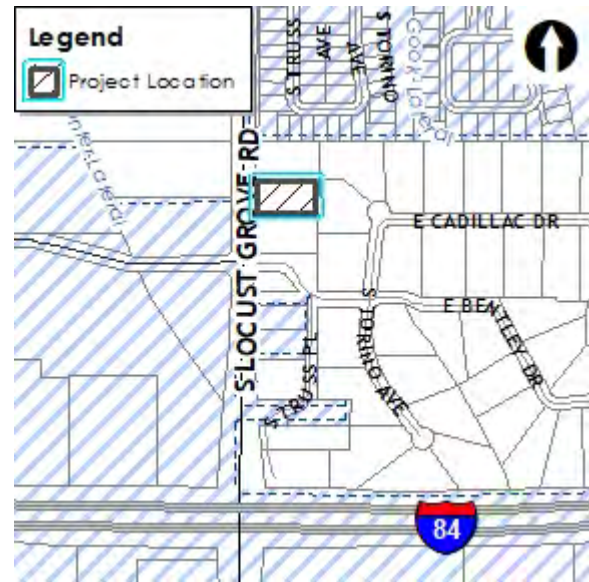


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/4/2022
TO: Planning & Zoning Commission
FROM: Alan Tiefenbach, Associate Planner
208-884-5533
SUBJECT: AZ H-2022-0038
Torino Locust Grove Subdivision
LOCATION: 870 S. Locust Grove Rd.



I. PROJECT DESCRIPTION

Annexation of 1.03 acres of land with the R-8 zoning district, and short plat consisting of 4 residential building lots.

II. SUMMARY OF REPORT

A. Project Summary

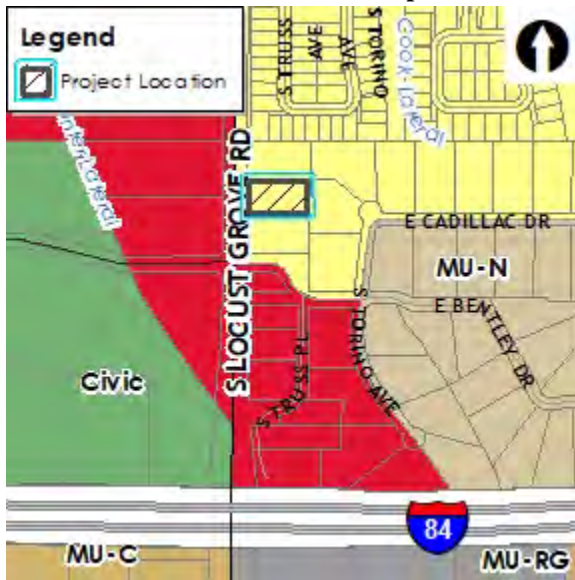
Description	Details	Page
Acreage	1.03	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Single Family Residential	
Lots (# and type; bldg./common)	4 Lots	
Phasing Plan (# of phases)	One phase	
Physical Features (waterways, hazards, flood plain, hillside)	No significant physical features.	
Neighborhood meeting date; # of attendees:	March 17, 2022	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) Stub Street/Interconnectivity/Cross Access	S. Locust Grove provides the only access to this property. This proposal includes a 30 ft. wide common driveway from S. Locust Grove to serve the four lots. Staff recommends an easement beyond the end of this driveway to the eastern property line.	
Existing Road Network	S. Locust Grove	
Existing Arterial Sidewalks / Buffers	There is an existing 7 ft wide sidewalk along the property frontage. A 25 ft wide landscape buffer will be required as a condition of approval.	
Proposed Road Improvements	None.	
Fire Service		
	The common driveway shall be signed "No Parking Fire Lane". When required by the Fire Marshall, "No Parking Fire Lane" signs shall be used per appendix D of the 2018 IFC. Signs shall be installed per ACHD standards. The bottom of the sign(s) should be 7' above the road/sidewalk surface shall not be in the travel way. The sign(s) shall be installed about 6" – 1' behind the curbing or edge of pavement on a Telspar post.	
Police Service		
	No Issues	
Wastewater	<ul style="list-style-type: none"> Flow is committed Due to proximity of sewer service to infiltration trench, sleeve both service two feet past each side of the infiltration trench. 	
Water		
	<ul style="list-style-type: none"> Due to proximity of water service to infiltration trench, sleeve both service 10 feet past each side for the infiltration trench. 	

