

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



In the Matter of the Request for Annexation and Zoning, by Bouma USA.

Case No(s). H-2020-0042

For the City Council Hearing Date of: June 16, 2020 (Findings on July 7, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of June 16, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of June 16, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of June 16, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of June 16, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of June 16, 2020, incorporated by reference. The conditions are concluded to be

reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for Annexation and Zoning is hereby approved per the conditions of approval in the Staff Report for the hearing date of June 16, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

Notice of Conditional Use Permit Duration

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

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the conditional use comply with the current provisions of Meridian City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

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

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

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

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of June 16, 2020

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

COUNCIL PRESIDENT TREG BERNT VOTED YEA

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED YEA

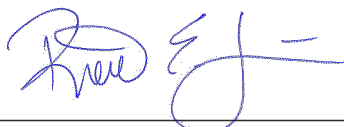
COUNCIL MEMBER JESSICA PERREAULT VOTED ----

COUNCIL MEMBER LUKE CAVENER VOTED YEA

COUNCIL MEMBER JOE BORTON VOTED YEA

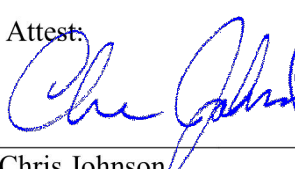
COUNCIL MEMBER LIZ STRADER VOTED YEA

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)



Mayor Robert E. Simison

Attest:



Chris Johnson
City Clerk



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

By: Charlene Way Dated: 7-7-2020
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



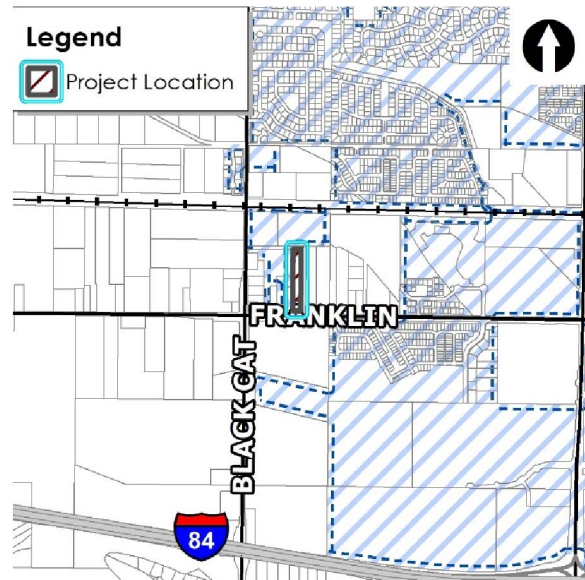
HEARING DATE: 6/16/2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0042
 COMPASS Charter School East Expansion

LOCATION: 4540 W. Franklin Rd., in the SW ¼ of the SW ¼ of Section 10, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

- Annexation of 5.15 acres of land from RUT in Ada County to the R-15 zoning district to develop the property with additional parking and recreational fields for an existing Education Institution.
- Modification to the existing Development Agreement (Inst. # 2018-079763) to incorporate the subject property and revise the concept plan based on the proposed expansion of the Education Institution.

