

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



In the Matter of the Request for Annexation of 40.05-Acres of Land with R-15 (17.12 acres), R-40 (15.85 acres) and C-G Zoning (7.08 acres); Preliminary Plat Consisting of 85 Building Lots [81 Townhome, One (1) Multi-Family and Three (3) Commercial] & Eight (8) Common Lots on 40.05-Acres of Land in the R-15, R-40 & C-G Zoning Districts; Conditional Use Permit for a Multi-Family Residential Development Consisting of 250 Dwelling Units on 12.19-Acres of Land in the R-40 Zoning District; and a Variance to UDC Table 11-2A-7 to Allow 44 of the 81 Townhome Lots on the Eastern Portion of the Development to be Reduced from 2,000 to 1,694 Square Feet, by Woodside Avenue Investors, LLC.

Case No(s). H-2022-0056 & VAR-2022-0004

For the City Council Hearing Date of: December 13, 2022 (Findings on December 20, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of December 13, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 13, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 13, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 13, 2022, 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 December 13, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for annexation with the requirement of a Development Agreement, conditional use permit, preliminary plat and variance is hereby approved per the provisions in the Staff Report for the hearing date of December 13, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration

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

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

Notice of Development Agreement Duration

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

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

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

E. 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 December 13, 2022

By action of the City Council at its regular meeting held on the _____ day of _____, 2022.

COUNCIL PRESIDENT BRAD HOAGLUN VOTED _____

COUNCIL VICE PRESIDENT JOE BORTON VOTED _____

COUNCIL MEMBER JESSICA PERREAULT VOTED _____

COUNCIL MEMBER LUKE CAVENER VOTED _____

COUNCIL MEMBER TREG BERNT VOTED _____

COUNCIL MEMBER LIZ STRADER VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



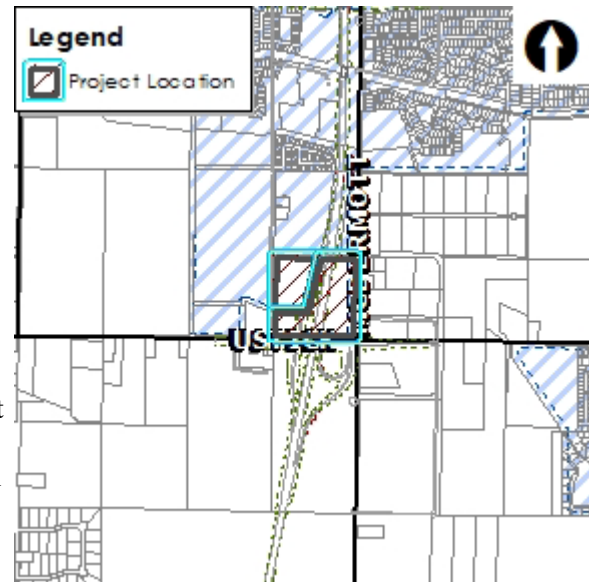
HEARING DATE: December 13, 2022

TO: Mayor & City Council

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

SUBJECT: H-2022-0056; VAR-2022-0004
McDermott Village – AZ, CUP, PP, VAR

LOCATION: 3235 N. McDermott Rd. at the northwest corner of W. Ustick Rd. & N. McDermott Rd., in the SE 1/4 of Section 32, T.4N., R.1W. (Parcel #S0432429360 & #S0432429355)



I. PROJECT DESCRIPTION

Annexation of 40.05 acres of land with R-15 (17.12 acres), R-40 (15.85 acres) and C-G zoning (7.08 acres); Preliminary plat consisting of 85 building lots (81 townhome, 1 multi-family and 3 commercial) & 8 common lots on 40.05 acres of land in the R-15, R-40 & C-G zoning districts; and Conditional Use Permit for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district.

A Variance is also requested to UDC Table 11-2A-7 to allow 44 of the 81 townhome lots on the eastern portion of the development to be reduced from 2,000 to 1,694 square feet.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	40.05-acres (AZ); 40.05-acres (PP); 12.19-acres (CUP)
Existing/Proposed Zoning	RUT in Ada County (existing); R-15, R-40 & C-G (proposed)
Future Land Use Designation	Mixed Use – Regional (MU-R)
Existing Land Use(s)	Vacant/undeveloped land used for agricultural purposes
Proposed Land Use(s)	Mix of commercial (fuel sales facility & convenience store and flex commercial/office); and residential (i.e. multi-family apartments and townhomes)
Lots (# and type; bldg./common)	85 buildable lots (81 townhome lots, 1 multi-family lot & 3 commercial lots) and 8 common lots
Phasing Plan (# of phases)	3 phases
Number of Residential Units (type of units)	250 multi-family apartment units & 81 townhome units

Description	Details
Physical Features (waterways, hazards, flood plain, hillside)	The Eight Mile Lateral runs across the northeast corner of this site and the Sky Pilot Drain runs across the southern portion of the site.
Neighborhood meeting date	5/25/22
History (previous approvals)	None

