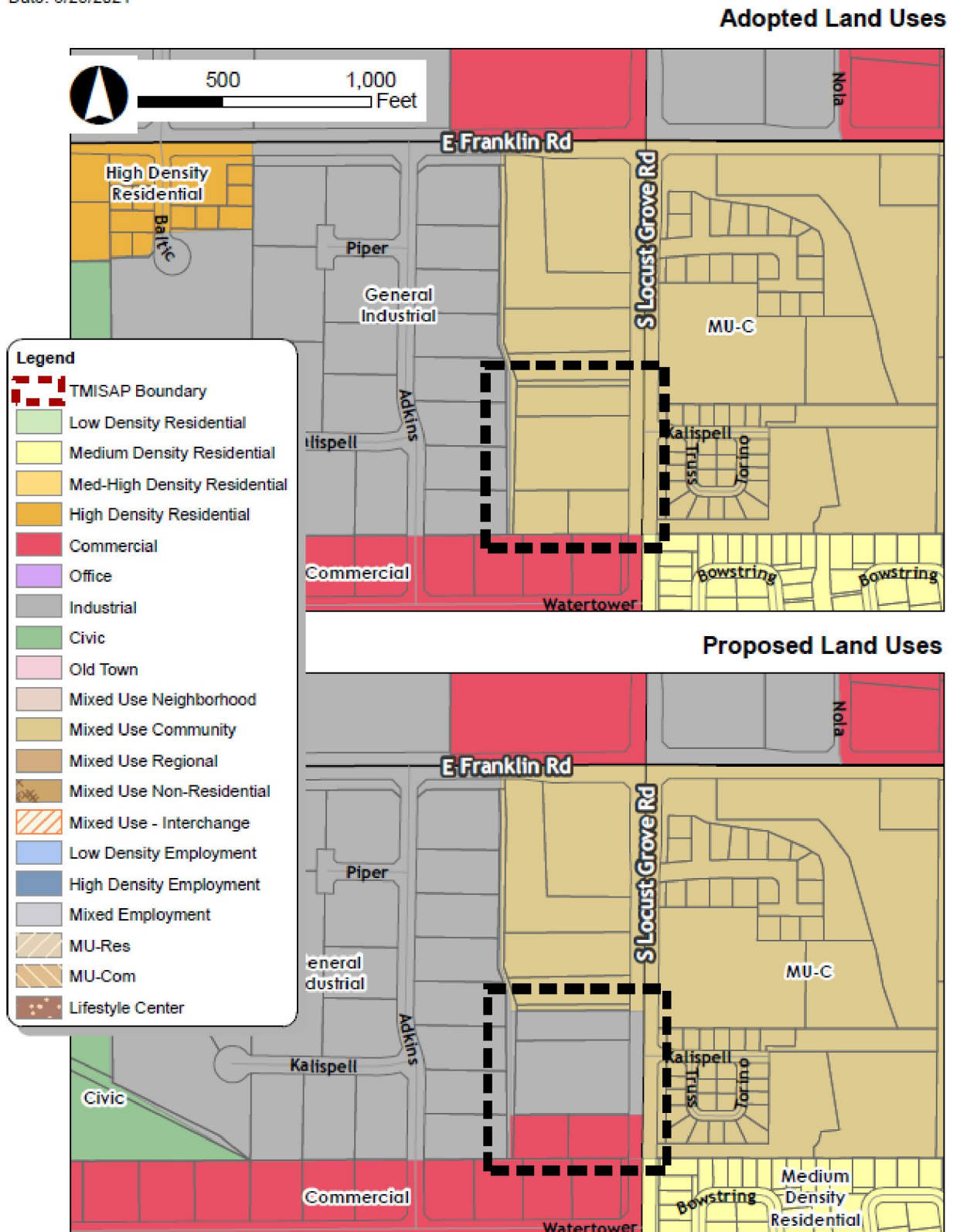
- a. In favor: Kent Brown
- b. In opposition: None
- c. Commenting: Kent Brown

- d. Written testimony: An additional letter was received from Jeremy Peterson, owner of 381 and 385 S. Locust Grove. The letter expressed overall support but emphasized the importance of the subject property providing a southern connection and maintaining access from S. Locust Grove Rd.
 - e. Staff presenting application: Alan Tiefenbach
 - f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
 - a. One citizen testified on potential traffic impacts from trucks associated with the operation.
- 3. Key issue(s) of discussion by City Council:
 - a. Council discussed traffic, site access, size of building, hours of operation, and emphasized the importance of high-quality architecture.
- 4. City Council change(s) to Commission recommendation:
 - a. Council approved waiver from UDC 11-3A-3 to allow continued access from S. Locust Grove Rd, with a restriction that the hours of operation from this access were limited to 7AM to 5PM.
 - b. Council clarified the revised concept plan provided to the Planning Commission dated October 7, 2021 was the one that was being approved.

