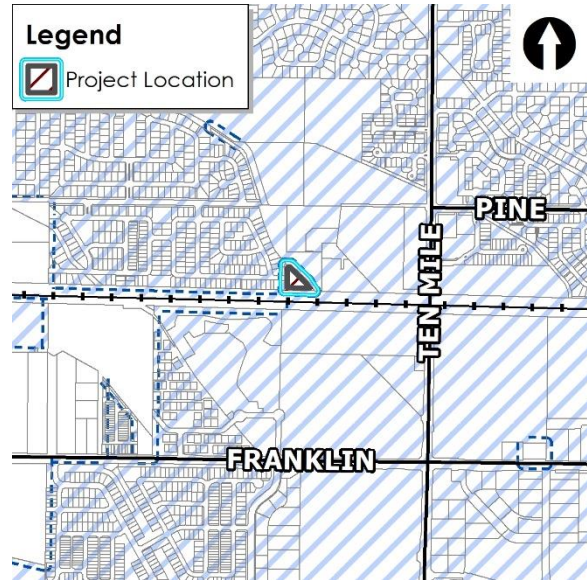


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/3/2022
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0001
 Pinedale Subdivision

LOCATION: The site is located at 3275 W. Pine Avenue (Parcel #S1210417400), at the east terminus of W. Newland Street in the Chesterfield Subdivision, in the NW 1/4 of the SE 1/4 of Section 10, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

Annexation and Zoning of 1.22 acres of land with a request for the R-15 zoning district and a Preliminary Plat for 12 building lots and 2 common lots on 1.22 acres in the requested R-15 zoning district, by Pine Project, LLC.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.22 acres	
Future Land Use Designation	Mixed-Use Community (6-15 du/ac)	
Existing Land Use(s)	County Residential	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	12 total lots – 10 residential building lots; 2 common lots	
Phasing Plan (# of phases)	1 phase	
Number of Residential Units	10 single-family units	
Density	Gross – 9.83; Net – 12.1	
Open Space (acres, total [%]/buffer/qualified)	Approximately 8,000 square feet of open space (approximately 15%)	
Amenity	Seating area; micro-path connection to future multi-use pathway at north end of property	
Neighborhood meeting date; # of attendees:	November 5, 2021 – 1 attendee	

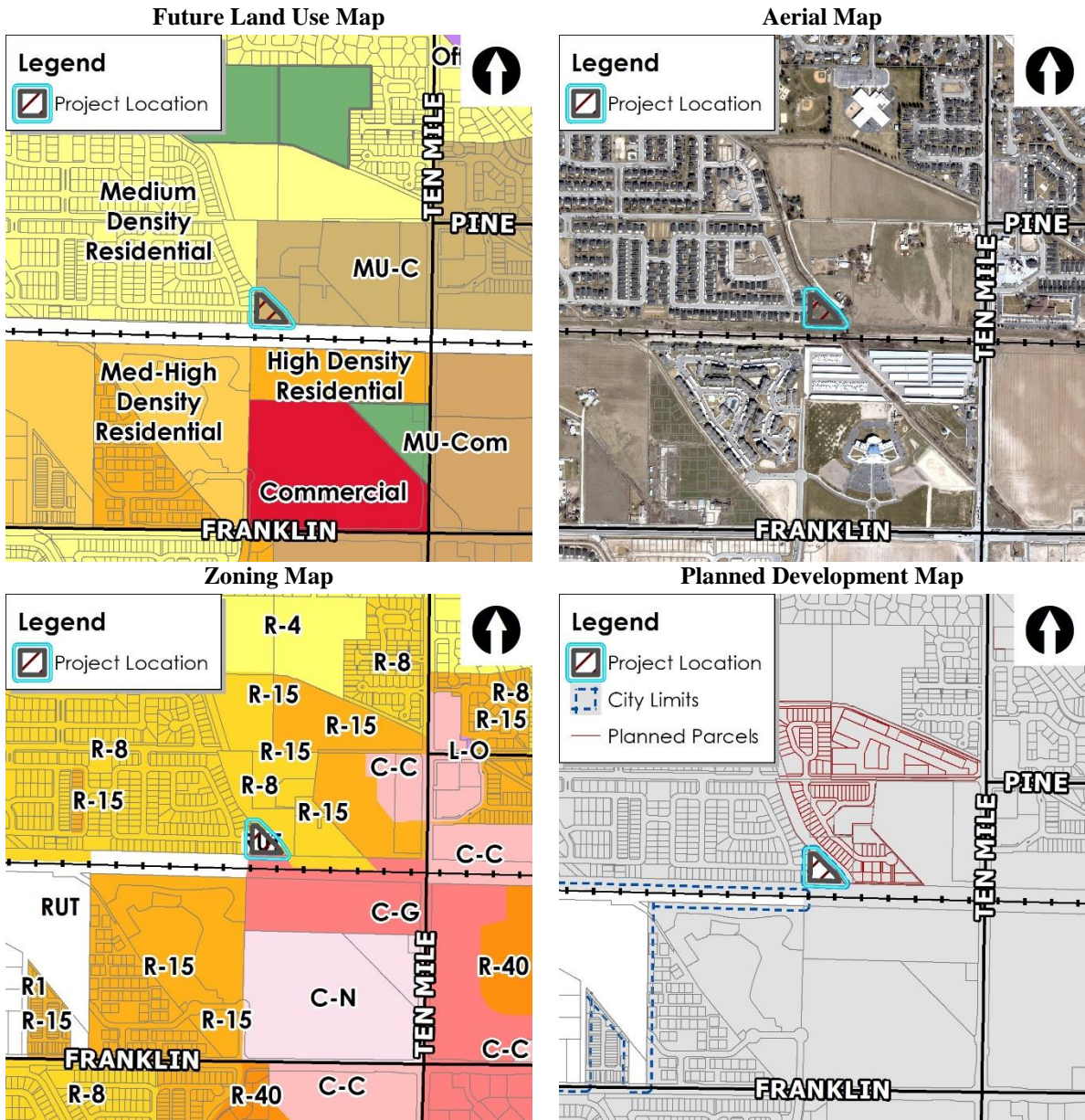
Description	Details	Page
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via extension of the existing stub street, Newland Street; it is proposed to be extended into the site as a cul-de-sac.	
Stub Street/Interconnectivity/Cross Access	No opportunity for further public street extension; Newland Street will terminate within the site.	
Existing Road Network	No	
Proposed Road Improvements	The Applicant is only required to extend Newland Street into the site. No other road improvements are proposed or required.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	2.8 miles from Fire Station #2.	
<ul style="list-style-type: none"> Fire Response Time 	The project currently lies <i>outside</i> of the Meridian Fire response time goal of 5 minutes. Once Pine Avenue is constructed over the Tenmile Creek, the project will lie <i>within</i> the response time goal window.	
<ul style="list-style-type: none"> Resource Reliability 	Fire Station #2 reliability is 85% (above the goal of 80%)	
<ul style="list-style-type: none"> Risk Identification 	Risk Factor 2 – Residential with hazards (Tenmile Creek along east boundary)	
<ul style="list-style-type: none"> Accessibility 	Proposed project meets all required road widths, and turnaround dimensions. Cul-de-sac is required to be signed “No Parking,” per Fire Department regulations.	
Police Service		
	No report – see online record for any comments from MPD.	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	0’	
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	
<ul style="list-style-type: none"> WRRF Declining Balance 	14.26	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Flow is committed See Public Works Site Specific Conditions 	