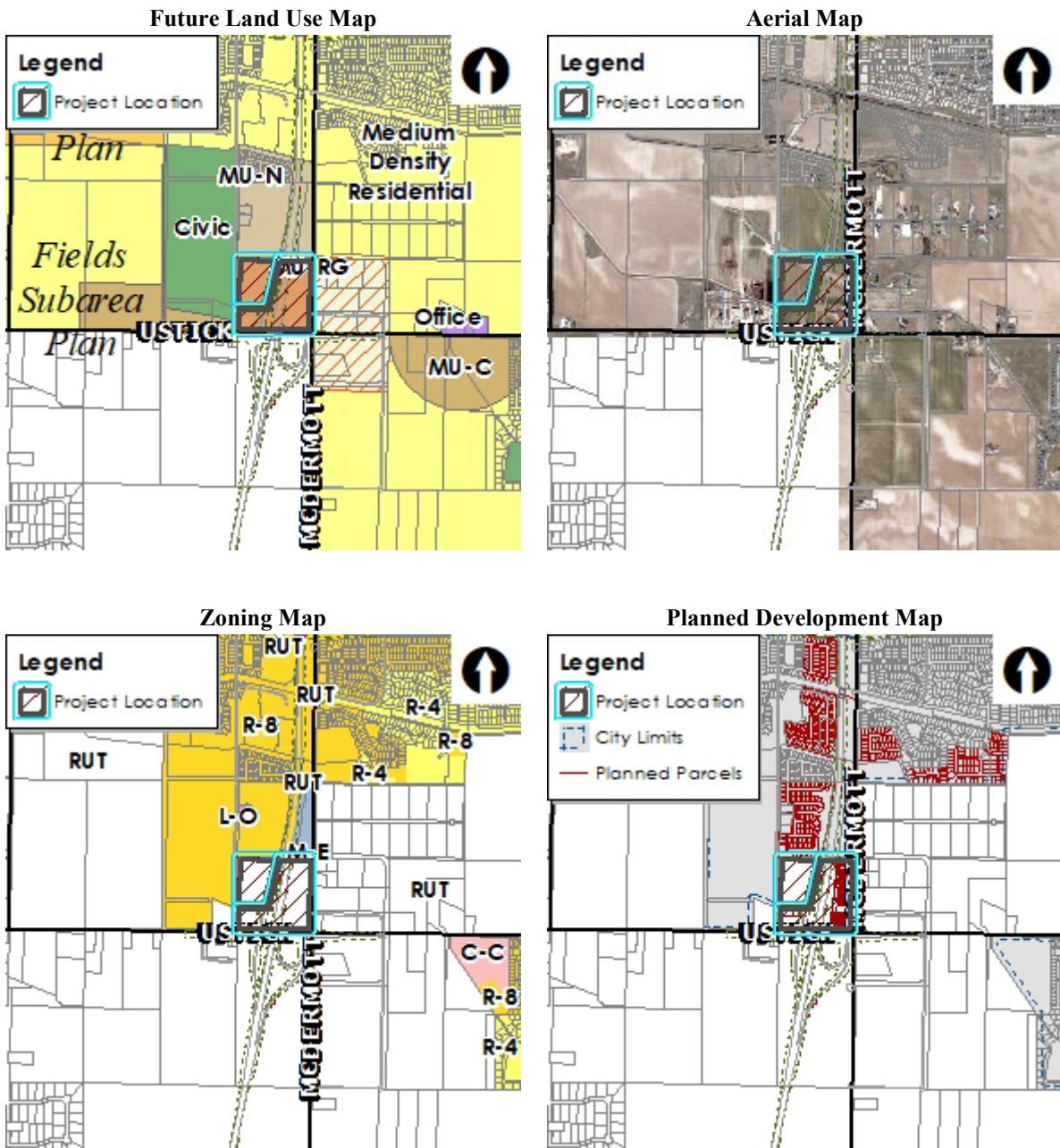
B. Community Metrics

Description	Details															
Ada County Highway District																
• Staff report (yes/no) • Requires ACHD Commission Action (yes/no)	Yes No A Traffic Impact Study (TIS) was prepared by Kittleson & Associates, Inc.															
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One access is proposed via S. Rolling Hill Dr. from E. Overland Rd. to the south; and two driveways will provide access from the commercial development to the west via S. Silverstone Way from E. Overland Rd. (a signalized intersection exists at Silverstone/Overland)															
Traffic Level of Service	<table><tr><th>Roadway</th><th>Frontage</th><th>Functional Classification</th><th>PM Peak Hour Traffic Count</th><th>PM Peak Hour Level of Service</th></tr><tr><td>Ustick Road</td><td>1,304-feet</td><td>Principal Arterial</td><td>321</td><td>Better than "E"</td></tr><tr><td>McDermott Road</td><td>1,304-feet</td><td>Collector*</td><td>100</td><td>Better than "D"</td></tr></table>	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Ustick Road	1,304-feet	Principal Arterial	321	Better than "E"	McDermott Road	1,304-feet	Collector*	100	Better than "D"
Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service												
Ustick Road	1,304-feet	Principal Arterial	321	Better than "E"												
McDermott Road	1,304-feet	Collector*	100	Better than "D"												
Stub Street/Interconnectivity/Cross Access	A public stub street is planned to the north boundary of this property with the Aviator Springs development (H-2021-0065). W. Endeavor St. to the west is planned to stub/connect to the west boundary of this property when the abutting Flower property (#S0432438850) re-develops.															
Existing Road Network	N. McDermott Rd., a residential collector street & entryway corridor; and W. Ustick Rd., a residential arterial street & entryway corridor, abut this site along the south and east property boundaries.															
Existing Arterial Sidewalks / Buffers	None															
Proposed Road Improvements	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): • The intersection of Ustick Road and McDermott Road is scheduled in the IFYWP to be widened and reconstructed with design in 2026 and construction in the future. • Ustick Road is listed in the IFYWP and CIP to be widened to 5-lanes from Star Road to McDermott Road with design in 2026 and construction in the future. • Star Road is listed in the CIP to be widened to 5-lanes from Ustick Road to McMillan Road between 2031 and 2035. • The intersection of Ustick Road and Star Road is listed in the CIP to be widened to 4-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and signalized between 2031 and 2035. SH-16 is planned to extend north/south through this property and an interchange is proposed at Ustick Rd.															

West Ada School District	Enrollment	Capacity	Approved lots per attendance area	Approved MF units per attendance area	Projected Students from Approved Dev.
Pleasant View Elementary	614	650	3322	100	970
Star Middle School	893	1000	9667	321	880
Owyhee High School	1785	1800	6229	137	829
School of Choice Options					
Chief Joseph Elementary – Arts	524	700	N/A	N/A	
Barbara Morgan STEM Academy	421	500	N/A	N/A	
Distance (elem, ms, hs)					

Description	Details
- Capacity of Schools # of Students Enrolled	
Predicted # of students generated from proposed development	73 +/-
Police Service	
Distance to Police Station	7.5 miles
Police Response Time	6:59 minutes - doesn't currently meet response time goal of 3-5 minutes; however, response times will drastically decline when the MPD precinct opens in the Fall.
Calls for Service	313 within a mile of the site between 6/1/20 and 5/31/22
Accessibility	PD requests police access into each building's entry point using a multi-technology keypad
Specialty/resource needs	None – MPD can service this development & already serves this area.
Crimes	54 within a mile of the site between 6/1/20 and 5/31/22
Crashes	8 within a mile of the site between 6/1/20 and 5/31/22
Other	For more info, see Section VIII.D
Wastewater	
Distance to Sewer Services	
Sewer Shed	
Estimated Project Sewer ERU's	
WRRF Declining Balance	14.42 MGD
Project Consistent with WW Master Plan/Facility Plan	Yes
Impacts/concerns	Additional 11,691 gpd committed to model.
Water	
Distance to Water Services	
Pressure Zone	
Estimated Project Water ERU's	
Water Quality Concerns	
Project Consistent with Water Master Plan	Yes
Impacts/Concerns	

C. Project Area Maps



A. Applicant:

Todd Tucker, Boise Hunter Homes – 729 S. Bridgeway Pl., Eagle, ID 83616

B. Owners:

James Hunter, Woodside Avenue Investors, LLC – 923 S. Bridgeway Pl., Eagle, ID 83616

C. Representative:

Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	10/19/2022	11/27/2022
Notification mailed to property owners within 300 feet	10/13/2022	11/22/2022
Applicant posted public hearing notice on site	10/24/2022	12/2/2022
Nextdoor posting	10/13/2022	11/28/2022

IV. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Mixed Use – Regional (MU-R). *Note: The Applicant requested this designation as part of the update to the Comprehensive Plan in 2019.*

The purpose of the MU-R designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D (pg. 3-17). Sample uses, appropriate in MU-R areas would include: All MU-N and MU-C categories, entertainment uses, major employment centers, clean industry, and other appropriate regional-serving most uses. Sample zoning include: R-15, R-40, TN-C, C-G, and M-E

Transportation: State Highway (SH) 16 is planned to extend through this site and an interchange is planned at Ustick Rd.

ACHD's Master Street Map doesn't depict any collector streets planned across this site. The segment of Ustick Rd. that this site fronts on is designated on the MSM as a residential arterial with 5-lanes and on-street bike lanes within 100-feet of right-of-way. The segment of McDermott Rd. that the townhome portion of the development fronts on is designated on the MSM as a residential collector with 3-lane roadway, a 46-foot street section within 74-feet of ROW. Due to the extension of SH-16, sidewalk is required on only the east side of the roadway.

Transit services are not available to this site.

Proposed Development: The Applicant proposes to develop the site with two (2) land use types – commercial (includes retail, restaurants, etc.) and residential (i.e. multi-family and townhome). No employment or public uses are proposed and it's unlikely any of the proposed uses will have a regional draw. The site is designed with the commercial uses along Ustick Rd., an arterial street, with an integrated plaza area between the two northern buildings and multi-family development to the north along future SH-16. Townhomes are proposed on the east side of future SH-16 along N. McDermott Rd., a collector street. The proposed development is generally consistent with the conceptual MU-R plan in the Comprehensive Plan.

This is the only property in this area with a MU-R designation; that along with the property being bisected by SH-16 in the future, which reduces the size of the property from 40 acres to 26.5 acres, makes it difficult to develop the property entirely consistent with the MU-R designation. Additionally, because an interchange is planned in this area and access is limited, the Comprehensive

Plan states retail and auto-generated services should be minimized and transition rapidly from the interchange to residential uses near the County line, which the plan proposes. For these reasons, Staff is amenable to only two (2) land uses and the lower intensity of uses (i.e. primarily residential) proposed rather than more intense commercial uses as is typically desired in the MU-R designation. Additionally, because of the bifurcation of this property with the SH-16 extension, interconnectivity and a full integration of uses within the overall site is not possible as typically desired in mixed use designated areas.