VII. EXHIBITS

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

Date: 6/29/2021



B. Annexation Exhibit (date: June 16, 2021)



ANNEXATION DESCRIPTION

A parcel of land described as Parcel 1 in Warranty Deed, Inst. No. 2020-012834, and all that certain Parcel described in Warranty Deed, Inst. No. 2019-121778, located in the Northeast 1/4 of the Northeast 1/4 of Section 18, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, ID, more particularly described as follows;

COMMENCING at the Northeast Corner of said Section 18, from which the East 1/4 Corner common to said Section 18 and Section 17, bears, South 00°00'39" West, (which is the basis of bearing for this description), for a distance of 2658.72 feet; thence along the common line of said Sections 18 and 17, South 00°00'00" East, for a distance of 828.49 feet along the centerline of South Locust Grove Road to the **POINT OF BEGINNING**, from which the North 1/16th corner common to Sections 18 and 17 bears, South 00°00'00" East, for a distance of 501.10 feet;

Thence, continuing South 00°00'00" East along said centerline of South Locust Grove Road, for a distance of 352.08 feet to the intersection of said centerline and the easterly prolongation of the northerly boundary line of that certain Parcel shown on Record of Survey No. 10859, Ada County Records;

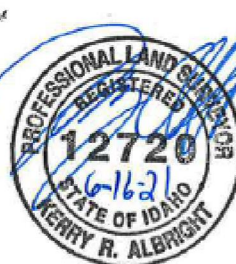
Thence along said northerly boundary line and the easterly prolongation thereof, South 89°08'55" West (formerly South 89°11'30" West), for a distance of 435.81 feet to the easterly boundary line of Medimont Subdivision, as recorded in Book 75, at Page 7794, Ada County Records;

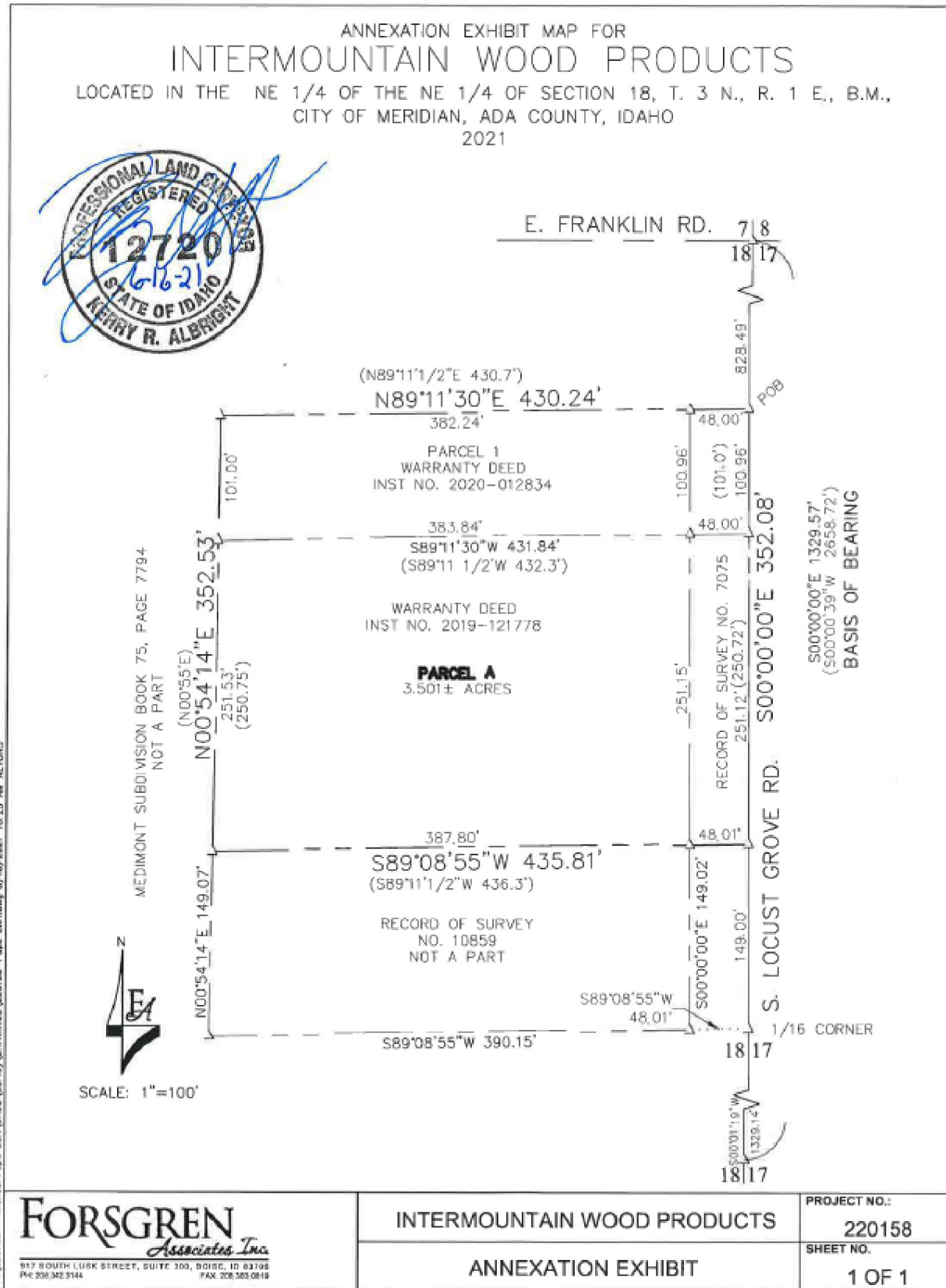
Thence along said easterly boundary line, North 00°54'14" East (formerly North 00°55" East), for a distance of 352.53 feet;

