

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



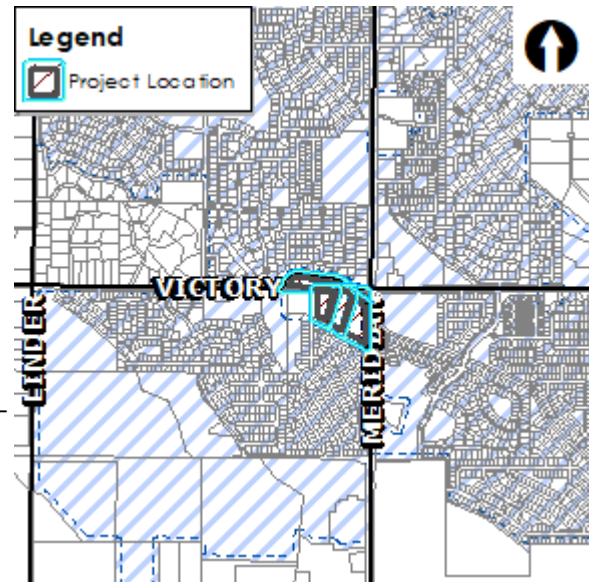
HEARING DATE: October 20, 2022

TO: Planning & Zoning Commission

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

SUBJECT: H-2022-0051; A-2022-0165
Klein Huis at Victory and Meridian –
AZ, CUP, PS

LOCATION: Southwest corner of S. Meridian Rd./SH-69 and W. Victory Rd., in the NE ¼ of Section 25, Township 3N., Range 1W. Parcel #S1224449150, # S1225110140, #S1225110120, # S1225110102, #S1225110062



I. PROJECT DESCRIPTION

Annexation (AZ) of 18.60 acres of land with an R-15 zoning district; and Conditional Use Permit (CUP) for a multi-family development consisting of 134 dwelling units on 16.8 acres of land in the R-15 zoning district. Approval of private streets (PS) within the development is also requested.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	16.8 acres	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Multi-family residential (MFR)	
Current Zoning	RUT in Ada County	
Proposed Zoning	R-15 (Medium High-Density Residential)	
Lots (# and type; bldg/common)	NA (property is not proposed to be subdivided)	
Phasing plan (# of phases)	One (1)	
Number of Residential Units (type of units)	134 multi-family units (single-family detached & single-family attached style)	
Density (gross & net)	7.98 gross	
Open Space (acres, total [%] / buffer / qualified)	See analysis in Section VI.B	

Amenities	10' multi-use pathway along Meridian Rd./SH-69 & W. Victory Rd.; clubhouse with a fitness facility; swimming pool, dog park with waste station, outdoor game plaza, shaded hammock lounge area, fire pits, children's play structure, EV charging stations.	
Neighborhood meeting date	May 4, 2022	
History (previous approvals)	ROS #6419 (2004) & #7355 (2006)	

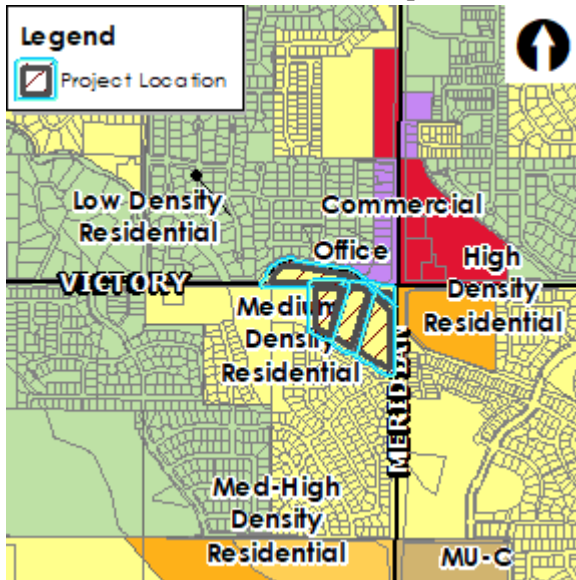
B. Community Metrics

Description	Details	Page
Ada County Highway District		
Staff report (yes/no)	Yes	
Requires ACHD Commission Action (yes/no)	No	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) full access is proposed via W. Victory Rd.; one (1) right-in/right-out only access is proposed via S. Meridian Rd./SH-69	
Traffic Level of Service	W. Victory Rd. – Better than “E” (acceptable)	
Stub Street/Interconnectivity/Cross Access	No stub streets are proposed for interconnectivity. Private streets are proposed for internal access.	
Existing Road Network	Public (W. Victory Rd. and S. Meridian Rd./SH-69) S. Meridian Rd./SH-69 is improved with 4 travel lanes and a center turn lane, with no curb, gutter or sidewalk; W. Victory Rd. is improved with 2 travel lanes (3 at the intersection) with no curb, gutter or sidewalk.	
Existing Arterial Sidewalks / Buffers	There are no existing sidewalks along Victory or Meridian Rd./SH-69.	
Proposed Road Improvements	<ul style="list-style-type: none"> Victory Road is scheduled in the IFYWP to be widened to 3-lanes from Linder Road Meridian Road with the design year in 2026 and the construction date has not been determined. The intersection of Victory Road and Stoddard Road is scheduled in the IFYWP for installation of a Pedestrian Hybrid Beacon (PHB) with the design year in 2022 and construction date has not been determined. The intersection of Amity Road/SH-69 is listed in the CIP to be widened to 6-lanes on north leg, 6-lanes on the south, 7-lanes on the east, and 7-lanes on the west leg and signalized between 2031 and 2035. 	
Fire Service		
Distance to Fire Station	1.8 miles from Fire Station #6	
Fire Response Time	Within 5-minute goal	
Resource Reliability	83% (meets goal)	
Risk Identification	2 (current resources would not be adequate to supply service due to open waterway)	
Accessibility	Meets all required access, road widths & turnarounds	
Special/resource needs	An aerial device is required – can meet this need (3.6 miles away)	
Water Supply	Requires 1,000 gpm for one hour	
Other Resources		
Police Service		
Distance to Police Station	2.8 miles	
Police Response Time	4:12 minutes	

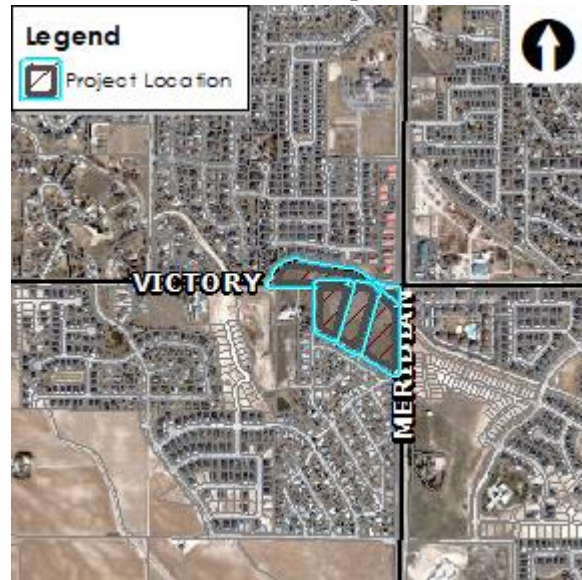
Description	Details	Page
Calls for Service	66 within a mile of the proposed development (between 7/1/20 and 6/30/22)	
% of calls for service split by priority		
Accessibility		
Specialty/resource needs	Can service this development if approved.	
Crimes		
Crashes	9 within a mile of the proposed development (between 7/1/20 and 6/30/22)	
Other Reports		
West Ada School District	<i>No comments were received – see Community Development school impact table in Section IX.L.</i>	
Distance (elem, ms, hs)		
Capacity of Schools		
# of Students Enrolled		
# of Students Predicted from this development		
Wastewater		
Distance to Sewer Services		
Sewer Shed		
Estimated Project Sewer ERU's		
WRRF Declining Balance	14.98	
Project Consistent with WW Master Plan/Facility Plan		
Water		
Distance to Water Services		
Pressure Zone		
Estimated Project Water ERU's		
Water Quality		
Project Consistent with Water Master Plan		
Impacts/Concerns		

C. Project Maps

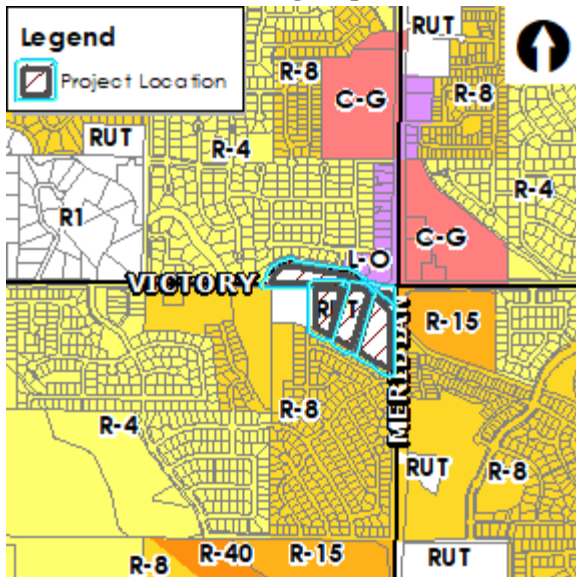
Future Land Use Map



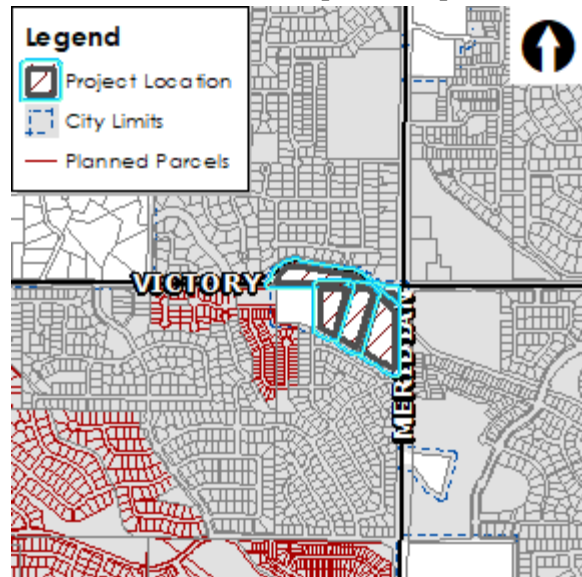
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Brad Watson, Alpha Development Group – 166 E. 14000 S., Ste. 110, Draper, UT 84020

B. Owner:

SW Victory, LLC – 2194 Snake River Parkway, Ste. 300, Idaho Falls, ID 83402

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	10/5/2022	
Radius notification mailed to property owners within 300 feet	9/29/2022	
Public hearing notice sign posted on site	10/5/2022	
Nextdoor posting	9/30/2022	

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated Medium Density Residential (MDR) on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#). The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The Applicant proposes to develop the 16.8-acre site to the maximum possible with a total of 134 multi-family units at a gross density of 7.98 units per acre consistent with the density desired in MDR designated areas.

Typically, MDR designated areas are developed with single-family, not multi-family, residential uses although the Comprehensive Plan doesn't specify the *type* of residential uses allowed, just the density. The style of dwellings proposed are single-family detached and single-family attached/duplex – because more than three (3) dwelling units are proposed on one property, it's classified as multi-family per UDC 11-1A-2, Figure [2](#).

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

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

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

The proposed single-family detached and attached/duplex style multi-family units will contribute to the variety of rental options available in the City.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)
City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.
- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)
The proposed development is surrounded by single-family detached residential units to the north, west and south; multi-family apartments exist across Meridian Rd./SH-69 to the east. The proposed development plan would contribute to the diversity of housing types and rental options in this area.
- “Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C)
A local or collector street connection is not available to this property. The proposed development plan does not depict a street connection to the adjacent underdeveloped property to the west as recommended by Staff during the pre-application meeting. A public street should be provided from Victory Rd. to the abutting property to the west (Parcel #S1225110160) for future extension and interconnectivity.
- “Evaluate the feasibility of annexing existing county enclaves and discourage the creation of additional enclaves.” (3.03.03I)
Annexation of the subject property will reduce the area of existing County enclaves in this area but will leave one property as an enclave surrounded by City annexed land. That property owner is not interested in annexing or redeveloping their property at this time.
- “Provide pathways, crosswalks, traffic signals and other improvements that encourage safe, physical activity for pedestrians and bicyclists.” (5.01.01B)
A 10-foot wide segment of the City’s multi-use pathway system is proposed within the street buffer along S. Meridian Rd./SH-69 in accord with the Pathways Master Plan and within the street buffer along Victory Rd. Traffic signals exist at the Victory and Meridian Rd./SH-69 intersection with pedestrian crosswalks.
- “Plan for transportation connectivity and the provision of adequate urban utilities and services for county enclaves.” (3.03.04)
No connectivity is proposed to adjacent properties with this development, nor are urban utilities stubbed to the county enclave at the southwest corner of this site as required.
- “Plan for connectivity between annexed parcels and county enclaves that may develop at a higher intensity.” (3.03.04A)
No connectivity, vehicular or pedestrian, is proposed to the County enclave (Parcel #S1225110160) at the southwest corner of this site.
- “Protect and enhance existing waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.” (4.05.01)
Several of the letters of testimony submitted by area residents note that there are many species of birds and other wildlife that live in this area; the proposed development plan does not propose any means of preserving any of this area other than leaving the Ridenbaugh Canal open.

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

While the proposed and existing uses are both residential in nature, the multi-family site design is much denser than that of adjacent single-family development. Many letters of testimony have been submitted from adjacent residents who don't feel the proposed use and site design is compatible with existing uses (see [public testimony](#)).

- “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 project is infill development. Many letters of testimony have been submitted from neighbors in the area who feel the proposed development would negatively impact them and their properties (see [public testimony](#)).

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

*The proposed development will connect to City water and sewer systems; however, services are not proposed to be provided to and through this development as required. **Services should be stubbed to the out-parcel at the southwest corner of this site for future extension and connection.***

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

A minimum 35-foot wide landscaped street buffer is required along S. Meridian Rd./SH-69 with noise mitigation in accord with the standards listed in UDC 11-3H-4D. A buffer is proposed as required but the vinyl fence on top of the berm does not comply with the UDC standards for sound attenuation.