In reviewing development applications, the following items will be considered in *all* Mixed-Use areas, per the Comprehensive Plan (pg. 3-13): *(Staff's analysis in italics)*

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”

The proposed 26.5-acre development (after right-of-way is taken out for SH-16) includes two types of land uses – commercial and residential. Because this is the only MU-R designated property in this area and the site is not very large and will be divided by a state highway, Staff is of the opinion the proposed number of land use types is sufficient.

- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

The proposed development includes 250 multi-family units at a gross density of 20.5 units per acre. The multi-family portion of the project is located along the west side of future SH-16 and at the northwest corner of the future interchange at Ustick Rd. An employment destination center is not proposed but Owyhee High School exists directly to the west. High-density development is desired near schools so that students can walk to school, reducing bussing needs and traffic in the area.

- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed-Use designation.”

A conceptual development plan was submitted with the annexation request, included in Section VII.B. A Development Agreement that ties future development to this plan and the general guidelines for mixed use developments and specifically the MU-R designation is recommended as a provision of annexation.

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”

The conceptual development plan depicts a common plaza area between the northern two commercial buildings with a pedestrian walkway to the area from the southern lot (fuel facility/convenience store).

- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”

There is an existing low-density residential property along the west boundary of the site south of the Sky Pilot Drain adjacent to the proposed commercial uses. A public street (N. Glassford Ave.) is proposed between the commercial buildings and the residential property but a buffer is not proposed to the residential property. A landscaped street buffer is proposed on the east side of the street. Per UDC [Table 11-2B-3](#), a minimum 25-foot wide landscaped buffer is

required on C-G zoned properties to residential uses, unless such width is otherwise modified by City Council at a public hearing with notice to surrounding property owners.

- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”

No such uses are specifically proposed in this development – the tenants of the commercial buildings are unknown at this time. Owyhee High School is located directly to the northwest of this site and an LDS seminary and Boys & Girls Club has been conceptually approved to develop on the adjacent property to the north next to the school in close proximity to this site. Although these uses are not within the MU-R designation, they are still provided nearby.

- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”

A plaza/gathering area is depicted on the conceptual development plan between the two northern commercial buildings; there are no other public and/or quasi-public spaces or places proposed. As noted above, a high school exists to the northwest and an LDS seminary and a Boys & Girls Club are planned to develop in the Aviator Springs development directly to the north.

- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”

No such spaces are proposed on the conceptual development plan. Although a “mix” of uses (i.e. commercial & residential) are proposed, Staff wouldn’t consider this a true mixed-use development due to the lack of integration and connectivity within the overall site, which isn’t possible due to the extension of SH-16 through the property. A plaza/common open space area is depicted between the two (2) northern commercial buildings, which Staff feels is appropriate given the development limitations for this site.

- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”

The proposed commercial portion of the development is directly accessible to the multi-family residential portion of the development to the north and the single-family development further to the north (Aviator Springs) by both vehicles and pedestrians.

Future SH-16 will separate the commercial and multi-family development from the townhome development making it impossible for these uses to be directly accessible. Pedestrian pathways are proposed throughout the commercial and multi-family development and a 10-foot wide pathway is proposed to the single-family development to the north for connectivity.

- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”

A roadway, parking area and landscape buffer is proposed between the commercial and multi-family development (150’ between structures); and a 2-way drive aisle with parking on either side and a landscape buffer is proposed between the proposed multi-family and future single-family development to the north (115’ between uses) as a transition and buffer between uses.

- “Because of the parcel configuration within Old Town, development is not subject to the Mixed-Use standards listed herein.”

The subject property is not located in Old Town; therefore, this item is not applicable.

In reviewing development applications, the following items will be considered in MU-R areas, per the Comprehensive Plan (pgs. 3-16 thru 3-17):

- Development should generally comply with the general guidelines for development in all Mixed-Use areas.

Staff’s analysis on the proposed project’s compliance with these guidelines is included above.

- Residential uses should comprise a minimum of 10% of the development area at gross densities ranging from 6 to 40 units/acre. There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

Residential uses are proposed over 86% of the development area at an overall gross density of 14.58 units/acre, consistent with the density desired in MU-R designated areas. The gross density of the multi-family portion is 20.5 units/acre and the townhome portion is 7.71 units/acre.

- Retail commercial uses should comprise a maximum of 50% of the development area.

Retail/commercial uses are only proposed to comprise of 14% of the development area in accord with this guideline.

Where the development proposes public and quasi-public uses to support the development, the developer may be eligible for additional area for retail development (beyond the allowed 50%), based on the ratios below:

- For land that is designated for a public use, such as a library or school, the developer is eligible for a 2:1 bonus. That is to say, if there is a one-acre library site planned and dedicated, the project would be eligible for two additional acres of retail development.
- For active open space or passive recreation areas, such as a park, tot-lot, or playfield, the developer is eligible for a 2:1 bonus. That is to say, if the park is 10 acres in area, the site would be eligible for 20 additional acres of retail development.
- For plazas that are integrated into a retail project, the developer would be eligible for a 6:1 bonus. Such plazas should provide a focal point (such as a fountain, statue, and water feature), seating areas, and some weather protection. That would mean that by providing a
- half-acre plaza, the developer would be eligible for three additional acres of retail development.

This guideline is not applicable as no public/quasi-public uses are proposed on this site and the retail development area is below the allowed 50%.

Comprehensive Plan Policies: The following Comprehensive Plan Policies are applicable to this development:

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21. Urban services are available to be provided upon development.

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

The proposed retail/commercial uses should be compatible with the existing low-density residential use to the west if a 25-foot wide buffer is provided with dense landscaping as required by UDC Table 11-2B-3 and 11-3B-9C.1 to minimize conflicts between land uses. The proposed multi-family development should be compatible with future single-family residential uses to the north in Aviator Springs subdivision with the proposed separation in uses by drive aisles, parking and a densely landscaped buffer to minimize conflicts between higher and lower density residential uses; and to the high school to the west. The proposed townhomes should be compatible with existing low-density residential properties across McDermott Rd. to the east and any future redevelopment of that area with MU-I (Mixed Use – Interchange) uses; and also, the future research and development use to the north, which is proposed to be separated by a 75-foot wide densely landscaped buffer.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The proposed apartments and townhomes will provide housing in close proximity to Owyhee High School which will reduce bussing and vehicle trips in the area. The proposed retail/commercial uses should provide benefits to future residents of being able to live, shop and possibly work nearby enhancing overall livability and sustainability.

- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A)

The conceptual development plan depicts pedestrian pathways throughout the commercial and multi-family residential developments and to the adjacent single-family residential development to the north (Aviator Springs) for interconnectivity.

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

The proposed development will connect to City water and sewer systems; services are required to be provided to and through this development in accord with current City plans.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer services are available to this site and can be extended by the developer with development in accord with UDC 11-3A-21. The emergency response times for Police and Fire Dept. currently fall outside of response time goals; however, when the new MPD precinct opens in Fall of 2023 and Fire Station #8 is constructed and staffed in late summer of 2023, response time goals will be met.

- “With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

Safe pathway connections should be provided from the proposed multi-family development to the abutting high school to the west. Usable open space and quality amenities are proposed with the multi-family development that exceed UDC standards.

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

A minimum 35-foot wide landscaped street buffer is required to be provided along future SH-16 and N. McDermott Rd., both designated entryway corridors. Noise mitigation is required within the buffer along future SH-16 per the standards listed in UDC [11-3H-4D](#) for residential uses adjoining a state highway.

- “Evaluate the feasibility of annexing existing county enclaves and discourage the creation of additional enclaves.” (3.03.03I)

This property abuts City annexed land to the north and west; a large enclave area of County land exists to the east. This area is largely sprawl with a lot of properties still in Ada County to the east and southeast. The land directly to the south is within Canyon County’s Area of City Impact boundary. Annexation of this property will not create additional enclaves and will actually decrease the existing enclave area.