Description	Details	Page
	<ul style="list-style-type: none"> <li data-bbox="548 233 1179 262">• Additional 510 gpd flow was committed to model 	
Water		
<ul style="list-style-type: none"> <li data-bbox="167 304 456 333">• Distance to Services 	0'	
<ul style="list-style-type: none"> <li data-bbox="167 340 383 369">• Pressure Zone 	2	
<ul style="list-style-type: none"> <li data-bbox="167 375 440 470">• Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> <li data-bbox="167 476 383 541">• Water Quality Concerns 	None	
<ul style="list-style-type: none"> <li data-bbox="167 548 428 579">• Impacts/Concerns 	See site specific conditions in Section VIII.B	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Antonio Conti, Ackerman-Estvlod – 7661 W. Riverside Dr., Suite 102, Garden City, ID 83714

B. Developer:

Bruce Hessing, Pine Project LLC – 2338 W. Boulder Bar Drive, Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	2/15/2022	
Radius notification mailed to properties within 500 feet	2/14/2022	
Site Posting	2/21/2022	
Nextdoor posting	2/15/2022	

V. STAFF ANALYSIS

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

Mixed-Use Community (MU-C) – The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric (residential dwellings are allowed at a gross density of 6-15 du/ac). The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The subject 1.2 acres is designated as mixed-use community but is part of a larger, 30-acre mixed-use designated area to the east that is west of Ten Mile and south of the future Pine Avenue extension (more MU-C acreage exists on the east side of Ten Mile as well). However, this site is physically separated from this MU-C area by the Tenmile Creek that abuts the east boundary of the subject site with only a future pedestrian connection available for any connectivity between this site and the MU-C parcels to the east. Because of the physical separation and the lack of connectivity to the east, Staff believes this project and site is more consistent with the existing subdivision to the west, Chesterfield Subdivision, than it is with any mixed-use project to the east (Foxcroft or Mile High Pines). Chesterfield and all of the residential to the west and northwest of this site is in the Medium Density Residential (MDR) future land use designation and contemplates residential development in the density range of 3-8 du/ac such as the proposed Pinedale Subdivision. Because of these facts, Staff finds it appropriate to analyze the subject project against the MDR designation instead of the MU-C designation by floating that designation to this site, as allowed per the Comprehensive Plan.

Since the original project description was published, the Applicant and Staff have worked together to revise the plat and remove two (2) lots so the total building lots proposed with this plat is now ten (10). Ten lots on 1.22 acres of land has a gross density of 8.19 du/ac, at the maximum allowed within the MDR designation. Therefore, the Applicant is proposing a project consistent with both the MU-C and the adjacent MDR future land use designations. Due to the site being at the end of an existing stub street, the only vehicular connection is via extension of the stub street (Newland Street) into the property which is required to terminate within the site as a full cul-de-sac, requiring a large portion of the site to be reserved for right-of-way and reduces the buildable area of the project. Because the buildable area is greatly reduced by the required cul-de-sac, the Applicant is proposing lot sizes smaller than those within Chesterfield to the west which requires the R-15 zoning district; the adjacent Chesterfield homes are within the R-8 zoning district.

Original discussions with the Applicant contemplated 15 building lots on the subject site but the Applicant submitted the preliminary plat with 12 lots after Staff voiced concerns over the proposed density, lot sizes, and overall livability of the project. Other discussions occurred following submittal of the subject applications and the Applicant reduced the number of building lots to 10. This allows the project to comply with the MDR designation by rounding 8.19 du/ac down to the allowed 8 du/ac. However, due to the requested zoning and proposed density not matching Chesterfield to the west, Commission and Council should determine if a further reduction in density is necessary. If the Commission or Council desires less density, Staff would recommend Lot 1 be removed in lieu of additional usable open space along the west boundary and to allow the lots to shift west around the cul-de-sac and remove a driveway connection to the cul-de-sac, reducing the amount of concrete and asphalt at the end of this street.