- “Encourage diverse housing options suitable for various income levels, household sizes, and lifestyle preferences.” (2.01.01)

A mix of 1-, 2- and 3-bedroom residential rental units are proposed, which will contribute to the variety of housing options for various income levels, household sizes and lifestyle preferences in the City.

- “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)

No buffering or screening is proposed to adjacent single-family residential uses to the south or west – right-of-way exists along the north and east boundaries of the site. Written testimony submitted from adjacent residential neighbors note that the proposed density and site design doesn't adequately transition to existing development.

- “Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F)

The proposed multi-family development is not cohesive or complementary in design or construction with abutting single-family homes and properties.

- “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 three (3) existing access points via S. Meridian Rd./SH-69 will be reduced to one (1) with the proposed development. No local street connectivity exists to this property or is proposed to adjacent properites. A public street should be provided to the out-parcel at the southwest corner of this site for local street connectivity between developments.

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

Development of the subject infill parcels will maximize public services.

Although the proposed development complies with density range desired in the MDR FLUM designation and the goals of the Comprehensive Plan that pertain to the provision of a variety of housing types in the City, there are many other goals and policies that are *not* supported by the proposed development as noted above. Therefore, Staff finds the proposed development is generally not consistent with the Comprehensive Plan.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS

History: A previous development application was submitted in 2020 for this site that was withdrawn by the Applicant due to a recommendation of denial from the Commission (Victory Apartments CPAM, AZ H-2020-0065). The application proposed an amendment to the FLUM in the Comprehensive Plan from MDR to MHDR (medium high-density residential) and annexation with R-15 zoning. A multi-family development was proposed consisting of 170 2-story 2-plex & 4-plex style structures at a gross density of 10 units/acre.

The Commission was not in support of the proposed amendment to the FLUM and annexation for the following reasons: 1) an updated FLUM had recently been adopted and they didn't feel a change was warranted so soon after; 2) concern pertaining to safety of the proposed access via Victory Rd. related to the curve in Victory Rd.; and 3) opinion that although higher density is typically desired along arterial streets & transportation corridors such as this, higher density isn't appropriate for this property and isn't compatible with surrounding single-family residential uses.

The differences between the previous and proposed application are as follows: An amendment to the FLUM isn't proposed and the density is slightly lower by 2 units per acre (or 36 fewer units) with the subject application; the units are now 1-story instead of 2-stories in height and are 1- and 2-plexes instead of 2- and 4-plexes; the previous common open spaces areas were more centralized and directly accessible than the proposed open space; and a public street was previously proposed from Victory to the out-parcel at the southwest corner of the site for future extension and interconnectivity, which isn't with this application – only private streets are proposed with no connectivity to adjacent developments.

A. ANNEXATION & ZONING (AZ)

The Applicant proposes to annex 18.6 acres of land into the City with an R-15 (medium high-density residential) zoning district for the construction of a multi-family development consisting of 134 residential dwelling units.

This property is within the Area of City Impact boundary and is contiguous to City annexed land, thus is eligible for annexation. A legal description and exhibit map of the annexation boundary is included in Section VIII.A.

Typically, the R-4 (medium low-density residential) and R-8 (medium density residential) zoning districts are the most appropriate for the MDR FLUM designation with the R-15 district being most appropriate for the MHDR (Medium High Density Residential) FLUM designation. The UDC ([Table 11-2A-2](#)) lists multi-family developments as a prohibited use in the R-4 and R-8 zoning districts and as a conditional use in the R-15 zoning district, subject to the specific use standards listed in UDC [11-4-3-27](#).

For this reason, the Applicant requests R-15 zoning for the proposed development. A conditional use permit is proposed concurrent with the annexation request.

This property along with the 4-acre rural residential out-parcel (Brewer/Schmidt) at the southwest corner of the site, are enclaves surrounded by City annexed land. Annexation of this property will leave one parcel (Brewer/Schmidt) in the County. The Applicant states they have visited with that property owner about including their land in the annexation and proposed development but they prefer to remain as-is in the County. Remnant parcels such as this in the County create an inefficient provision of City services and confusion on City/County boundaries for emergency responders.

Future development is subject to the dimensional standards listed in UDC [Table 11-2A-7](#) for the R-15 zoning district.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *If* the Commission and City Council approves the annexation request, Staff recommends a DA is required to ensure future development is consistent with the Comprehensive Plan.

B. CONDITIONAL USE PERMIT (CUP)

A CUP is proposed for a multi-family development consisting of 134 dwelling units on 16.8 acres of land in the R-15 zoning district.

All of the units will be for rent, owned and operated by a single entity. A mix of 1- (20), 2- (60) and 3- (54) bedroom units are proposed. The 1-bedroom units are approximately 650 square feet (s.f.), the 2-bedroom units are 950 s.f. and the 3-bedroom units are 1,290 s.f.; 12 of the 3-bedroom units will have an attached garage. All units will be a single-story in height. The project is proposed to be constructed in one phase.

This property currently consists of five (5) parcels of land that will need to be combined through a property boundary adjustment application prior to development if the proposed development is approved.

Dimensional Standards: Development is required to comply with the minimum dimensional standards for the R-15 zoning district listed in UDC [Table 11-2A-7](#) and those in UDC [11-4-3-27B.1](#).

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

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

[11-4-3-27](#): MULTI-FAMILY DEVELOPMENT:

"B. Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. ***The R-15 zoning district requires a greater rear building setback of 12 feet.***
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. ***The site plan depicts screened trash enclosures not visible from a public street; all proposed transformer/utility vaults and other service areas shall comply with this requirement.***
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In

circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *The landscape plan (sheet L151) depicts enclosed/fenced yards for each unit that exceed the minimum private open space standards.*

4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. ***Some of the fenced private open space areas at the rear of the units along the southern and eastern boundaries were mistakenly included in the common open space calculations for the site (see Exhibit D in Section VIII); these areas should be excluded from the common open space calculations.***
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *The proposed vehicle parking meets and exceeds UDC standards; the proposed bicycle parking does not meet the minimum standards, per the analysis below.*

Based on (20) 1-bedroom units; (60) 2-bedroom units; and (54) 3-bedroom units, a minimum of 271 off-street parking spaces are required, including guest parking, with 134 of those in a covered carport or garage. Accessible parking is required in accord with ADA standards. A total of 284 spaces are proposed, with 135 of those being covered, which exceeds the minimum standards by 13 spaces. **Additional parking is required for the clubhouse at one space per every 500 s.f. of gross floor area; the clubhouse is anticipated to be 2,500 to 3,000 s.f.**

Based on 284 proposed vehicle parking spaces, a minimum of 11 bicycle parking spaces are required to be provided in accord with the standards listed in UDC [11-3C-5C](#). **One bicycle rack is proposed at the clubhouse capable of holding 5 bicycles, which does not meet the minimum standard – additional bicycle parking is required and should be dispersed throughout the development.** *Additional bicycle parking spaces may be required depending on the square footage of the clubhouse; one space is required for every 25 proposed vehicle parking spaces or portion thereof per UDC 11-3C-6G that complies with the standards listed in UDC [11-3C-5C](#).*

7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

These items should be depicted on the site plan submitted with the Certificate of Zoning Compliance application.

- C. Common Open Space Design Requirements (UDC [11-4-3-27C](#)): The total baseline land area of all qualified common open space shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *Based on 16.8 acres of land, a minimum of 1.68 acres of common open space is required.*

Common open space areas are also required to comply with the standards listed in UDC 11-4-3-27C.2, which state that open space areas must be integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. These areas

should have direct pedestrian access, be highly visible, comply with CPTED standards and support a range of leisure and play activities and uses – irregular shaped, disconnected or isolated open spaces do not meet the standard. Open space areas should be accessible and well connected throughout the development (i.e. centrally located, accessible by pathway and visually accessible along collector streets or as a terminal view from a street). Open space areas should promote the health and well-being of its residents and support active and passive uses for recreation, social gathering and relaxation to serve the development.

In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *None of the units are below 500 square feet (s.f.).*
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *80 of the units are between 500 and 1,200 s.f.; therefore, a total of 20,000 s.f. (or 0.46 of an acre) of common open space is required for these units.*
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *54 of the units are over 1,200 s.f.; therefore, a total of 18,900 s.f. (or 0.43 of an acre) of common open space is required for these units.*

Per this standard, a total of 38,900 s.f. (or 0.89 of an acre) of common open space is required. Combined with the 1.68 acres noted above for the baseline requirement, a minimum of 2.57 acres of common open space that meets the standards listed in UDC 11-4-3-27C is required to be provided in the proposed development. A total of 178,792 square feet (or 4.10 acres) of common open space, including a 6,304 s.f. common grassy area, is proposed as shown on the exhibit in Section VIII.D. However, some of the areas included don't meet the minimum standard, as noted below.

2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). ***The common open space areas proposed along the southern and western perimeter boundaries of the site are less than 20' in width and do not meet this requirement. Some of these areas also include private open space areas.***
3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *This project is proposed to develop in one phase.*
4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) ***The area along the eastern boundary adjacent to S. Meridian Rd./SH-69, an arterial street/state highway, is separated by a berm/fence but does not have breaks to allow pedestrian access except at the access driveway via Meridian Rd. The area along the northern boundary adjacent to W. Victory Rd., an arterial street, does not have a berm/barrier as required but does have a multi-use pathway and is 20'+ wide and separated from the street by the Ridenbaugh Canal, which Staff deems should be allowed to count if a fence is constructed along the canal for public safety. The large common area on the northeast side of the Ridenbaugh Canal is located at a very busy intersection – Victory & Meridian Rd./SH-69 – and is isolated from the development, is not directly accessible (it's only accessible by the multi-use pathway along***

Meridian Rd.), is not protected from the adjacent roadways and creates a safety hazard for children playing in the area; therefore, it should not be counted.

Staff is unable to determine if the minimum standards are met based on the submitted common open space exhibit, which includes many areas that don't qualify; revisions are needed to the plan in order to determine compliance with the minimum standards.

- D. Site Development Amenities: All multi-family developments shall provide for quality of life, open space, and recreation amenities to meet the particular needs of the residents as noted in UDC 11-4-3-27D. The number of amenities shall depend on the size of the multi-family development based on the number of units.

For multi-family developments with 75 units or more, four (4) amenities shall be provided with at least one (1) from each category. For developments with more than 100 units such as this, the decision-making body shall require additional amenities commensurate to the size of the proposed development.

The following amenities are proposed from each of the following categories: 1) Quality of Life – clubhouse with a leasing office and fitness facility and a dog park with a waste station; 2) Open Space – outdoor game plaza, hammock lounge area with a shade structure; 3) Recreation: swimming pool, a 10-foot wide multi-use pathway along the north and east boundaries of the site, two (2) fire pits and a children's play structure; and 4) Multi-Modal: charging stations for electric vehicles. *Staff is of the opinion the proposed amenities are commensurate with the size of development proposed.*

- E. Landscaping Requirements: Development shall meet the minimum landscaping requirements in accord with chapter 3, "Regulations Applying to All Districts", of this title. Additionally, all street facing elevations shall have landscaping along their foundation that complies with the standards listed in UDC 11-4-3-27E.2. *The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping along the street facing elevations in accord with the standards listed in UDC [11-4-3-27E.2](#). Landscaping is required to be provided along all pathways per the standards listed in UDC [11-3B-12C](#). Street buffer landscaping along W. Victory Rd., an arterial street, and S. Meridian Rd./SH-69, an arterial street and an entryway corridor, is required per the standards listed in UDC [11-3B-7C](#).*
- F. Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features.” *The Applicant shall comply with this requirement; a copy of such shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy within the development.*

Access: One (1) full-access driveway is proposed via E. Victory Rd. in alignment with S. Alfani Way on the north side of Victory, which is approved as a temporary access by ACHD and may be restricted to right-in/right-out only in the future; and one (1) right-in/right-out access driveway is proposed via S. Meridian Rd./SH-69, as depicted on the site plan.

The UDC ([11-3H-4B](#)) does not allow existing accesses via SH-69 to remain if the nature of the use changes and/or the intensity of the use increases, which is the case with this application. In this instance, access to a street other than the state highway should be developed or acquired. The City Council may consider and approve modifications to these standards upon specific recommendation of ITD or if strict adherence is not feasible, as determined by City Council. ITD issued a [letter](#) stating the proposed access is acceptable with the conditions noted in the letter. Approval from City Council is still needed in order for this access to be approved.

A connectivity exhibit was submitted by the Applicant, included in Section IX.G, that depicts the extension of existing stub streets from the west (W. Contender Dr.) and south (S. Peoria Way) through the Brewer-Schmidt out-parcel at the southwest corner of this site – no connectivity is proposed with this site, which is not consistent with the goals in the Comprehensive Plan pertaining to connectivity between neighborhoods.

[ACHD](#) is requiring additional right-of-way to be dedicated on Victory totaling 39' from centerline and improvements consisting of 17' of pavement from centerline with a 3' wide gravel shoulder where needed abutting the site and a west-bound center left turn lane on Victory.

[ITD](#) is requiring the proposed access via S. Meridian Rd./SH-69 to be relocated approximately 120' to the south and additional right-of-way to be dedicated for construction of a right-turn lane for the proposed access.

Staff is concerned about the safety of both accesses proposed for the development. The curve that exists in Victory Road to the east and west of the proposed driveway creates visibility issues, which are compounded when traffic is stacked up/congested. The center turn lane required in Victory should improve safety for westbound vehicles turning into the site but will hinder traffic coming out of Strada Bellissima subdivision on S. Alfani Way turning left on Victory. The high speed of traffic traveling on S. Meridian Rd./SH-69 will be dangerous for vehicles entering and exiting the site. The southbound right-turn deceleration lane into the development should help to increase safety but the right-out onto the highway will be dangerous with vehicles merging at a slow rate of speed into southbound high-speed traffic.