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Urban infrastructure as noted is required to be provided with development in accord with UDC standards.

In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan for this area per the analysis above.

V. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

A. Annexation:

The proposed annexation is for 40.05 acres of land with R-15 (17.12 acres), R-40 (15.85 acres) and C-G zoning (7.08 acres). The proposed use of the property will include a mix of commercial uses, including a fuel sales facility & convenience store and flex commercial/office (tenants have not been identified at this time) on 3.8 acres in the C-G district, multi-family residential apartments on 12.19 acres in the R-40 district, and townhomes on 10.51 acres of land in the R-15 district. The right-of-way proposed to be dedicated for the future extension of SH-16 consists of 13.55 acres of land.

A conceptual development plan was submitted, included in Section VII.B below that shows how the overall property is planned to develop. Based on the analysis above in Section IV, Staff is of the opinion the proposed annexation, zoning and development plan is generally consistent with the Comprehensive Plan with the provisions noted in Section VIII as discussed herein.

A multi-family development requires approval of a Conditional Use Permit (CUP) in the R-40 zoning district, subject to the specific use standards for such listed in UDC [11-4-3-27](#), and townhouse dwellings are listed as a principal permitted use in the R-15 zoning district per UDC [Table 11-2A-2](#). Commercial/retail and fuel sales facility uses are listed as a principal permitted use in the C-G zoning district per UDC [Table 11-2B-2](#), fuel sales facilities are subject to the

specific use standards listed in UDC [11-4-3-20](#). Other uses may be allowed as noted in the Allowed Uses in the Commercial Districts [Table 11-2B-2](#).

The proposed uses and zoning districts are listed as appropriate uses and zoning in the Comprehensive Plan for the MU-R designated area.

The property is contiguous to City annexed land and is within the City's Area of City Impact boundary. A legal description and exhibit map of the overall annexation area is included in Section VII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure future development is consistent with the Comprehensive Plan and with the development plan proposed with this application, Staff recommends a DA is required with this application, containing the provisions noted in Section VIII.A, as discussed herein.**

B. Preliminary Plat:

The proposed preliminary plat consists of 85 building lots (81 townhome, 1 multi-family and 3 commercial) & 8 common lots on 40.05 acres of land in the R-15, R-40 & C-G zoning districts.

The Applicant anticipates the development will be constructed in three (3) phases with the multi-family development first, the townhomes second and the commercial last unless they get a demand for the commercial, then it might be second.

Existing Structures/Site Improvements:

There are no existing structures or improvements on this site.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards listed in UDC Tables [11-2A-7](#) for the R-15 district and [11-2A-8](#) for the R-40 district; and UDC Table [11-2B-3](#) for the C-G zoning district. **Some of the R-15 zoned lots do not comply with the minimum lot size of 2,000 square feet per dwelling units; revisions are necessary to comply. Zero (0) lot lines should be graphically depicted on the plat on the internal lot lines where the townhomes are proposed (i.e. where structures are proposed to span across lot lines).**

Subdivision Design and Improvement Standards (UDC [11-6C-3](#)):

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

Road Improvements [Capital Improvements Plan (CIP)/Integrated Five Year Work Plan (IFYWP)]: The intersection of Ustick Road and McDermott Road is scheduled in the IFYWP to be widened and reconstructed with design in 2026 and construction in the future. Ustick Road is listed in the IFYWP and CIP to be widened to 5- lanes from Star Road to McDermott Road with design in 2026 and construction in the future. Star Road is listed in the CIP to be widened to 5- lanes from Ustick Road to McMillan Road between 2031 and 2035. The intersection of Ustick Road and Star Road is listed in the CIP to be widened to 4- lanes on the north leg, 4- lanes on the south, 5- lanes east, and 5- lanes on the west leg, and signalized between 2031 and 2035. See *ACHD's staff report in Section VIII.I for more information.*

Access (UDC [11-3A-3](#))

A public street access is proposed via W. Ustick Rd., an arterial street, to the portion of the site west of future SH-16. A stub street is proposed to the property to the north (Aviator Springs) to connect to a planned stub street to this property. Another stub street (W. Endeavor St.) is proposed to the school property to the west for future extension and connection to N. Owyhee Storm Ave., a collector street. Alleys/private streets are depicted on the plat in the proposed

multi-family development. Private streets should be provided for addressing purposes. **A private street application should be submitted prior to or concurrent with the final plat application.**

Two (2) accesses are proposed via N. McDermott Rd., a collector street, to the portion of the site east of future SH-16. McDermott Rd. is planned to dead-end in a cul-de-sac just north of Ustick Rd. and not connect to Ustick when the interchange is constructed. An emergency only access is proposed out to W. Ustick Rd. that has been approved by the Fire Dept.; ITD has verified that this access does not touch or abut the State Highway system. **The bollards should be located completely outside of the right-of-way.** ITD's roadway plans for the existing Ustick/McDermott Rd. intersection are included in Section VIII.I. Alleys are proposed for access to the townhome units located north of W. Aspenstone St. and south of Beechstone St. All alleys must comply with the standards listed in UDC [11-6C-3B.5](#). The proposed alleys appear to comply with these standards.

Cross-access/ingress-egress easements should be provided between all C-G zoned commercial lots in the subdivision via a note on the final plat or a separate recorded easement.

Pathways (UDC [11-3A-8](#)):

The Pathways Master Plan depicts a 10-foot wide multi-use pathway along W. Ustick Rd. on this site; a 10-foot wide pathway is depicted on the landscape plan as required.

A 10-foot wide multi-use pathway is proposed within the street buffer along the west side of N. Glassford Ave., consistent with the developments to the north, which crosses to the east at the north boundary of the site within the buffer along SH-16 which will connect to the pathway planned to the north in Aviator Springs. A 14-foot wide public use easement is required for the pathway; the easement should be submitted to the Planning division prior to submittal for City Engineer signature on the final plat.

Internal pedestrian pathways are proposed throughout the central common open space area and to the commercial development to the south.

Safe pathway connections should be provided from the proposed multi-family development to the abutting high school to the west.

Sidewalks (UDC [11-3A-17](#)):

Detached sidewalks are required along all collector and arterial streets; attached sidewalks may be provided along local streets. Sidewalks are not required along I-84; however, a pathway is proposed within the buffer. **ACHD is requiring a sidewalk to be constructed off-site along one side of S. Rolling Hill Dr. with development of this site.**

Landscaping (UDC [11-3B](#)):

Street buffers are required to be provided as follows: A minimum 35-foot wide buffer is required along future SH-16 and the interchange and along N. McDermott Rd., entryway corridors; a minimum 25-foot wide buffer is required along the western portion of W. Ustick Rd., an arterial street; and a minimum 10-foot wide buffer is required along local streets in the C-G zoning district, measured per the standards listed in UDC [11-3B-7C.1a](#). **Landscaping is required within the street buffer as set forth in UDC [11-3B-7C](#) (see updated standards). Street buffers are required to be maintained by the property owner or business owners' association and should be depicted on the plat in a common lot or permanent dedicated buffer per UDC [11-3B-7C.2b](#).**

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

Depict landscaping within common open space areas as set forth in UDC 11-3G-5B.3.

The City Arborist requests a change in tree selection of the *Fraxinus Pennsylvanica* “Marshall’s Seedless” Green Ash is changed to another variety due to a future threat of Emerald Ash Borer.

There are no existing trees on the site to be removed or that require mitigation.

Common Open Space (UDC [11-3G-3B](#)): A minimum of 15% *qualified* open space is required to be provided within the townhome portion of the development that meets the quality standards listed in UDC 11-3G-3A.2. Based on 10.51 acres, a minimum of 1.58 acres of qualified open space is required. A total of 3.33 acres of qualified open space is proposed on the open space exhibit included in Section VII.F in excess of UDC standards (i.e red hatched areas). Open space areas consist of open grassy areas of at least 5,000 square feet and linear open space.