An additional recommendation made by Staff that the Applicant has shown on the latest preliminary plat is to include some shared driveways in the project. Staff did not recommend multiple common drives as one is already proposed. Instead, Staff is recommending as many lots as possible utilize shared driveways on their shared property line to further eliminate driveway connections to the cul-de-sac. This recommendation would likely require at least some of the homes to have a side-loaded garage instead of a front loaded garage; Staff notes for the benefit of the Applicant that if a parking pad is required to meet minimum off-street parking standards, a minimum 20-foot by 20-foot parking pad may be required and would need to be measured in front of the garage even if it is side-loaded. The Applicant should ensure their desired home design is viable with this recommendation. Specific setback analysis would be analyzed with future building permit applications.

Furthermore, the subject site is surrounded by existing City zoning in all directions with existing development to the south, west, and northwest and entitlements on the land to the east and northeast. Therefore, Staff believes annexing this land into the City to remove this small county enclave is in the best interest of the City so long as the Applicant adheres to Staff's recommended DA provisions and conditions of approval.

Staff finds the proposed project to be generally consistent with the Comprehensive Plan, as discussed above. Specific Comprehensive Plan policies are discussed and analyzed below.

The City may require a development agreement (DA) in conjunction with an annexation and rezone pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a new DA that encompasses the land proposed to be rezoned and annexed with the provisions included in Section VIII.A1. 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 rezone and annexation approval. A final plat will not be accepted until the new DA is executed and the AZ ordinance is approved by City Council.*

NOTE: Upon application submittal and initial review, there was miscommunication between Staff and the Applicant and the Applicant was required to revise the Annexation boundary to include area that is already annexed into the City (within the railroad right-of-way). There is no need to rezone this area in conjunction with this annexation so Staff is recommending the Applicant submit a revised Annexation and Zoning legal description and exhibit map that encompasses only the area not currently annexed and matches the plat boundary.

B. Comprehensive Plan Policies (<https://www.meridiacity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics. Staff is not analyzing the project against any mixed-use policies but is instead analyzing the project against general policies as the project is being reviewed with the MDR designation.

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed project offers a density most consistent with the projects to the east, however the submitted plat does not match the lot size and density of the Chesterfield Subdivision adjacent to the west. The subject site is encumbered by the requirement to construct a cul-de-sac entirely on this relatively small site so matching the lot sizes and the same look of Chesterfield would be difficult to attain. The impediments on this site allow the Applicant to propose a smaller building lot which subsequently allows a smaller home to be constructed than what exists in the surrounding area; this should add to the housing diversity in this area.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *All public utilities are available for this project site due to the existing stub street on its west boundary. Road improvements currently under construction (i.e. Pine bridge over the Tenmile Creek) will place this project within the Fire Department response time goal and Fire has approved the accesses for the proposed plat. West Ada School District has not sent a letter regarding this application but with a relative low number of homes a large number of school aged children is not anticipated to be generated by this development. Furthermore, Chaparral Elementary is within walking distance of this development should any elementary aged children live within this site.*

Staff finds that the existing and planned development of the immediate area create appropriate conditions for levels of service to and for this proposed project.

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *Because the property is less than 5 acres, the Applicant is not required to provide any qualified common open space. However, the Applicant is showing a connection to a future multi-use pathway at the north boundary and has chosen to include an open space plaza area near this connection point for future residents to enjoy. This area is tucked away behind the building lots so all adjacent fencing will need to be open vision or semi-private fencing. Staff anticipates this area being utilized as a quiet oasis due to its location. Staff is not aware if this site and future building lots will be part of the Chesterfield HOA for residents to access the amenities and open space within that project. However, Fuller Park is approximately ½ mile to the north of the subject property which offers acres of open space and amenities within walking distance.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *Proposed project is extending the attached sidewalks along Newland Street and is proposing a micro-path connection to the north boundary to connect to a multi-use pathway segment from the Foxcroft Subdivision on the east side of the Tenmile Creek. Furthermore, the Applicant is preserving a potential connection point to the railroad corridor should the City ever decide to construct a regional pathway south of the site. All of these pedestrian facilities allow this small site as well as the existing development to the west to have multiple links together and promotes neighborhood connectivity.*

“Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F). *As discussed, the Applicant is proposing lot sizes smaller than the adjacent Chesterfield Subdivision to the west largely because of the requirement to terminate Newland Street within the site as cul-de-sac. The proposed lots directly abutting the existing homes do not match in lot size but they are abutting 1:1 in terms of lot to lot so the existing residents should not feel as though there is slightly higher density directly to their east. Furthermore, because the property is at the end of an existing street and it will terminate on the subject site, Staff anticipates the project will feel cohesive in its livability despite not matching lot sizes and density of Chesterfield. Should Commission determine a further reduction in lot count is necessary, Staff recommends one of the lots taking access from the cul-de-sac be*

removed in lieu of additional usable open space and help remove the number of driveway connections to the cul-de-sac.

“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). The Applicant is required to and is proposing to extend Newland Street into the site by constructing a cul-de-sac wholly on this property, terminating Newland Street. This is the only access point into the site and connects this project directly to the abutting Chesterfield Subdivision that has access up to Pine Avenue, a residential collector street that will be extended from west to east over the Tenmile Creek to Ten Mile Road.

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

C. Existing Structures/Site Improvements:

According to GIS imagery, there appears to be an existing residential structure and an out-building on the subject site. Any and all structures and debris are proposed to be removed upon development of this project. Furthermore, the existing access for this site is via vehicular bridge over the Tenmile Creek at the very north property boundary that connects to a private drive that is essentially Pine Avenue. This access will be closed upon development and the vehicular bridge should provide access for a regional pathway Foxcroft subdivision is constructing to the east.

