

FIRST ADDENDUM TO DEVELOPMENT AGREEMENT

PARTIES:

1. **City of Meridian**
2. **C4 Land LLC, Owner/Developer**

THIS FIRST ADDENDUM TO DEVELOPMENT AGREEMENT is dated this _____ day of _____, 2025, ("ADDENDUM"), by and between **City of Meridian**, a municipal corporation of the State of Idaho ("CITY"), whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642 and **C4 Land LLC** ("OWNER/DEVELOPER"), whose address is 4824 W. Fairview Avenue, Boise, Idaho 83706.

RECITALS

A. CITY and OWNER/DEVELOPER originally entered into a Development Agreement recorded September 6, 2023 as Instrument #2023-051358 ("Original Development Agreement") in Ada County Records that provided, in part, for a multi-family project consisting of up to 216 multi-family dwelling units.

B. OWNER/DEVELOPER submitted an application for a Development Agreement Modification to modify the Original Development Agreement to convert the multi-family project to 95 single-family attached homes. On March 18, 2024, the Meridian City Council approved said application with Findings of Fact and Conclusions of Law as set forth in the attached Exhibit "C", which is incorporated herein.

C. CITY and OWNER/DEVELOPER now desire to amend the Original Development Agreement, which terms have been approved by the Meridian City Council in accordance with UDC section 11-5B-4, with this Addendum.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

1. OWNER/DEVELOPER shall be bound by the terms of the Original Development Agreement recorded September 6, 2023 as Instrument #2023-051358, except as amended as follows:

Section 5.1 of the Original Development Agreement is replaced in its totality as follows:

5.1 Owner/Developer shall develop the Property in accordance with the following special conditions:

- a. Future development of this site shall be generally consistent with the preliminary plat, phasing plan, landscape plan, qualified open space, qualified site amenities, and conceptual building elevations included in Section VIII of Exhibit B of the Original Development Agreement, as modified by Section VII of Exhibit C attached hereto, and the provisions contained herein.
- b. The collector street (N. San Marco Way) shall be constructed in its entirety with the first phase of development and shall be designed consistent with Street Section C (major

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collector street) in the Ten Mile Interchange Specific Area Plan ("TMISAP") (see pgs. 3-20, 3-22, and 3-23), unless an alternative cross section is approved by Ada County Highway District ("ACHD").

- c. Public art of a high quality of design shall be provided within the development and incorporated into the design of the streetscape or publicly accessible open space as set forth in the TMISAP (see pp. 3-47).
 - d. A maximum of 95 single-family units shall be constructed within Newkirk East Subdivision.
 - e. A Design Review application shall be submitted for all single-family attached, townhouse and multi-family structures within the development. Compliance with the design standards listed in the Architectural Standards Manual and any applicable guidelines in the TMISAP is required. The single-family attached and townhome structures are not required to incorporate porches along 30% of the front facades, and front-loaded 2-car garages do not have to be 20 feet behind the primary façade or designed with two (2) separate garage doors.
 - f. Pedestrian-scale lighting should be provided on all building facades facing the street and internal walkways in accord with the TMISAP (pp. 3-34).
 - g. The space between the building façade and adjacent walkway should be appropriately landscaped with a combination of lawns, groundcover, shrubs, and trees in accord with the TMISAP (pp. 3-37).
 - h. Zimmerman Lane will not be dedicated as public right of way, except for the two stub locations at Atomic St. and Chair Lift St. Dedicate such stub locations to ACHD in configurations required by ACHD prior to the City Engineer's signature on the first final plat. Before recordation of the annexation ordinance AND the City's acceptance of the modified AZ and Plat boundaries to remove Zimmerman Lane, the applicant shall record a property boundary adjustment between the Newkirk property and the three (3) selected adjacent County parcels immediately to the west to facilitate conveyance of the Zimmerman Lane property as proposed. Proof of such conveyance shall be provided to City staff prior to City Engineer's signature on the first final plat.
 - i. The noncontiguous parcel (Parcel #S1210346890) bisected by the Kennedy Lateral is unbuildable and shall be maintained by the deed owner (either Nampa & Meridian Irrigation District, Homeowners Association, or the current owner). Written documentation shall be provided to the City prior to the City Engineer's signature on the final plat.
2. That OWNER/DEVELOPER agrees to abide by all ordinances of the City of Meridian and the Property shall be subject to de-annexation if the Owner/Developer or their assigns, heirs, or successor(s) shall not meet the conditions of the Original Development Agreement, as modified by this Addendum, and the Ordinances of the City of Meridian as herein provided.
3. This Addendum shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Addendum shall be binding on the Owner/Developer of the Property, each

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subsequent owner and any other person(s) acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions herein and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed.

4. If any provision of this Addendum is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Addendum and the invalidity thereof shall not affect any of the other provisions contained herein.

5. This Addendum sets forth all promises, inducements, agreements, conditions, and understandings between Owner/Developer and City relative to the subject matter herein, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Addendum shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

- a. Except as herein provided, no condition governing the uses and/or conditions governing development of the subject Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

6. This Addendum shall be effective upon execution of the Mayor and City Clerk.

7. Except as amended by this First Addendum, all terms and provisions of the Original Development Agreement shall remain in full force and effect.

[End of text. Acknowledgements, signatures, and Exhibit C follow.]

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this Addendum and made it effective as hereinabove provided.

OWNER/DEVELOPER:

C4 Land LLC

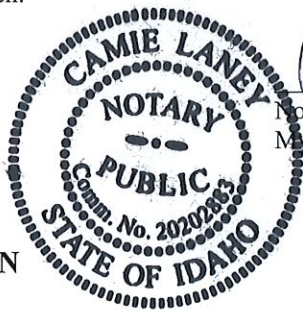
By: Jim Conger
Its: Member

STATE OF IDAHO)
County of ADA) ss.

On this 3 day of September, 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Jim Conger, known or identified to me to be the Member of **C4 Land LLC** and the person who signed above and acknowledged to me that they executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



Camie Lacey
Notary Public
My commission expires: 8-3-2026

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)
 : ss
County of Ada)

On this ____ day of _____, 2025, before me, a Notary Public, personally appeared **Robert E. Simison and Chris Johnson**, known or identified to me to be the Mayor and City Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Notary Public for Idaho
My commission expires:

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EXHIBIT C

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



**In the Matter of the Request for Preliminary Plat and Development Agreement Modification, by
Laren Bailey, Conger Group.**

Case No(s). H-2024-0043

For the City Council Hearing Date of: March 4, 2025 (Findings on March 18, 2025)

A. Findings of Fact

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

B. Conclusions of Law

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

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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 Preliminary Plat and Development Agreement Modification is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 4, 2025, 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

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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. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of March 4, 2025

By action of the City Council at its regular meeting held on the 18th day of March, 2025.

COUNCIL PRESIDENT LUKE CAVENER

VOTED AYE

COUNCIL VICE PRESIDENT LIZ STRADER

VOTED AYE

COUNCIL MEMBER DOUG TAYLOR

VOTED AYE

COUNCIL MEMBER JOHN OVERTON

VOTED AYE

COUNCIL MEMBER ANNE LITTLE ROBERTS

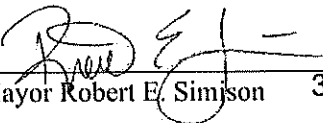
VOTED AYE

COUNCIL MEMBER BRIAN WHITLOCK

VOTED AYE

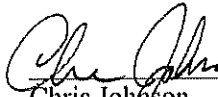
MAYOR ROBERT SIMISON
(TIE BREAKER)

VOTED _____



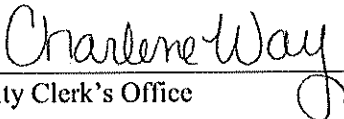
Mayor Robert E. Simison 3-18-2025

Attest:



Chris Johnson 3-18-2025
City Clerk

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

By:  Dated: 3-18-2025
City Clerk's Office

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 3/4/2025

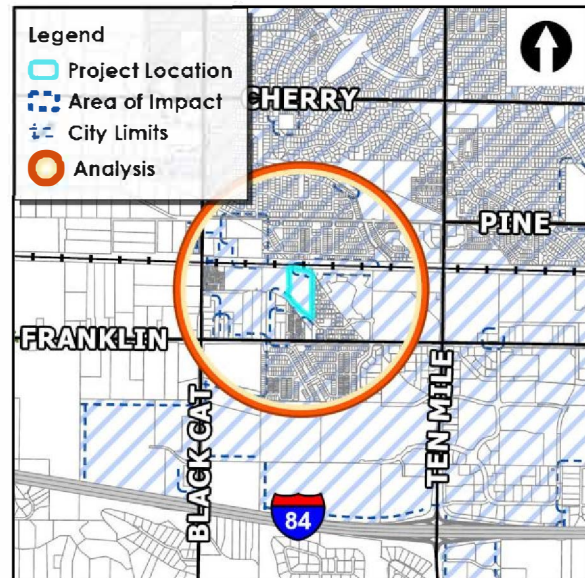
TO: Mayor & City Council

FROM: Linda Ritter, Associate Planner
208-884-5533
lritter@meridiancity.org

APPLICANT: Laren Bailey, Conger Group

SUBJECT: H-2024-0043
Newkirk East MDA, PP

LOCATION: Located in the SE ¼ of the SW ¼ of
Section 10 Township 3N, Range 1W,
Parcel: S1210346850



I. PROJECT OVERVIEW

A. Summary

A Preliminary Plat and Development Agreement Modification to convert 216 apartments into 95 single-family attached homes on 10.08 acres of land zoned Traditional Neighborhood Residential (TN-R).

B. Issues/Waivers

- Kennedy Lateral Property Annexation:
 - The Kennedy Lateral crosses the applicant's plat and should have been included in the previous annexation for this project. However, the parcel containing the Kennedy Lateral is owned by the Nampa Meridian Irrigation District, as verified by deed and legal determination, and was not part of this project. Due to timing constraints, staff proceeded with the current plat.
- Noncontiguous Parcel:
 - Parcel # S1210346890 is not contiguous to the plat, as it is bisected by the Kennedy Lateral parcel, which is owned by the Nampa Meridian Irrigation District, as shown in Exhibit VII.J. Since this parcel is neither contiguous nor included in the proposed plat, staff requires the applicant to demonstrate how access to Parcel # S1210346890 will be provided to ensure maintenance, as required by the original approval. City staff is coordinating with the Ada County Assessor's office to determine if this outparcel can be incorporated as part of the plat.
- Density Compliance:
 - The proposed development has a density of 9.42 units/acre, which is below the targeted density of 12 units/acre per the Ten Mile Interchange Specific Area. The project was previously approved with 13.2 units/acre. However, the proposed

density does meet the net density standards of 6 dwelling units per acre in the TN-R zoning district.

- Block Length/Dead End Street Length Exceedance (see analysis below)
 - There are several block lengths which exceed the maximum 500-foot length.
 - The dead-end street exceeds the maximum 500-foot length

C. Recommendation

Staff recommends approval of the modification of the development agreement to convert 216 apartments into 95 single-family attached homes and the proposed preliminary plat in accordance with Findings in Section V and the conditions of approval in Section IV.