C. Project Area Maps

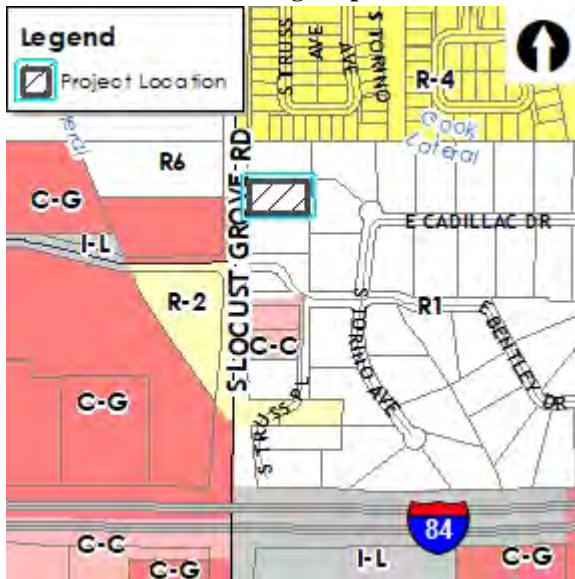
Future Land Use Map



Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant / Representative / Owner(s):

Jeremy Rausch – 1684 E Borzoi Ct, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	7/19/2022	
Notification mailed to property owners within 500'	7/14/2022	
Applicant posted public hearing notice sign on site	7/25/2022	
Nextdoor posting	7/15/2022	

V. STAFF ANALYSIS

A. Annexation and Zoning

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. To ensure the site develops as proposed by the applicant, staff is recommending a development agreement as part of the annexation approval.

The submitted legal description and boundary exhibit to appear to encompass the area of annexation. However, the exhibit also includes a previous lot configuration of three lots. **Prior to recordation of the annexation ordinance, the applicant shall submit a revised boundary exhibit which correctly matches the legal description.**

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

This property is designated as Medium Density Residential on the Future Land Use Map (FLUM) contained in the Comprehensive Plan.

This designation allows for dwelling units at gross densities of three to eight 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 annexation area is near existing public services and is adjacent to the city limits. The majority of the properties in this area east of S. Locust Grove Road and north of I-84 are rural residential, although there is land to the south of the subject property is recommended for commercial uses. The proposed density of 3.7 du / acre is well within the density range designation of the Plan.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

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

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

- Encourage infill development. (3.03.01E)

Infill development is described as “development of vacant, skipped-over parcels of land in otherwise built-up areas.” The subject property is within an area surrounded by City-zoned property; commercial property to the west (across S. Locust Grove Rd) and south (across I-84), the Snorting Bull Subdivision (aka – Woodbridge) to the north (in the City), and rural residential in unincorporated Ada County to the east. Although the property is within a larger unincorporated area, these unincorporated properties are surrounded by the City limits. This would be considered an infill area.

- “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 medium density single-family detached homes will contribute to the variety of residential categories in the City; however, there is no variety in housing types proposed within the development or in the general vicinity. R-8 zoning and detached single-family homes in unincorporated Ada County are abundant in this immediate area.

- Plan for connectivity between annexed parcels and county enclaves that may develop at a higher intensity. (3.03.04A)

*The property proposes to take access from S. Locust Grove, a principal arterial, via a common driveway within a 30 ft. wide easement. Per UDC 11-3A-3, for any property that takes direct access to an arterial and/or collector roadway, where access to a local street is available, the applicant shall reconfigure the site circulation plan to take access from such local street. **Where access to a local street is not available, the property owner shall be required to grant cross-access/ingress-egress easements to adjoining properties.***

A new single-family residence has been built on the property to the north (820 S. Locust) and due to the position of the new structures there is not feasible access between it and the subject property. However, the house on the 0.92-acre property directly to the east (903 S. Tornio Ave) takes access directly from S. Torino Ave, a local road. As this property is within an unincorporated area characterized by houses constructed in the 1970s and is designated for medium density residential, annexation and redevelopment of this area could occur in the future.