D. Proposed Use Analysis:

The proposed use is detached single-family residential with an average lot size of 3,363 square feet and a minimum lot size of 3,099 square feet, based on the latest submitted plat (Exhibit VII.B). This use is a permitted use in the requested R-15 zoning district per UDC Table 11-2A-2 and all lots meet the minimum lot size requirement of 2,000 square feet. The Applicant has not noted if this is a phased project, however Staff anticipates it to develop as one phase due to the size of the proposed project.

As discussed in the Comprehensive Plan analysis, the proposed use is the same as the existing detached single-family to the west in Chesterfield Subdivision but is proposed with smaller lots and subsequently smaller homes. According to the Applicant, the goal is to construct smaller homes at a lower price point to add more affordable options to the area and market.

E. Dimensional Standards ([UDC 11-2](#)):

The residential lots appear to meet all UDC dimensional standards per the submitted plat. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). *The proposed preliminary plat and submitted plans appear to meet all UDC requirements except for the number of lots taking access from a common drive. Per UDC 11-6C-3D, no more than three (3) lots can take access from the same side of a common drive and the proposed plat depicts four (4) lots taking access (Lots 4-7) from the common drive because of Staff’s recommendation to have shared driveways where possible. The Applicant will be required to show Lot 4 taking access from the cul-de-sac instead of showing it shared with Lot 5 and on the common drive.*

The common drive is shown as 20 feet wide and is less than 150 feet in length meeting Fire turnaround and UDC requirements. Furthermore, the Applicant is showing a 6-foot wide sidewalk attached to the common drive from the proposed attached sidewalk around the cul-de-sac to the southern boundary to assist the Parks Department in reserving a pedestrian facility through the site in the event the City constructs a regional pathway system within the railroad corridor to the south of the property. This 6-foot area appears to be shown as a sidewalk on the latest plat but is shown as landscaping on the landscape plan (this landscape plan does not match

the latest plat). The Applicant should clarify what the intended purpose of this area is in order to comply with UDC 11-6C-3D.5 as well as the Parks Department condition of approval. The landscape plans should be revised to comport to the revised preliminary plat prior to the City Council hearing.

F. Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)):

The Applicant submitted conceptual building elevations for the proposed detached single-family homes. Note that detached single-family homes do not require Design Review approval therefore Staff does not review these for compliance with any architectural standards.

However, the submitted elevations depict a number of different architectural and design styles with all of the elevations depicting two-story homes with two-car garages. The elevations depict varying field materials of lap siding, brick, fiber cement board and stucco with differing accent materials, roof profiles, and overall varying home styles. Staff finds the conceptual elevations should be adhered to closely in order to offer an array of potential home designs for this small subdivision.

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access is proposed via extension of W. Newland Street (an existing residential local street) into the site and is proposed to terminate within the site as a full cul-de-sac. ACHD has approved the proposed access with the additional condition that the radius be widened to 50 feet instead of 49 feet as currently shown. Further, according to the latest plat, four (4) lots are shown to take access from a 20-foot wide common drive in the southeast corner of the site. As discussed above, the Applicant will be required to revise the plat to show Lot 4 taking access from the cul-de-sac instead of the common drive to comply with code unless Alternative Compliance is requested and approved.

The existing access across Tenmile Creek and up to the private segment of Pine Avenue will be closed upon development of the site.

H. 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 dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. In addition, it is important to note that no parking is allowed along the perimeter of the proposed cul-de-sac nor on the proposed common drive. So, there is no opportunity for any on-street parking within this subdivision because it includes a cul-de-sac as its public access.

One of the reasons behind Staff's recommendation to reduce the number of lots proposed in this development is based in the lack of available on-street parking within the site due to the only public street access being a cul-de-sac. In response, the Applicant removed two lots, as previously noted. An additional solution to this potential issue would be to require the Applicant to provide an area of off-street parking in lieu of one of the building lots for guest parking. Staff is not specifically recommending this but is calling this out as an option should Commission or Council find it necessary. However, should this be a requirement, additional lot shifting will likely be needed to accommodate for 19-foot deep parking stalls and a 25-foot wide two-way drive aisle for access.

Staff also recommends the inclusion of shared driveways in order to promote side-loaded garages and further help with the potential off-street parking issue. This type of design can force longer driveways that go deeper into each site which allows for more off-street parking. This design also creates an opportunity for the living area of each home to be moved closer to the street as the

living setback is 10 feet while the garage setback is 20 feet; this allows for more buildable area than is shown on the submitted plat (i.e. specifically for Lots 3, 4, and 9). Staff is recommending a specific DA provision to require a number of shared driveways and to help mitigate this potential issue. However, Staff notes the building lots may not be wide enough to accommodate the required parking pad for side-loaded garages. The Applicant should work to mitigate these issues and revise the plat accordingly.

I. Sidewalks/Pathways (UDC 11-3A-17; UDC 11-3A-8):

A 5-foot wide attached sidewalk is proposed along the Newland Street cul-de-sac, consistent with UDC and ACHD requirements. In addition, the Applicant is proposing a 5-foot wide micro-path on the north side of the cul-de-sac for the purpose of providing a connection to the future multi-use pathway approved with Foxcroft Subdivision on the east side of the adjacent Tenmile Creek. The proposed sidewalks meet UDC 11-3A-17 and ACHD standards. The micro-path lot does not meet UDC 11-3A-8 standards—this lot is shown as ten (10) feet wide but code requires a minimum of a 15-foot wide common lot for increased visibility and to allow 5-feet of landscaping on both sides of the micro-path. The Applicant should revise the plat to show compliance with this standard and show the required number of trees adjacent to the path in accord with UDC 11-3B-12.

J. Landscaping (UDC 11-3B):

The required landscaping regulated by code within the proposed development is the common open space and micro-path areas around the north and eastern perimeters. The submitted landscape plans shows landscaping in these areas as proposed but does not match the latest plat. The Applicant should update the landscape plan prior to the City Council hearing.