D. Decision

Approved

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Multi-Family Residential	-
Proposed Land Use(s)	Single Family Residential	-
Existing Zoning	Traditional Neighborhood – Residential (TN-R)	VII.A.2
Proposed Zoning	Traditional Neighborhood – Residential (TN-R)	
Adopted FLUM Designation	Medium High Density Residential	VII.A.3
Proposed FLUM Designation	Medium High Density Residential	

Table 2: Process Facts

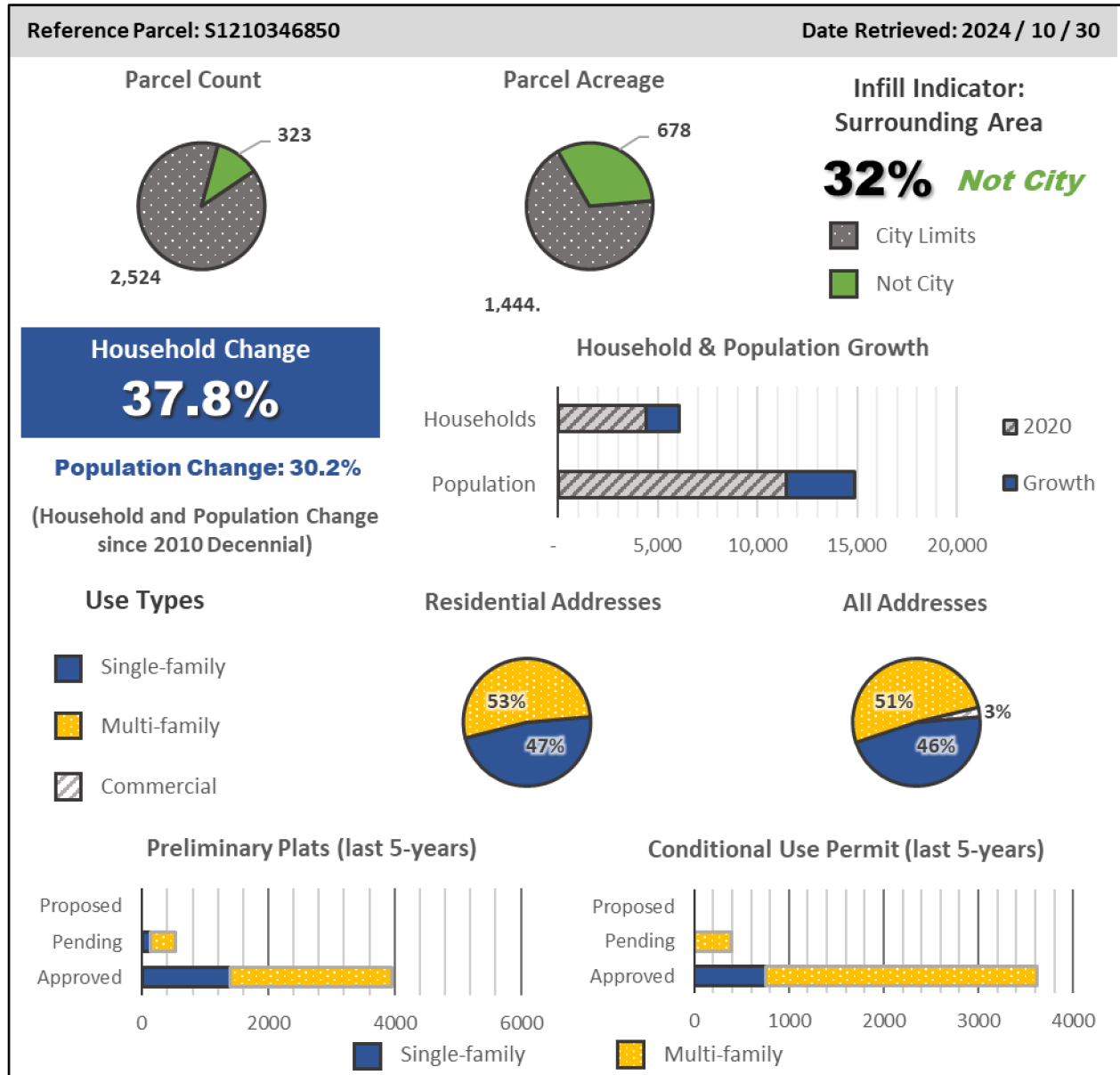
Description	Details
Preapplication Meeting date	5/28/2024
Neighborhood Meeting	7/9/2024
Site posting date	1/23/2025

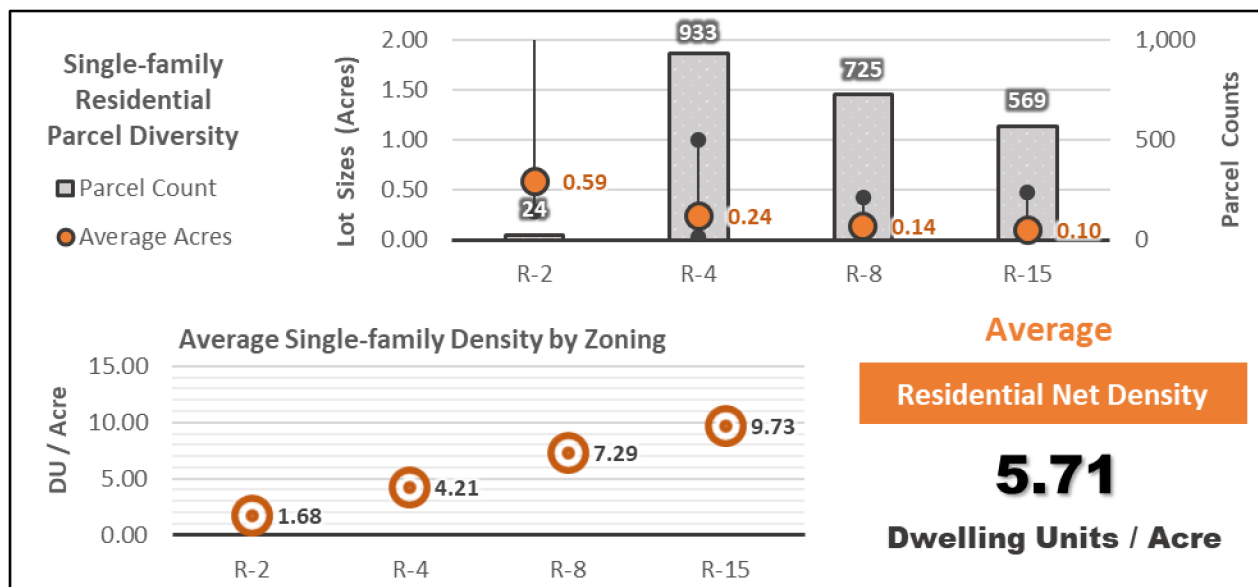
Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		IV.F
• Comments Received	Yes, Staff Report	-
• Commission Action Required	No	-
• Access	Access to the property is via N. San Marco Way.	-
• Traffic Level of Service	There are no existing average daily traffic counts for San Marco Way and Zimmerman Way.	-
ITD Comments Received	No Comments	IV.G
Meridian Fire	No Comments	
Meridian Police	No Comments	
Meridian Public Works Wastewater		IV.B
• Distance to Mainline	Available at the site	
• Impacts or Concerns	No	
Meridian Public Works Water		IV.B
• Distance to Mainline	Water available at the site	
• Impacts or Concerns	An easement and extension of the water main at W. Atomic Street is required along Zimmerman Lane is required along with an easement at W. Chair Lift Streett across Zimmerman Lane. The Final Plat will not be approved without this.	
School District(s)	West Ada School District	IV.E
• Capacity of Schools (Architectural Capacity)	Chaparral Elementary School - 550 Meridian Middle School - 1250 Meridian High School - 2075	-
• Number of Students Enrolled	Chaparral Elementary School - 538 Meridian Middle School - 963 Meridian High School - 1808	-

Note: See City/Agency Comments and Conditions Section and public record for all department/agency comments received. **Newkirk East MDA, PP H-2024-0043** (copy this link into a separate browser).

Figure 1: One-Mile Radius Existing Condition Metrics





Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

Figure 2: ACHD Summary Metrics

Level of Service Planning Thresholds

1. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
San Marco Way	742-feet	Collector	N/A	N/A
Zimmerman Way	631-feet	Local	N/A	N/A

* Acceptable level of service for a two-lane collector is "D" (425 VPH).

** ACHD does not set level of service thresholds for local roadways.

2. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- There are no existing average daily traffic counts for San Marco Way and Zimmerman Way.

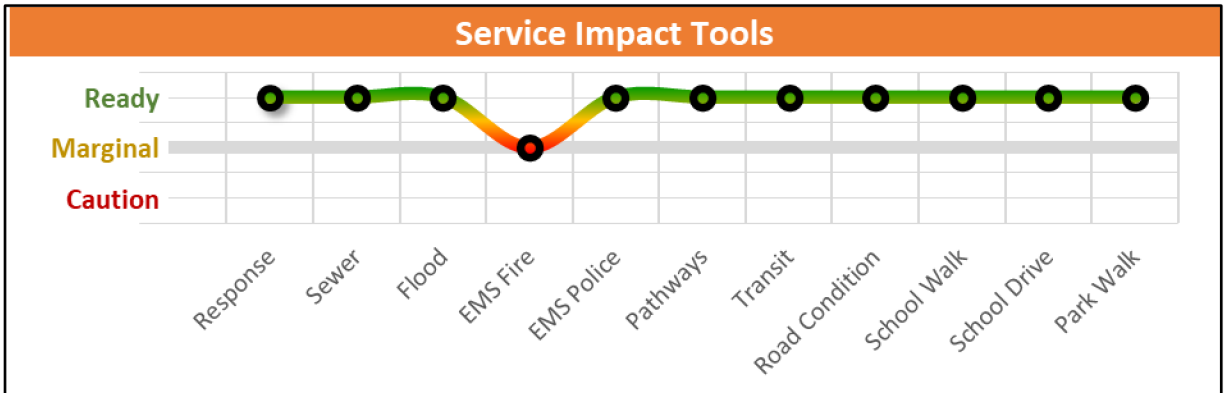
ACHD Planned Improvements

1. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

- Black Cat Road is scheduled in the IFYWP to be widened to 5-lanes from Franklin Road to Cherry Road with a design year of 2029-2030 and a construction year yet to be determined.
- Franklin Road is scheduled in the IFYWP to be widened to 5-lanes from McDermott Road to Black Cat Road between 2028 and 2029.
- Black Cat Road railroad crossing is scheduled in the IFYWP to be resurfaced and have safety lights and gates installed in 2029.
- Black Cat Road is listed in the CIP to be widened to 5-lanes from Overland Road to Franklin Road between 2036 and 2040.

Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

Figure 3: Service Impact Summary



Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

This property is designated Medium High-Density Residential (MHDR) on the Future Land Use Map (FLUM) and is located within the area governed by the Ten Mile Specific Area Plan (TMISAP). MHDR areas are locations recommended primarily for relatively dense multi-family housing types, such as row houses, townhouses, and condominium and apartment buildings and complexes. These areas should have a mix of housing types that achieve an overall average density target of 12 dwelling units per gross acre with densities ranging from 8-15 units per acre. MHDR areas typically are relatively compact areas within a larger neighborhood and generally should be located around and near more intensely developed areas, such as Mixed Use Commercial or Employment areas, in order to provide convenient access to these commercial activity and employment centers for the greatest number of residents. Apartment buildings are desired to be accessed via shared entrances and hallways.

The proposed development, reviewed independently of the original proposal, features a mix of single-family attached homes, including 90 front-loaded garages and 5 alley-loaded townhouses. NOTE: The plat does not include any alley-loaded lots (see analysis below). The overall gross density is 9.42 units per acre, which falls within the density range specified by the MHDR FLUM designation. However, it does not meet the targeted density of 12 dwelling units per acre recommended in the TMISAP.

Since the first phase of the development has not been recorded (may soon), the overall gross density of the Newkirk project, with the multi-family removed and the additional residential units added equates to 7 dwelling units per acre. This figure is below the desired gross density for the MHDR FLUM designation but aligns with the net density standards for the TN-R zoning district which is based on net density. The gross density for the new preliminary plat, excluding the first phase is 9.42 dwelling units per acre. In this case, zoning is the predominant factor when analyzing density associated with this project.