Thence North 89°11'30" East, for a distance of 430.24 feet to the **POINT OF BEGINNING**.

The above-described Parcel contains 3.501 acres, more or less, of which 0.388 acres, more or less is recognized as ACHD right of way.

Subject to easements of record and not of record.





C. DA Modification Legal Description and Exhibit (date: August 5, 2021)

TOTAL BOUNDARY DESCRIPTION

A portion of Lot 2, Block 2 of Medimont Subdivision No.1, as recorded in Book 75, at Page 7794, Ada County Records, all of Lots 7, 8, and 9, Block 2 of Medimont Subdivision No.2, as recorded in Book 79, at Page 8453, Ada County Records, a portion of that certain parcel described as Parcel 1 in Warranty Deed, Inst. No. 2020-012834, and a portion of that certain Parcel described in Warranty Deed, Inst. No. 2019-121778, all of which is located in the Northeast 1/4 of the Northeast 1/4 of Section 18, Township 3 North, Range 1 East, Boise Meridian, Ada County, ID, more particularly described as follows;

COMMENCING at the Northeast Corner of Section 18; thence along the common line of Sections 18 and 17, which is coincident with the centerline of South Locust Grove Road, South 00°30'17" West, for a distance of 829.00 feet, from which a 5/8" rebar with a plastic cap, stamped "CSC PLS 5082," marking the North 1/16th corner common to Sections 18 and 17 bears, South 00°30'17" West, for a distance of 500.62 feet;

Thence, South 89°46'00" West, for a distance of 48.00 feet to the westerly right of way line of South Locust Grove Road, as depicted on Record of Survey No. 7075, the **POINT OF BEGINNING**;

Thence, along said right of way line, South 00°30'17" West, for a distance of 351.68 feet to its intersection with the northerly boundary line of that certain Parcel shown on Record of Survey No. 10859, Ada County Records;

Thence along said northerly boundary line South 89°39'34" West (formerly South 89°11'30" West), for a distance of 388.00 feet to the easterly boundary line of Lot 2, Block 2 of Medimont Subdivision, as recorded in Book 75, at Page 7794, Ada County Records, which bears North 01°25'43" East, for a distance of 1.00 feet from a found 5/8" rebar with a plastic cap, stamped "ISG PLS 7729," reference monument;

Thence along said easterly boundary line, South 01°25'43" West, for a distance of 0.44 feet to its intersection with the easterly prolongation of the southerly boundary line of Lot 9, Block 2, of Medimont Subdivision No.2, which bears North 01°25'43" East, for a distance of 0.56 feet from the aforementioned reference monument;