II. SUMMARY OF REPORT

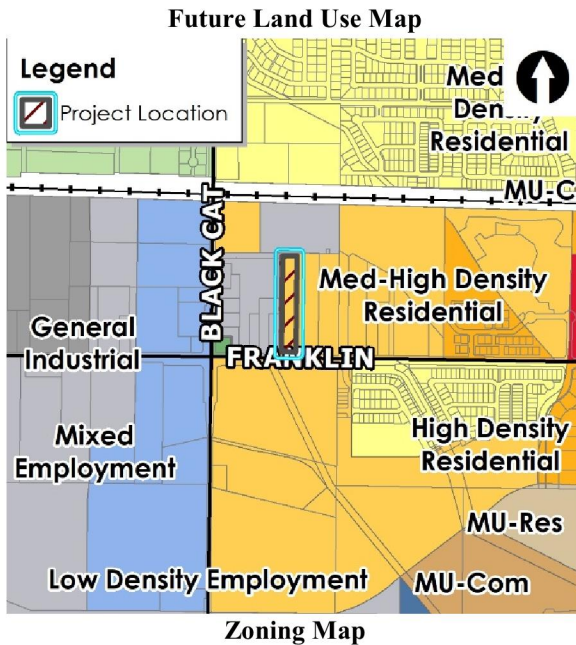
A. Project Summary

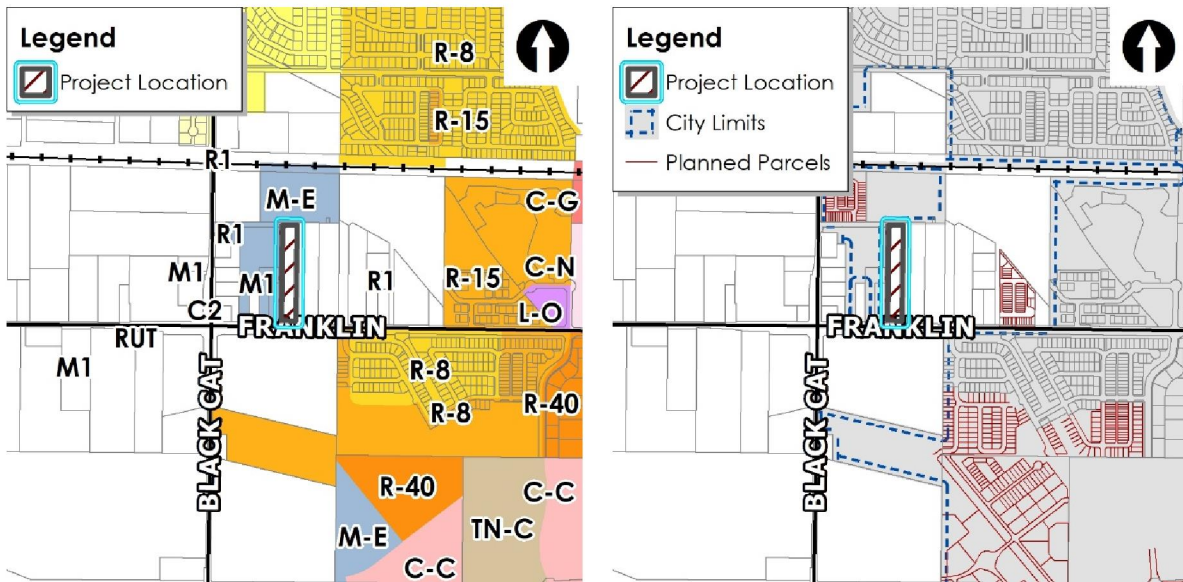
Description	Details	Page
Acreage	5.15 acres	
Future Land Use Designation	Medium-High Density Residential	
Existing Land Use	Rural residential/agricultural (one single-family home)	
Proposed Land Use(s)	Expansion of existing Education Institution	
Current Zoning	RUT in Ada County	
Proposed Zoning	R-15	
Lots (# and type; bldg/common)	1 lot	
Amenities	N/A	
Physical Features (waterways, hazards, flood plain, hillside)	None known	
Neighborhood meeting date; # of attendees:	February 10, 2020; 9 attendees.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Existing access to Franklin Rd. will be closed; Access to proposed parking area will be off of collector street extension, W. Aviator St.	
Stub Street/Interconnectivity/Cross Access	There will pedestrian connection between the proposed parking area and the school directly to the west; no vehicular connection beyond access to W. Aviator St. See staff analysis below for further information.	
Existing Road Network	W. Franklin Road is built to its ultimate configuration. 5-travel lanes, bike lanes, curb, gutter and detached sidewalk.	
Existing Arterial Sidewalks / Buffers	There is existing detached sidewalk but no landscape buffer from the existing residence to Franklin Rd. A landscape buffer is required and shown on the landscape plans.	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant/Representative:

Paul Bierlein, Bouma USA – 445 Pettis, Suite 201, Ada, MI 49301

B. Owner/Developer:

Stephen Janoushek – 4540 W. Franklin Road, Meridian, ID 83642

C. Contact:

Bouma USA – 445 Pettis, Suite 201, Ada, MI 49301

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published	5/1/2020	5/29/2020
Radius notification mailed to properties within 300 feet	4/28/2020	5/26/2020
Public hearing notice sign posted	5/6/2020	6/4/2020
Nextdoor posting	4/28/2020	5/27/2020

V. STAFF ANALYSIS

The land proposed to be annexed is designated on the Comprehensive Plan Future Land Use Map (FLUM) as Medium High Density Residential (MHDR). This designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful

site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

The Applicant is requesting annexation with a zoning designation of R-15, which is an allowed zoning district under the MHDR future land use designation. This development is not proposed as a residential project but instead an extension of the COMPASS Charter School, defined as an Education Institution in our Unified Development Code (UDC). An Education Institution is a principally permitted use in the R-15 zoning district. There are no buildings proposed with this annexation and zoning, only a proposed parking lot for additional parking and a sports field for the students. The parking lot and additional 88 spaces is a requirement for the recently approved classroom expansion at the existing school site directly to the west of the subject site. A condition of approval in the approved CZC and Design Review for that building expansion was related to this annexation and the proposed parking lot (A-2020-0008). A legal description for the annexation area is included in Section VII.A of this staff report.