The access via Victory will require a new bridge to be constructed over the Ridenbaugh. ACHD is requiring a 5-foot wide sidewalk be provided as part of the road/bridge improvements for a pedestrian crossing over the canal. Private streets are proposed for internal access within the development.

A private street application ([A-2022-0165](#)) was submitted with this application for the internal private streets. Private streets are required to comply with the design and construction standards listed in UDC [11-3F-4](#). Staff has reviewed these standards and it appears the Applicant can comply with all standards except for the following:

- Private streets are required to connect to a local or collector street – connection to an arterial street is not allowed (11-3F-4A.2). *The private street is proposed to connect to two (2) arterial streets, E. Victory Rd. and S. Meridian Rd., which is also a state highway (SH-69). Connection to a local or collector street is not possible.*
- The overall street network within the surrounding area shall allow for properties to connect at regular intervals in order to promote connected neighborhoods and traffic flow within the mile section (11-3F-4A.7). *Although there is neighborhood connectivity within the mile section, there is no existing or proposed connectivity between the subject property and adjacent development to the south (Meridian Heights) or to the parcel to the west (Brewer-Schmidt).*

Upon recommendation of the City Engineer and Fire Marshall, the Director may approve, or recommend approval of alternative design or construction standards through the alternative compliance process when the Applicant can demonstrate that the proposed overall design meets or exceeds the intent of the required standards of this article and shall not be detrimental to the public health, safety and welfare, per UDC 11-3F-4B.3.

As is, the private streets do not meet all of the required standards and cannot be approved; a request for alternative compliance may be submitted for consideration by the Director if this project is approved.

During the pre-application meetings for this project, Staff recommended the Applicant provide a public street from Victory Rd. to the west stubbing to the out-parcel at the southwest corner of the site (Parcel #S1225110160) for future extension and interconnectivity with adjacent neighborhoods as desired in the Comprehensive Plan. Private streets could then be provided off the local street for internal access, which would comply with the private street standard that requires connection to a local or collector street. Staff still feels this is appropriate and if the project is approved, recommends a public stub street is provided as a condition of approval consistent with the neighborhood connectivity goals in the Comprehensive Plan. Right-of-way should be dedicated for the public street through the subdivision process.

Pathways: The Pathways Master Plan depicts a segment of the City's regional pathway on this site along S. Meridian Rd./SH-69. The site plan depicts a detached 10-foot wide multi-use pathway within the street buffers along S. Meridian Rd./SH-69 and W. Victory Rd. in lieu of a sidewalk.

There is an existing pathway to the west in Jocelyn Park subdivision on the south side of the Ridenbaugh Canal. **If this application is approved, Staff recommends the Applicant work with the Jocelyn Park HOA to provide an off-site connection to the existing pathway if adequate area exists within the right-of-way for the connection. No pedestrian pathways are stubbed to this property from the subdivision to the south; a pathway connection should be provided to the property to the west for future interconnectivity upon redevelopment of that property.**

A pedestrian bridge is not proposed over the Ridenbaugh Canal for access to the open space at the northeast corner of the site. Staff is of the opinion a more direction connection should be provided to this area, in accord with common open space standards, via a pedestrian bridge in order for the area to be more integrated with this development. As-is, the only access to this area is from the perimeter multi-use pathway along S. Meridian Rd./SH-69. If approved, the Applicant should work with the Irrigation District to provide a pedestrian bridge over the canal.

Landscaping: Street buffer landscaping is required per the updated standards listed in UDC [11-3B-7C](#).

Landscaping is required on either side of all pathways in accord with the standards listed in UDC [11-3B-12C](#).

Landscaping is required within all stormwater swales in accord with the standards listed in UDC [11-3B-11C](#).

Waterways: The Ridenbaugh Canal runs along the northern boundary of the site within a 100-foot wide easement (50' from centerline each side). All canals are required to be piped unless used as a water amenity or linear open space as defined in UDC 11-1A-1 per UDC 11-3A-6.

Due to its large capacity, it's not feasible for the waterway to be piped. Therefore, the Applicant requests a waiver from City Council to leave the waterway open. Council may approve such a waiver if it finds that the public purpose requiring such will not be served and public safety can be preserved. To preserve public safety, Staff recommends a 6-foot tall wrought iron fence is provided on the south side of the canal at a minimum.

Noise Abatement: Because residential uses are proposed within the development, which abuts a state highway, noise abatement is required to be provided within the street buffer along S. Meridian Rd./SH-69 in accord with the standards listed in UDC [11-3H-4D](#).

A 4-foot tall berm with a 6-foot tall vinyl fence on top of the berm is proposed as depicted on Sheet L150, which does not meet the construction standards for noise abatement. **The top of the wall is required to be a minimum of 10-feet higher than the elevation at the centerline of the state highway. The wall material is required to be impervious concrete or stucco or other appropriate sound attenuating material (vinyl does not qualify) and should comply with the standards listed in UDC 11-3H-4D.3.**

School Capacity: No comments were received from West Ada School District (WASD) on this application to determine how the proposed development would impact enrollment numbers and capacity at area schools. The Community Development Dept. has provided a [memo](#) to the Commission & City Council with some analysis on this matter, included in Section IX.L. As of 9/2021, enrollment at the elementary, middle and high school for this area was below capacity. However, these numbers are subject to change with development approvals since that time in this area as well as changes to school boundaries that occur every year. Many of the letters of testimony received state that area schools are overcrowded and over-capacity, requiring children to be bussed to schools much farther away.

Building Elevations (*UDC [11-3A-19](#) | [Architectural Standards Manual](#)*): Conceptual building elevations were submitted for the proposed structures as shown in Section VIII.F. The Applicant's narrative states the structures are proposed to be oriented in several different directions to break up the exterior appearance and will consist of a variety of materials and colors consistent with the design standards in the Architectural Standards Manual. Materials depicted consist of horizontal fiber cement siding in different colors with a half-height brick or stone finish. **Final design is required to comply with the design standards in the Architectural Standards Manual.**

Letters of testimony: Many [letters of testimony](#) have been received in opposition to the proposed development from adjacent neighbors. Reasons for opposition include but are not limited to the following:

- Existing infrastructure is struggling to keep up with the growth in the South Meridian area – Victory Road is a traffic jam at commute times, Meridian Rd. is backed up to Victory, the Meridian/Victory intersection is congested, schools are overcrowded and adding the proposed number of rental units in this area will just exacerbate the issue;
- The proposed R-15 zoning isn't consistent with adjacent zoning (i.e. R-4 and R-8); the proposed multi-family use isn't compatible with existing single-family uses; and rental units will bring down adjacent home values;
- The traffic generated from a multi-family development is much higher than single-family due to the higher density;
- Concern pertaining to future residents cutting through adjacent developments (i.e. Strada Bellissima and Bear Creek) to avoid traffic congestion on Stoddard, Victory and Meridian Roads and safety of children (and pets) who play in the area and walk to Victory middle school;
- There is no connectivity with surrounding neighborhoods – this will be a stand-alone community;
- No public transportation in the area to off-set the increase in traffic generated from this development;
- The driveway access on Victory Rd., straight across from the access to Strada Bellissima subdivision, will severely impact the ability of residents of Strada Bellissima to exit their subdivision to turn left on Victory Rd., which is already difficult due to the increased traffic from recently constructed subdivisions in the area;
- Approval of the proposed development will destroy the natural open space and homes to over 40 bird species and other wildlife on this property;
- The desire for this property to remain as natural open space and be a nature preserve or a City Park;
- Children in the area are already being bussed to schools much farther away because area schools are overcrowded and don't have capacity – the proposed development will make the situation worse;
- There are already a lot of rental units in this vicinity, including those along Overland Rd. between Stoddard and Ten Mile Roads;
- Desire for single-family residential units to develop on this property at a similar density as adjacent development, which would be compatible with existing single-family uses;
- Not the right location for a multi-family development with restricted access;

- Effect on area residents' quality of life with increasing traffic/congestion and associated safety issues, overcrowded schools, incompatible land uses, lack of infrastructure and essential community support (i.e. teachers, bus drivers, police, fire, etc.) to keep up with growth; and,
- Concern pertaining to the impact on existing wells in the area with the continued growth.

Staff shares many of the neighbors' concerns who have submitted testimony on this application and is not supportive of the proposed annexation and conditional use permit for the following reasons: Based on public testimony received, the proposed multi-family development is not compatible with the adjacent single-family development and is too high of density for this area; access issues and associated safety concerns with the Meridian/SH-69 & Victory Rd. intersection in such close proximity to this site and the curve in Victory Road to the east and west of the proposed access; many of the common open space areas do not quality toward the minimum standards and Staff is unable to determine compliance with the minimum standards; no connectivity is proposed with adjacent developments as desired in the Comprehensive Plan; City water and sewer service is not proposed "to and through" the development as required; and the proposed private streets don't meet the standards due to direct connectivity with arterial streets and no connectivity with adjacent developments and the surrounding area.

VII. DECISION

A. Staff:

Staff recommends denial of the proposed annexation and conditional use permit per the analysis contained above in Sections V and VI and the Findings below in Section IX.

VIII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map



ANNEXATION LEGAL DESCRIPTION

Date: April 1, 2022

A parcel of land being a portion of the Southeast 1/4 of the Southeast 1/4 of Section 24 and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 3 North, Range 1 West, Ada County, Idaho also being a portion of Victory Road and Meridian Road Rights of way, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 25, monumented by a 3" aluminum cap (Corner Record No. 2019015472), from which the East 1/4 of said Section 25, monumented by a 3" aluminum cap (Corner Record No. 9149708), bears South 00°25'40" West, a distance of 2643.00 feet, also being the **POINT OF BEGINNING**;

Thence South 00°25'40" West, coincident with the East line of said Section 25, a distance of 903.70 feet;

Thence leaving said East line, North 89°34'20" West, a distance of 65.00 feet, to the Southeast corner of Parcel "E" of Record of Survey No. 13030 recorded as Inst. No. 2021-128997 in the records of Ada County, said point also being on the northerly boundary of the Plat Showing Meridian Heights No. 2 Subdivision, recorded in Book 41, Page 3353-3354, also in the records of Ada County;

Thence coincident with the southerly boundary of said Record of Survey and the northerly boundary of said Subdivision the following four (4) courses:

Thence North 60°10'51" West, a distance of 516.15 feet;

Thence North 58°42'00" West, a distance of 210.47 feet;

Thence North 65°04'27" West, a distance of 9.90 feet;

Thence North 63°27'13" West, a distance of 202.31 feet;

Thence leaving said northerly boundary of said Subdivision and continuing coincident with the westerly boundary of said Record of Survey North 00°29'01" East, a distance of 452.46 feet, to a point on the North line of said Section 25;

Thence North 89°21'45" West, coincident with said North line, a distance of 434.41 feet, to the Northeast 1/16th corner of said Section 25, monumented by a 1.5" aluminum cap (Corner Record No. 9018193);

Thence North 89°20'48" West, coincident with said North line, a distance of 86.26 feet, to the centerline of Victory Road and the exterior boundary as shown on the Final Plat of Strada Bellissima Subdivision No. 1, recorded in Book 93, Pages 11265-11268 in the records of Ada County;

Thence North 28°46'12" East, coincident with said centerline and exterior boundary, a distance of 183.12 feet, to the northwesterly corner of said Record of Survey No. 13030;

Thence coincident with the centerline of Victory Road and northerly boundary of said Record of Survey for the following eight (8) courses:

Thence North 49°37'19" East, a distance of 55.40 feet, to the beginning of a curve to the right;

Thence along the arc of said curve to the right a distance of 32.37 feet, said curve having a radius of 100.00 feet, a central angle of 18°32'50", and a chord bearing of North 58°53'49" East, a distance of 32.23 feet;

Thence North 68°10'19" East, a distance of 45.34 feet, to the beginning of a curve to the right;

Thence along the arc of said curve to the right, a distance of 137.15 feet, said curve having a radius of 250.00 feet, a central angle of 31°26'00", and a chord bearing of North 83°53'19" East, a distance of 135.44 feet;

Thence South 80°26'22" East, a distance of 514.81 feet, to the beginning of a curve to right;

Thence along the arc of said curve to the right, a distance of 89.55 feet, said curving having a radius of 350.00 feet, a central angle of 14°39'37", and a chord bearing of South 73°06'34" East, a distance of 89.31 feet to a point of compound curvature;

Thence along the arc of said curve to the right, a distance of 88.18 feet, said curving having a radius of 334.96 feet, a central angle of 15°05'03", and a chord bearing of South 57°54'06" East, a distance of 87.93 feet;

Thence South 50°21'37" East, a distance of 41.63 feet, to the beginning of a curve to the left;

Thence continuing coincident with said centerline of Victory Road, along the arc of said curve to the left, a distance of 216.76 feet, said curve having a radius of 319.68 feet, a central angle of 38°49'43", and a chord bearing of South 69°49'20" East, a distance of 212.64 feet, to a point on the North line of said Section 25;

Thence South 89°21'45" East, coincident with said North line, a distance of 172.24 feet to the **POINT OF BEGINNING**.

The above-described parcel contains 810,315 square feet or 18.60 acres, more or less.