Thence North 89°01'17" West, along the southerly boundary line of said Lot 9, Block 2 and the easterly prolongation thereof, for a distance of 302.23 feet to a found 1/2" rebar with a plastic cap, stamped "GA LEE, PLS 3260," marking the southwest corner of Lot 9, Block 2, which is coincident with the easterly right of way line of South Adkins Way;

Continued on Page 2

Total Boundary Description Page 2

Thence along the westerly boundary line of Lots 9 through 7, the following courses and distances:

North 00°58'43" East. For a distance of 118.88 feet to a found 1/2" rebar with a plastic cap, stamped, "GA LEE, PLS 3260," marking the beginning of a tangent curve to the left;

124.55 feet along the arc of said curve, having a radius of 329.00 feet, a central angle of 21°41'29", and a chord, which bears, North 09°52'01" West, for a distance of 123.81 feet to a found 1/2" rebar with a plastic cap, stamped "GA LEE, PLS 3260," marking the beginning of a reverse curve;

102.60 feet along the arc of said curve, having a 271.00 foot radius, a central angle of 21°41'29", and a chord which bears, North 09°52'01" West, for a distance of 101.99 feet to a found 1/2" rebar with no cap;

North 00°58'43" East, for a distance of 106.36 feet to a found 1/2" rebar with a plastic cap, stamped "GA LEE, PLS 3260," marking the northwest corner of said Lot 7, Block 2;

Thence, leaving said westerly boundary line, South 89°01'17" East, for a distance 320.13 feet along the northerly boundary line of said Lot 7 and the easterly prolongation thereof to a set 5/8" rebar with a plastic cap, "PLS 12720;" on the easterly boundary line of Lot 2, Block 2 of Medimont Subdivision;

Thence South 19°08'17" East, a distance of 79.97 feet along said easterly boundary line of Lot 2, Block 2, which bears, North 01°25'43" East, for a distance of 5.00 feet from a found 1/2" rebar with a plastic cap, stamped "GA LEE, PLS 3260, witness corner;

Thence South 01°25'43" West, for a distance of 18.96 feet to the northwest corner of that Parcel described in Warranty Deed, Inst. No. 2020-012834;

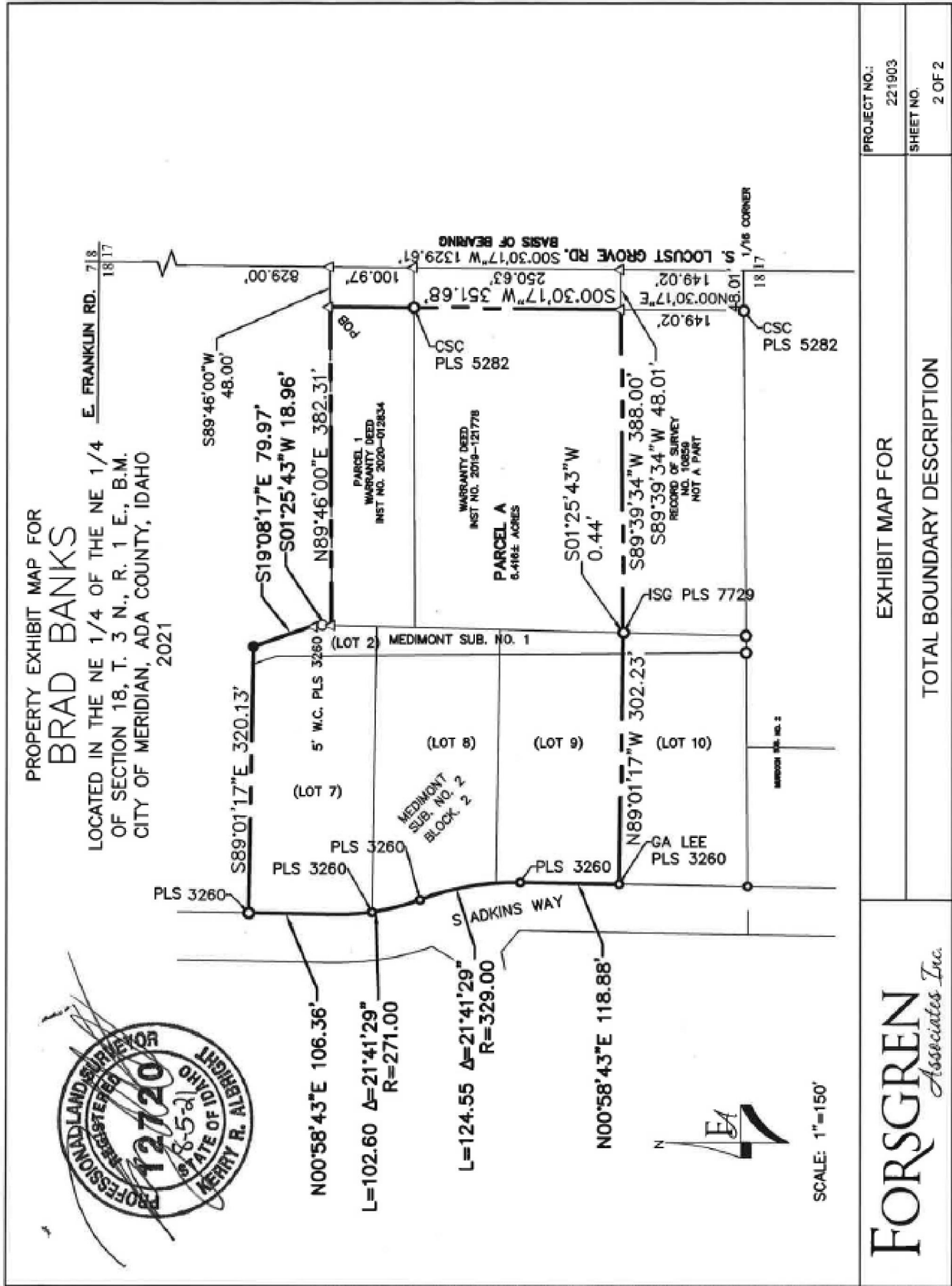
Thence North 89°46'00" East, a distance of 382.31 feet along the northerly boundary line of said Parcel to the **POINT OF BEGINNING**.