The Applicant is proposing the micro-path lot as 10-feet wide instead of the required 15-foot minimum but is currently shown with two trees abutting the path, exceeding code due to its length being approximately 100 feet (trees are required at the ratio of 1/100 linear feet, per UDC 11-3B-12). Furthermore, this micro-path lot opens up to a common open space area shown with a seating area, grass, and a few trees for shade. This landscaping shows compliance with code requirements for the number of trees and other vegetative ground cover for common open space.

The Applicant may be required to modify the plat and landscape plan to accommodate the required Tenmile Creek easement and satisfy UDC 11-3A-6 to include the irrigation easement within a minimum 20-foot wide common lot. This common lot would be required to be vegetated per UDC standards as well as meet the irrigation districts standards but the creek itself may be left natural because it is listed as a natural waterway within the UDC.

K. Qualified Open Space and Amenities (UDC 11-3G):

The proposed preliminary plat area is approximately 1.22 acres in size in size which does not require a minimum amount of open space nor an amenity, per UDC 11-3G-3. The Applicant is proposing a common open space area that is approximately 2,500 square feet in size to include a seating area and a micro-path connection to the north boundary for future connectivity to a regional pathway segment.

L. Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7 and 11-3A-6. Fencing is proposed as shown on the landscape plan and does not meet UDC standards.

6-foot tall wood fencing is proposed through the site despite being adjacent to common open space areas that are tucked away and adjacent to an open waterway, the Tenmile Creek. With the final plat submittal, the Applicant should revise the landscape plan to show open-vision fencing

or semi-private open vision fencing along the rear property lines of Lots 1-7 and the side property lines abutting the micro-path lot for Lots 1 & 2. In addition, the Applicant should clarify if any fencing is proposed along the Tenmile Creek and coordinate with Nampa Meridian Irrigation District on where they would like any fencing located within their easement.

Furthermore, the landscape plan appears to show solid fencing along the east property line of Lot 8, abutting the proposed common drive. According to UDC 11-6C-3D.5, if solid fencing is proposed abutting a common drive, at least 5-feet of landscaping is required between the common drive and the buildable lot. The latest preliminary plat does not appear to comply with this but the landscape plan does show landscaping. So, the Applicant should clarify which plan is accurate AND revise the landscape plan to show the proposed fencing type. According to the document provided by the Parks Department, the required pedestrian easement for a future connection from the south boundary to the north boundary of the subject site can overlap the common drive and essentially utilize the common drive as the pathway. This would allow for the required 5 feet of landscaping on the west side of the common drive adjacent to Lot 8 to allow for solid fencing.

M. Waterways (UDC [11-3A-6](#))

The subject site directly abuts the Tenmile Creek along its entire eastern boundary. According to Nampa Meridian Irrigation District (NMID), the easement width for this facility is 50 feet on either side of the centerline of the “drain.” **The submitted plat doesn’t appear to depict the required 50-foot easement. Staff is concerned that this may severely limit the viability of the buildable lots along the creek (Lots 2-7, Block 1). Furthermore, UDC 11-3A-6 requires a minimum 20-foot wide common lot if more than 10 feet of an irrigation easement encumbers the buildable lots. Under this code section the applicant can ask that the easement be placed on the buildable lot rather than in a common lot. However, the width of the easement may impact buildable area of the lots if the irrigation district will not allow any structures to encroach in the easement. Prior to the Commission hearing, the applicant should graphically depict the easement on the plat and contact NMID to determine if any encroachment would be allowed in the easement. If encroachments are allowed, staff recommends the applicant provide an exhibit that demonstrates how homes on these lots would comply with NMID requirements.**

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and preliminary plat applications with the requirement of a Development Agreement if the recommended revisions in Section VII of this report are adhered to per the Findings in Section IX of this staff report.

B. Commission:


Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

VII. EXHIBITS

A. Annexation and Zoning Legal Description and Exhibit Map (NOT APPROVED)



ACKERMAN
ESTVOLD

WWW.ACKERMAN-ESTVOLD.COM

January 10, 2022

Pinedale Subdivision Annexation and Rezone Legal Description
3679 West Newland Street
Meridian, ID 83642

A parcel of land being a portion of the SE ¼ of Section 10, T. 3N, R.1W, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a 5/8" iron pin marking the southeast corner of Chesterfield Subdivision Number 4; thence along a line perpendicular to the Union Pacific Railroad centerline South 01°34'46" West a distance of 100.00 feet to a point on said centerline; thence along said centerline South 88°25'14" East a distance of 311.32 feet; thence leaving said centerline along a line perpendicular to said centerline North 01°34'46" East a distance of 100.00 feet to a point on the westerly edge of Tenmile Creek; thence along said westerly edge of Tenmile Creek North 32°49'09" West a distance of 120.21 feet; thence North 48°06'05" West a distance of 101.97 feet; thence North 43°31'33" West a distance of 144.27 feet; thence leaving said westerly edge of Tenmile Creek North 88°25'56" West a distance of 66.78 feet to a point on the easterly boundary of Chesterfield Subdivision Number 4; thence along said easterly boundary of Chesterfield Subdivision Number 4 South 00°52'04" West a distance of 267.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains 1.93 acres, more or less.