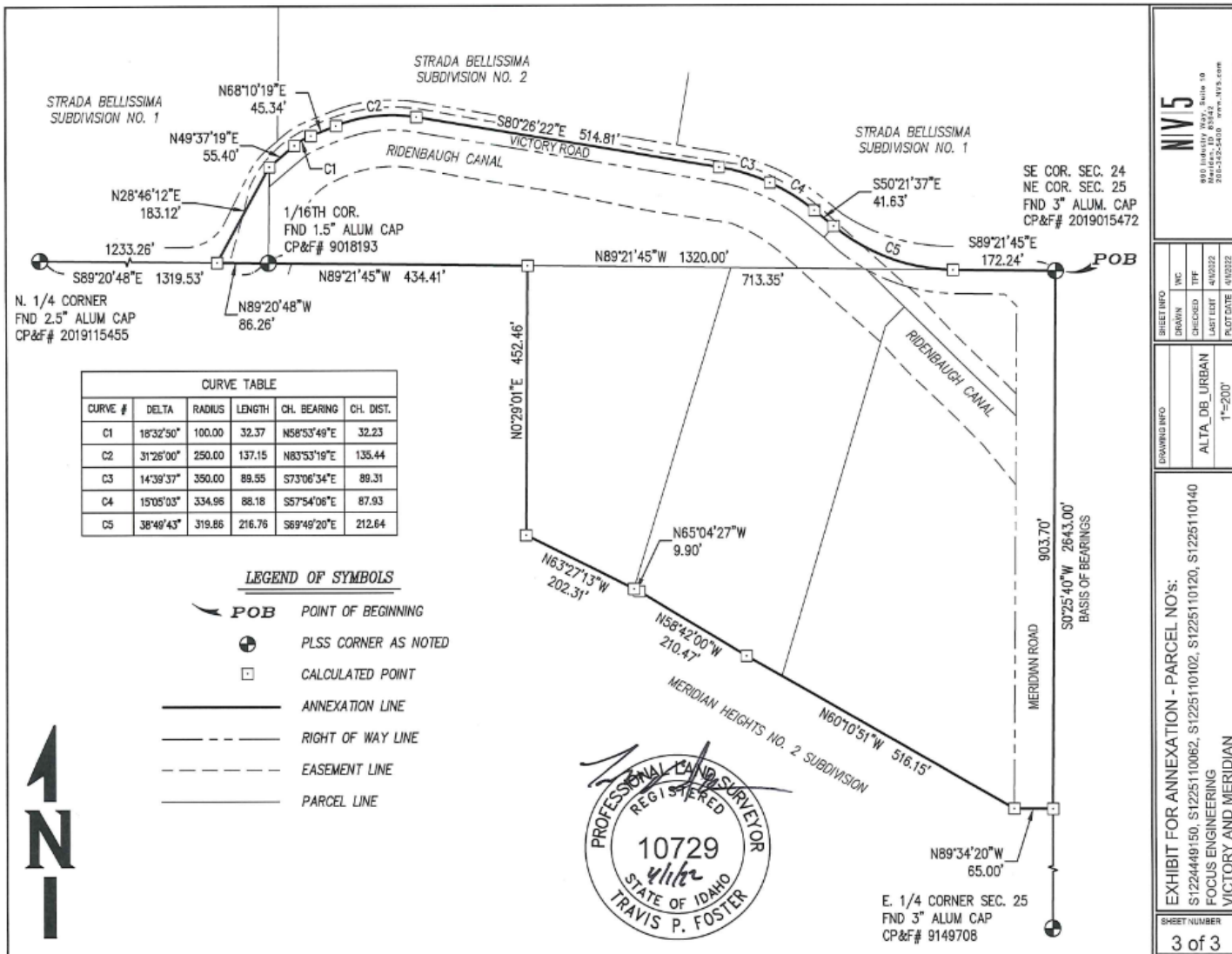
Together with and subject to covenants, easements, and restrictions of record.

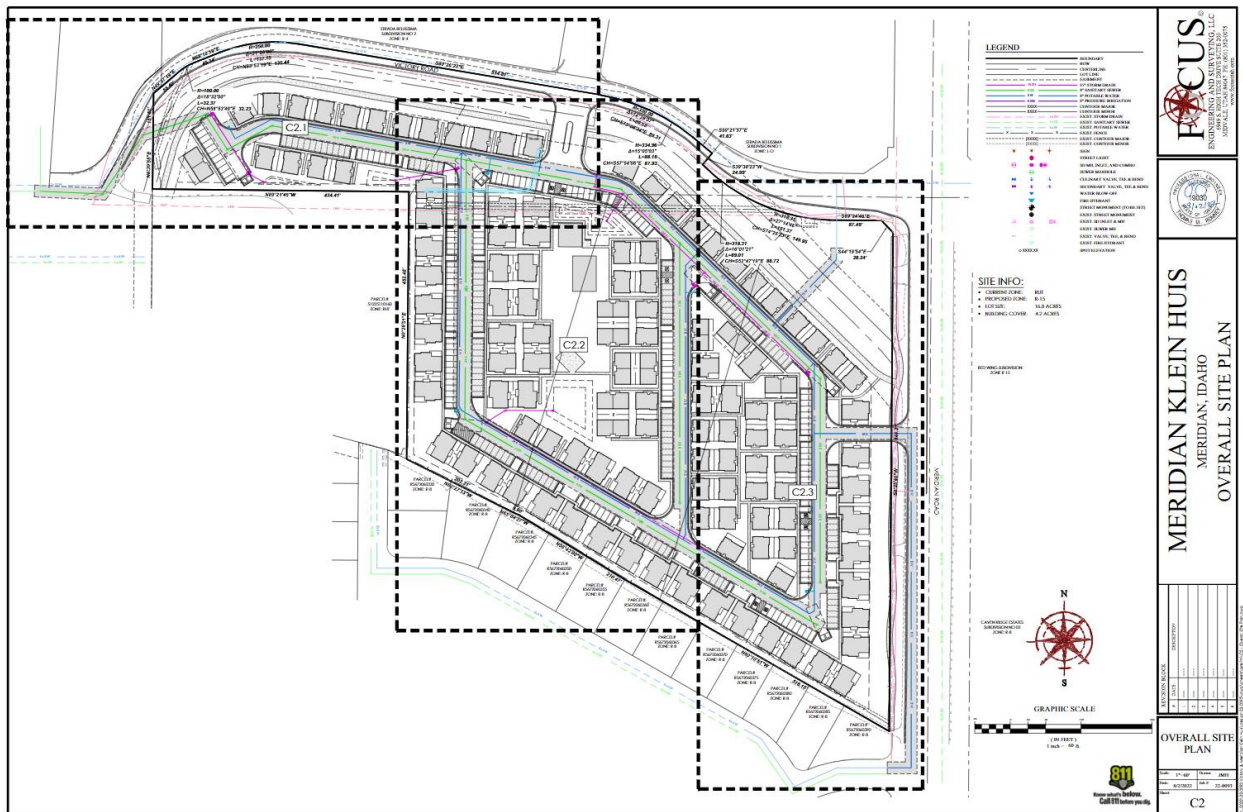
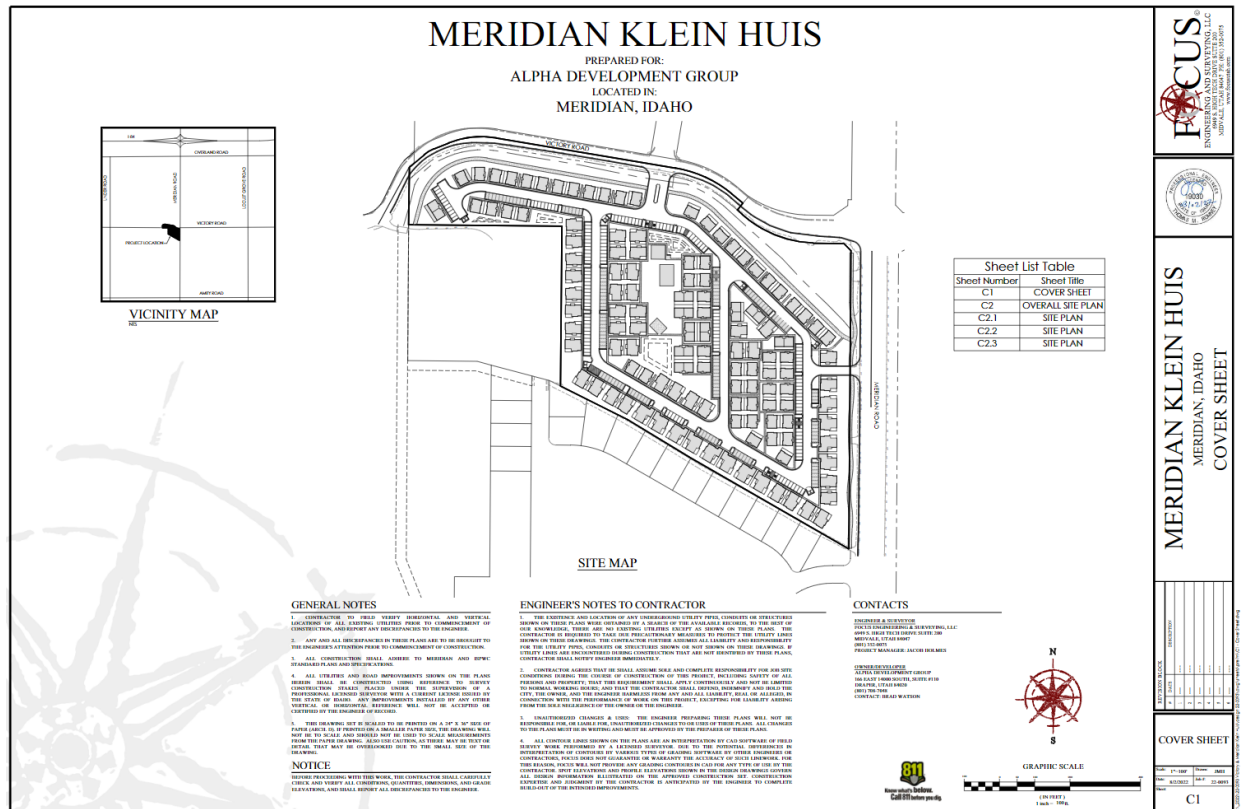
The basis of bearings for the parcel is South 00°25'40" West between the Northeast corner and the East 1/4 corner of said Section 25.

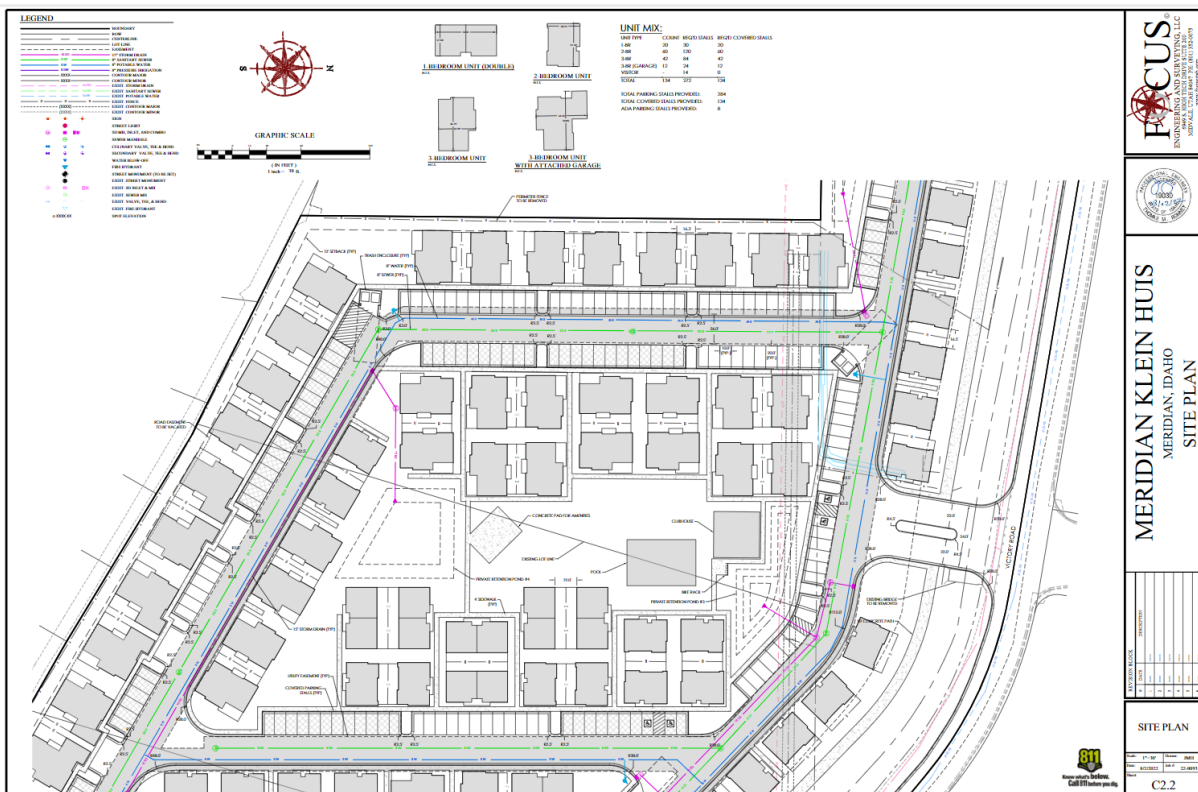
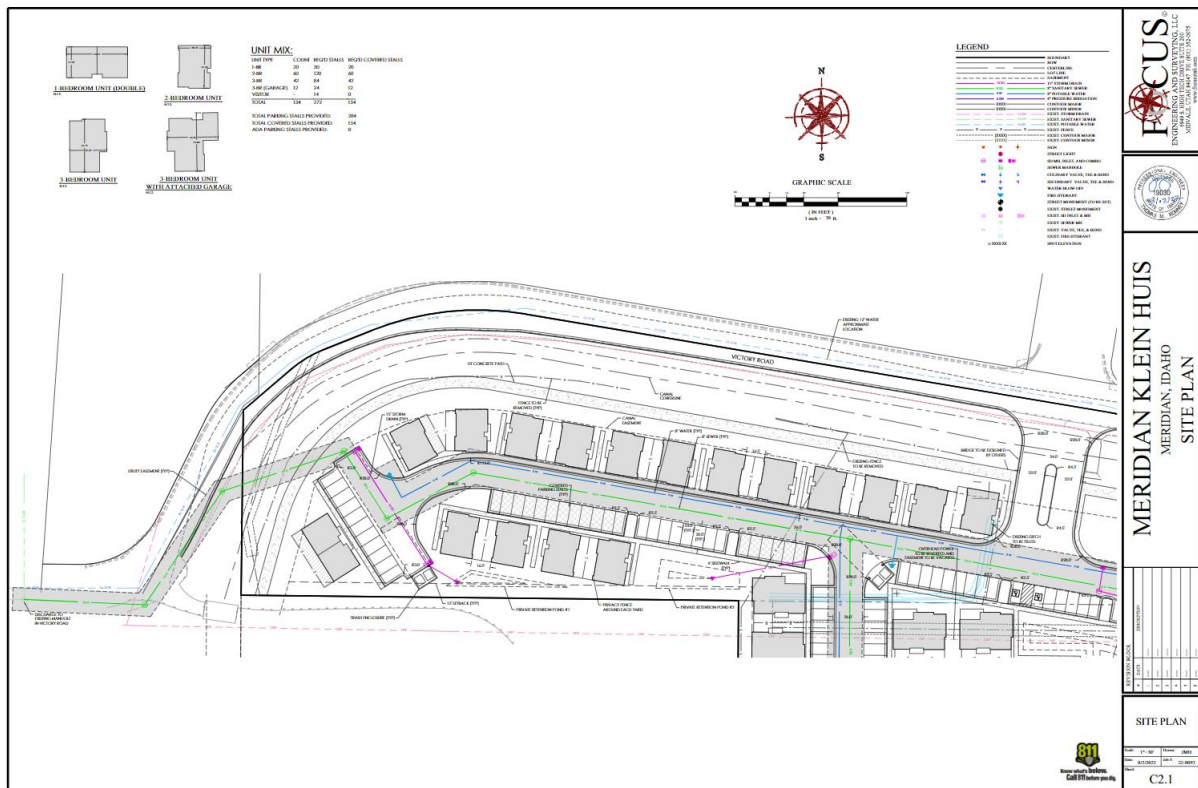
Travis P. Foster, P.L.S.
End of Description