Site Amenities (UDC [11-3G-4](#)): A minimum of 2 points of site amenities are required based on 10.51 acres of development area from the Site Amenities and Point Value [Table 11-3G-4](#). ~~It’s not clear to Staff what is~~ Two (2) pickleball courts at 4 points each are proposed for site amenities in the townhome portion of the development, which exceeds UDC standards. The Applicant should clarify prior to or at the Commission hearing what amenities are proposed.

Noise Abatement: Noise abatement is required for residential uses along state highways per the standards listed in UDC [11-3H-4D](#). A 10-foot solid screen wall is proposed. **Noise abatement should be provided within the street buffers along SH-16 that are adjacent to residential uses per the standards listed in UDC 11-3H-4D for residential uses adjoining a state highway. A berm or a berm and wall combination that’s a minimum of 10-feet higher than the elevation at the centerline of the state highway is required. Include a cross-section of the berm or berm/wall that complies with this standard with the final plat application(s).**

Storm Drainage (UDC [11-3A-18](#)):

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical Engineering Report](#) for the subdivision. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

Pressure Irrigation (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15. This property lies within the Nampa-Meridian Irrigation District boundary.

Utilities (UDC [11-3A-21](#)):

Utilities are required to be provided to the subdivision as required in UDC [11-3A-21](#). Street lights shall be installed in accord with the City’s adopted standards, specifications and ordinances/

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

The Sky Pilot Drain crosses the southern portion of this site within a 100-foot wide easement; the Eight Mile Lateral crosses the northeast corner of the site within a 50-foot wide easement; and the Noble Lateral runs along the east boundary of the site within a 40-foot wide easement (20-feet from centerline each side). **The easements for all of these waterways shall be depicted on the final plat; structures shall not encroach within these easements.** All waterways on this site shall be piped as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council. This project is not within the flood plain.

The developer has requested ITD relocate the Eight Mile Lateral to accommodate the proposed development plan. Because the plans have already been designed and environmental approvals

obtained to pipe it in its current location, a change this late in the process may not be approved. **If the location of the lateral changes, it should be depicted on the plans submitted with the final plat application.**

Fencing (UDC [11-3A-6](#) and [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. A 6-foot tall solid screen fence is proposed along the northern & western boundaries of the multi-family development.

C. Conditional Use Permit (CUP):

A Conditional Use Permit is requested for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district in accord with UDC [Table 11-2B-2](#). The proposed development will have (12) 3-story multi-family structures and a 9,055 square foot amenity building centrally located within the complex. Six (6) different floor plans are proposed with a mix of units consisting of 1- (97), 2- (114) and 3- (39) bedroom units ranging from 712 to 1,278 square feet in size.

Specific Use Standards (UDC 11-4-3-27):

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

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

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *The site plan included in Section VII.D depicts buildings at a minimum setback of 10-feet; no greater setback is required.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. ***The plans submitted with the Certificate of Zoning Compliance application should demonstrate compliance with this standard.***
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *The Applicant's narrative states each dwelling unit is provided with a minimum 80 square foot attached patio or deck, which meets this standard.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant should comply with this requirement.*

6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *A minimum of 477 off-street parking spaces are required for the multi-family development with 250 of those being in a covered carport or garage; a minimum of 19 bicycle parking spaces are required. A minimum of 18 spaces are required for the amenity building with a minimum of one (1) bicycle parking space. The minimum number of spaces required overall is 495 with a minimum of 20 bicycle spaces. A total of 482+/- parking spaces are proposed overall, with 250 of those being covered, and 20 bicycle spaces, which does not meet the minimum standard. **A revised parking plan that meets the minimum standards should be submitted prior to the Commission hearing. Bike racks should be provided in central locations for each multi-family building and the amenity building.***
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

*The site amenity plan included in Section VII.G depicts a leasing area (property management office), a maintenance storage area and mailbox location (including provisions for parcel mail), in accord with this standard. **The location of the directory and map of the development should be depicted on the site plan submitted with the Certificate of Zoning Compliance application.***

Common Open Space Design Requirements (UDC [11-4-3-27C](#)):

The total baseline land area of all qualified common open space shall equal or exceed 10% of the gross land area for multi-family developments of 5 acres or more. *A minimum of 1.22 acres of common open is required to meet this standard.*

Common open space areas are also required to comply with the standards listed in UDC 11-4-3-27C.2, which state that open space areas must be integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. These areas should have direct pedestrian access, be highly visible, comply with CPTED standards and support a range of leisure and play activities and uses – irregular shaped, disconnected or isolated open spaces do not meet the standard. Open space areas should be accessible and well connected throughout the development (i.e. centrally located, accessible by pathway and visually accessible along collector streets or as a terminal view from a street). Open space areas should promote the health and well-being of its residents and support active and passive uses for recreation, social gathering and relaxation to serve the development. *The proposed common open space meets these standards.*

All multi-family projects over 20 units are required to provide at least one (1) common grassy area of at least 5,000 s.f. in area that's integrated into the site design allowing for general activities by all ages, which may be included in the minimum required open space. The area shall increase proportionately as the number of units increase and shall be commensurate to the size of the development as determined by the decision-making body. *The Applicant proposes two (2) central common open space areas of 67,632 and 29,360 s.f. that meets this requirement.*

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

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *All units contain more than 500 square feet (s.f.) of living area.*
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *A total of 211 units contain between 500 and 1,200 s.f. of living area; therefore, a minimum of 52,750 s.f. (or 1.21 acres) of common open space is required.*
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *A total of 39 units contain more than 1,200 s.f.; therefore, a minimum of 13,650 s.f. (or 0.31 acre) of common open space is required.*

At a minimum, a total of 66,400 s.f. (or 1.52 acres) of qualified outdoor common open space is required to be provided per this standard. In order to meet the baseline requirement noted above and this standard, a total of 119,500 s.f. (or 2.74 acres) of common open space is required. A total of 146,094 s.f. (or 3.35 acres) of qualified open space is proposed in excess of the minimum standards as shown in Section VII.F (red hatch areas). Qualified areas consist of central common/amenity areas and a pedestrian corridor where a multi-use pathway is planned.

Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *All of the red hatched areas depicted on the open space exhibit in Section VII.G meet this requirement.*

In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *The Applicant anticipates the multi-family development will be constructed in one phase. If not, compliance with this standard is required.*

Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *None of the common open space areas are located adjacent to a collector or arterial street.*

Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with waste station.
 - (6) Commercial outdoor kitchen.

- (7) Fitness course.
 - (8) Enclosed storage.
 - b. Open space:
 - (1) Community garden.
 - (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping and a structure for shade.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. Multi-modal amenity standards:
 - (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop
 - (4) Charging stations for electric vehicles
2. The number of amenities shall depend on the size of multi-family development as follows:
- a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
 - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*Proposed amenities include a clubhouse with a fitness facility, a swimming pool and spa with cabanas and an outdoor lounge area, 10-foot wide multi-use pathways and internal walking trails, a plaza, a pickleball sports court, and a bike repair station. A **BBQ area** is depicted on the site plan; Staff recommends this area is constructed as a commercial outdoor kitchen. An outdoor seating area is also depicted on the site plan; Staff recommends this area is constructed as a picnic area with tables, benches, landscaping and a shade structure. Staff also recommends a children's play structure is provided. Staff is of the opinion these upgrades and addition of an amenity is commensurate with the number of units proposed.*

E. Landscaping Requirements:

1. Development shall meet the minimum landscaping requirements in accord with [chapter 3](#), "Regulations Applying to All Districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three feet (3') wide.
 - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
 - c. Ground cover plants shall be planted in the remainder of the landscaped area.

The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping in accord with these standards.

- F. Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The Applicant shall comply with this requirement.***

Landscaping (UDC [11-3B](#)):

Street buffer landscaping, including noise abatement along future SH-16, is required to be provided with the subdivision improvements as noted above in Section V.B.