Containing 6.416 acres, more or less.

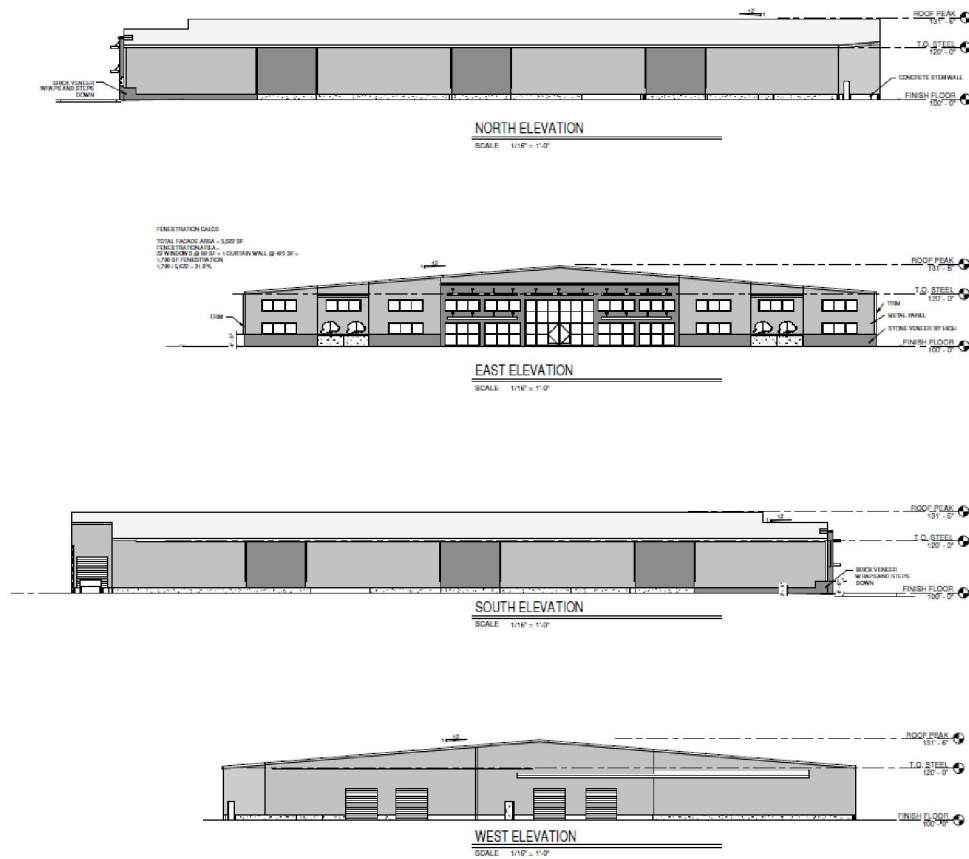
Subject to valid easements or reservations.