As a condition of approval, staff recommends the common drive extend to the eastern property line within a 30 ft. easement, so when the properties to the east are annexed into the city for redevelopment, access to the subject property can occur (via a private road) from S. Torino Ave and the S. Locust Grove access can be closed.

- “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 along S. Locust Grove Rd. and can be extended by the developer with development in accord with UDC 11-3A-21.

Staff finds this development to be generally consistent with the Comprehensive Plan.

D. Existing Structures/Site Improvements:

The property is presently vacant.

E. Proposed Use Analysis:

The proposed use would be single family residential. This is a permitted use in the R-8 zoning district.

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

All proposed lots appear to meet UDC dimensional standards per the submitted preliminary plat. This includes property sizes, required street frontages, and road widths. Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3, including but not limited to streets, common driveways and block face. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3) regarding common driveways.

A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.

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

As required, only one (1) single-family dwelling is proposed per property.

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

As this subdivision is only for four lots, the applicant has not submitted building elevations. However, **due to the proximity to S. Locust Grove and visibility of the lots, staff recommends a development agreement provision that requires building elevations visible from S. Locust Grove Rd to incorporate a variety of building materials and articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement.** Planning approval will be required at time of building permit.

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

The subject lot presently takes access from S. Locust Grove Rd.

As already mentioned in the Comprehensive Plan analysis above, per UDC 11-3A-3, for any property that takes direct access to an arterial and/or collector roadway, where access to a local street is available, the applicant shall reconfigure the site circulation plan to take access from such local street. Where access to a local street is not available, the property owner shall be required to grant cross-access/ingress-egress easements to adjoining properties. As the properties directly to the east (as well as numerous other properties) are within unincorporated Ada County and could annex and redevelop in the future, Staff is recommending the common driveway shown in the short plat be extended to the eastern property line in a 30 ft wide easement. If the property to the east develops, access to the subject property shall occur (via a private road) from S. Torino Ave and the S. Locust Grove access be closed or used for emergency access only.

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

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards.

K. Sidewalks/Parkways (*UDC 11-3A-17*):

Sidewalk already exists along the S. Locust Grove Rd property frontage.

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

The applicant will be required to install a 25' wide buffer along S. Locust Grove Rd. as is required for arterial streets. Per UDC 11-3B-7, all street landscape buffers shall be on a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association or business owners' association. This is not reflected as such on the plat. Staff has added this as a condition of approval prior to City Engineer signature.

The landscape plan does not indicate whether there are any existing trees on the property that meet the preservation requirements of UDC 11-3B-10. This should be reflected on the landscape plan prior to City Engineer signature.

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

All fencing will be required to comply with the standards listed in UDC 11-3A-7.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and the provisions noted in Section VII.A per the findings in Section IX of this staff report.

VII. EXHIBITS

A. Annexation and Zoning Legal Description and Exhibit

ANNEXATION PROPERTY DESCRIPTION
FOR
JBI ELEMENTAL
870 S. Locust Grove

A parcel of land lying in the NW1/4 SW1/4 of Section 17, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

Commencing at a Brass Cap marking the South West corner of said Section 17, from which a Brass Cap marking the West 1/4 corner bears N.00°30'32"E. 2659.49 feet; thence along the West line of said Section 17 N.00°30'32"E. 2359.49 feet to a point, said point being the POINT OF BEGINNING;

Thence continuing N.00°30'32"E. 150.00 feet to a point;