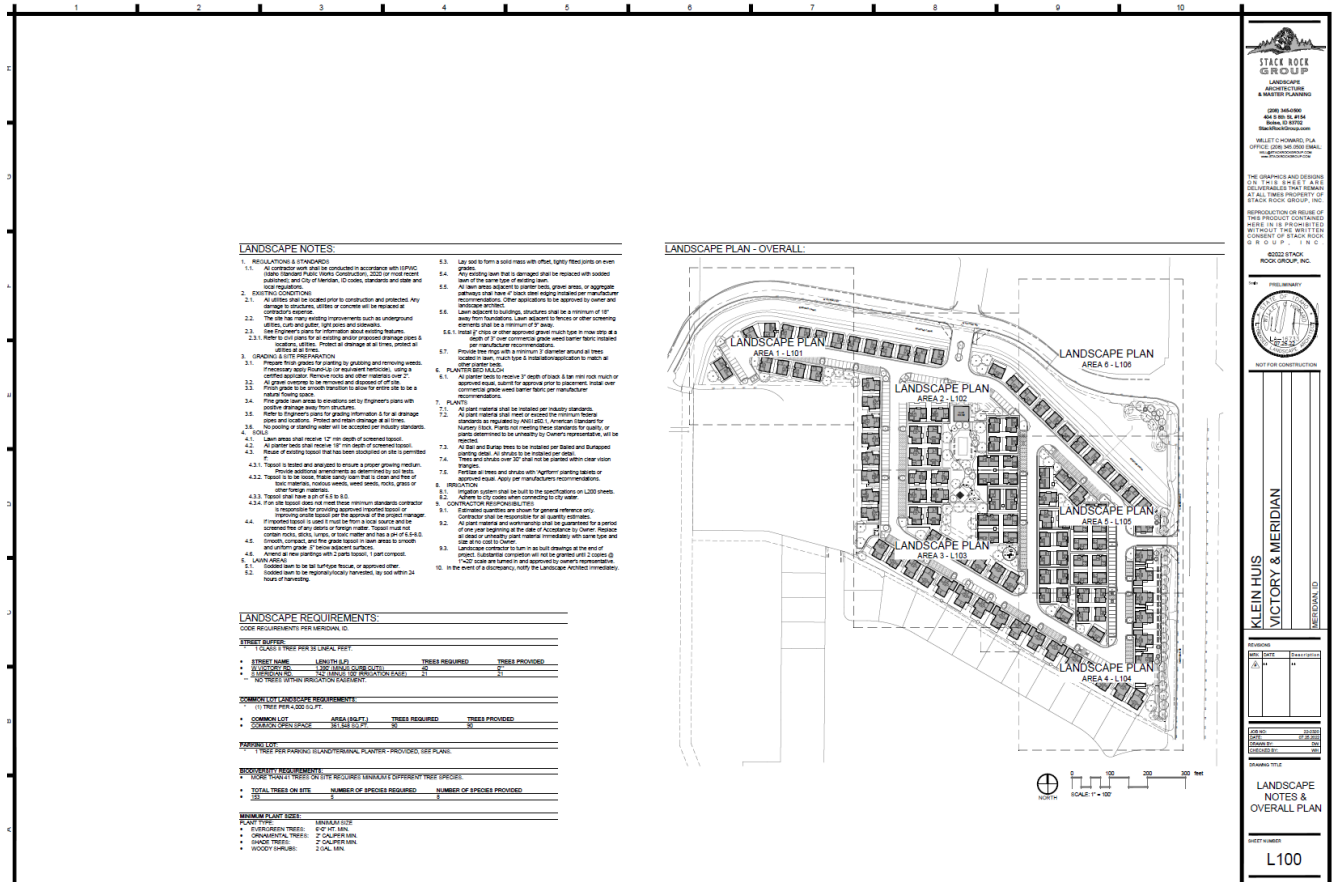
License No. 10729





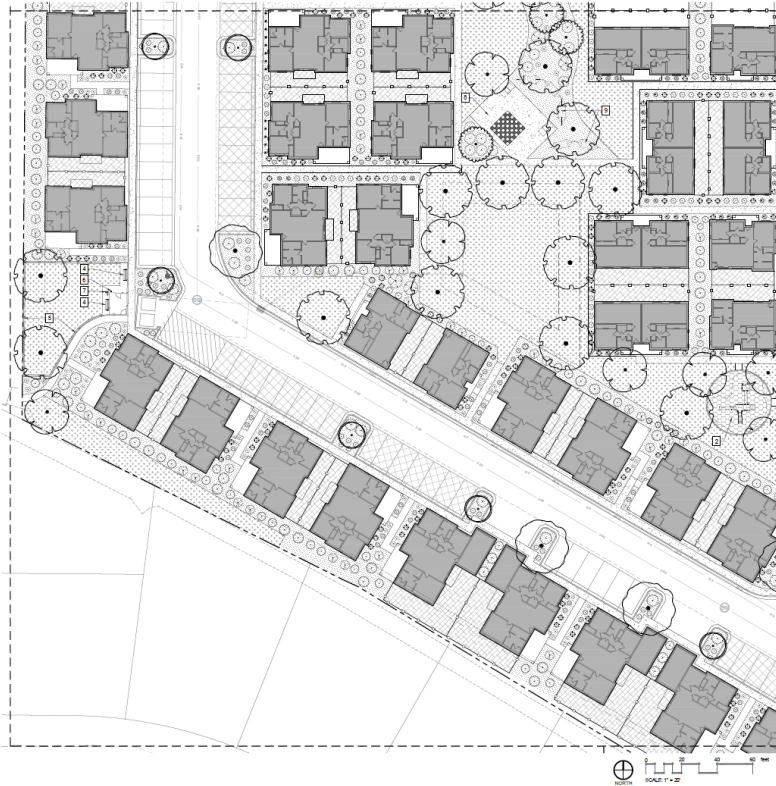


C. Landscape Plan (date: 7/25/22)



LANDSCAPE KEYNOTES:

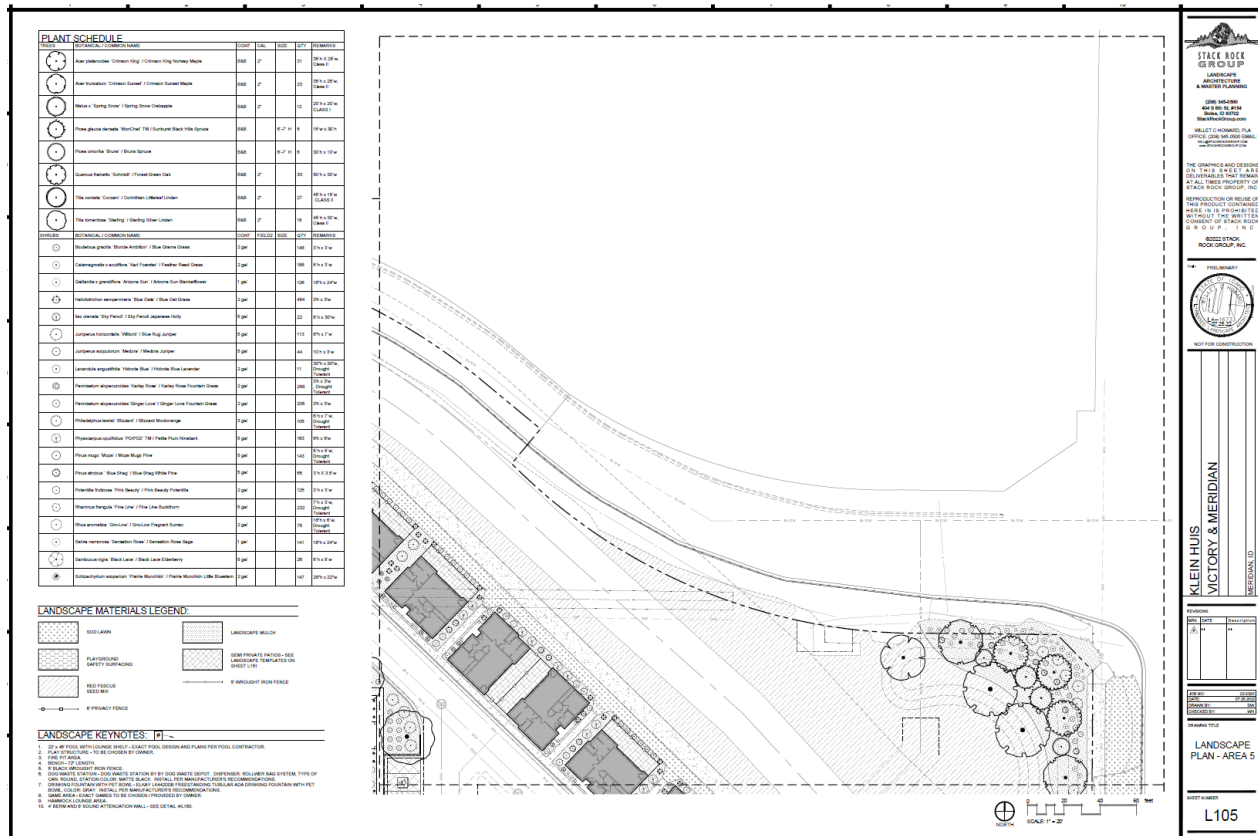
1. 22' x 46' POOL WITH LOUNGE SEAT - EXACT POOL, DESIGN AND PLANS PER POOL CONTRACTOR.
2. PLAY STRUCTURE - TO BE CHOSEN BY OWNER.
3. FIRE PIT AREA.
4. BENCH - 12' BENCH.
5. BLACK WROUGHT IRON FENCE.
6. DOG WASTE STATION - DOG WASTE STATION BY DOG WASTE DEPOT. DISPENSER, ROLLER, BAG SYSTEM, TYPE OF CAN. ROUND, STRAINER, COLOR, WHITE BLACK. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.
7. MANUFACTURER PLANT PER SITE PLAN. PLANT - FLUOR. FREESTANDING TULIPAL AREA DRINKING FOUNTAIN WITH PET BOWL, COLOR GRAY. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.
8. GRASS AREA - EXACT GRASS TO BE CHOSEN PROPOSED BY OWNER.
9. HARMONY LOUNGE AREA.
10. 4' DEEP AND 8' SOURCE ATTACHED WALL - SEE DETAIL 45193.

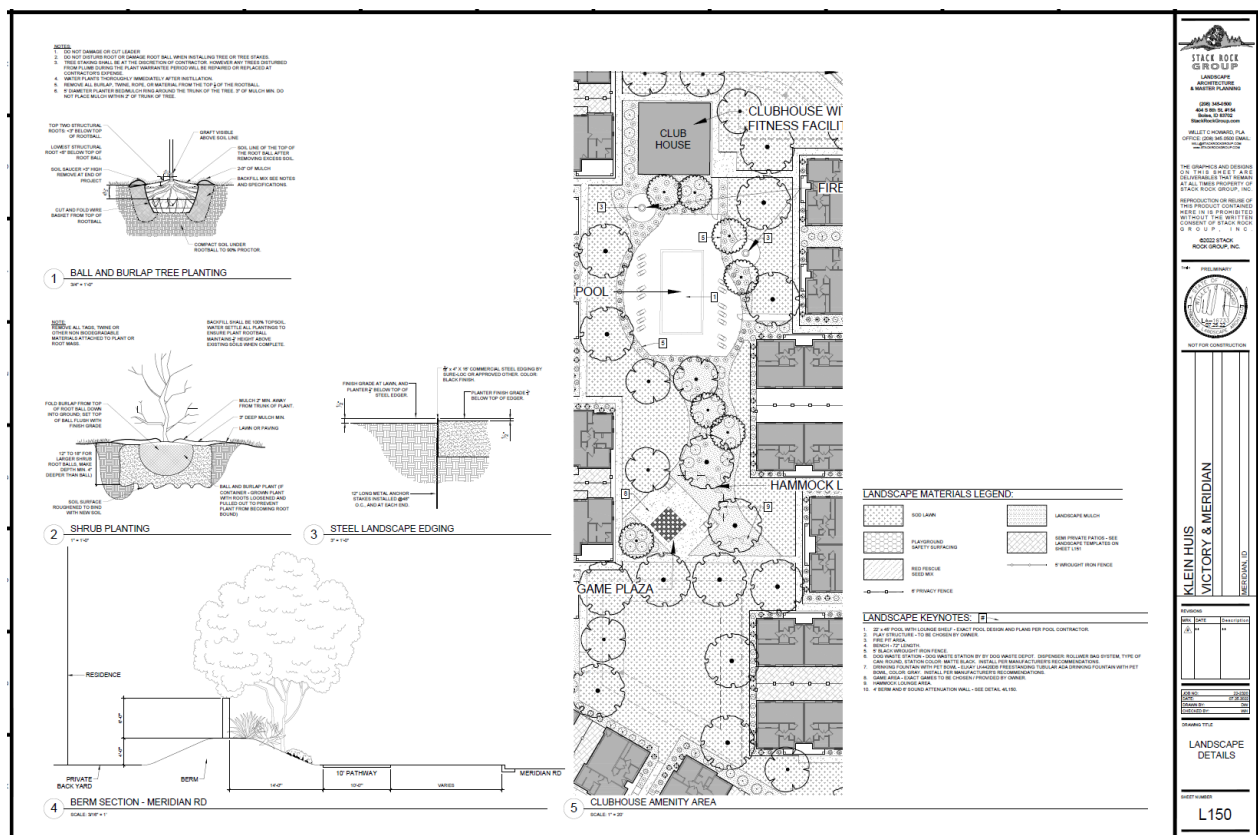
[illegible]