END OF DESCRIPTION.





E. Building Elevations (date: 4/12/2021 **10/7/2021**) **NOT APPROVED**



INTERMOUNTAIN WOOD
 BRAD BANKS
 335 SOUTH LOUIS GROVE ROAD
 MERIDIAN, IDAHO
 83641-4107
 PHONE: 208-381-1075
 FAX: 208-381-1076
 WWW.INTERMOUNTAINWOODARCHITECTS.COM
 SHEET NO.
 A-2.1
 DATE
 01/13/2021



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. 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.

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 on the site shall comply with the non-residential design standards for commercial districts in the Architectural Standards Manual and the design standards listed in UDC 11-3A-19.
- b. **Future development of this site shall be generally consistent with the conceptual site plan dated October 7, 2021 included in Section VII and the provisions contained herein.**
- c. The S. Locust Grove Rd. access ~~shall be used for emergency access only, unless waived by City Council in accord with UDC 11-3A-3~~ **shall only be used Monday-Friday between 7AM to 5PM.**
- d. Cross-access easements shall be granted to the abutting property to the north (Parcel # S1118110071) and south (Parcels # R0879824125 and R0879824130); a copy of the recorded easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application for this site.
- e. The applicant shall coordinate with the City Arborist on a mitigation plan to ensure an additional 169 caliper inches of trees removed from the property meet the standards set forth in UDC 11-3B-10.
- f. Prior to Certificate of Occupancy, the applicant shall complete a short plat to merge Parcel # S1118110105 and # S1118110130 as well as the portion of Lot 2, Block of the Medimont Subdivision that was deeded to the applicant.
- g. The applicant shall comply with the warehouse specific use standards set forth in UDC 11-4-3-42. The proposed outdoor loading area shall not be located closer than 300 feet from the adjacent residential property to the north or fully enclosed.
- h. A 25-foot wide landscape buffer shall be constructed on the northern boundary to residential land use as required per UDC Table 11-2C-3, landscaped per the standards listed in UDC 11-3B-9C, unless otherwise reduced by City Council.

B. PUBLIC WORKS CONDITIONS

SITE SPECIFIC CONDITIONS:

2. Ensure sewer services do not cross infiltration trenches.
3. Ensure no permanent structures (trees, bushes, fences, buildings, car ports, trash enclosures, infiltration trenches, light poles, etc.) are built within a City utility easement.
4. Unused water or sewer service stubs or mains must be abandoned in accordance with current City standards.

GENERAL CONDITIONS:

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 then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
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). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. 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 (MCC 9-1-28.C). 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.
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 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. IDAHO TRANSPORTATION DISTRICT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=234988&dbid=0&repo=MeridianCity>

D. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237340&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237150&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Comprehensive Plan Map Amendment

Upon recommendation from the Commission, the Council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an amendment to the Comprehensive Plan, the Council shall make the following findings:

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

Council finds the proposed amendment from Mixed-Use Community to 3.5 acres of Industrial for 225 and 335 S. Locust Grove Rd. and 1.32 acres of Commercial for 381 and 385 S. Locust Grove Rd. is compatible with adjacent industrial uses in the area and is consistent with the goals and policies in the Comprehensive Plan as noted in Section V.

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

As the adjacent development pattern is industrial to the west and commercial to the south, Council finds that the proposal to change the FLUM designation from Mixed Use – Community to Industrial and Commercial will provide an improved guide to future growth and development in this area and will be compatible with adjacent industrial uses.

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

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

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

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

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

If staff's recommendations are followed regarding design and compliance with UDC standards, Council finds the proposed amendments to Industrial and Commercial will be compatible with other existing industrial and commercial uses in the area.

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

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

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

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

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

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

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

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

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

The Applicant is proposing to annex the subject property with I-L zoning and develop industrial uses on the property. Although the FLUM presently designates the areas for mixed use community, for the reasons listed in the Comprehensive Plan Map Amendment section above staff finds industrial use is appropriate in this area and supports a plan map amendment.

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

Council finds the proposed map amendment to I-L 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. S. Locust Grove Rd.).

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

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

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

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

Council finds the proposed annexation is in the best interest of the City, if the applicant enters into a new development agreement and adheres to the DA provisions above.