Currently, the existing development agreement (DA) on site shows additional parking and a conceptual sports field on the parcel directly to the north of this site and across W. Aviator St. Since the original annexation and development of the COMPASS Charter School, the Applicant's desired location for the additional parking and sports field has changed. Citing potential safety issues of children and staff crossing W. Aviator and the costs of installing a signal from that northern parcel to the main school site, the Applicant has decided to move these development items to this subject site. Because this concept plan is not in line with the approved plan within the existing DA, a modification to that DA is required and any additional DA provisions are in Section VIII.A1 of this staff report. Staff believes that this new concept plan will offer better integration of the sports field into the existing school site and help eliminate the need of children to cross a street from the parking area to get to school.

The proposed use of Education Institution requires a 25-foot land use buffer to residential uses, landscaped per the standards in UDC 11-3B-9. The submitted landscape plan shows compliance with this requirement along its eastern boundary except for the area directly abutting the proposed parking lot. In order to fit the required number of spaces in this area, the dimensions of the parking area push into the 25-foot buffer. Because of this, the Applicant is requesting a modification to the buffer size by City Council, only for this area abutting the parking lot. Staff supports this request as the submitted landscape plan shows a landscape buffer of at least 15 feet with landscaping. If this were to be labeled as only a parking lot instead of an Education Institution, UDC standards would only require a 5-foot landscape buffer. The Applicant's landscape plan shows extensive landscaping and a 6-foot vinyl privacy fence along the entire eastern boundary of the site, including that area along the parking lot. Staff finds the proposed landscaping to be greater than or equal to the required 25-foot buffer.

VI. DECISION

A. Staff:

Staff recommends approval of the Applicant's request for annexation & zoning and a modification to their existing Development Agreement with the conditions of approval in Section VIII per the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on May 21, 2020. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning requests.

1. Summary of Commission public hearing:

a. In favor: Paul Bierlein, Bouma USA – Applicant representative

- b. In opposition: None
 - c. Commenting: Paul Bierlein, Bouma USA
 - d. Written testimony: None
 - e. Staff presenting application: Joseph Dodson
 - f. Other Staff commenting on application: Bill Parsons; Andrea Pogue
 - 2. Key issue(s) of public testimony:
 - a. None
 - 3. Key issue(s) of discussion by Commission:
 - a. Applicant's request to modify condition within the staff report regarding future access to Franklin Road if subject parcel were to ever be subdivided.
 - b. Applicability of condition of approval to construct the full street section for the extension of W. Aviator St.
 - 4. Commission change(s) to Staff recommendation:
 - a. Revise condition of approval VIII.A.4 to reflect relaxed language regarding access to Franklin Road.
 - 5. Outstanding issue(s) for City Council:
 - a. None
- C. The Meridian City Council heard these items on June 16, 2020. At the public hearing, the Council moved to approve the subject Annexation and Zoning request.
- 1. Summary of the City Council public hearing:
 - a. In favor: Bill Hadlock, Paradigm Design – project engineer; Norm Varin, COMPASS Board Chair
 - b. In opposition: None
 - c. Commenting: Bill Hadlock; Norm Varin.
 - d. Written testimony: None
 - e. Staff presenting application: Joseph Dodson
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. None
 - 3. Key issue(s) of discussion by City Council:
 - a. Clarify plans for future development of the subject site.
 - 4. City Council change(s) to Commission recommendation:
 - a. Strike out provision from existing DA, provision "e," regarding lot consolidation as it has been satisfied with previous applications.

VII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map



EXHIBIT "A" LEGAL DESCRIPTION ANNEXATION PARCEL

A parcel of land within the Southwest Quarter of the Southwest Quarter of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being all that property granted under PERSONAL REPRESENTATIVES CORRECTION DEED Instrument No. 108011815 together with existing Ada County Highway District Right-of-Way more particularly described as follows.

COMMENCING at the Corner of Sections 9, 10, 15 & 16 the intersection of W. Franklin Road and N. Black Cat Road, from which the Quarter Corner to Sections 10 and 15 South 89°15'37" East, 2640.62 feet;

Thence along said line Section line common to Sections 10 and 15, South 89°15'37" East, 908.47 feet to the **POINT OF BEGINNING**;

Thence leaving said Section line, North 00°35'11" East, 1087.87 feet to a found 1/2" Iron Pin with no cap, set plastic cap marked "FLSI PLS7612";

Thence North 89°15'44" West, 205.90 feet to a found 5/8" Iron Pin with plastic cap marked "FLSI PLS12646";

Thence South 00°36'41" West, 1087.86 feet to the Section line common to said Sections 10 and 15;

Thence along said Section line, South 89°15'37" East, 206.37 feet to the **POINT OF BEGINNING**.