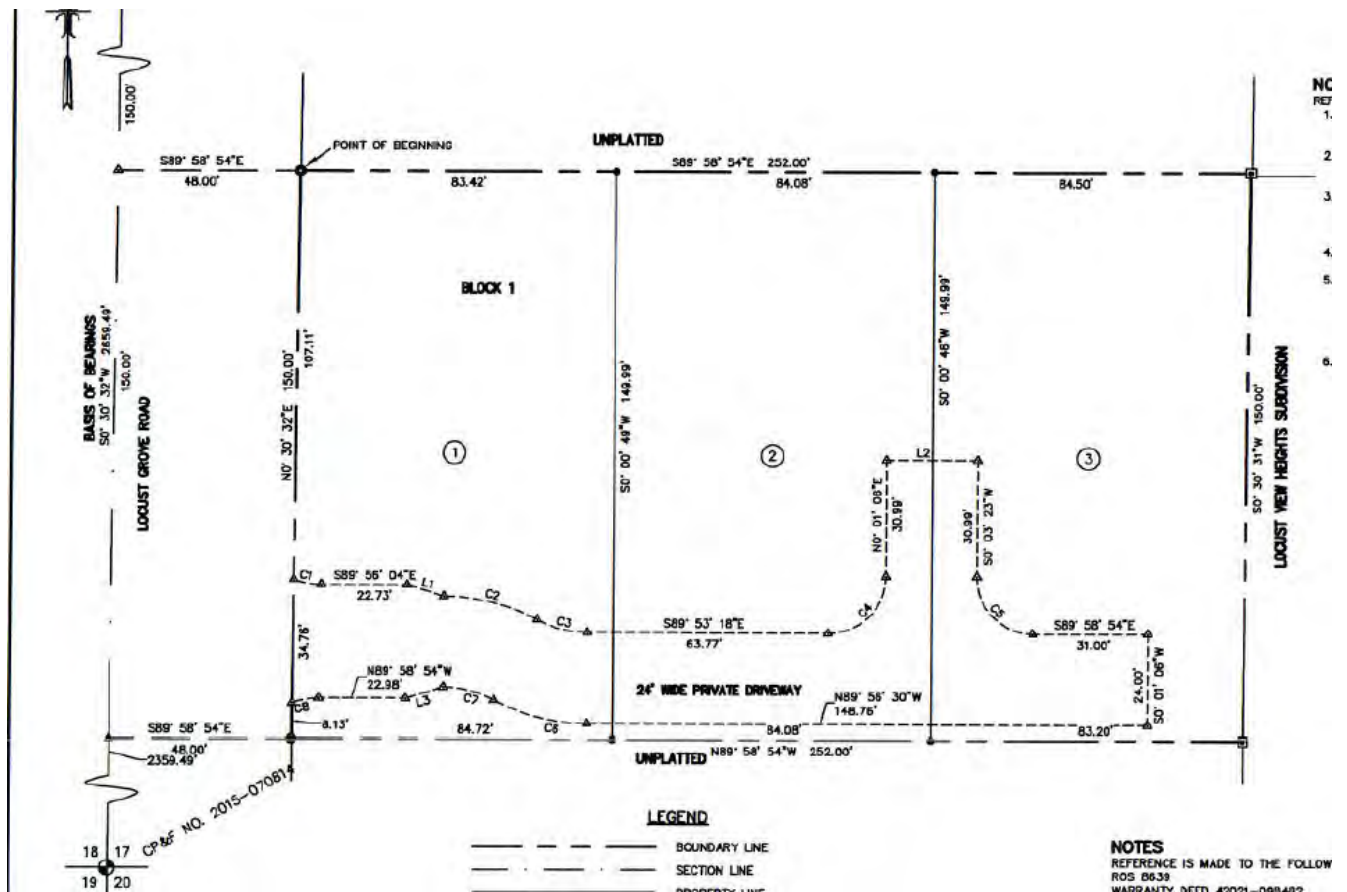
Thence S.89°58'54"E. 300.00 feet to a 1/2 inch iron pin;

Thence S.00°30'32"W. 150.00 feet to a 1/2 inch iron pin;

Thence N.89°58'54"W. 300.00 feet to the POINT OF BEGINNING.