LANDSCAPE KEYNOTES:

1. 22" x 46" POOL WITH LOUNGE SHELF - EXACT POOL DESIGN AND PLANS PER POOL CONTRACTOR.
2. PLAY STRUCTURE - TO BE CHOSEN BY OWNER.
3. FIRE PIT AREA
4. BENCH - 72" LENGTH
5. 8" BLACK RUBBER BENCH FACE
6. WASTE STATION - WASTE STATION BY 80 GPM WASTE DEPOT, DISPENSER, ROLLER BAR SYSTEM, TYPE C CAN, ROUND STATION COLOR: WHITE BLACK, INSTALL PER MANUFACTURER'S RECOMMENDATIONS
7. DYNAMIC LIGHTING - (EQUIP) LIGHTING: FREESTANDING, TUBULAR GLASS DRINKING FOUNTAIN WITH PET BOWL, COLOR: GRAY - INSTALL PER MANUFACTURER'S RECOMMENDATIONS
8. GAME AREA - GAME AREA TO BE CHOSEN/FORGIVEN BY OWNER.
9. HANDBOOK LOUNGE AREA
10. 4" REFER AND 8" SOUND ATTENUATION WALL - (SEE DETAIL 44.10)

[illegible]





STACK ROCK GROUP
LANDSCAPE ARCHITECTURE & MASTER PLANNING

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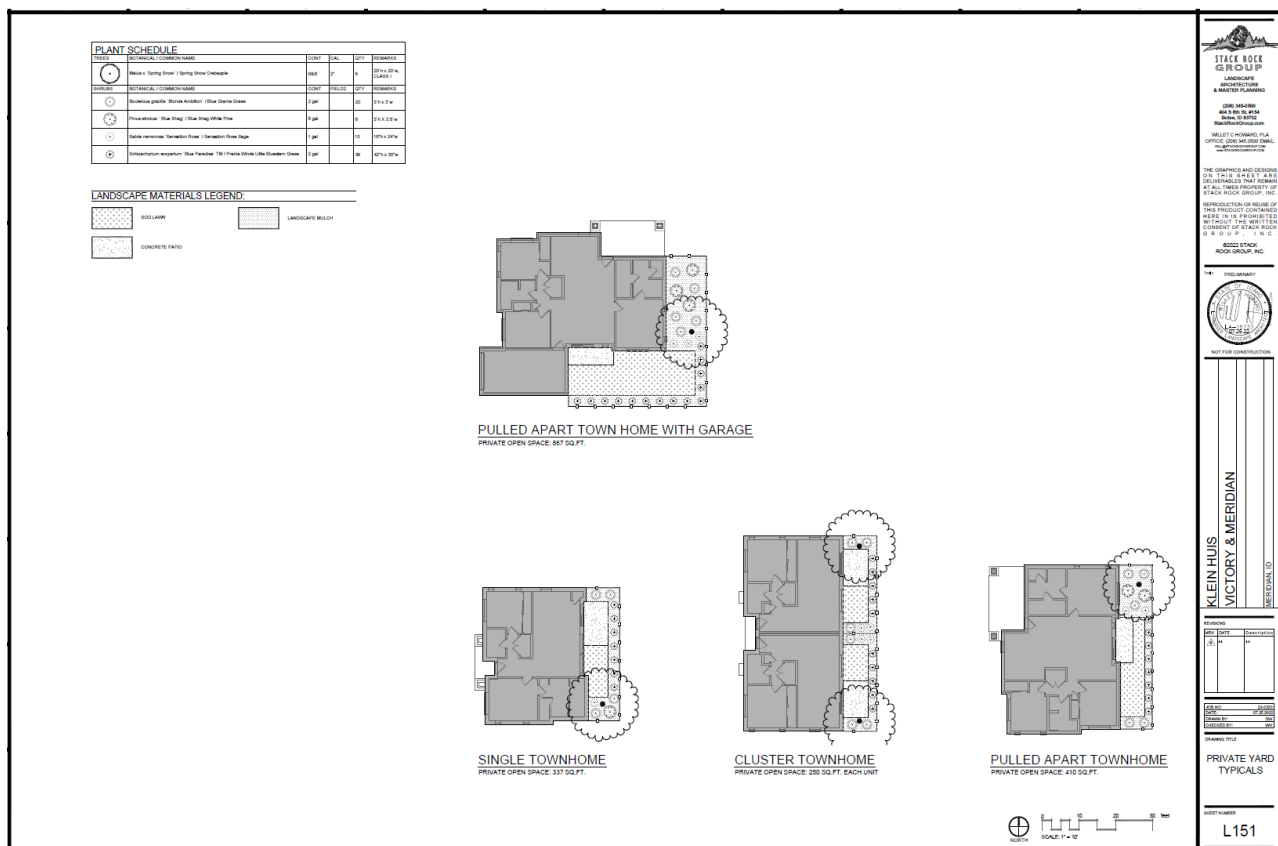
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LANDSCAPE DETAILS

SHEET NUMBER: L150



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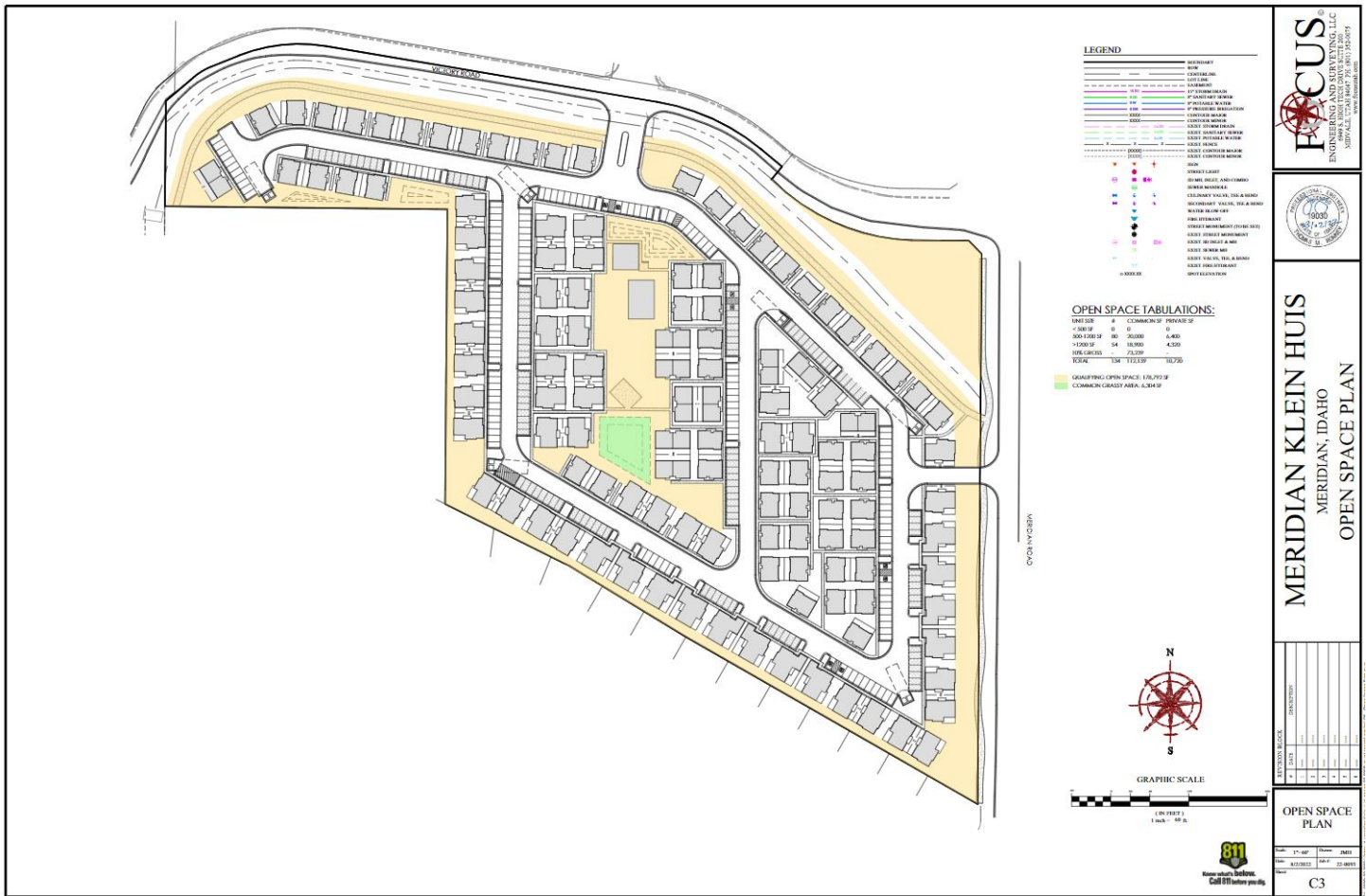
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MERIDIAN, ID