Containing 224,249 square feet or 5.148 acres, more or less.
Refer to the accompanying "Exhibit B Annexation Sketch".
Any modification of this description shall render it void.

This description represents a surveyed boundary of the land described above by Fox Land Surveys, Inc. A Record of Survey will be recorded with Ada County upon completion.
END OF DESCRIPTION

Prepared by:

Timothy J. Fox, PLS

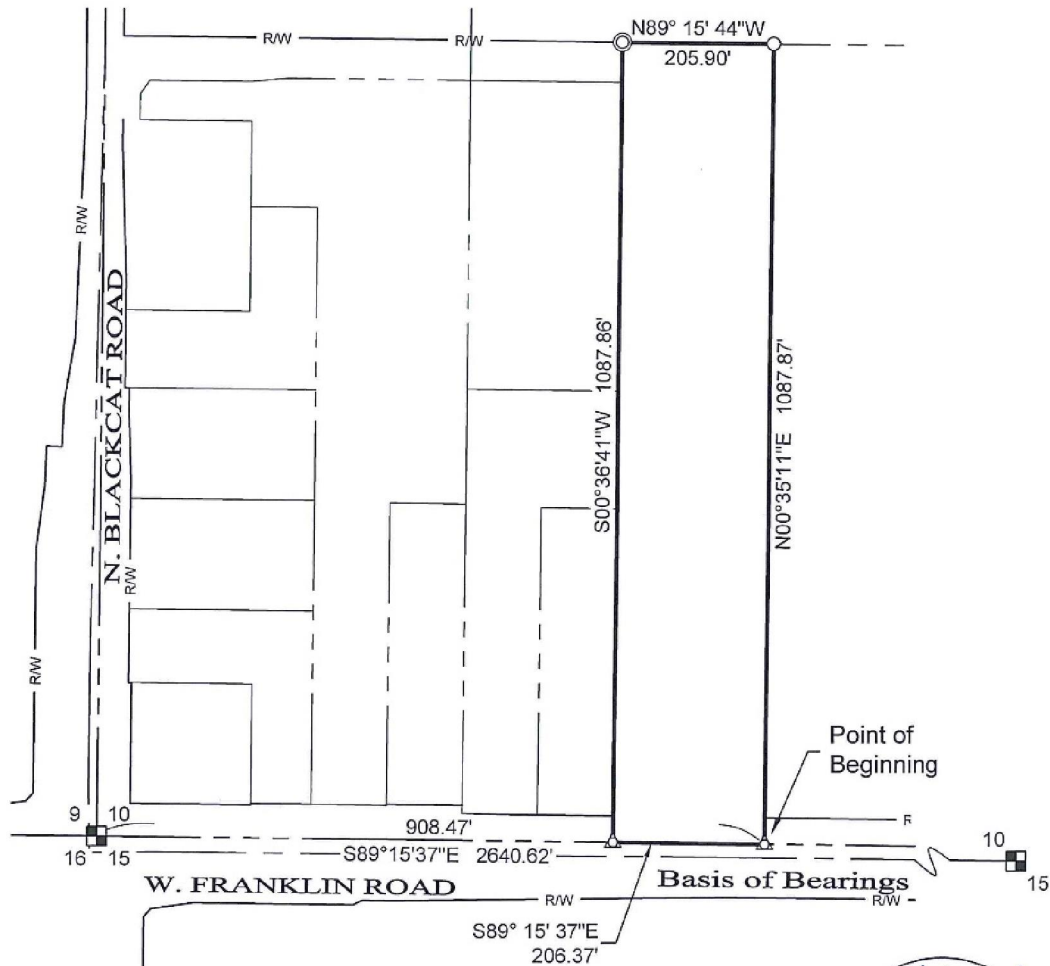
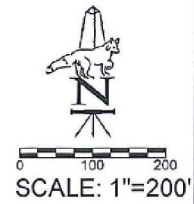
Senior Project Manager

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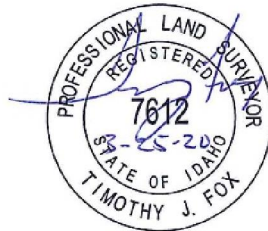
680 S. Progress Ave., Suite #2B • Meridian, Idaho 83642 • Tel: 208-342-7957 • Web: hmh-llc.com
Equal Opportunity Employer