Landscaping is required to be provided along all pathways per the standards listed in UDC [11-3B-12C](#). **A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.**

Fencing: All fencing is required to comply with the standards listed in UDC 11-3A-7. A 6-foot tall solid screen fence is proposed along the northern & western boundaries of the multi-family development.

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

Conceptual building elevations were submitted for the proposed structures, included in Section VII.H. The townhomes are proposed to be 2- or 3-stories in height, the multi-family structures are proposed to be 3-stories in height, and the clubhouse if proposed to be a single-story in height; building materials consist of a mix of vertical board & batten fiber cement siding and horizontal lap siding with brick veneer siding and wood ridge beam accents, metal awnings and asphalt shingle roofing.

A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the multi-family and commercial development to ensure compliance with UDC standards and development provisions associated with this application. A Design Review application is required to be submitted for approval of the townhomes. Final design of all structures must comply with the design standards in the Architectural Standards Manual.

D. Variance (VAR):

A Variance is requested to UDC [Table 11-2A-7](#) to allow 44 of the 81 townhome lots on the eastern portion of the development to be reduced from 2,000 to 1,694 square feet. UDC 11-5B-4 allows requests to vary from the requirements with respect to lot size.

In order to grant a variance, City Council must make the findings for such, which state the variance relieves an undue hardship because of characteristics of the site; and the variance shall not be detrimental to the public health, safety and welfare per UDC 11-5B-4E.

The Applicant's narrative states there are several characteristics of the site that create an undue hardship, as follows:

- The angle of the SH-16 right-of-way determined by ITD creates a remnant parcel that is an unusual shape for development and restricts how the property can be developed.
- The Sky Pilot drain traverses through the middle of the property within a 100-foot wide easement where no structures may be located, which reduces the amount of developable space on the property.
- Ustick Road where it abuts the property will be widened to accommodate the SH-16 interchange, which reduces the amount of developable space for the property.
- McDermott Rd. will be terminated with a cul-de-sac, eliminating access from Ustick Rd. which reduces the viable uses for the property.
- McDermott Rd. is in a fixed location and must be widened to meet ACHD standards, which further reduces the amount of developable area.
- A landscape buffer is required to be provided along the northern property boundary adjacent to the light industrial use proposed on the abutting property, which also reduces the developable space for the property.

Although these characteristics do exist, Staff finds they do not prevent the Applicant from reducing the number of lots within the development in order to comply with the minimum lot size standard of 2,000 square feet. If a variance is approved, alternative compliance will also be necessary to reduce the street buffer along McDermott Road, an entryway corridor, in order to accommodate the proposed layout. Reducing the number of building lots will allow compliance with the minimum lot size standards as well as street buffers. Therefore, Staff is not supportive of the proposed variance request.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation with the requirement of a development agreement, preliminary plat and conditional use permit and denial of the requested variance with the provisions noted in Section VIII, per the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on November 3, 2022. At the public hearing, the Commission voted to recommend approval of the subject AZ, CUP and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Travis Hunter, Josh Evarts, and Todd Tucker
- b. In opposition: None
- c. Commenting: Ron Hopper, Rod Green, and Paul Elam
- d. Written testimony: Todd Tucker, Boise Hunter Homes
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: Kurt Starman

2. Key issue(s) of public testimony:

- a. Additional traffic on Ustick and McDermott Roads.
 - b. Transition of the McDermott Village development to the rural residential in the area.
 - c. Amount of development occurring in the area.
 - 3. Key issue(s) of discussion by Commission:
 - a. Timing for the construction of SH 16 and the commencement/completion of phase 1 construction.
 - b. Impacts of increased traffic on Ustick Road.
 - 4. Commission change(s) to Staff recommendation:
 - a. At Staff's recommendation, Commission modified DA provision #A.1f to read, "A 10-foot wide multi-use pathway shall be provided within the street buffers along N. Glassford Ave. adjacent to SH-16 within a 14-foot wide public use easement.
 - b. Commission modified condition of approval #10k. to replace commercial outdoor kitchen with outdoor BBQ.
 - 5. Outstanding issue(s) for City Council:
 - a. Applicant requests Council waive condition #A1.c in Section VIII that requires a 25-foot landscape buffer adjacent to the Flowers property along the west boundary of the proposed development. This request was supported by the Commission. The requirement does not apply because right-of-way will separate the subject property from the residential property.
- C. The Meridian City Council heard these items on December 13, 2022. At the public hearing, the Council moved to approve the subject AZ, CUP, PP and VAR requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: Travis Hunter, Josh Evarts, Todd Tucker
 - b. In opposition: Rod Green, Randi Bussert
 - c. Commenting: Sue Waggoner
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. Concern pertaining to increased traffic on McDermott Rd. and the safety of the Green's access via McDermott Rd.;
 - b. Concern pertaining to growth and property values in this area and affect on adjacent rural residential properties;
 - 3. Key issue(s) of discussion by City Council:
 - a. Supportive of the proposed development plan.
 - 4. City Council change(s) to Commission/Staff recommendation:
 - a. Council approved the Applicant's request to strike the portion of condition #A.1c in Section VIII that requires a buffer adjacent to the Flower's property at the west boundary of the site.
 - b. City Council approved the Variance request based on the hardship for this property created from the bisection of SH-16 and the lateral (Sky Pilot Drain) across the property.

VII. EXHIBITS

A. Annexation Legal Descriptions & Exhibit Maps



IDAHO
SURVEY
GROUP

9955 W Emerald St
Boise, ID 83704

Phone: (208) 846-8570
Fax: (208) 884-5399

McDermott Village Subdivision

Annexation

Boundary Description

Project Number 21-578 June 15, 2022

The southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the southeast corner of the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian:

Thence N89°17'49"W, 1325.58 feet along the south line of the southeast quarter of the southeast quarter to the east sixteenth-section corner;

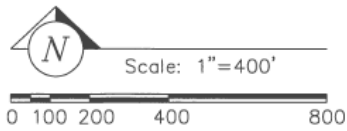
Thence N00°33'07"E, 1316.23 feet along the west line of the southeast quarter of the southeast quarter to the southeast sixteenth-section corner;

Thence S89°19'58"E, 1324.63 feet along the north line of the southeast quarter of the southeast quarter to the south sixteenth-section corner;

Thence S00°30'38"W, 1317.06 feet along the east line of the southeast quarter of the southeast quarter to the POINT OF BEGINNING.