Said parcel contains 1.03 acres, more or less, and is subject to all existing easements and right-of-ways of record or implied.





75.00'

25'

10' IRRIGATION EASEMENT

117.00'

LOT 2
8775 SF

LOT 3
8775 SF

LOT 1
10124 SF

LOT 4
10124 SF

135.00'

135.00'

30' ACCESS, DRAINAGE, AND UTILITY EASEMENT

SHARED DRIVEWAY

5' SCAPE EASEMENT

7' EXISTING SIDEWALK

S LOCUST GROVE ROAD

25+00

24+00

23+00

LOCUST GROVE STA: 24+34.90

SI - SHARED DRIVEWAY STA: 10+00.00

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s) at the time of annexation ordinance adoption, and the developer.

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

- a. Future development of this site shall be generally consistent with the conceptual development plan included in Section VII, Unified Development Code standards, and the provisions contained herein.
 - b. The common driveway shown in the short plat shall be extended to the eastern property line in a 30 ft wide easement. When the property to the east annexes into the City and develops, access to the subject property shall occur from S. Torino Ave and the existing S. Locust Grove access shall be closed or used for emergency access purposes only.
 - c. Building elevations visible from S. Locust Grove Rd shall incorporate a variety of building materials and articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.
2. Prior to City Engineer signature, the short plat shall be revised to indicate the street landscape buffers on a common lot or on a permanent dedicated buffer easement, maintained by a property owner, or homeowner's association per UDC 11-3B-7.
 3. Prior to recordation of the annexation ordinance, the applicant shall submit a revised annexation boundary exhibit.
 4. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
 5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for all buildable lots.
 6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit.
 7. An exhibit shall be submitted with the short plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in UDC 11-6C-3D.
 8. For the common driveway that serves a dual purpose (i.e. driveway/emergency access), signage shall be provided to notify residents that the common driveway is a no parking zone.
 9. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.

10. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
11. The Applicant shall comply with all conditions of ACHD.

B. PUBLIC WORKS

SITE SPECIFIC CONDITIONS:

1. Due to proximity of water service to the infiltration trench services must be sleeved for 10 feet past the trench on each side.
2. Due to proximity of sewer service to the infiltration trench services must be sleeved for 2 feet past the trench on each side.

GENERAL CONDITIONS:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. 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.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water 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 applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
7. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.

8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. 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 signature of the final plat by the City Engineer.

20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). 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 development plan approval.
24. 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.

C. ADA COUNTY HIGHWAY DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266244&dbid=0&repo=MeridianCity&cr=1>

D. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266773&dbid=0&repo=MeridianCity>

E. NMID

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266212&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. ANNEXATION AND ZONING

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 annexation of the subject site with an R-8 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property if the Applicant complies with the provisions in Section VIII.

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

Staff finds the lot sizes proposed combined with the housing types proposed will be consistent with the purpose statement of the residential districts in that a range of housing opportunities will be provided consistent with the Comprehensive Plan.

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

Staff 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

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

Staff finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section VII.

B. SHORT PLAT

In consideration of a short plat, the decision-making body shall make the following findings:

A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;

The Comprehensive Plan designates the future land use of this property as Medium Density Residential with a density range of 3-8 du/acre. The proposed short plat complies with the Comprehensive Plan and is developed in accord with UDC standards.

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

Staff finds that public services are adequate to serve the site.

C. The plat is in conformance with scheduled public improvements in accord with the City's capital improvements program;

Staff finds that the development will not require the expenditure of capital improvement funds. All required utilities are being provided with the development of the property at the developer's expense.

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

Staff finds that the development will not require major expenditures for providing supporting services. The developer and/or future lot owner(s) will finance improvements for sewer, water, utilities and pressurized irrigation to serve the project.

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

Staff finds the proposed short plat will not be detrimental to the public health, safety or general welfare.

F. The development preserves significant natural, scenic or historic features.

Staff is not aware of any significant natural, scenic or historic features associated with the development of this site.