The table below highlights the surrounding developments within the TMISAP area, detailing the required and approved densities for each.

Density (Dwelling Units Per Acre) Consistency Matrix

TMISAP Requires an Overall Target Density of 12 Dwelling Units Per Gross Acre with Densities Ranging from 8-15 Unites Per Acre				
TN-R Requires Six (6) Net Dwelling Units Per Acre				
Development	Acres	Dwelling Units	Zoning/Density Required	Submitted
*Newkirk East	10.08	95	TNR-6 (12 per TMISAP)	7.33 – Entire Plat (20.44 acres) 9.42 -New Plat (10.08 acres)
Newkirk Subdivision	20.44	278	TNR-6 (12 per TMISAP)	13.2 du/ac
Aviation	9.8	75	R-15/8-12 (12 per TMISAP)	7.65 du/ac
Modern Craftsman	11.47	122	(12 per TMISAP)	10.64 du/ac
Alamar	8.23	51	TNR-6 (12 per TMISAP)	9.06 du/ac
Entra Farms	18.18	238	R-15/8-15 (16-25 per TMISAP) Council granted approval of a “step” down in density from HDR (15+ units/acre) to MDHR (8-15 units/acre)	13 du/ac
Ascent	4.97	43	R-15/8-12 (12 per TMISAP)	8.65 du/ac
Total	73.09 acres	807 units		11 du/ac

**The reduction of the number of units for Newkirk Subdivision brings the overall dwelling units per acre to 9 units per acre.*

Table 4: Project Overview

Description	Details
History	H-2022-0088 (AZ, PP); DA Inst. #2023-051358, PBA Inst # 2023-047023 and A-2023-0135
Phasing Plan	1
The Residential Units	95
Open Space	7.21 acres/35% (overall) 1.69 acres/16.8% Phase 2
Amenities	2 points required/2.5 points provided
Acreage	20.44 overall/ 10.08 Phase 2
Lots	95 single-family residential lots/ 8 Common lots
Density	7.33 du/ac overall/ 9.42 Phase 2 (gross density)

B. History

The Newkirk Subdivision, approved by City Council on April 25, 2023, involved the annexation of 22.667 acres with TN-R zoning. The original plan included 63 building lots (44 single-family attached homes, 18 townhomes, and one multi-family development with 216 units) and eight

common lots on 20.44 acres, to be developed in two phases: single-family residential in Phase 1 and multi-family in Phase 2.

The applicant now proposes removing the multi-family component and replacing it with a mix of single-family attached homes with front-loaded garages and alley-loaded townhouses. This modification reduces the gross density from 13.2 to 7.33 dwelling units per acre, meeting the TN-R district minimum net density of 6 units per acre but falling below the Ten Mile Interchange Plan's target gross density of 12 units per acre.

Phase 2 (Newkirk East) is now shown as a separate parcel, though the original plat treated the subdivision as one parcel. It appears the property was subdivided without City approval, as the final plat for Phase 1 is not yet recorded with the Ada County Assessor's office. Phase 1 final plat has been signed by the City Engineer and submitted to Ada County for final review and recording, recording is eminent.

Additionally, the annexation of the Kennedy Lateral, a gap area owned by the Nampa Meridian Irrigation District, was overlooked during prior approvals. This unincorporated area between parcels will need to be annexed by the City to resolve the issue.

C. Site Development and Use Analysis

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

The property was part of 20.44 acres of land annexed and zoned Traditional Neighborhood Residential (TN-R) zoning district in 2023. This 10.08 parcel was approved as Phase 2 with 216 multi-family units. The applicant is proposing a modification to the development agreement to remove the multi-family units and replace them with 95 single family residential lots.

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

The applicant proposes single-family attached dwellings, a principal permitted use in TN-R zoning districts as outlined in UDC Table 11-2A-2. The future land use map designates this area as medium-high density residential, which permits gross densities of 8–12 dwelling units per acre. While the proposal meets the TN-R zoning district's minimum density requirement of 6 units per acre, it falls short of the medium-high density designation's target range.

3. Dimensional Standards (UDC 11-2):

The proposed plat and subsequent development must comply with the dimensional standards outlined in UDC Table 11-2D-6 for the TN-R zoning district. While there is no minimum lot size in the TN-R district, each building site must be of sufficient size to meet the district's minimum setback requirements. The development includes the required minimum of two (2) housing types.

Although street-accessed properties are permitted within this district, they are generally expected to be located along the perimeter of a TN-R development. The applicant must demonstrate that the proposed design aligns with the purpose statement of the TN-R district.

Additionally, the applicant shall provide justification for the limited number of alley-loaded homes included in the proposal in the form of a waiver. The regulating authority will determine whether the applicant has met the intent of the TN-R district's street design requirements or require a revision of the plat to achieve compliance.

D. Design Standards Analysis

1. Structure and Site Design Standards (*Comp Plan 3.07.00, Comp Plan 3.07.01A, TMISAP, UDC 11-3A-19*):

Comprehensive Plan policy 3.07.00 encourages compatible uses and site design to minimize conflicts and maximize use of land.

Comprehensive Plan policy 3.07.01A requires all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.

All residential neighborhoods in the Ten Mile Interchange area should be developed in consideration of Traditional Neighborhood Design (TND) principals and concepts and the standards established by the City for the TN-R district. Future development should be consistent with the design elements in the TMISAP for the MHDR FLUM designation as determined by the Application of the Design Elements table (see pg. 3-49), as follows:

Design Elements:

3-33. Street Design: Useable porches should be a dominant element of residential buildings and should be located along at least 30% of the front façade of the buildings – a higher percentage is recommended as is the location of porches on one or more side facades. When possible, garages should be loaded from a rear alleyway. Where garages must be accessed from the front, the garages must be located no less than 20’ behind the primary façade. Front-loaded 2-car garages that are visible from the primary street must be designed with two (2) separate garage doors.

3.34. Buildings to Scale: Everything seen and experienced from the sidewalk – building fronts, lighting, open space – should be designed for human interaction at a pedestrian’s perspective. Key elements to consider are the continuity of the building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas and other open space. Human-scale design is critical to the success of built places for pedestrians. Building entrances should be placed close to the street; ground floor windows, articulated facades, appropriately scaled lighting, awnings and other weather protection should be provided.

3.36. Neighborhood Design: All residential neighborhoods in the Ten Mile interchange area should be developed in consideration of traditional neighborhood design principles and concepts, which pertain to mixed housing stock, architecture and design, streetscapes and streets. Front porches and garages accessed from an alley are usually the standard in residential areas; parking for homes is primarily located behind buildings. Streetscape design relates to the street itself and consists of landscaped parkways with trees between curbs and sidewalks, adjacent sidewalks and front yard spaces and provides public space for street trees, street furniture and view corridors. Other aspects of neighborhood design that contribute to a traditional streetscape are connected network of streets, alleys and sidewalks. Roadways and pedestrian ways are interconnected so that access for pedestrians, cyclists and automobile drivers is direct and convenient and allows traffic to be dispersed through a variety of streets and ways. Narrower streets designed with TND characteristics result in slower moving traffic and provide a safer, more pleasant pedestrian environment and encourages interaction among residents.

Building Character Form:

- **Building Facades** - Buildings should be designed so that their primary facades relate to active public spaces and pedestrian areas. The primary façade of a structure is that

frontage of the building that has been designed and detailed so as to represent the building's most important elevations. The primary façade should always include an entry into the building. Entries should be located so as to provide direct access from adjacent public spaces, primary streets and activity areas. Access from walkways should be uninterrupted by vehicular traffic. Buildings should be located so as to help frame adjacent public spaces and to provide an architectural backdrop for associated passive and active activities. The space between a building façade and the adjacent walkway should be appropriately landscaped with a combination of lawns, groundcover, shrubs and trees.

- **Building Heights** - Low-rise buildings of 2-4 stories over much of the area is recommended.
- **Pitched Roofs** -A mix of flat and pitched roofs are anticipated in the Ten Mile area based on a wide variety of individual buildings. Pitched roofs should be, where possible, symmetrical hips or gables, with a pitch between 4:12 and 12:12 with an overhang of at least 12 inches and a maximum of 2.5'. Roof brackets and rafter tail treatments are encouraged.

3.47. Public Art: Public art should be incorporated into the design of streetscapes, public buildings, parks, transit, infrastructure, and other public projects in the Ten Mile area. Public art should be meaningful and encourage the free flow of ideas and cultural ideologies. Public art should be integrated into either the architectural design or the design of plazas and public spaces associated with a building and should be easily visible to the public (e.g. visible from the street or publicly accessible open spaces rather than interior courtyards).

The applicant has based the proposed building designs on those that were previously approved with the design review for Newkirk Subdivision. The conceptual designs shown are consistent with recorded DA (2023-051358) as Council approved exceptions to the required TMIASP standards with the original plat H-2022-0088.

2. Qualified Open Space & Amenities (Comp Plan, UDC 11-3G):

A minimum of 15% qualified open space is required to be provided within the single-family and townhome portion of the development per Table 11-3G-3 for the TN-R zoning district. Based on 10.08 acres of land, a minimum of 1.5 acres is required to be provided that complies with the standards listed in UDC 11-3G-3B.

A minimum of two (2) points of site amenities are required based on the area of the single-family/townhome development. Qualified amenities should include features listed in UDC Table 11-3G-4. A dog park (2 points) with a seating area and waste station (.5 points) is proposed which meets the minimum standard. Overall, the proposed amenities exceed the minimum standards. Per the applicant, the amenities in the original Newkirk Subdivision will be available for use by the residents within the Newkirk East Subdivision.

The previously approved preliminary plat provided 3.55 acres (34.4%) open space for Phase 1 as the multi-family for Phase 2 had separate requirements for open space. However, when multi-family is approved concurrently with single-family, the minimum open space requirements in UDC 11-3G-3 shall apply to the gross land area of the entire development. Therefore, the development exceeded the required 15% open space.

3. Landscaping (UDC 11-3B):

- i. Landscape buffers along streets

A 20-foot-wide street buffer with an 8-foot-wide parkway planted with Class II trees and a 5-foot-wide detached sidewalk has been installed along N. San Marco Way with the Phase 1.

An 8-foot-wide parkway with Class II trees is required along all local streets per UDC Table 11-2D-6, landscaped per the standards listed in UDC 11-3B-7C.

ii. Tree preservation

There were several existing trees on this site that were removed and mitigated with Newkirk Subdivision Phase 1.

iii. Storm integration

Per UDC 11-3B-11, the applicant shall meet the intent to improve water quality and provide a natural, effective form of flood and water pollution control through the integration of vegetated, well designed stormwater filtration swales and other green stormwater facilities into required landscape areas, where topography and hydrologic features allow if part of the development.

Development will be required to meet UDC 11-3B-11 for stormwater integration.

iv. Pathway landscaping

Landscaping is required along all pathways per the standards listed in UDC 11-3B-12C.

4. Parking (UDC 11-3C):

Off-street parking is required to be provided for each home based on the total number of bedrooms per unit as set forth in UDC Table 11-3C-6. On-street parking is also available on the proposed streets.

i. Residential parking analysis

All single-family attached and townhouse dwelling units are proposed to have a 2-car garage with a 2-space parking pad consistent with UDC Table 11-3C-6 for 1- to 4-bedroom units; if any units contain more than 4 bedrooms, an additional two (2) spaces are required with at least one (1) of those being an enclosed space. Per the applicant, an additional 48 on-street parking spaces (0.5+ per home) are available for residents and guests as shown on the parking exhibit in Section VII.H.