HEADQUARTERS
1907 17TH ST SE
MINOT, ND 58701
701.837.8737

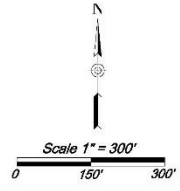
4165 30TH AVE S
SUITE 100
FARGO, ND 58104
701.551.1250

3210 27TH ST W
SUITE 200
WILLISTON, ND 58801
701.577.4127

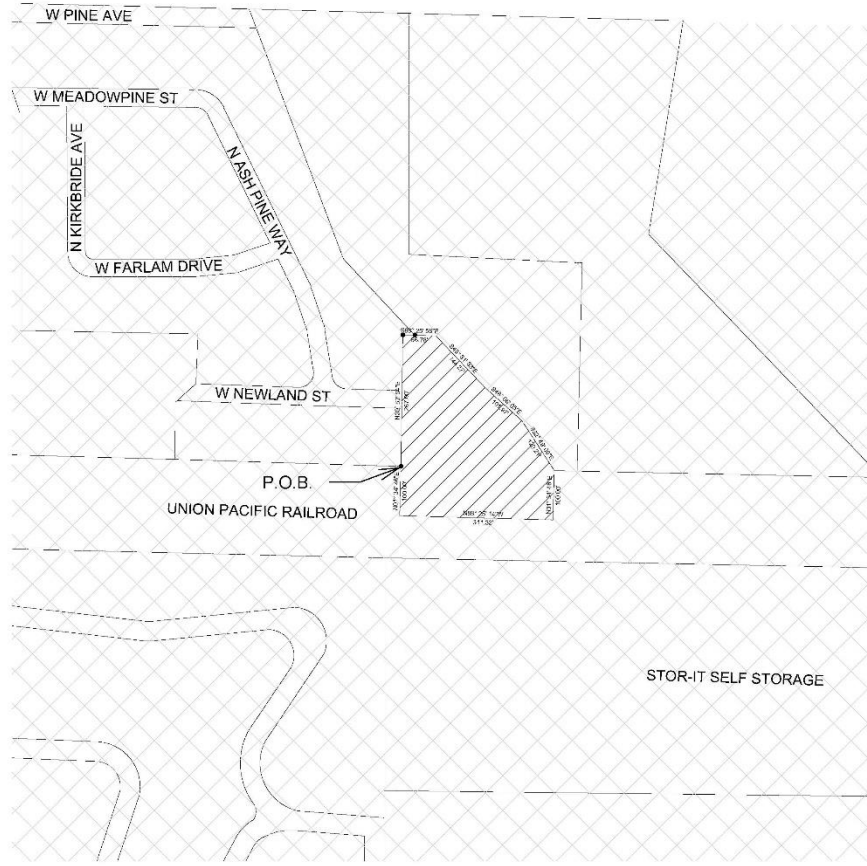
7661 W RIVERSIDE DR
SUITE 102
GARDEN CITY, ID 83714
208.853.6470

ANNEXATION EXHIBIT B

PORTION OF THE SE 1/4 OF SECTION 10,
1.3N., 1R1.W., BOISE MERIDIAN, CITY OF
MERIDIAN, ADA COUNTY, IDAHO.



BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.



- FOUND MONUMENT
- B.O.B. BASIS OF BEARING
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- CITY OF MERIDIAN
- AREA TO BE ANNEXED

JOB No: R21228

**ACKERMAN
ESTVOLD**
7661 West Riverside Drive, Ste. 102 - Garden City, ID 83714
208.853.6470 - www.ackerman-estvold.com
Minot, ND | Fargo, ND | Williston, ND | Boise, ID



WWW.ACKERMAN-ESTVOLD.COM

January 10, 2022

**Pinedale Subdivision Legal Description
3679 West Newland Street
Meridian, ID 83642**

A parcel of land being a portion of the SE ¼ of Section 10, T. 3N, R.1W, Boise-Meridian, Ada Couty, Idaho, more particularly described as follows:

BEGINNING at a 5/8" iron pin marking the southeast corner of Chesterfield Subdivision Number 4; thence along the northerly right-of-way line of Union Pacific Railroad South 88°25'14" East a distance of 311.32 feet to a point on the westerly edge of Tenmile Creek; thence leaving said northerly right-of-way line of Union Pacific Railroad on the westerly edge of said Tenmile Creek North 32°49'09" West a distance of 120.21 feet; thence North 48°06'05" West a distance of 101.97 feet; thence North 43°31'33" West a distance of 144.27 feet; thence leaving said westerly edge of Tenmile Creek North 88°25'56" West a distance of 66.78 feet to a point on the easterly boundary of Chesterfield Subdivision Number 4; thence along said easterly boundary of Chesterfield Subdivision Number 4 South 00°52'04" West a distance of 267.00 feet to the **POINT OF BEGINNING.**

The above described parcel contains 1.22 acres, more or less.