EXHIBIT B ANNEXATION SKETCH



LEGEND

	BOUNDARY
	SECTION
	RECORD BOUNDARY
	RIGHT-OF-WAY
	TIE/DETAIL
	SURVEY MONUMENTS
	CALCULATION POINT



FOX LAND SURVEYS
(208) 342-7957

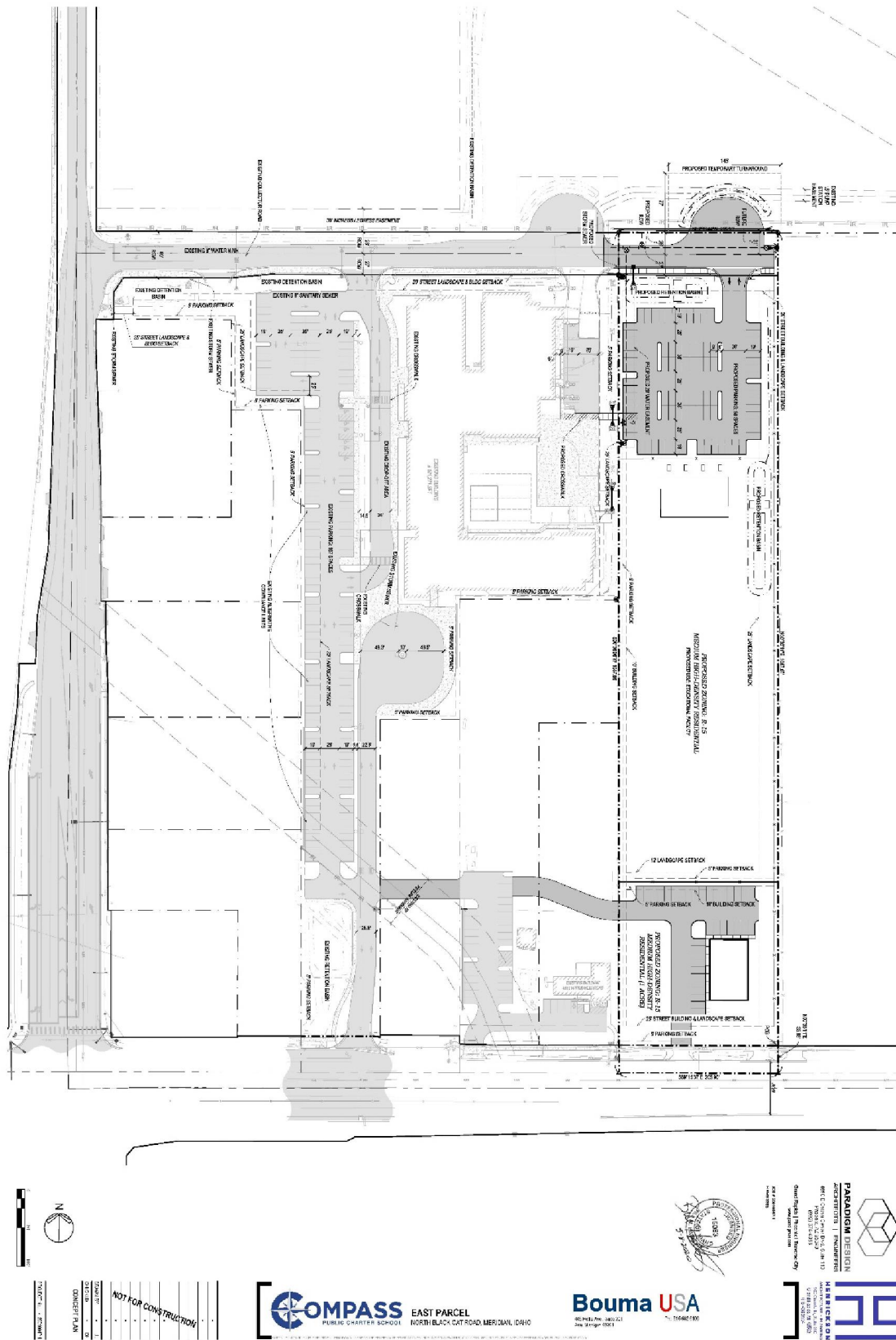
S20009-04 Sketch.dwg

B. Existing Development Agreement Provisions

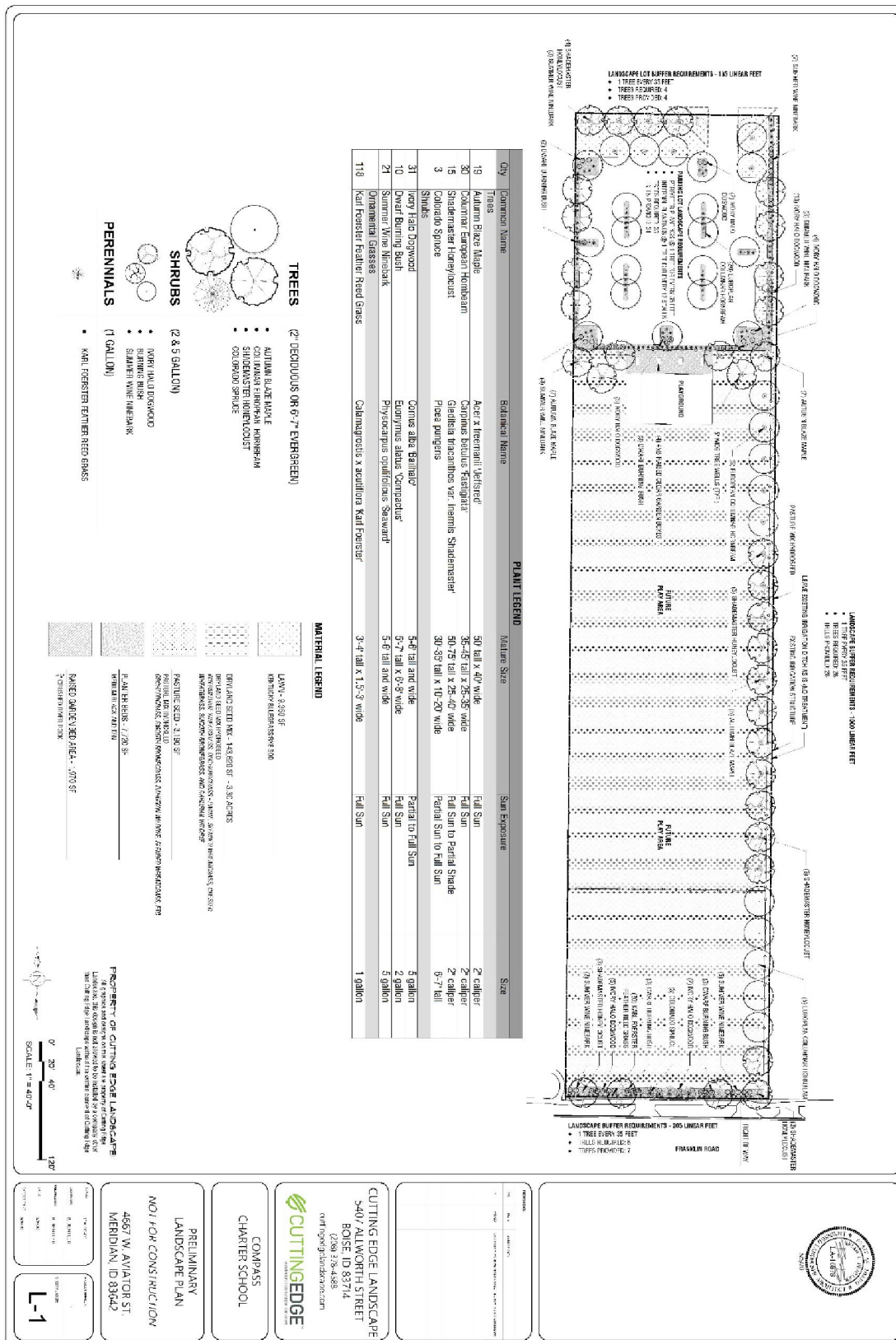
5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owners and/or Developer shall develop the Property in accordance with the following special conditions:

- a. Development of this site shall substantially comply with the design standards listed in UDC 11-3A-19; the guidelines contained in the Architectural Standards Manual, the site plan and building elevations in Exhibit A of the Staff Report attached to Exhibit “B”, Findings of Fact Conclusions of Law.
- b. All future development of the subject property shall comply with City of Meridian ordinances in effect at the time of development.
- c. Certificate of Zoning Compliance and Administrative Design Review applications are required to be submitted to the Planning Division for approval of all future buildings/uses on the site, prior to applying for a building permit.
- d. The applicant shall comply with the Education Institution standards set forth in UDC 11-3A-14.
- e. Prior to submitting an application for a Certificate of Zoning Compliance, the applicant shall finalize a property boundary adjustment in order to consolidate the parcels into one parcel.
- f. All development within the 75-foot wide Williams pipeline easement shall adhere to the most current standards contained in the Williams Gas Pipeline Developers’ Handbook.
- g. Access to the future collector roadway shall be approved as shown on the concept plan in Exhibit A.4. All future access point to the collector roadway shall be governed by UDC 11-3A-3.