5. Building Elevations (Comp Plan 2.01.01C, Architectural Standards Manual):

Comprehensive Plan policy 2.01.01C encourages the applicants to maintain a range of residential land use designations that allow diverse lot sizes, housing types, and densities. To support this policy staff recommends the applicant provide additional housing options (i.e. townhomes, single family attached) in the development.

Conceptual building elevations were submitted for the proposed structures within the development as shown in Section VII.J. Two (2) elevations were submitted for the 2-story attached units and for the 2-story townhome units attached in units of three (3); building materials consist of a mix of board & batten siding, soffit board siding, cottage lap siding and shake siding. These plans were previously approved through design review for Phase 1.

Design Review: A design review application is required to be submitted for all single-family attached and townhouse structures within the development. Final design of all structures should comply with the standards for traditional neighborhood design listed in the Architectural Standards Manual (ASM) and the recorded DA.

6. Fencing (*UDC 11-3A-6, 11-3A-7*):
Fencing should comply with the standards listed in UDC 11-3A-7. A six-foot tall solid vinyl fencing is proposed along the eastern and northern property boundary. A five-foot tall open vision iron fence is proposed along the southern and western boundary.
7. Parkways (*Comp Plan 3.07.01C, UDC 11-3A-17*):
Per Comp Plan policy 3.07.01C appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.) is required.

Per the UDC the minimum width of parkways planted with Class II trees shall be eight (8) feet. The width can be measured from the back of curb where there is no likely expansion of the street section within the right-of-way; the parkway width shall exclude the width of the sidewalk. Class II trees are the preferred parkway trees. The applicant will be required to revise their landscape plan to show Class II trees.

E. Transportation Analysis

1. Access (*Comp Plan 6.01.02B, UDC 11-3A-3, UDC 11-3H-4*):
Access is proposed via the extension of N. Zimmerman Way, a local street. San Marco Way extends to the west boundary and connects with W. Aviator St. to be extended with Aviator Subdivision (H-2020-0111). ACHD required the applicant to extend Ski Hill Street from the Ascent Subdivision as part of the preliminary plat approval. After further review of the area, ACHD determined the grade was too steep and removed this condition of approval. Therefore, staff is not recommending this street to be extended with this plat.
2. Multiuse Pathways (*UDC 11-3A-5*):
Multiuse pathways shall be constructed in accord with the city's comprehensive plan, the Meridian Pathways Master Plan, the Ada County Highway District Master Street Map and Roadways to Bikeways Master Plan.

The Pathways Master Plan does not depict a multi-use pathway on this site. No pathways are proposed except for sidewalks required along streets within the development.
3. Pathways (*Comp Plan 4.04.01A, UDC 11-3A-8*):
Comprehensive Plan policy 4.04.01A ensure that new development and subdivisions connect to the pathway system. The proposed development

The Pathways Master Plan does not depict a multi-use pathway on this site. No pathways are proposed except for sidewalks required along streets within the development.
4. Sidewalks (*UDC 11-3A-17*):
All sidewalks constructed as part of this proposal are required to comply with the standards listed in UDC 11-3A-17.
5. Subdivision Regulations (*UDC 11-6*):
 - i. Dead end streets
Per UDC 11-6C-3B.4, (a) no streets or series of streets that ends in a cul-de-sac or a dead end shall be longer than five hundred (500) feet except as allowed in subsection (b) of this section. Dead end streets may be approved up to seven hundred fifty (750) feet in length where an emergency access is proposed; or where there is a physical barrier such as a steep slope, railroad tracks, an arterial roadway, or a large waterway that prevents or makes impractical extension; and where a pedestrian connection is provided from the street to an adjacent existing or planned pedestrian facility.

The proposed dead-end street is approximately 569 feet and requires City Council waiver. The applicant is required to provide a pedestrian connection from the street to an adjacent existing or planned pedestrian facility. The applicant shall revise their plat map to show how they meet the requirements or provide justification as to why they cannot meet the requirement. The applicant has the option of providing an open space tract within the lots along N. San Marco Way to break up the length of the dead-end road.

Revise the plat map to bring the dead-end street into compliance per UDC 11-6C-3B-4 by adding a pedestrian facility along N. Midford Way (Lot 46 or 47, Block 1) to the open space area along N. San Marco Way located within Lot 63, Block 1.

ii. Block face

UDC 11-6C-3- regulates block lengths for residential subdivisions. Staff has reviewed the submitted plat for conformance with these regulations. In the TN-C and TN-R districts, no block face shall be more than five hundred (500) feet in length without an intersecting street or alley, except as allowed in subsection (F)(3). Subsection (F)(3) states where a pedestrian connection is provided, the maximum block face may be extended up to seven hundred fifty (750) feet in length in the TN-R District.

The applicant has several blocks lengths that exceed the 500 feet which need to be shorten or justification needs to be provided as to why they cannot meet the requirement. The applicant has provided an emergency access to N. Manship Lane within the Entrata Farms Subdivision No. 2, which counts towards a break in the block length on the east side of the roadway. The applicant can provide access to the open space area along N. Ascent Avenue from N. Wolfsburg Avenue to break up the block length on the west side of the road. Revise the plat map to bring the block length along A. Wolfsburg Avenue into compliance by adding a pedestrian facility along Block 3, in the vicinity of lots 20-23 to connect to the common lot on Lot 3, Block 3.

iii. Alley

UDC 11-6C-3B.5 requires alleys to have a minimum of sixteen (16) feet of paving. All alleys shall serve as fire lanes. All alleys shall be concrete or asphalt with a concrete ribbon curb. The entrance to the alley from the public street shall provide a minimum twenty-eight (28) foot inside and forty-eight (48) foot outside turning radius. No parking shall be allowed on either side of the street within fifty (50) feet of the alley entrance as measured from the centerline of the alley. Alleys shall be designed so that the entire length is visible from a public street.

The applicant's narrative states that there are five (5) single-family attached three-plex, two-story alley-loaded garage homes. However, the preliminary plat does not depict an alley to accommodate these alley-loaded garages. The applicant must revise the plat map to clearly indicate the location of these homes and the corresponding alleys. Additionally, all alleys must comply with the requirements set forth in the Unified Development Code (UDC).

iv. Noncontiguous Parcel:

Parcel # S1210346890 is not contiguous to the plat, as it is bisected by the Kennedy Lateral parcel, which is owned by the Nampa Meridian Irrigation District, as shown in Exhibit VII.J. Since this parcel is neither contiguous nor included in the proposed plat, staff requires the applicant to demonstrate how access to Parcel # S1210346890 will be provided to ensure maintenance, as required by the original approval. City staff is coordinating with the Ada County Assessor's office to determine if this outparcel can be incorporated as part of the plat.

v. Street Access:

Through properties are prohibited except where it is shown that unusual topography or other conditions make it impossible to meet this requirement. Through properties shall be limited to one (1) street access on one (1) frontage, designated by a note on the final plat.

Lots 2-8 front both N. Ascent Avenue and N. Zimmerman Way. The applicant shall revise the plat map to remove the double street frontage which is prohibited per UDC 11-6C-3. The applicant needs to add a ten (10) foot landscape buffer along the west side of the lots to eliminate the double frontage and access to the parcels will be from N. Ascent Avenue.

F. Services Analysis

1. Waterways (Comp Plan 4.05.01D, UDC 11-3A-6):

Per UDC 11-3A-6, requires limiting the tiling and piping of natural waterways, including, but not limited to, ditches, canals, laterals, sloughs and drains where public safety is not a concern as well as improve, protect and incorporate creek corridors (Five Mile, Eight Mile, Nine Mile, Ten Mile, South Slough and Jackson and Evan Drains) as an amenity in all residential, commercial and industrial designs. When piping and fencing is proposed, the standards outlined in UDC 11-3A-6B shall apply.

Comprehensive Plan policy 4.05.01D requires improving and protecting creeks and other natural waterways throughout commercial, industrial, and residential areas.

The Kennedy Lateral bisects the northeast corner of this site within a parcel of land owned by the irrigation district. This parcel bisects the subject property into two (2) parcels.

A 6-foot-tall closed vision vinyl fence is proposed adjacent to the lateral; UDC 11-3A-6C.3 requires an open vision fence at least 6-feet in height and having an 11-gauge, 2-inch mesh or other construction, equivalent in ability to deter access to the lateral. Staff recommends a 6-foot-tall wrought iron fence is provided in this area to deter access to the lateral.

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

The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

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

An adequate storm drainage system is required in all developments by the City's adopted standards, specifications, and ordinances. Design and construction shall follow best management practices as adopted by the City as outlined in UDC 11-3A-18. Storm drainage will be proposed with a future Certificate of Zoning Compliance application and shall be constructed to City and ACHD design criteria.

4. Utilities (Comp Plan 3.03.03G, UDC 11-3A-21):

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. All utilities are available to the site. Water main, fire hydrant and water service require a twenty-foot (20) wide easement that extends ten (10) feet past the end of main, hydrant, or water meter. No permanent structures, including trees are allowed inside the easement.

Comprehensive Plan policy 3.03.03G require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.

G. Development Agreement

The Applicant is requesting the following modifications to the existing Development Agreement [Inst. #2023-051358]:

- e. ~~A bicycle rack should be provided for each of the multi-family buildings and the clubhouse in accord with the standards listed in UDC 11-3C-5C. A minimum of 18 spaces are required.~~
- f. ~~A minimum of 442 off-street parking spaces shall be provided for the multi-family development with a minimum of 221 of those spaces in a covered carport or garage as proposed, in accord with UDC Table 11-3C-6.~~
- g. A maximum of ~~95~~ 216 multi-single-family units shall be constructed within Newkirk East Subdivision ~~this development~~.
- h. ~~A Certificate of Zoning Compliance application shall be submitted for the multi-family portion of the development; compliance with the specific use standards listed in UDC 11-4-3-27 is required.~~
- i. The noncontiguous parcel (Parcel # S1210346890) bisected by the Kennedy Lateral is unbuildable and shall be maintained by the deed owner (either NMID, Homeowners Association or the current). Written documentation shall be provided to the City prior to the city engineer's signature on the final plat.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

Fifteen days prior to the City Council public hearing, the applicant shall provide revised plans showing the following:

- Alley access for the 3-unit alley-loaded townhomes.
 - Exhibit showing the location of the different housing types.
 - Include the triangle piece in the boundary of the plat and demonstrate how you will gain access to this parcel for maintenance by the HOA as previously approved by Council.
 - Revise the plat map as Lots 2-8, Block 2 have double street frontage which is prohibited per UDC 11-6C-3. Add a ten (10) foot landscape buffer along the west side of the lots to eliminate the double frontage and access to the parcels will be from N. Ascent Avenue.
 - Revise the plat map to bring the block length along A. Wolfsburg Avenue into compliance by adding a pedestrian facility along Block 3, in the vicinity of lots 20-23 to connect to the common lot on Lot 3, Block 3.
 - Revise the plat map to bring the dead-end street into compliance per UDC 11-6C-3B-4 by adding a pedestrian facility along N. Midford Way (Lot 46 or 47, Block 1) to the open space area along N. San Marco Way located within Lot 63, Block 1.
1. Development Agreement Modification as shown in section G. above.
 2. The applicant shall comply with the previously approved Development Agreement and conditions of approval for Phase 1 of the Newkirk Subdivision.
 3. ~~Add a pedestrian facility along N. Midford Way (Lot 46 or 47, Block 1) to the open space area along N. San Marco Way located within Lot 63, Block 1.~~
 4. ~~Add a pedestrian facility along Block 3, in the vicinity of lots 20-23 to connect to the common lot on Lot 3, Block 3.~~

5. The final plat shall include the following revisions:
- a. The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2D-6](#) for the TN-R zoning district.
 - b. Change the fencing type along the Kennedy Lateral to a 6-foot-tall open vision fence per UDC 11-3A-6C.3.
 - c. The alley shall be designed and constructed per the standards listed in UDC [11-6C-3B.5](#). A detail of the alley shall be submitted with the final plat that demonstrates compliance with these standards.
 - d. The space between the building façade and adjacent walkway should be appropriately landscaped with a combination of lawns, groundcover, shrubs and trees in accord with the TMISAP (pg. 3-37).
 - e. Pedestrian-scale lighting should be provided on all building facades facing the street and internal walkways in accord with the TMISAP (pg. 3-34).
 - f. Per UDC [11-2D-6F](#), all dwelling units shall have a minimum of two (2) lights at the front of the unit. All dwelling units on alley accessed properties shall have a minimum of two (2) lights along the alley. All lighting shall prevent uplighting and shall be on a photocell that activates the lighting at dusk and turns it off at dawn.
 - g. Depict an 8-foot wide parkway with Class II trees along all local streets per UDC [Table 11-2D-6](#), landscaped per the standards listed in UDC [11-3B-7C](#). Include the linear feet of parkways with the number of required vs. provided trees in the Landscape Calculations table that demonstrates compliance with UDC standards.
 - h. Depict shrubs in common open space areas in accord with UDC [11-3G-5B.3](#).
 - i. Provide documentation from the Irrigation District allowing access across the Kennedy Lateral to maintain parcel S1210346890 and place a note on the final plat with the license agreement number.
 - j. Approval of a preliminary 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. Upon written request and filing by the applicant prior to the termination of the period in accord with subsections (A) and (B) of UDC 11-6B-7, 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 this title.