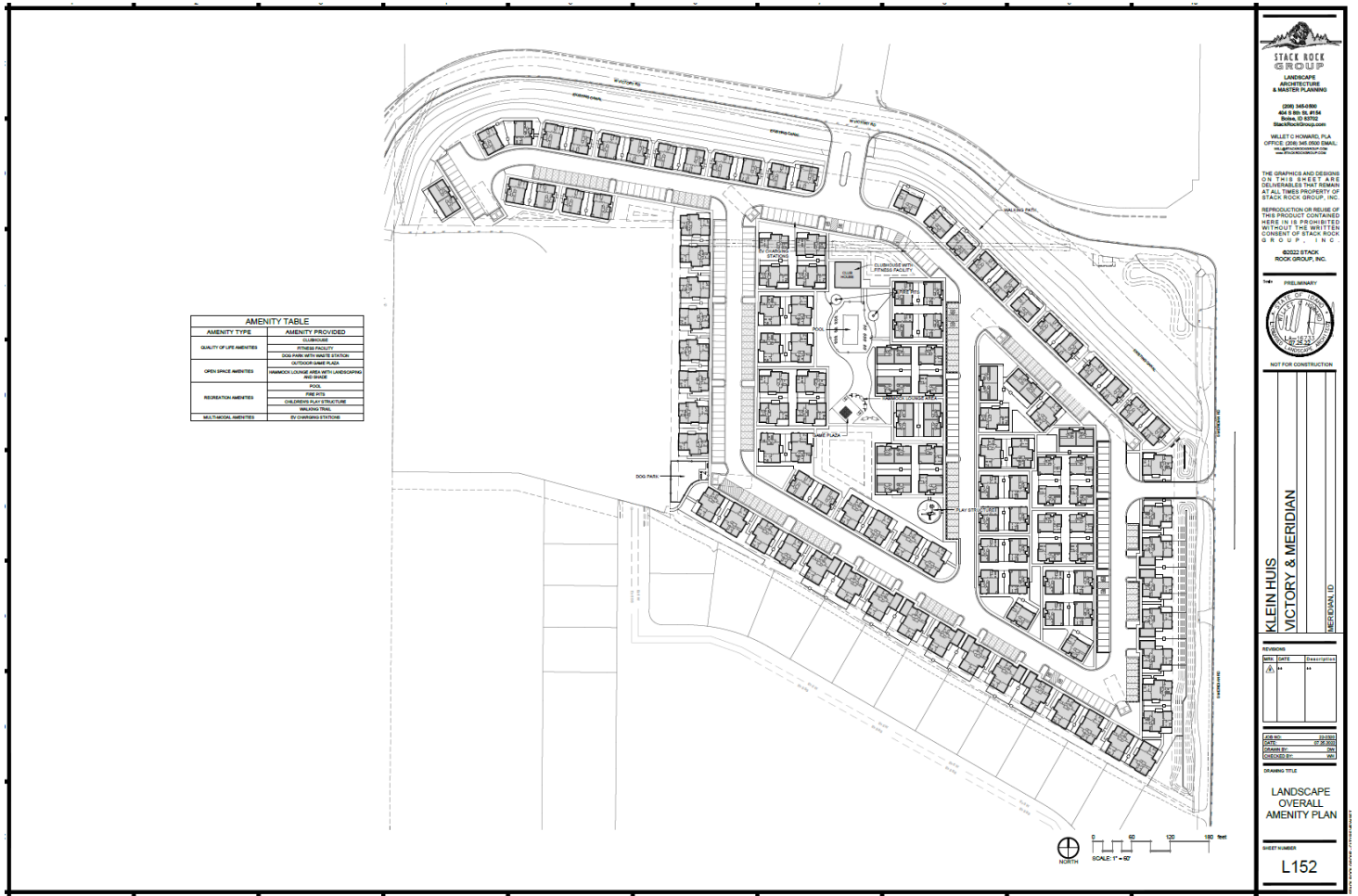
PRIVATE YARD TYPICALS

SHEET NUMBER: L151

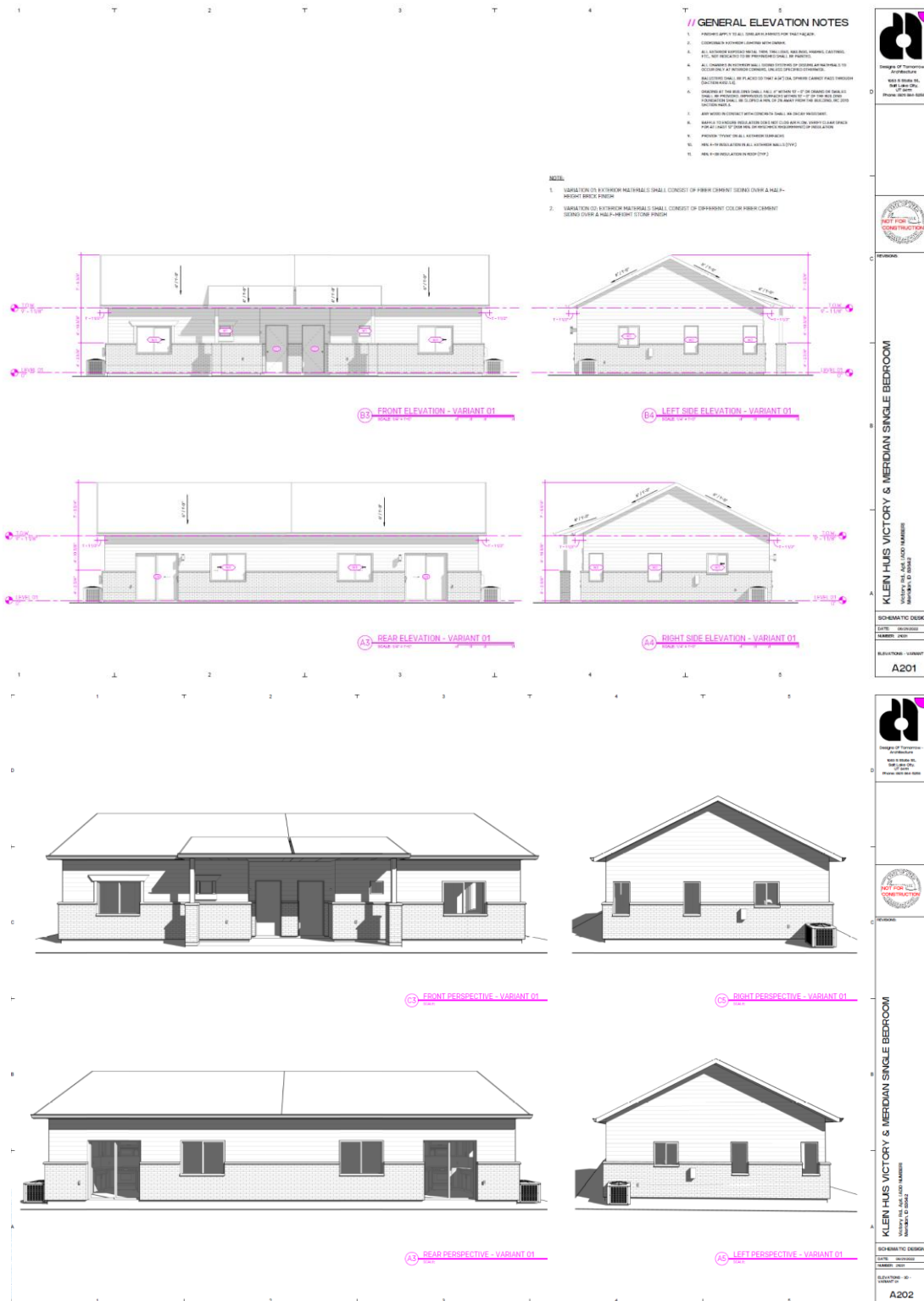
D. Open Space Exhibit

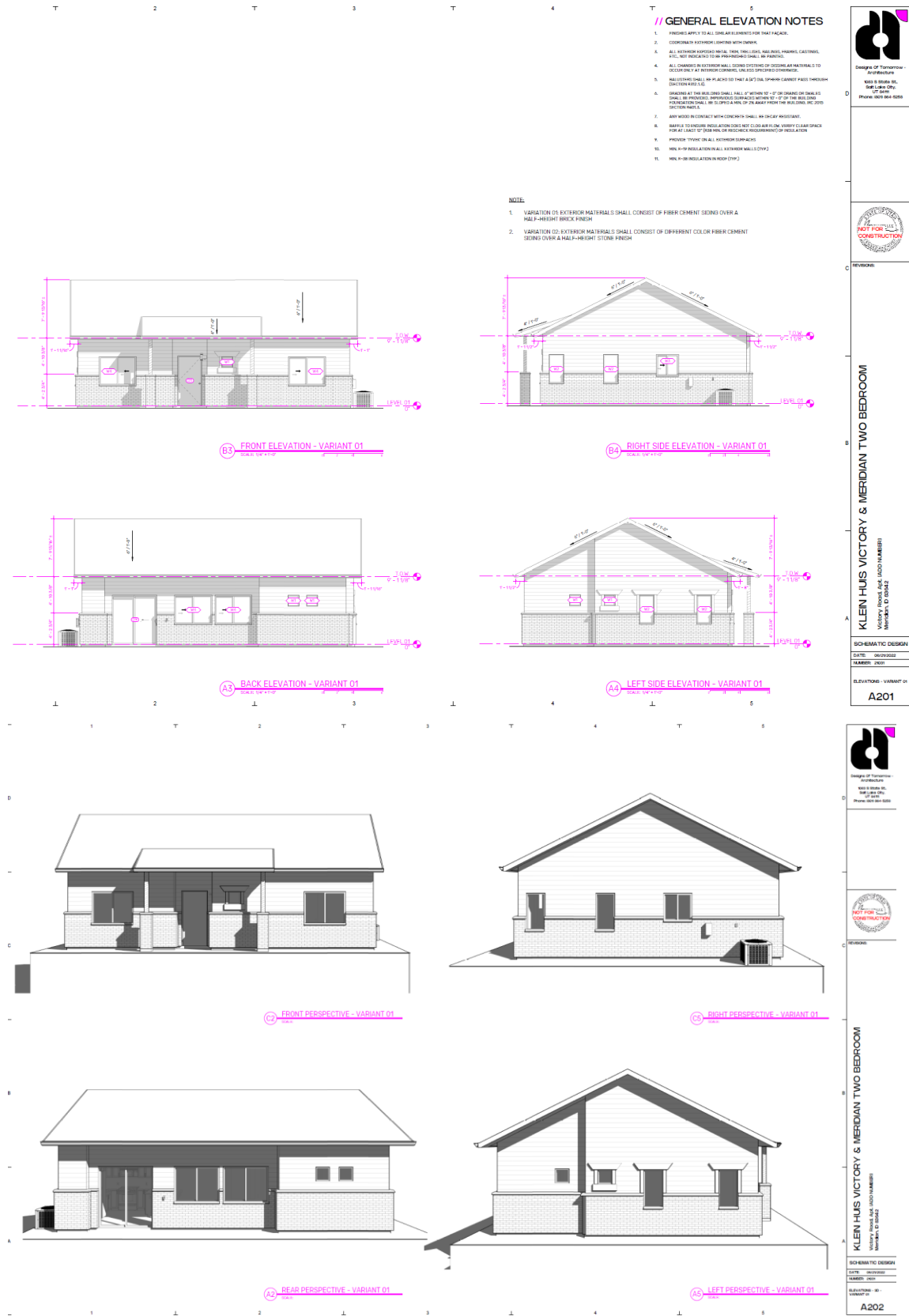


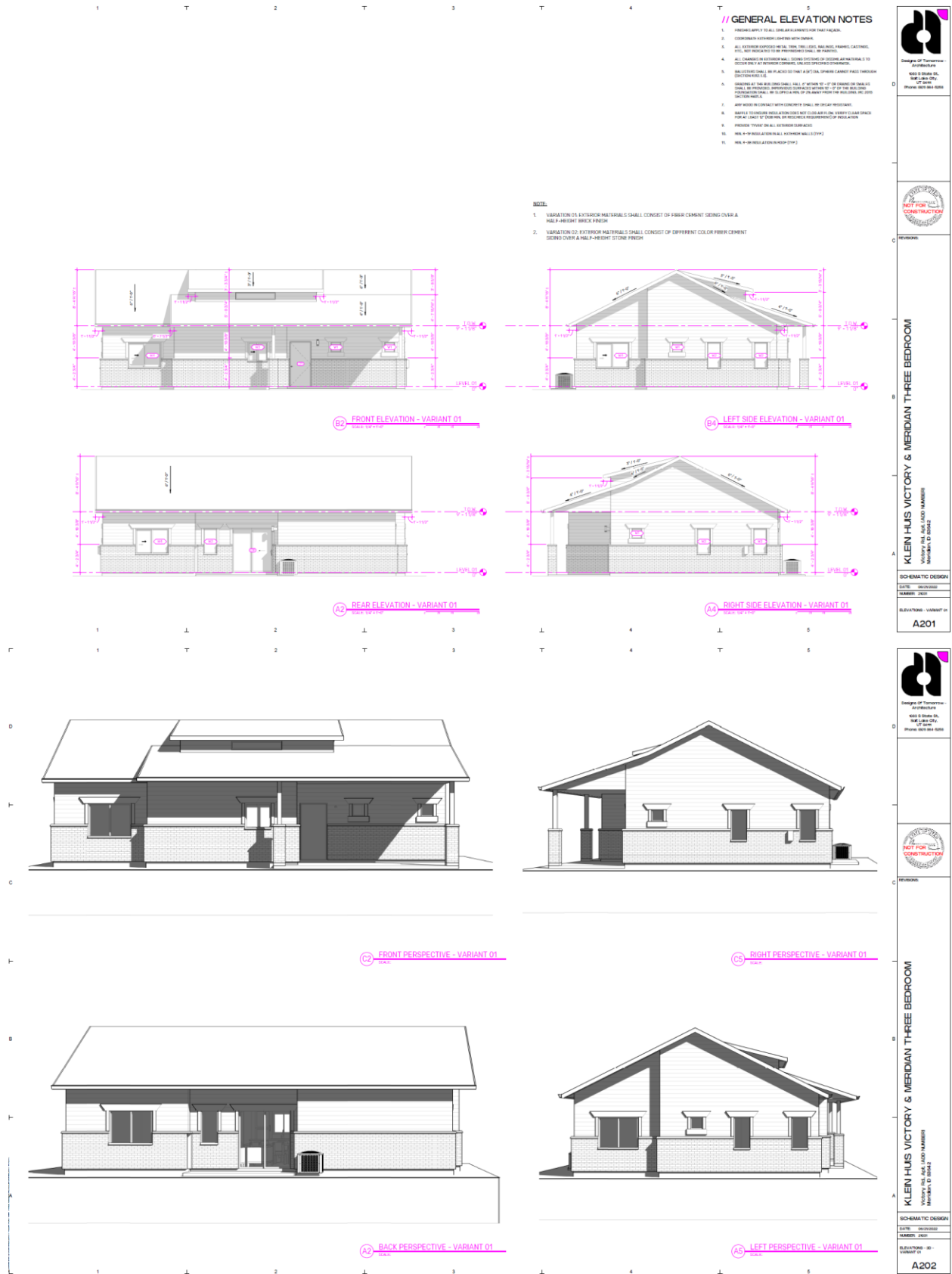
E. Amenity Exhibit

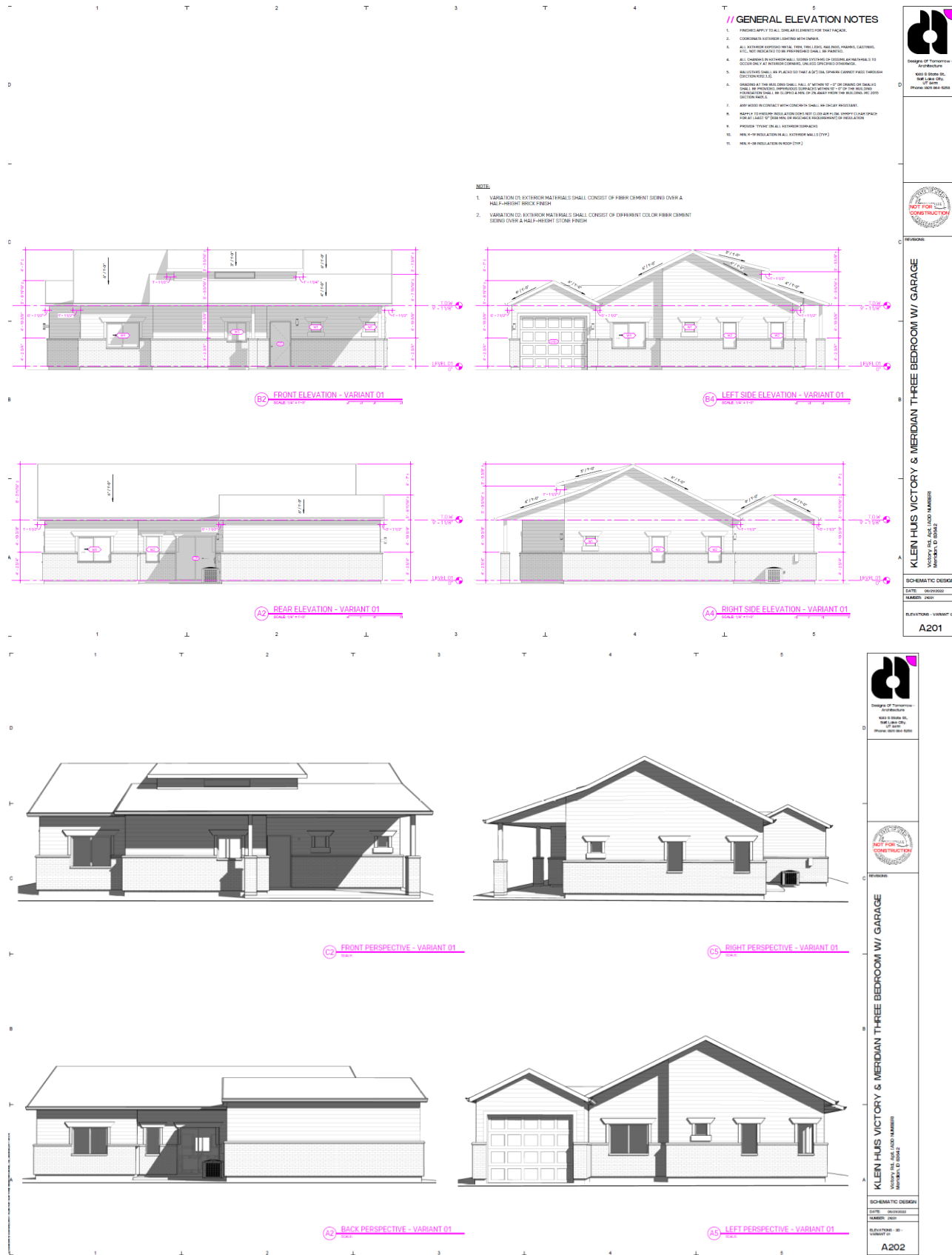


F. Conceptual Building Elevations

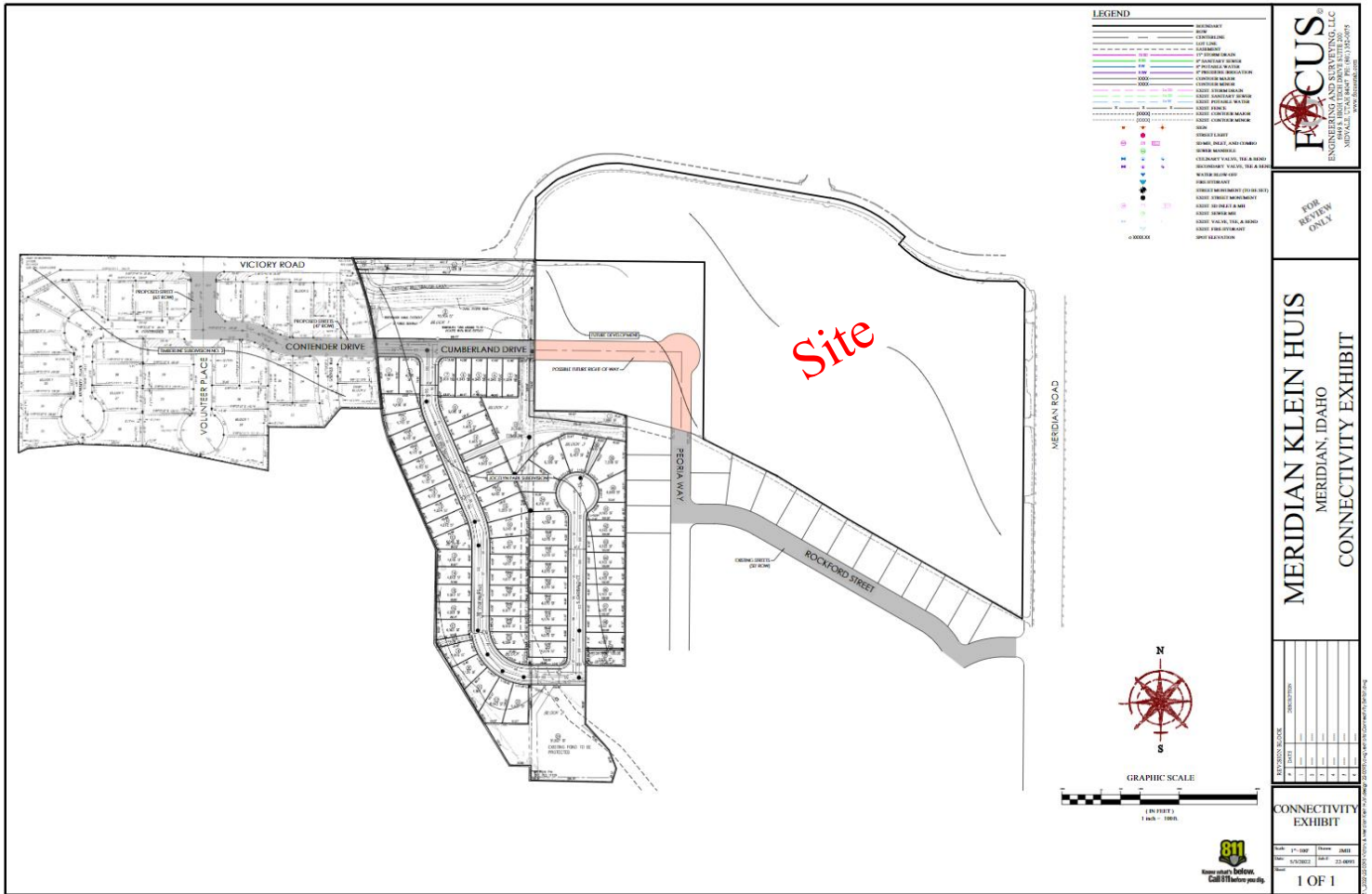




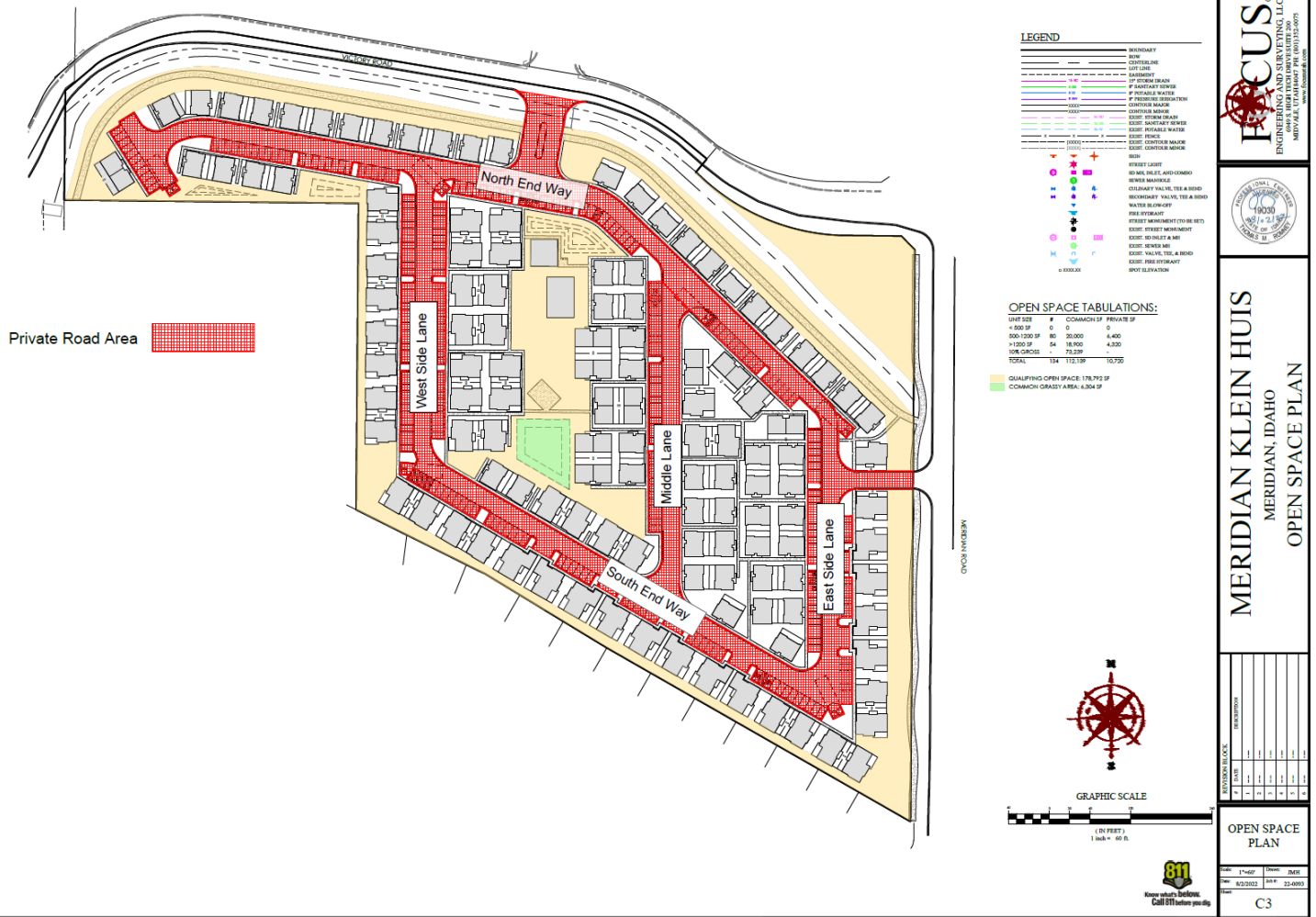




G. Connectivity Exhibit



H. Private Street Exhibit



IX. CITY/AGENCY COMMENTS

A. PLANNING DIVISION

No comments or conditions are included due to Staff's recommendation of denial of the project (see Analysis in Sections V and VI for more information).

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 All manholes require access path 14 ft wide that meets City requirements.
- 1.2 Long access paths need to either be looped or have a turn around area for service vehicles (turn around approximately the same as fire truck).
- 1.3 Ensure no sewer services pass through infiltration trenches.
- 1.4 Each phase of the development will need to be modeled to verify minimum fire flow pressure is maintained.
- 1.5 On sheet C2.1 at NW corner of the site the water/sewer easement overlaps a building. No building can be within the utility easement. Trash receptacle will be within easement and needs to be adjusted.
- 1.6 Provide 20' easements up to fire hydrant and water meters and extend easement 10' beyond (or the max distance available).
- 1.7 If a well is located on the site it must be abandoned per regulatory requirements.
- 1.8 Storm drain piping cannot be within 25' without additional protection and cannot be within 10'.
- 1.9 Water line coming down Meridian rd needs to be 8".

2. General Conditions of Approval

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

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

- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278372&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272360&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278386&dbid=0&repo=MeridianCity>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273746&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274675&dbid=0&repo=MeridianCity>

H. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277148&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274281&dbid=0&repo=MeridianCity>

I. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274675&dbid=0&repo=MeridianCity>

J. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273319&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272257&dbid=0&repo=MeridianCity&cr=1>

L. COMMUNITY DEVELOPMENT SCHOOL IMPACT ANALYSIS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275928&dbid=0&repo=MeridianCity&cr=1>

X. FINDINGS

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

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

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

Staff finds the Applicant's proposal to annex the subject 18.6-acre property with R-15 zoning and develop 134 multi-family units on the site at a gross density of 7.98 units per acre is consistent with the density range desired in the MDR FLUM designation. However, Staff finds the proposed development plan associated with the map amendment is not consistent with other provisions in the Comprehensive Plan pertaining to connectivity between neighborhoods and compatibility of uses and site design (See section V above for more information.)

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

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

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

Staff finds that although the proposed map amendment and subsequent multi-family development may not be detrimental to the public health, many neighbors who submitted written testimony feel it will be detrimental to the public welfare and safety due to the proposed accesses on Victory Rd. and Meridian Rd./SH-69, and traffic congestion (see written testimony in the project file and the analysis in Section VI of this report).

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

Staff finds City services are available to be provided to this development. Many letters of public testimony were received stating schools in this area are already overcrowded and the approval of a multi-family development at the density proposed will exacerbate the issue.