D. Landscape Plans



E. Applicant Narrative

Compass Charter School East Parcel- Project Narrative

Compass Public Charter School is an established K-12 charter school in the City of Meridian. Compass began operating within the City of Meridian in 2005. Compass's initial facility, which currently houses their elementary students, is located on Cherry Lane between Ten Mile and Linder. In August of 2019, Compass moved the secondary (6-12) students to the current school building on the Black Cat Campus. The ownership contact for the property is:

Compass Public Charter School Inc.
4667 W. Aviator Street
Meridian, ID 83642
Phone: (208) 888-5847
Contact: Kelly Trudeau

Compass Charter Schools is seeking annexation of property located near the intersection of North Black Cat Road and Aviation Street in the City of Meridian with a proposed zoning of R-15. The property consists of a single parcel which is located within the ADA County jurisdictional boundary and is contiguous to the City limits. This property will have an 8-inch water line within Aviator Street which will be extended across this parcel's northern frontage. An existing 12-inch water main and a 36-inch sewer line are in Franklin Road along the property frontage.

In March 2020, Compass Public Charter School began constructing their next phase to house their elementary school and combine their campuses. The proposed expansion will build out the overall school site, as originally planned. At the time the original 68,134 sf building was approved, 167 parking spaces were provided, 30 more than what was required by the ordinance in place at the time (1 space per 500 square feet of gross floor area). With the elementary school addition, the square footage of the building will total 101,377 sf, requiring 253 parking spaces (1 space per 400 square feet of gross floor area), which would require the addition of 86 spaces to the campus.

The construction of the parking on this project will replace the Alternative of Compliance requirements granted as part of the Compass Expansion project (A-2020-0008).

The original master plan which was included in the Development Agreement intended to provide additional parking on the property the school owns on the north side of Aviator Street. There were concerns with pedestrians crossing a public street (Aviator) to access the school site. This concern grows as development continues in the area and as Aviator gets extended to the east.

Summary of Applications/Requests

The Compass Charter School East Parcel site plan design will provide 88 parking spaces and future play fields on 5.148 acres. The applicant is requesting the following approvals:

- Annexation/Zoning
- Development Agreement Modification to reflect relocating the additional parking from the north parcel to this east parcel.
- Request for a Council waiver to reduce the landscape buffer along east property line

A pre-application meeting was held with the City of Meridian Planning and Development staff on February 6, 2020. A neighborhood meeting was held on March 10, 2020 at Compass Public

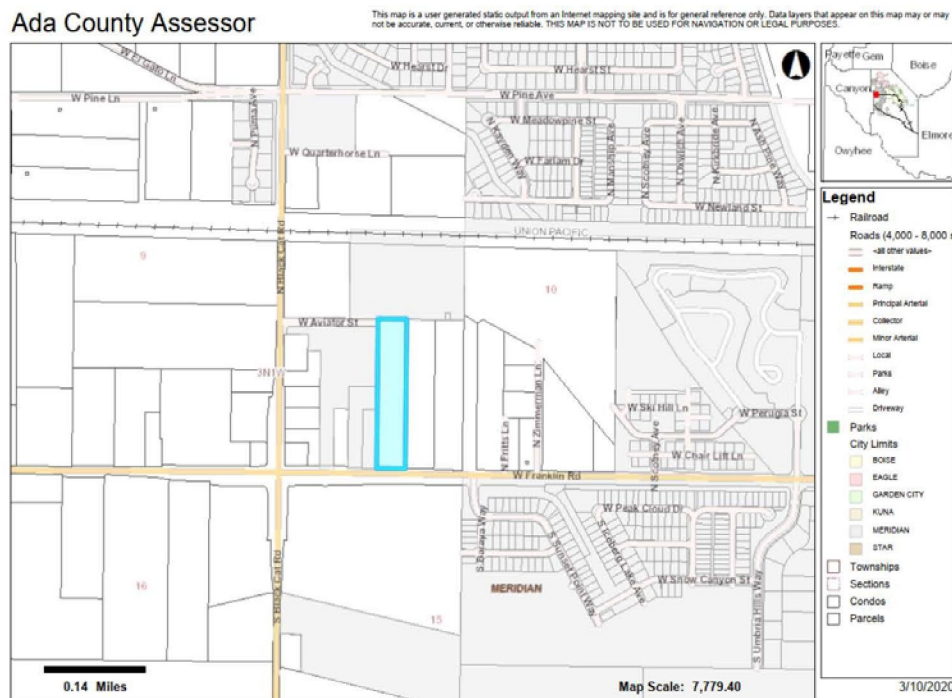
Charter School, 4667 W. Aviator Street, Meridian, ID 83642. There was no opposition from the neighbors who attended.