B. Meridian Public Works

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365973&dbid=0&repo=MeridianCity>

C. Irrigation Districts

1. Nampa & Meridian Irrigation District

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365973&dbid=0&repo=MeridianCity>

D. Idaho Department of Environmental Quality (DEQ)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365973&dbid=0&repo=MeridianCity>
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E. West Ada School District (WASD) or Other District/School

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365973&dbid=0&repo=MeridianCity>
y

F. Ada County Highway District (ACHD)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365973&dbid=0&repo=MeridianCity>
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G. Idaho Transportation Department (ITD)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365973&dbid=0&repo=MeridianCity>
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V. FINDINGS

A. Preliminary Plat (UDC-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code;
Staff finds the proposed plat is generally in conformance with the UDC and the Comprehensive Plan.
2. Public services are available or can be made available and are adequate to accommodate the proposed development;
Staff finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;
Staff finds the plat is in conformance with scheduled public improvements for this area in accord with the City's CIP.
4. There is public financial capability of supporting services for the proposed development;
Staff finds there is public financial capability of supporting services for the proposed development.
5. The development will not be detrimental to the public health, safety or general welfare; and
Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.
6. The development preserves significant natural, scenic or historic features.
Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development. The Kennedy Lateral is a separate parcel and not currently part of the proposed plat. Staff has recommended a 6-foot-tall wrought iron fence to be provided in this area for safety reasons and to deter access to the lateral.

VI. ACTION

A. Staff:

Staff recommends approval of the requested preliminary plat and Development agreement modification per the conditions of approval included in Section IV in accord accordance with Findings in Section V.

B. Commission:

The Meridian Planning & Zoning Commission heard these items on February 6, 2025. At the public hearing, the Commission moved to recommend approval of the subject Preliminary Plat and Development Agreement Modification requests.

1. Summary of Commission public hearing:
 - a. In favor: Hethe Clark representing the applicant
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Linda Ritter
 - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
 - a. None.
3. Key issue(s) of discussion by Commission:
 - a. The noncontiguous parcel that is bisected from the development by property owned by the Nampa Meridian Irrigation District (NMID) which has not yet been annexed into the
 - b. City.
Deed restriction for the noncontagious parcel stating it is unbuildable who shall maintain the parcel. Either transfer it to the NMID, Homeowners Association or the property owner retains the parcel. Written documentation shall be provided prior to the city engineer's signature on the final plat.
4. Commission change(s) to Staff recommendation:
 - a. Remove condition #3 per staff request because of the difference in grade at that location.
5. Outstanding issue(s) for City Council:
 - a. None

C. City Council:

The Meridian City Council heard these items on March 4, 2025. At the public hearing, the Council moved to approve the subject Preliminary Plat and Development Agreement Modification requests.

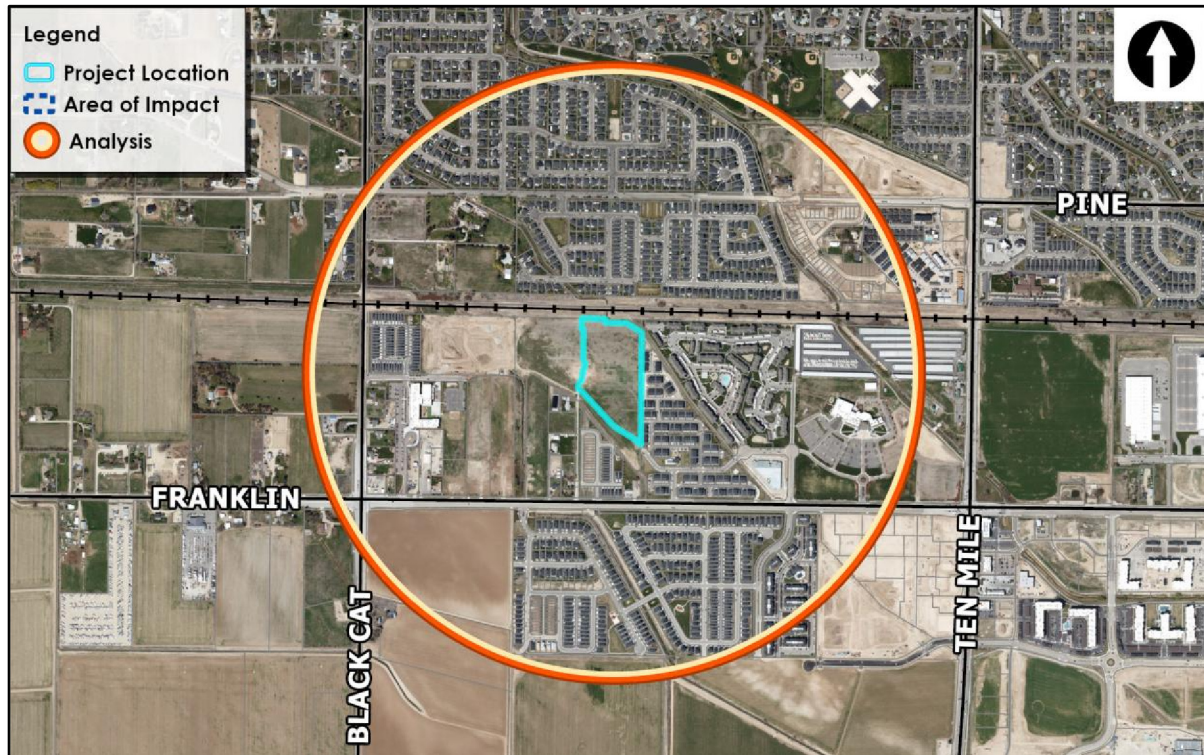
1. Summary of the City Council public hearing:
 - a. In favor: Hethe Clark, representing the applicant
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Linda Ritter
 - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
 - a. None
3. Key issue(s) of discussion by City Council:
 - a. Ownership of the noncontiguous parcel which will be deeded to the HOA.
4. City Council change(s) to Commission recommendation:
 - a. Remove condition #4 as the applicant revised the plans to meet the block length requirement.

VII. EXHIBITS

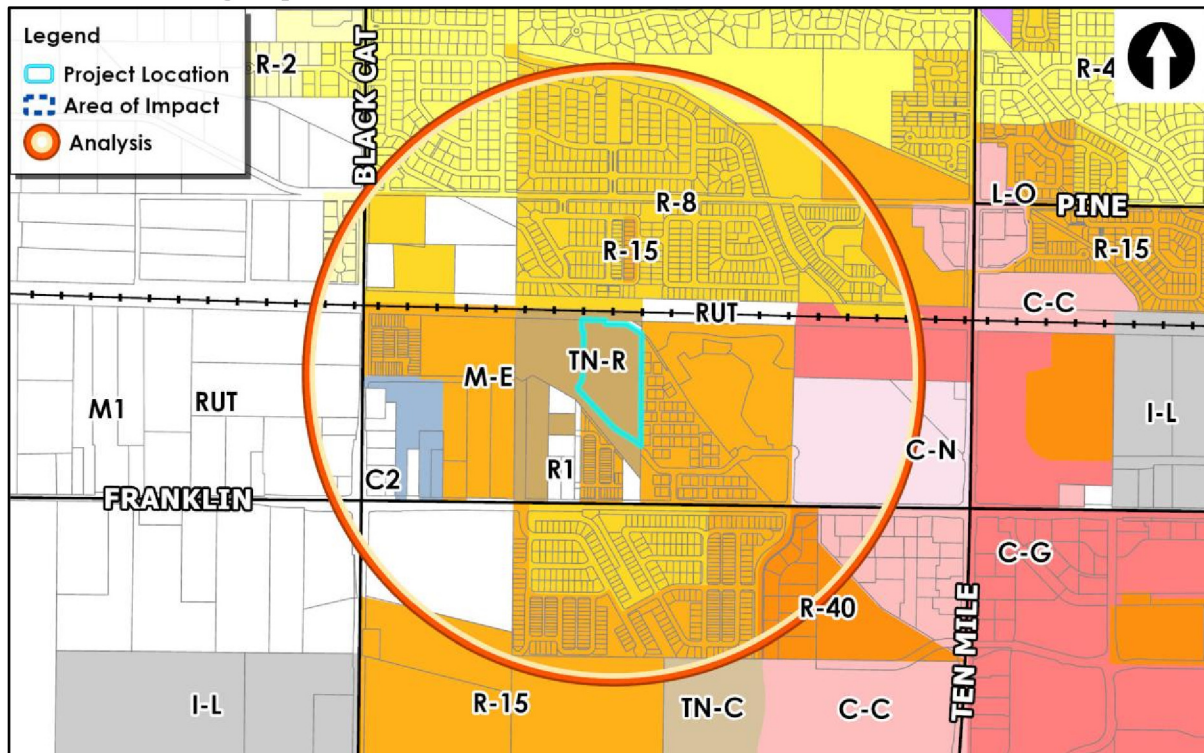
A. Project Area Maps

(link to [Project Overview](#))