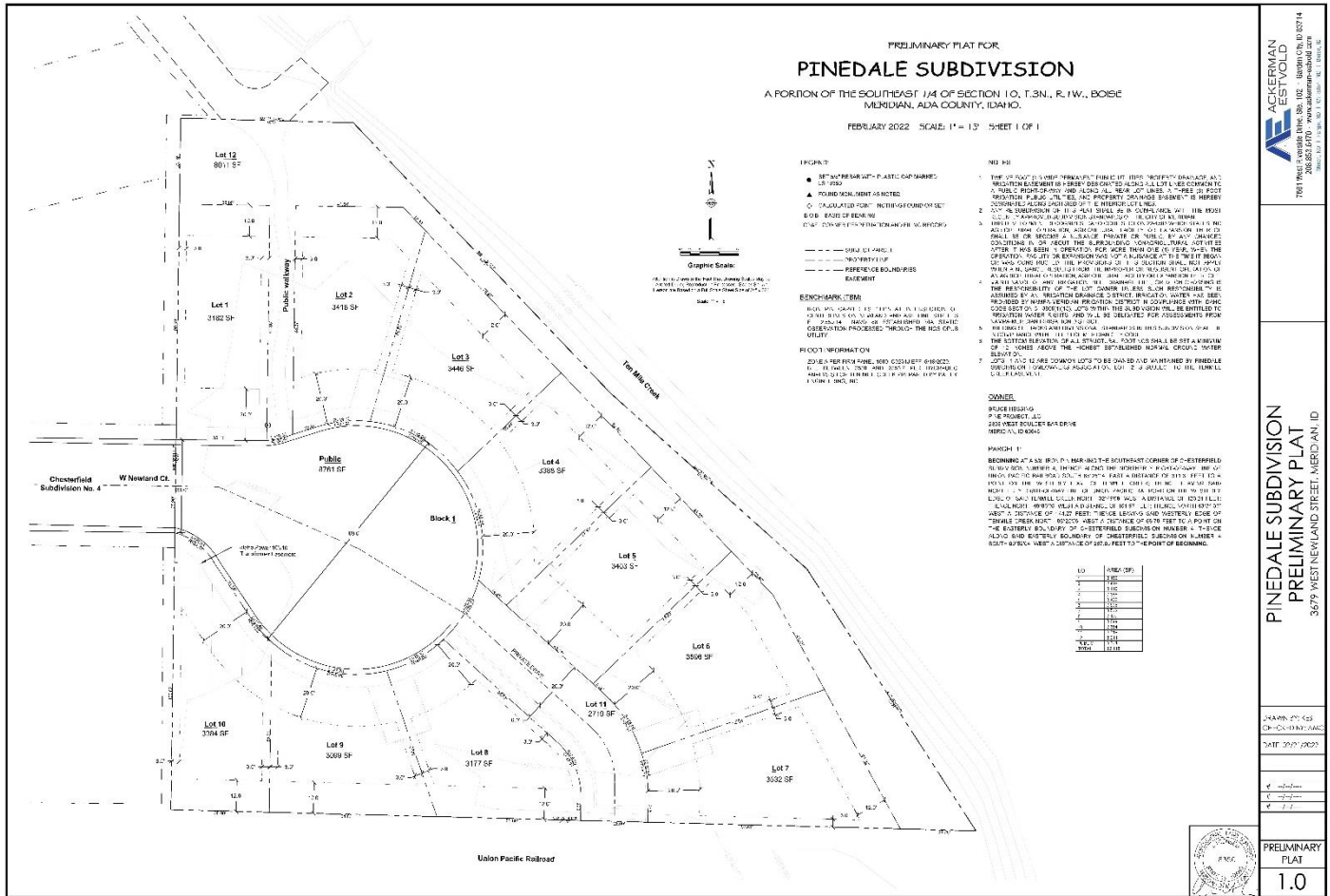
HEADQUARTERS
1907 17TH ST SE
MINOT, ND 58701
701.837.8737

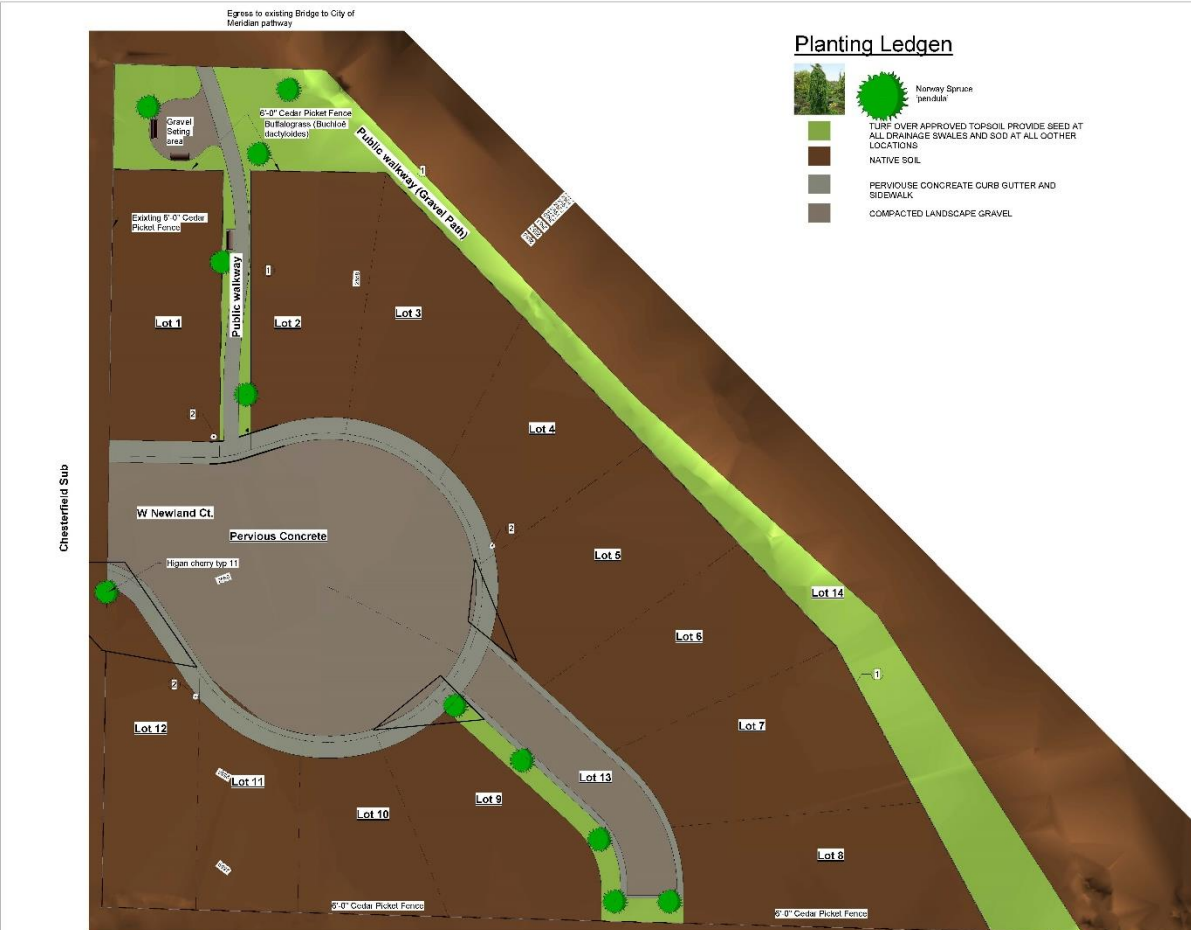
4165 30TH AVE S
SUITE 100
FARGO, ND 58104
701.551.1250