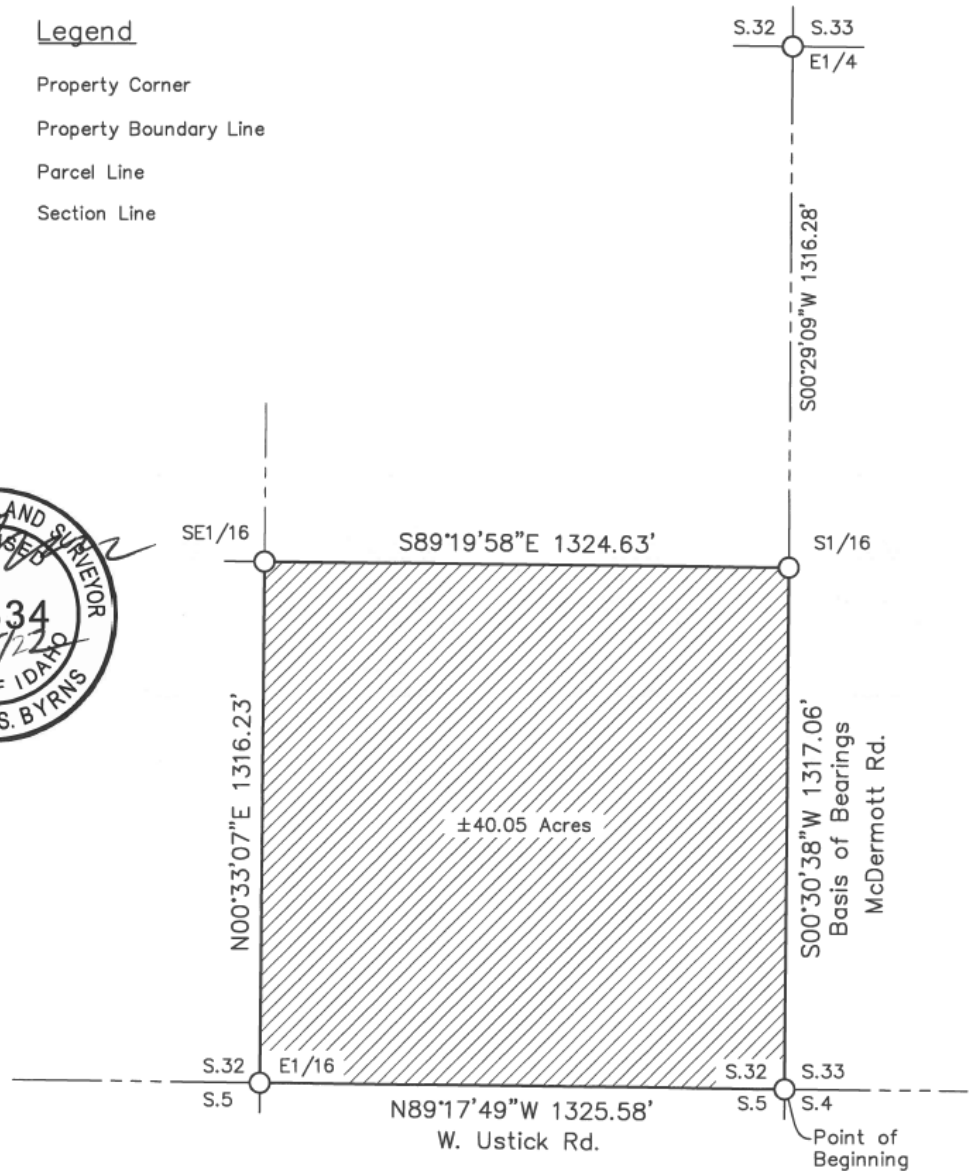
The above-described parcel contains 40.05 acres, more or less.





Legend

- Property Corner
- Property Boundary Line
- Parcel Line
- Section Line



P:\3235 N McDermott Rd Bndry 21-578\dwg\21-578 Annexation.dwg 6/15/2022 2:17:22 PM

IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	Exhibit Drawing for Annexation	Job No. 21-578
	Situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, B.M., Ada County, Idaho.	Sheet No. 1 Dwg. Date 6/15/2022



IDAHO
SURVEY
GROUP

9955 W Emerald St
Boise, ID 83704

Phone: (208) 846-8570
Fax: (208) 884-5399

McDermott Village Subdivision
Rezone C-G
Boundary Description
Project Number 21-578 August 17, 2022

A parcel of land situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the east sixteenth-section corner of Section 32, Township 4 North, Range 1 West, Boise Meridian, which bears N89°17'49"W, 1325.58 feet from the southeast corner of Section 32:

Thence N00°33'07"E, 448.20 feet along the west line of the southeast quarter of the southeast quarter;

Thence S89°17'13"E, 724.69 feet to the centerline of the future Highway 16;

Thence S09°45'00"W, 453.71 feet along the centerline of the future Highway 16 to the south line of the southeast quarter of the southeast quarter;

Thence N89°17'49"W, 652.16 feet along the south line of the southeast quarter of the southeast quarter to the POINT OF BEGINNING.

The above-described parcel contains 7.08 acres, more or less.





Legend

- Dimension Point
- Zone Boundary Line
- Parcel Line
- Section Line
- Center Line



8/17/2022 9:18:58 AM, 8/17/2022 9:18:58 AM, 8/17/2022 9:18:58 AM, 8/17/2022 9:18:58 AM

 IDAHO SURVEY GROUP, LLC 8800 W. EMERALD CT. BOISE, IDAHO 83704 (208) 844-4071	Exhibit Drawing for C-G Rezone Situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, S.M., Ada County, Idaho.	Job No. 21-578
		Sheet No. 1 Dwg. Date 8/17/2022



IDAHO
SURVEY
GROUP

9955 W Emerald St
Boise, ID 83704

Phone: (208) 846-8570
Fax: (208) 884-5399

McDermott Village Subdivision

Rezone R-15

Boundary Description

Project Number 21-578 August 17, 2022

A parcel of land situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the southeast corner of Section 32, Township 4 North, Range 1 West, Boise Meridian:

Thence N89°17'49"W, 673.42 feet along the south line of the southwest quarter of the southwest quarter to the centerline of the future Highway 16;

Thence N09°45'00"E, 1333.35 feet along the centerline of the future Highway 16 to the north line of the southeast quarter of the southeast quarter;

Thence S89°19'58"E, 459.33 feet along the north line of the southeast quarter of the southeast quarter to the south sixteenth-section corner;

Thence S00°30'38"W, 1317.06 feet along the east line of the southeast quarter of the southeast quarter to the POINT OF BEGINNING.

The above-described parcel contains 17.12 acres, more or less.





Legend

- Dimension Point
- Zone Boundary Line
- Parcel Line
- Section Line
- Center Line



© 1/2022, R. McDermott, Rd. Bdry. 21-578, Area 001-549, Report 04-763, Re-Use, 8/17/2022, 5:15:07 PM

 IDAHO SURVEY GROUP, LLC 8001 NW FIVE BALD ST. BOISE, IDAHO 83704 (208) 344-0094	Exhibit Drawing for		Job No.
	R-15 Rezone		21-578
			Sheet No.
		1	
Situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, B.M., Ada County, Idaho.			Dwg. Date
			8/17/2022



IDAHO
SURVEY
GROUP

9955 W Emerald St
Boise, ID 83704

Phone: (208) 846-8570
Fax: (208) 884-5399

**McDermott Village Subdivision
Rezone R-40**

Boundary Description

Project Number 21-578 August 17, 2022

A parcel of land situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at the southeast corner of Section 32, Township 4 North, Range 1 West, Boise Meridian;

Thence N89°17'49"W, 1325.58 feet along the south line of the southeast quarter of the southeast quarter to the east sixteenth-section corner;

Thence N00°33'07"E, 448.20 feet along the west line of the southeast quarter of the southeast quarter to the POINT OF BEGINNING;

Thence continuing N00°33'07"E, 868.03 feet along the west line of the southeast quarter of the southeast quarter to the southeast sixteenth-section corner;

Thence S89°19'58"E, 865.29 feet along the north line of the southeast quarter of the southeast quarter to the centerline of the future Highway 16;

Thence S09°45'00"W, 879.64 feet along the centerline of the future Highway 16;