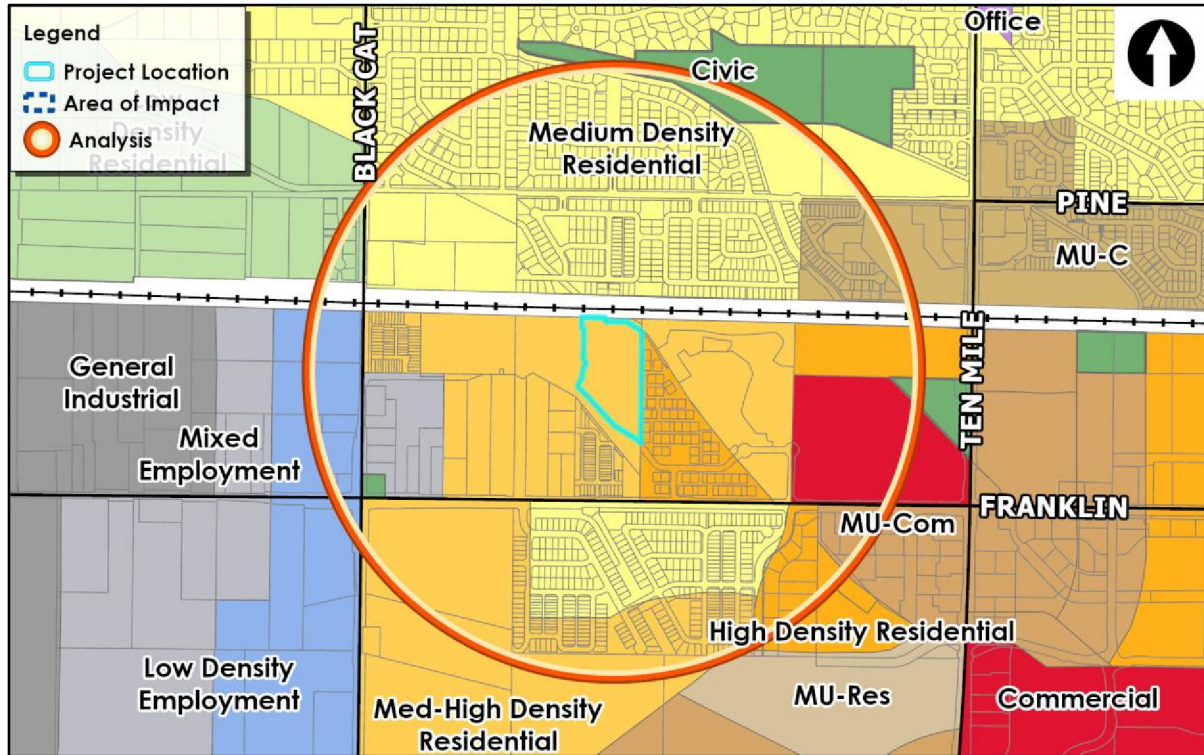
1. Aerial



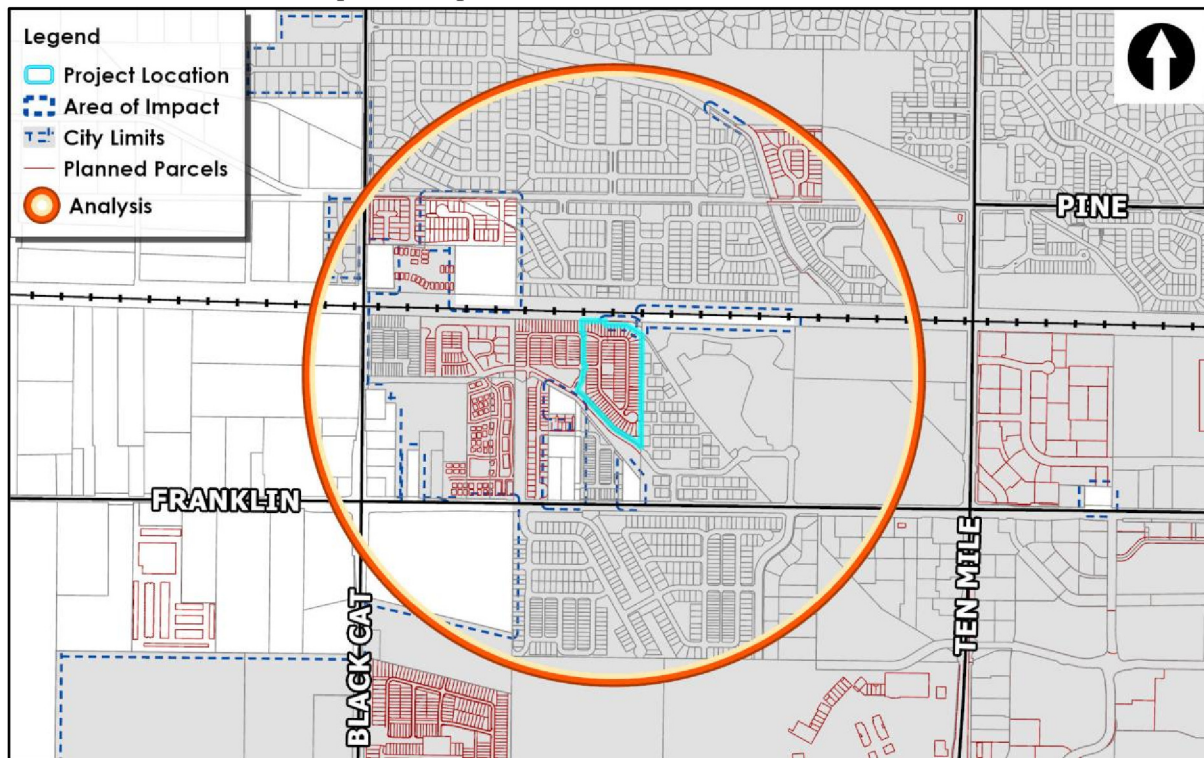
2. Zoning Map



3. Future Land Use



4. Planned Development Map



5. Map Notes

Nearby Recent Preliminary Plats (within last 5-years)
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H-2018-0110 H-2019-0076 H-2019-0089 H-2020-0010 H-2020-0099 H-2020-0113 H-2021-0035 H-2021-0063 H-2021-0081 H-2018-0125 H-2021-0096 H-2022-0079 H-2023-0020 H-2023-0018 H-2023-0054 H-2024-0006 H-2024-0010 H-2024-0011 H-2024-0018 H-2024-0030 H-2024-0026 H-2024-0051
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Nearby Recent Conditional Use Permits (within last 5-years)
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H-2019-0066 H-2019-0120 H-2020-0039 H-2020-0060 H-2020-0074 H-2020-0099 H-2020-0113 H-2020-0120 H-2021-0063 H-2021-0081 H-2018-0125 H-2021-0096 H-2022-0004 H-2022-0001 H-2022-0088 H-2022-0084 H-2022-0079 H-2023-0045 H-2023-0053 H-2023-0049 H-2024-0010 H-2023-0071 H-2024-0029
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[illegible]



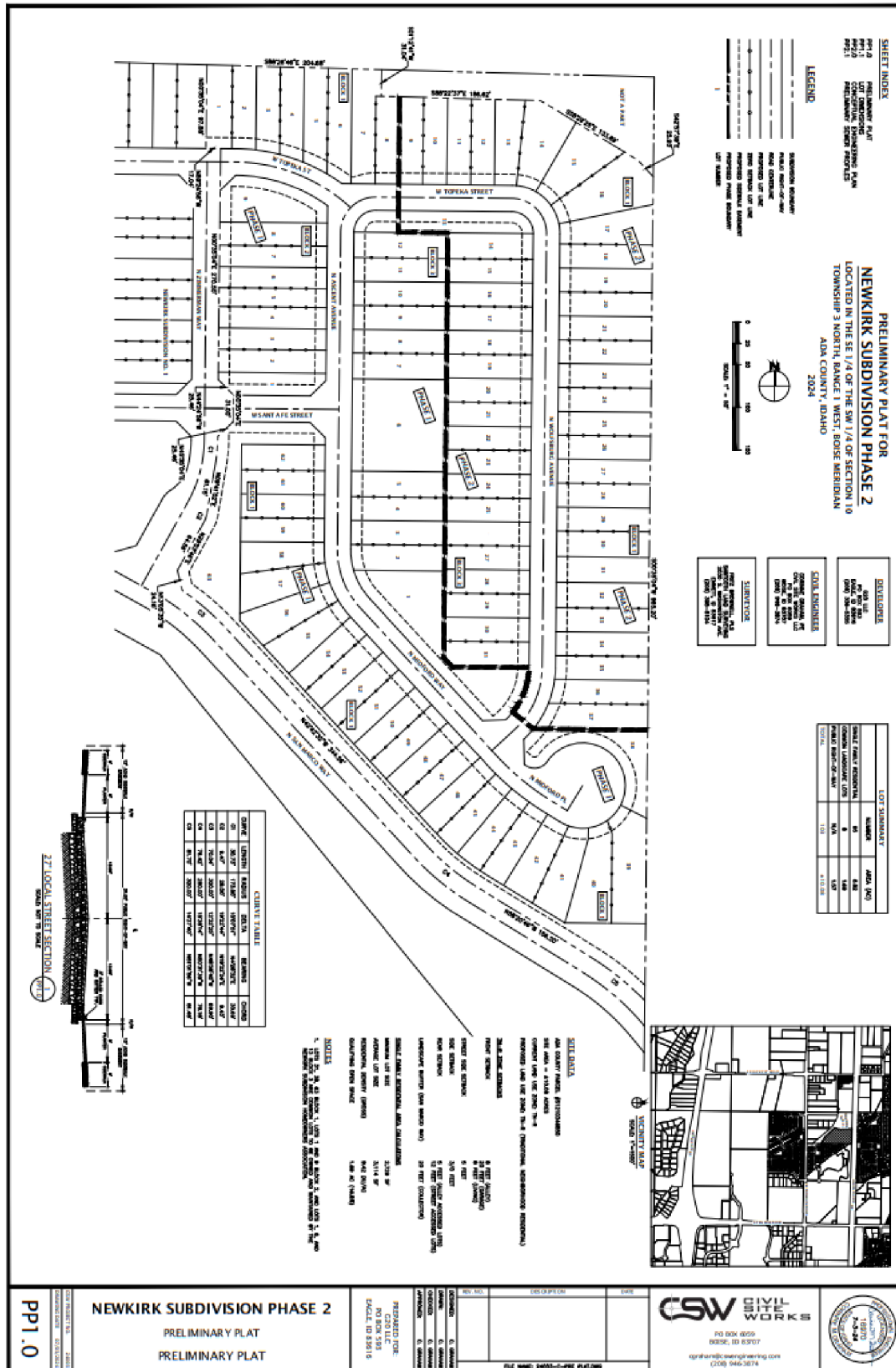
C. Service Accessibility Report

PARCEL S1210346850 SERVICE ACCESSIBILITY

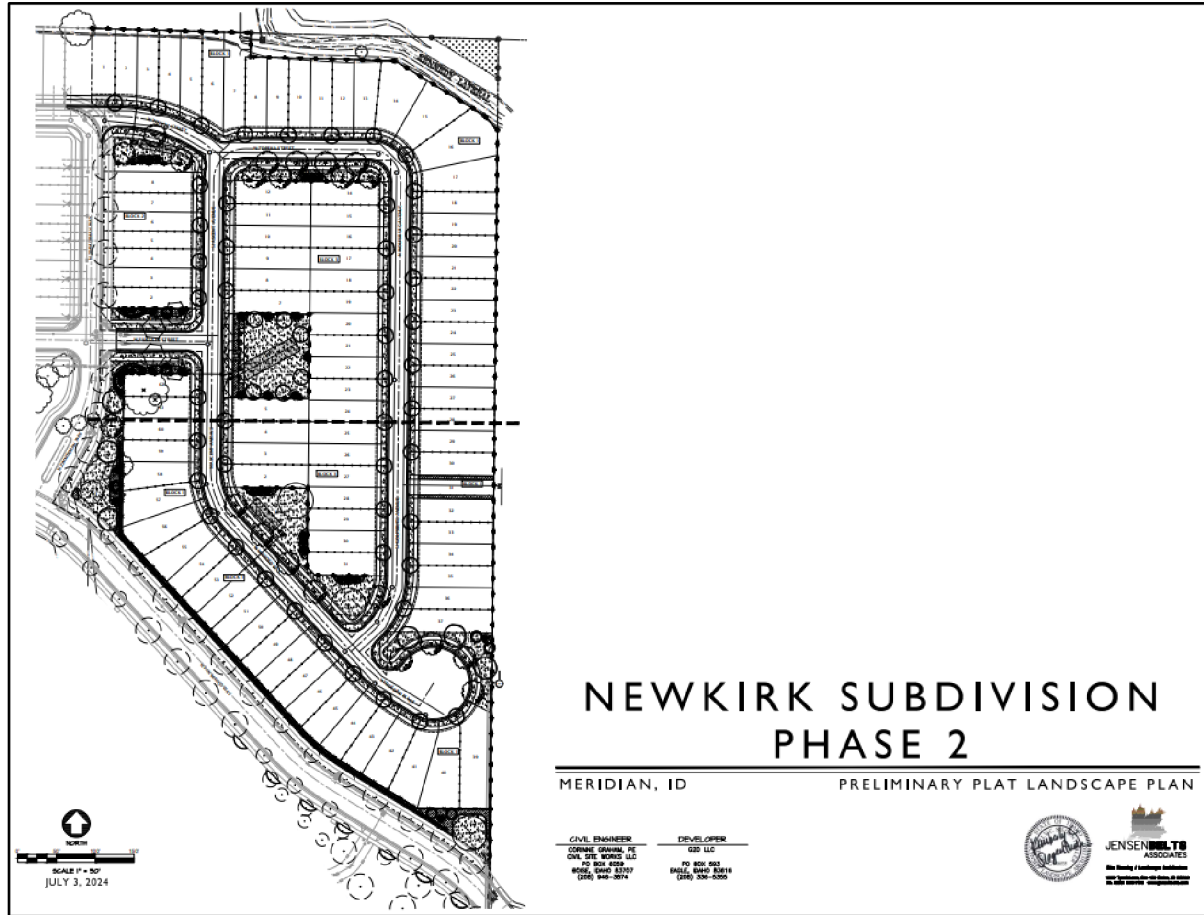
Overall Score: 35	63rd Percentile
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Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time 5-9 min.	YELLOW
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Within 1/4 mile of current transit route	GREEN
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) matches existing (# of lanes)	GREEN
School Walking Proximity	Within 1/2 mile walking	GREEN
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