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

Staff finds the proposed annexation and development plan is not in the best interest of the City for the reasons stated herein and based on public testimony received on this application.

B. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

Staff finds that the subject property is likely large enough to accommodate the proposed use and dimensional and development regulations of the R-15 district; however, revisions are needed to the plans to comply with UDC standards if the development is approved in order to make this determination (see Analysis, Section V for more information).

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

Staff finds that the proposed use and density is consistent with the MDR FLUM designation but is not consistent with other elements of the Plan pertaining to connectivity between developments, and compatibility of uses and site design, as discussed in Section V above.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Based on a plethora of written testimony provided from adjacent neighbors, Staff finds the proposed multi-family development, density and site design will not be compatible with adjacent single-family residential uses in the general neighborhood and will adversely change the character of the area due to increased density, no interconnectivity between developments, increased traffic and possibly overcrowding of area schools.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

Staff finds the proposed multi-family development will adversely affect other properties in the vicinity based on the public testimony received due to incompatibility of uses and site design; therefore, no conditions of approval are recommended as Staff is not in support of the proposed use and recommends denial of the request.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

Staff finds that essential public services are available to this property and that the use will be adequately served by these facilities. No comments were received from WASD. The school impact table provided by the Community Development Dept. in Section IX.I shows that all of the impacted schools were under capacity as of 9/2021; however, development since that time will effect those calculations as well as changes to the boundaries. Letters of testimony submitted on this application from area residents state that schools are overcrowded in this area and that boundaries have changed requiring children to attend schools farther away from where they live because area schools are at capacity.

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

In order to approve the application, the Director shall find the following:

1. The design of the private street meets the requirements of this Article;

The Director finds the proposed design of the private streets does not comply with all of the standards listed in UDC 11-3F-4. Specifically, the proposed private streets connect to two (2) arterial streets, including a state highway, which is prohibited per UDC 11-3F-4A.2; and there is no existing or proposed connectivity with adjacent developments, which results in neighborhoods that are disconnected without pedestrian and/or vehicular access (UDC 11-3F-4A.7). See analysis in Section VI.B for more information.

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

Staff does not anticipate the proposed private streets would cause damage hazard or other detriment to persons, property or uses in the vicinity if the streets are designed and constructed in accord with the standards listed in UDC 11-3F-4B. However, without connectivity with adjacent uses, it does not meet the required standards and would create a nuisance for residents and neighbors visiting each other to have to go out onto adjacent arterial streets/state highway instead of shorter routes through the neighborhood on local streets.

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

The Director finds the use and location of the proposed private streets does not conflict with the regional transportation plan; however, the private streets do not provide connectivity with adjacent neighborhoods which is desired in the Comprehensive Plan.

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

This finding is not applicable as it's a multi-family development and is not a new or gated development.