3210 27TH ST W
SUITE 200
WILLISTON, ND 58801
701.577.4127

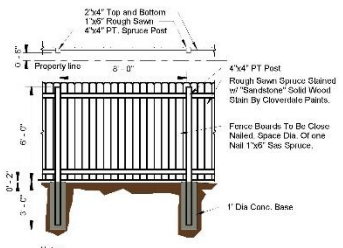
7661 W RIVERSIDE DR
SUITE 102
GARDEN CITY, ID 83714
208.853.6470

B. Preliminary Plat (dated: 2/21/2022)





1) Land Scaple plan
1" = 20'-0"



- Note:
1. All wood to be stained with "Sandstone" solid wood stain both sides prior to installation.
 2. All hardware to be galvanized.
 3. All stain to be applied to manufacturer's specifications.
 4. Nail to be 3.1/2" coated for subspigule to posts and 2" end for boards.
 7. All planed materials #2 and better.

5) Fence Detail
1/4" = 1'-0"

D. Conceptual Building Elevations







VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s)/developer 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; **Applicant shall provide a revised Annexation and Zoning legal description and Exhibit Map to exclude the railroad right-of-way area.** The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, and conceptual building elevations included in Section VII and the provisions contained herein and shall be obligated to install and maintain the open space and amenity as proposed on the approved plans.
 - b. The Applicant shall include shared driveways to help remove the number of driveways proposed, especially for those lots taking direct access from the cul-de-sac, W. Newland Court.
2. Prior to the City Council hearing, the Applicant shall provide revised Annexation and Zoning legal description and Exhibit Map to exclude the railroad right-of-way area.
 3. The preliminary plat included in Section VII.B, dated February 21, 2022, shall be revised as follows prior to the City Council hearing, except as noted:
 - a. Show the entrance to the open space lot (Lot 12) containing the micro-path lot to be at least 15 feet wide, per UDC 11-3A-8 standards.
 - b. Lot 4 shall take access from the cul-de-sac and not from the common drive in accord with UDC 11-6C-3.
 - c. Prior to the Commission hearing, the applicant should graphically depict the Tenmile Creek easement on the plat and contact NMID to determine if any encroachment would be allowed in the easement. IF encroachments are allowed, staff recommends the applicant provide an exhibit that demonstrates how homes on these lots would comply with NMID requirements.
 4. The landscape plan included in Section VII.C, dated August 3, 2021, shall be revised as follows prior to submitting for Final Plat approval:
 - a. Revise the plan to match the latest preliminary plat.
 - b. Lot 12, Block 1 shall be a minimum of 15-feet wide and landscaped in accord with UDC 11-3B-12.
 - c. If solid fencing is proposed on the east property line of Lot 8, show the required 5 feet of landscaping between the property line and the common drive (Lot 11) in accord with UDC 11-6C-3D.

5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
9. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
10. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Water main alignment may need to be adjusted to enable perpendicular service lines to appropriate locations- specifically at the edge of right-of-way at the entrance to the private drive.
2. No sewer utilities provided in Record. Public sewer infrastructure must be reviewed and approved by public works.
3. Sewer main shall not run-down private driveways that serve 4 or fewer lots. For lots 6, 7, and 8, run sewer service in the driveway only.
4. Ensure no sewer services pass through infiltration trenches.
5. A portion of this development is in the Floodplain Overlay District and floodplain development permit is required for land development. This property is in a FEMA "A" Zone without Base Flood Elevations. A hydraulic analysis has been completed for Foxcroft Subdivision. Applicant will need to compare base flood elevations for existing conditions in this analysis to the existing conditions survey on 3725 W Pine. This should form the basis for a Letter of Map Amendment (LOMA) application to remove the entire property from the floodplain. The quicker LOMA process is started the better, otherwise we will need floodplain permits and elevation certificates for any development in the current flood zone. If fill this property is not eligible for a LOMA, fill may be added for a FEMA LOMR-F application. In this case, floodplain permits and elevation certificates will be required for each structure in this zone.
6. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection, there are shallow cemented soils across the site. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. This may include the installation of foundation drains, and the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. Foundation drains are not allowed to drain into the sanitary sewer system, nor the trench backfill for the sewer and/or water service lines.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.

10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. 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.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. 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.
19. 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.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the

Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251084&dbid=0&repo=MeridianCity>

D. PARKS DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251081&dbid=0&repo=MeridianCity>

E. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251841&dbid=0&repo=MeridianCity>

F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251854&dbid=0&repo=MeridianCity>

G. NAMPA/MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252550&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252743&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Annexation and Zoning (UDC 11-5B-3E)

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

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

Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-8 zoning district and Rezone a portion of the project from R-4 to the R-8 zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.

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

Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-8 zoning district and is consistent with the purpose statement of the requested zone.

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

Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

4. **The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and**

Staff finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

Staff finds the annexation is in the best interest of the City.

B. Preliminary Plat Findings:

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;**

Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

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

Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.

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 based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII for more information.)

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has offered their support of the proposed development with the proposed road layout in mind.

6. **The development preserves significant natural, scenic or historic features.**

Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.