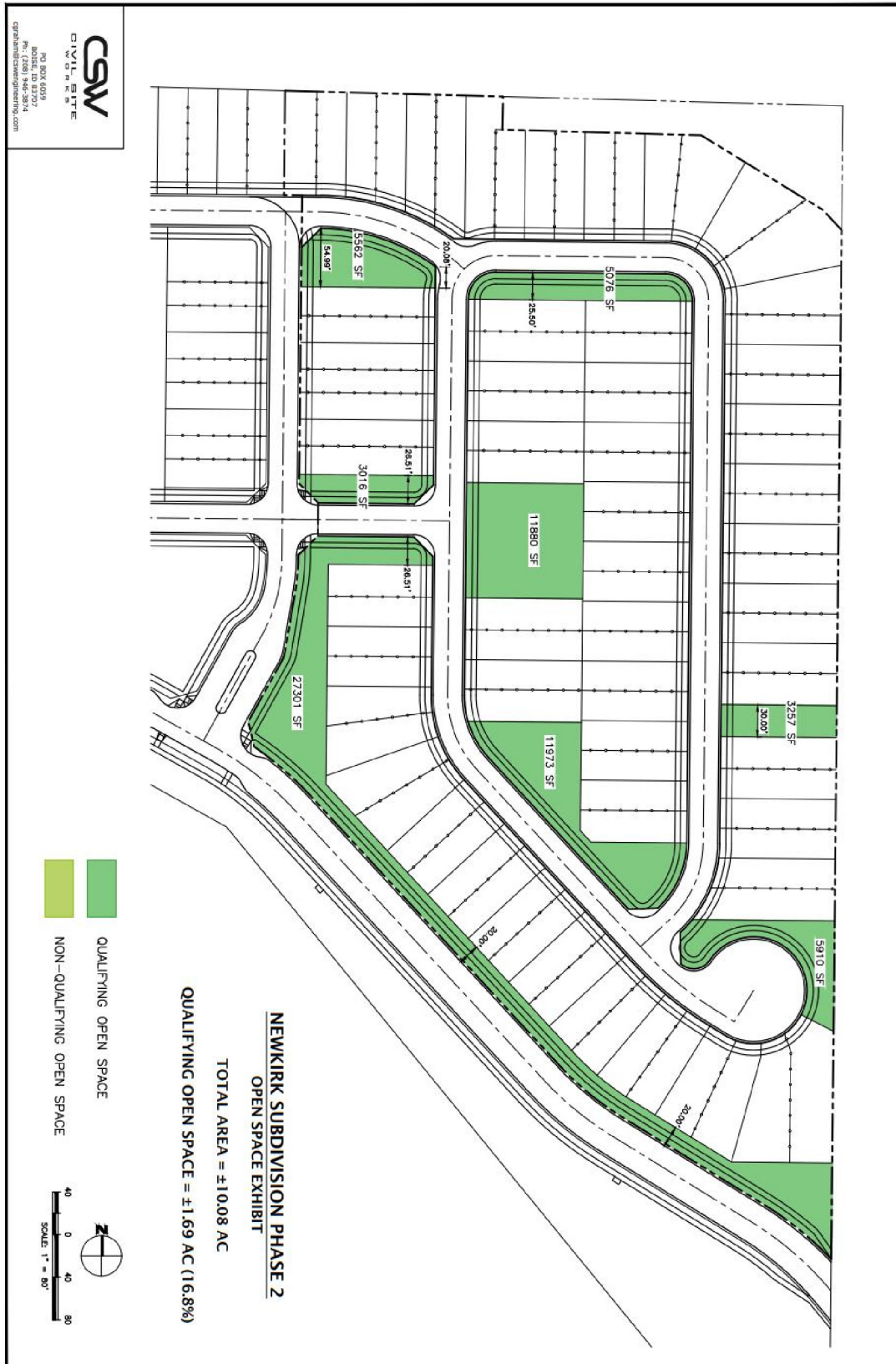
D. Preliminary Plat (date: 7/3/2024)



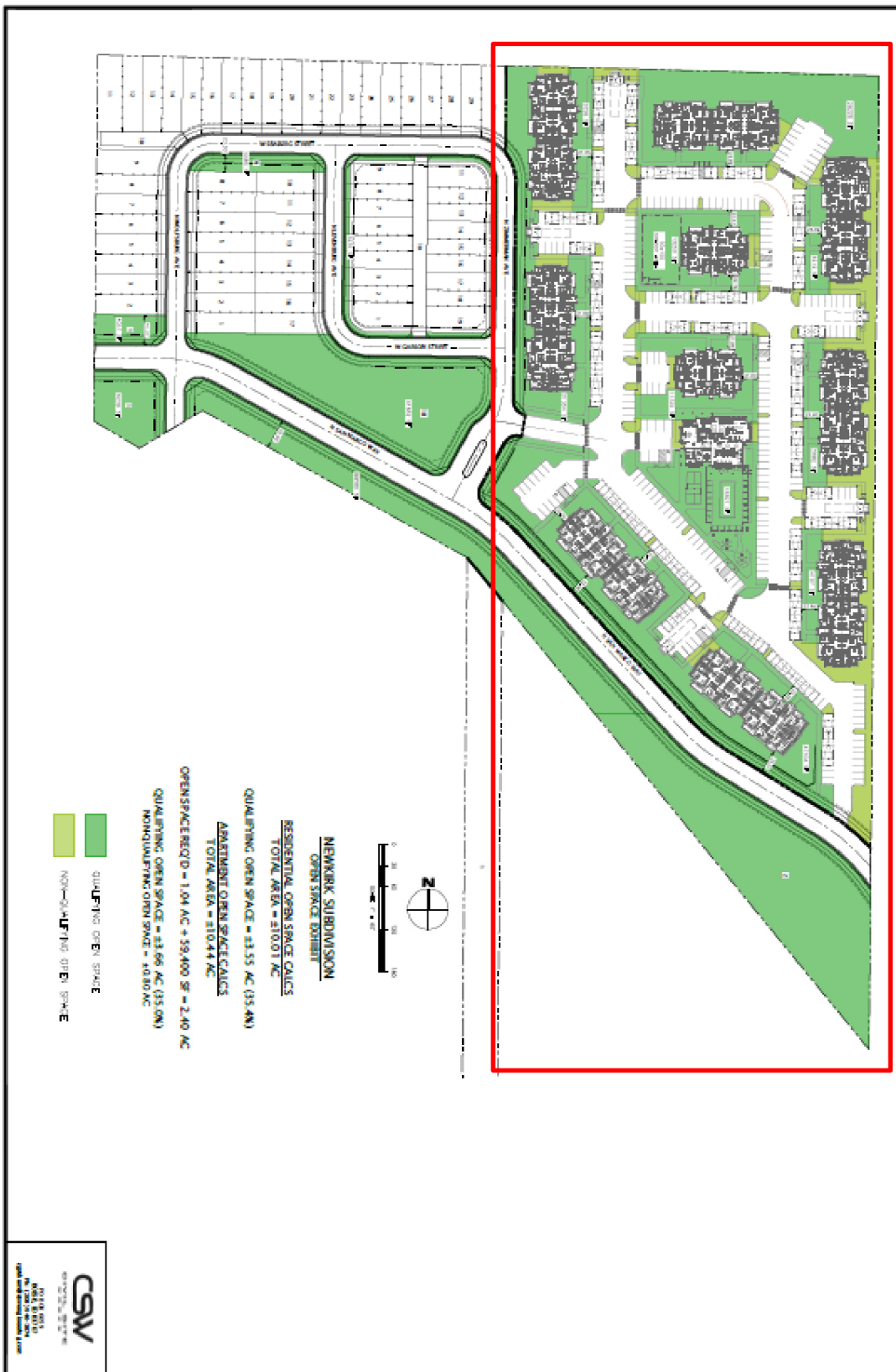
E. Landscape Plan (date: 7/3/2024)



F. Qualified Open Space Exhibit (date: 8/27/2024)



Previously Approved

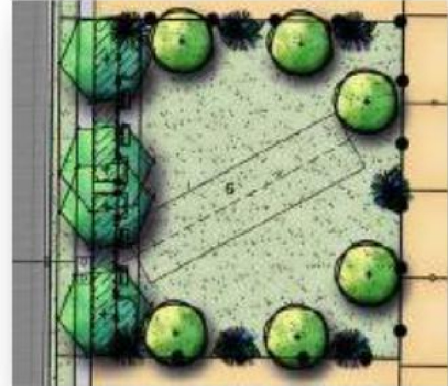


G. Site Amenities (date: 7/3/2024)

Newkirk 2

A. Quarter Acre Dog Park (Block 3, Lot 6) (11,880 sq ft)

- Fenced area
- Waste Station
- Sitting Benches



Newkirk (approved in 2023)

A. Large One-Acre Play Park – The Newkirk Neighborhood Park will contain the following recreation facilities:

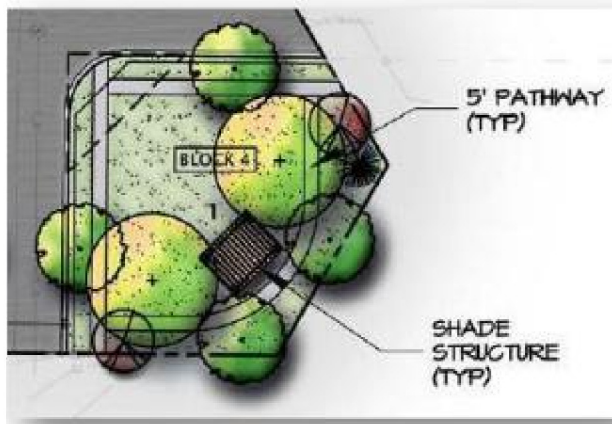
- Play Structure
- Swings
- Seating Benches
- Shade Structure
- Climbing Rocks
- Climbing Dome
- Large Grass play area
- Attractive Landscaping
- Playground fencing for safety



B. Pathways – The Newkirk Neighborhood will include the following pedestrian pathways:

- **5' Wide Separated Pedestrian Pathway on Both sides of N. San Marco Way – 2,770 LF**

Pedestrian pathways within the Newkirk Neighborhood will total over one half mile in length.