Annexation

Compass Charter School is requesting the following parcel identified below be annexed into the City of Meridian.

PROPERTY FOR ANNEXATION APPLICATION			
Parcel	Address	Current Zone	Proposed Zone
S1210336403	4540 W. Franklin Road	RUT	R-15

Ada County Assessor



Development Agreement Modification

As there has been a change in the Master Concept Plan to relocate the parking, it is necessary to revise the Development Agreement approved at City Council on August 16, 2018, recorded at the Ada County Recorder's office on August 22, 2018 as Instrument No. 2018-079763. By developing this site immediately adjacent to their existing school, they can create a more cohesive campus. Accompanying this submittal is a revised Concept Plan that includes the existing school and proposed improvements.

Request for a Council waiver

The City of Meridian requires a 25-foot landscape buffer adjacent to residential uses according to their Unified Development Code. Given the narrowness of the parcel, the proposed parking lot geometry overlaps this landscape buffer. Compass Charter Schools is proposing to provide a 6-foot tall solid fence and landscaping along the east property which is an equal to or better than option. The ability to utilize a fencing selection rather than vegetation has been discussed with the property owner and they support this requested waiver. We are requesting a City Council waiver for a reduction landscape buffer along the proposed parking lot limits.

Summary

With continued growth of our campus, we look forward to working with the City of Meridian on this next step. We are respectfully asking for approval of this application for Annexation, and Development Agreement Modification and Council Waiver for Landscape Buffer Requirements.

VIII. CITY/AGENCY COMMENTS

A. PLANNING DIVISION

1. Within six (6) months of Council's approval of the Annexation Findings and prior to submittal of a certificate of zoning compliance (CZC), the owner shall sign and obtain Council approval of the amended development agreement that includes an updated development plan as shown in Section VII.C and includes the following additional provisions:
 - a. The applicant shall generally comply with the submitted concept plan and landscape plan attached as Exhibit VII. C and D. Any future development on the southern portion of this property shall require an amendment to this DA and be subdivided in accord with UDC 11-6B.
 - b. If the southern parcel is developed, cross-access agreements will be required to the adjacent parcels to the east and west in accord with UDC 11-3A-3A (parcel numbers S1210336377 & S1210336450).
 - c. Upon Council approval, the landscape buffer along the eastern property boundary abutting the proposed parking lot shall have a width of no less than 15-feet from the property line and be landscaped in accordance with UDC 11-3B-9.
 - d. This provision is being added to this addendum from DA Inst. # 2018-079763 in order to be stricken as approved by City Council—Prior to submitting an application for Certificate of Zoning Compliance, the Applicant shall finalize a property boundary adjustment in order to consolidate the parcels into one parcel.
2. The Applicant shall extend W. Aviator St. to the eastern boundary of the subject site as a complete 36-foot street section with vertical curb, gutter, and 75-foot wide detached concrete sidewalk on both sides of the roadway.
3. The Applicant shall construct the required offset temporary turnaround at the terminus of W. Aviator St. with a minimum turning radius of 45-feet.
4. The Applicant shall close the existing driveway connections to W. Franklin Rd. with landscaping as depicted on the concept plan with the expansion of the parking lot and play fields as depicted on the proposed concept plan; direct lot access to W. Franklin Road is prohibited, and that future access from Franklin Road will be reviewed and approved with any future subdivision in accordance with UDC 11-3A-3.

B. ADA COUNTY HIGHWAY DISTRICT (ACHD)

Only a preliminary staff report has been submitted to staff at this time.

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188561&dbid=0&repo=MeridianCity>

C. CENTRAL DISTRICT HEALTH (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187421&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187163&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187151&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

Council finds annexation of the subject site with an R-15 zoning designation is consistent with the Comprehensive Plan MHDR FLUM designation for this property (see Section V for more information).

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

Council finds that a map amendment to the R-15 zoning district is consistent with the purpose statement for the residential districts in UDC 11-2A-1 and the proposed use of Public Education Institution will contribute to an array of uses in a growing area of the City, consistent with the Comprehensive Plan.

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

Council finds that the proposed zoning map amendment should not be detrimental to the public health, safety, or welfare. Staff recommends the Commission and Council consider any oral or written testimony that may be provided when determining this finding.

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 that the proposed zoning amendment will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.

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.