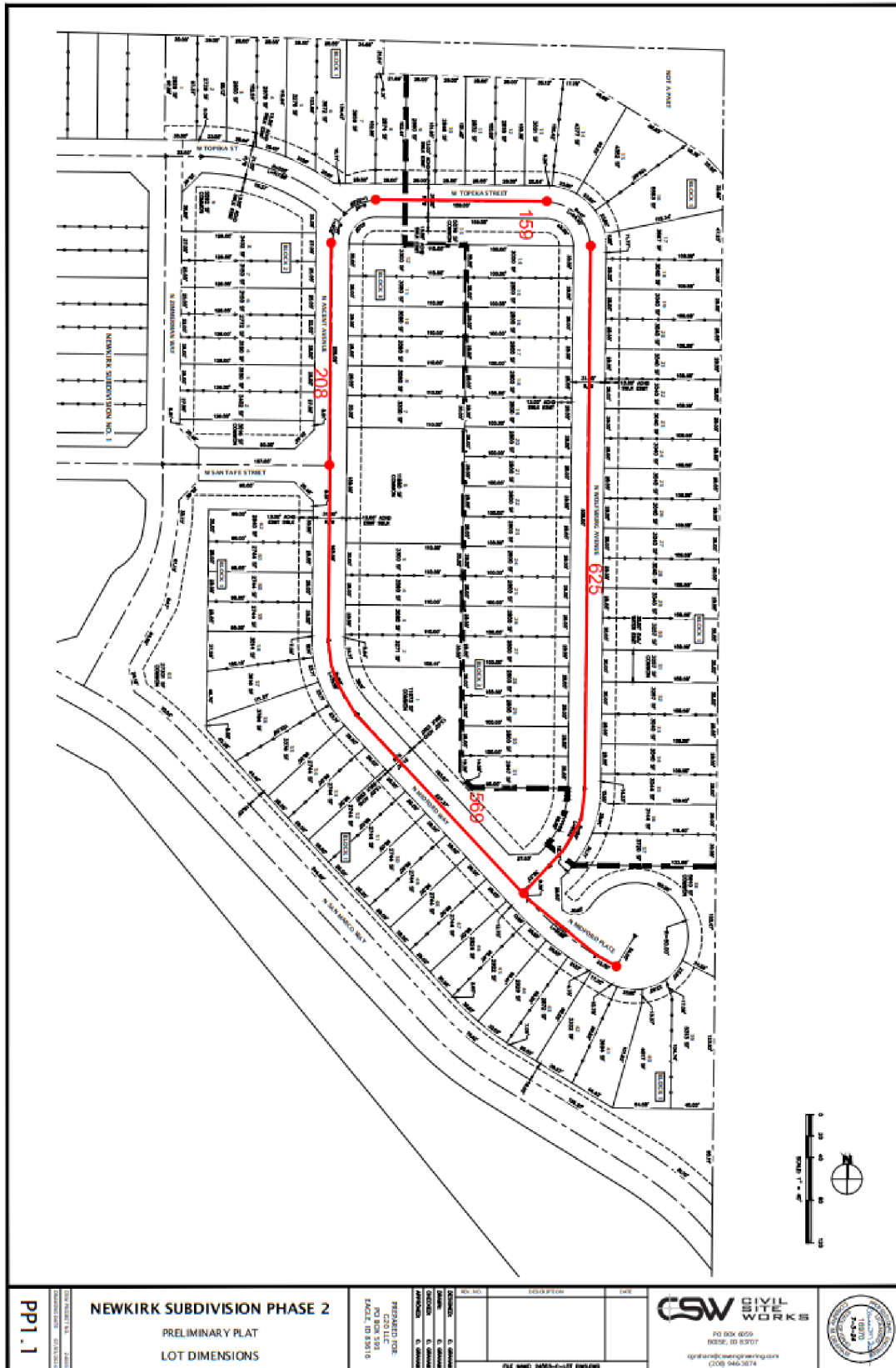
C. Pathway Park - The Newkirk Neighborhood Park will contain a small pedestrian park including:

- **Shade Structure**
- **Additional Pathway**
- **Seating Areas**
- **Attractive Landscaping**

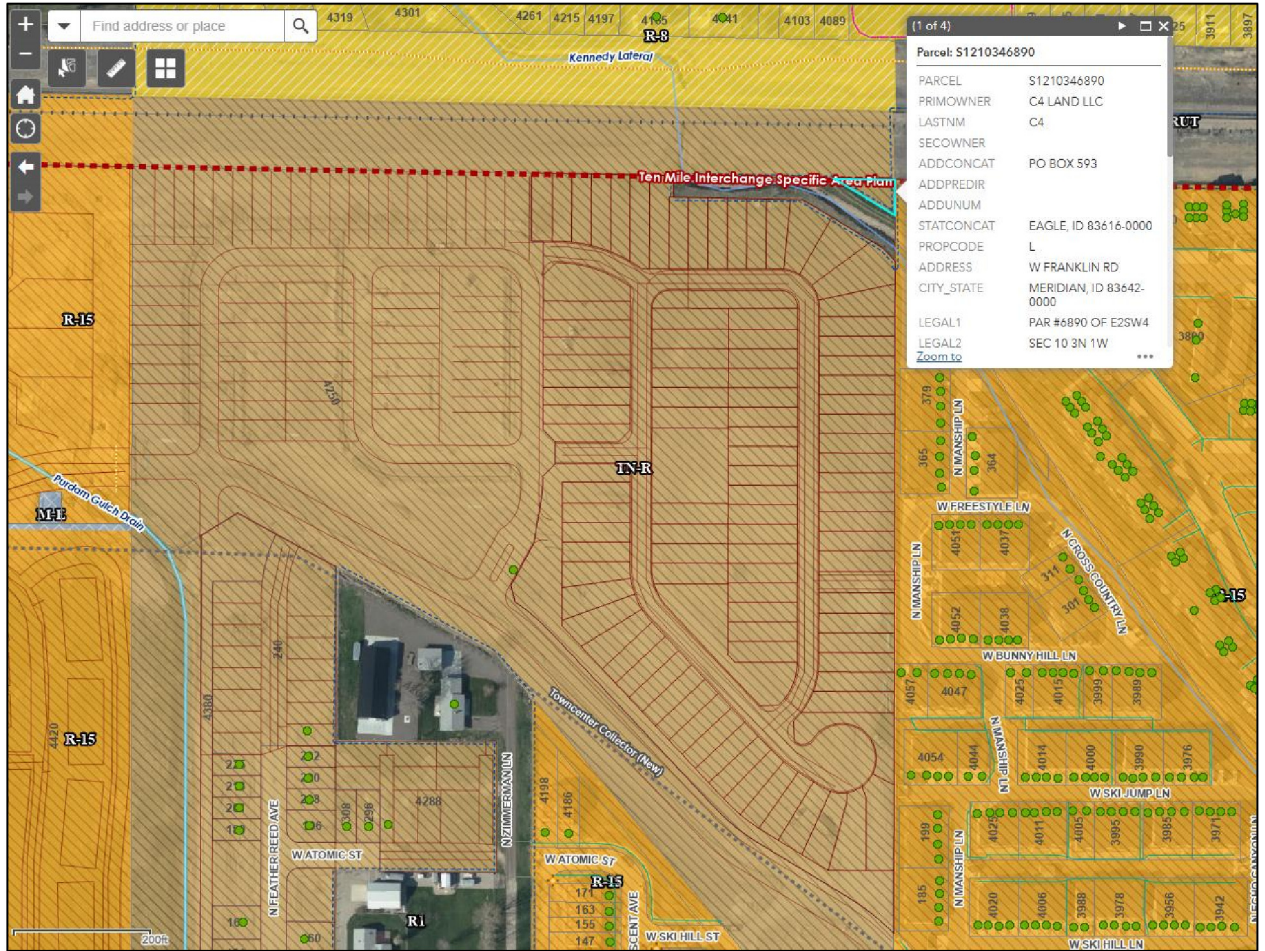
H. Parking Exhibit



I. Block Length Exhibit (date: 7/3/2024)



J. Outlying Parcel Dedicated to the Homeowner's Association



K. Building Elevations (date: 6/29/2024)

Single-Family
Attached



Alley Loaded
Three-plex



VIII. ADDITIONAL NOTES & DETAILS FOR STAFF REPORT MAPS, TABLES, AND CHARTS

(link to [Community Metrics](#))

A. One-Mile Radius Existing Condition Notes

This data is automatically derived from enterprise application and GIS databases, and exported dynamically. Date retrieved notes generally reflect data acquired or processed within the last 30-days. Analysis is based on a one-mile radius from the centroid of the identified parcel. Parcel based data excludes certain properties and represents land as it exists now. Properties considered are only those with a total assessed value greater than 0 (i.e. excludes most HOA area, transitional development, government, and quasi government facilities). The following values also constrain included property acreage to reduce outliers and non-conforming instances from distorting averages: $R-2 < 5.0$; $R-4 < 2.0$; $R-8 < 1.0$; $R-15 < 0.5$; $R-40 < 0.25$.

Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals. Some approved entitlements, and particularly older ones, may be constructed.

Decennial population counts and household counts are based on the most recent Decennial Census. Current population and current household values are COMPASS estimates, usually for the year previous, and are based on traffic analysis zone boundaries (TAZ's).

B. Mixed Use Analysis Notes

This data is derived from enterprise application and GIS databases, and exported dynamically. Data considered for analysis are only those areas overlapping the overall Mixed Use boundary area. Mixed Use areas across arterial roadways are distinct, separate, and not considered as they do not meet the mixed use principles in the Comprehensive Plan (e.g. pedestrian safety, transportation efficiency, etc.). Mixed Use parcel areas may be greater or smaller than the future land use area designation boundary due parcel size, configuration, right-of-way, and other factors. Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals.

C. Service Assessment Notes

This data represents existing conditions derived from our enterprise application and GIS database, exported through dynamic reporting. The system references the most recent available data from various sources, including sewer main lines, sewer trunksheds, floodplain, fire service areas and response times, police crime reporting, pathway information, existing and planned transit, roadway improvements, school and park proximity, and other resources.

The tool provides context for project review, using multiple indicators consistently. Data from similar topics may vary based on different levels of review.

The overall score is based on weighted criteria (not a ranked order), and the percentile score compares the parcel to others in the city (higher is better). This tool was developed as a City Council priority and outcome of the 2019 Comprehensive Plan. Scores, whether high or low, are just one data point and should not be the sole basis for decisions.

D. ACHD Roadway Infographic Notes

The Ada County Highway District utilizes a number of planning and analysis tools to understand existing and future roadway conditions.

- **Existing Level of service (LOS).** LOS indicator is a common metric to consider a driver's experience with a letter ranking from A to F. Letter A represents free flow conditions, and on the other end Level F represents forced flow with stop and go

conditions. These conditions usually represent peak hour driver experience. ACHD considers Level D, stable flow, to be acceptable. The LOS does not represent conditions for bikes or pedestrians, nor indicate whether improvements: are possible; if there are acceptable tradeoffs; or if there is a reasonable cost-benefit.

- **Integrated Five Year Work Plan (IFYWP).** The IFYWP marker (yes/no) indicates whether the specified roadway is listed in the next 5-years. This work may vary, from concept design to construction.
- **Capital Improvement Plan (CIP).** The CIP marker (yes/no) indicates whether the specified roadway is programmed for improvement in the next 20-years.