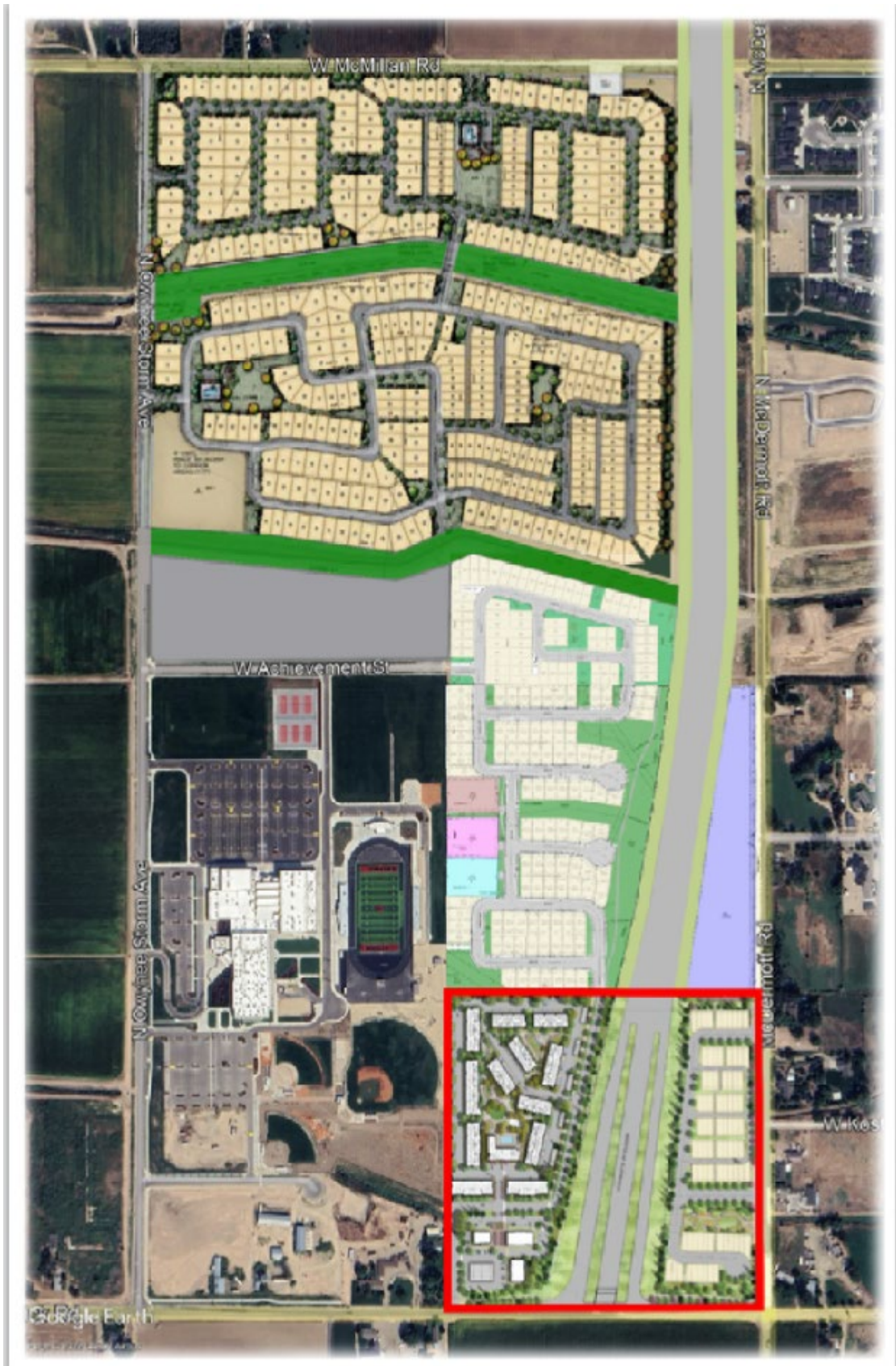
Thence N89°17'13"W, 724.69 feet to the POINT OF BEGINNING.

The above-described parcel contains 15.85 acres, more or less.



B. Conceptual Development Plan, Overall Development Plan in the Vicinity & Concept Data





Ustick/ McDermott Residential

Meridian, ID

Zoning Summary:

Site Area:		Site 3: (TH)	
Site 1: (Multifamily)	12.19 AC	Site 3: (TH)	10.4 AC
Site 2: (Retail/ C-store)	3.89 AC	Highway (N.A.P.):	13.9 AC
Current:		Proposed:	
Current Zoning:	RUT Rural, Urban Transitional	Proposed Zoning (MF):	R-40 (change)
Max. Density:	43.56 du/AC (1,000 sf/du)	Proposed Density:	20.5 du/AC
Setbacks Required:		Setbacks Proposed:	
Rear:	12'	Rear:	20' min.
Side Int:	3'	Side Int:	10' min.
Street Setback to Garage Required:	Local: 20'	Street Setback to Garage Proposed:	Local: 20' min.
Street Setback to Living Required:	Local: 10'	Street Setback to Living Proposed:	Local: 20' min.
Street Landscape Buffer Required:	Local: n/a	Street Landscape Buffer Proposed:	Local: 20' min.
Max. Height:	60'	Proposed Height:	+/-41'-9"

Gross SF Data:

Multifamily:	Fir.-to-Fir. Height:	Bldg. GSF + deck	Bldg. GSF	Bldg. Net SF	Eff. #	# Unit per floor
Level 1:	10'-2"	116,413	112,413	47,436	42%	50
Level 2:	10'-2"	116,750	108,750	95,181	88%	100
Level 3:	11'-2"	113,638	105,638	95,181	90%	100
Roof:	10'-3"					
Total:	41'-9"	345,801	326,801	237,798	73%	250

Commercial Data:

C-store:	5,549
Retail 1:	3,407
Retail 2:	6,117
Level 1:	15,073

Common Open Space Summary:

Common Open Space Required:				Common Open Space Proposed:			
Baseline:	#	ratio	total	Ground Level:	total		
10% of site:	452,131	10%	45,213 sf		82,553		
					30,710		
Multifamily:	#	ratio	total		17,324		
Units <500 sf:	0	150	-		13,629		
Units 500<1200 sf:	211	250	52,750				
Units >1200 sf:	39	350	13,650				
Subtotal Required:	250		66,400 sf				
Subtotal MF Required:			111,613 sf	Subtotal MF Provided:	144,730 sf		
TH/C-store:	# sf	ratio	total	Ground Level:	total		
5% of site:	169,448	5%	8,473	Plaza:	11,447		
Subtotal Required:			8,473 sf	Subtotal Provided:	16,497 sf		

**Note: Data is schematic and subject to update as more information is known

Pivot North Architects

05/25/2022

Unit Summary:

	#	NSF*	DECK	Net-deck	NSF	SUBTOTAL:	%
1A	87	719	80	799			
1B	10	835	80	515			
Subtotal 1- bed	97	731			70,903		38.8%
2A	58	1,099	80	1,089			
2B	18	1,117	80	1,197			
2C	38	1,004	80	1,084			
Subtotal 2- bed	114	1,024			116,780		45.6%
3A	39	1,285	80	1,365			
Subtotal 3- bed	39	1,285			50,115		15.6%
TOTAL:	250	951 ave.			237,798	sf	

*Notes: Data taken to inside face of exterior / corridor / unit walls

Parking Summary:

Parking Required:				Parking Proposed:			
	#	ratio	total			total	
1-bed	97	1.5	146	Garage:		139	
2-bed	114	2	228	Carport:		81	
3-bed	39	2	78	Standard:		30	
Guest	250	0.1	25	Parking Pad:		62	
				HC:		10	
Amenity:	9,000	1/500	18	Amenity:		18	
Subtotal Multifamily:			477	Parallel Street:		25	
Covered:		1:1	250	Subtotal Multifamily:		477	
	#	ratio	total	Covered:		250	
C-store:	5,549	1:500 sf	12				
Retail 1:	3,407	1:500 sf	7	Retail:		51	
Retail 2:	6,117	1:500 sf	13	HC:		3	
Subtotal C,ct:			32	Subtotal Cmt:		54	

Bike Parking Summary:

Bike Parking Required:				Bike Parking Proposed:			
	#	ratio	total			total	
Multifamily:	477	1:25	20	Covered/Secured:		20	
Total Required:			20	Total Provided:		20	

CONCEPT DATA

McDermott Multifamily

Ustick & McDermott, Meridian ID
PNa JOB # 21-0XX

05.25.2022



C. Preliminary Plat (date: 10/25/2021) & Conceptual Phasing Plan

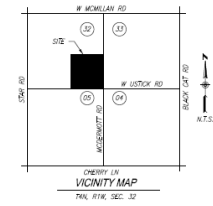
MCDERMOTT VILLAGE PRELIMINARY PLAT

A PORTION OF THE SE $\frac{1}{4}$ OF SECTION 32,
TOWNSHIP 4 NORTH, RANGE 1 WEST
ADA COUNTY, IDAHO

OWNER/DEVELOPER
WOODSIDE ACQUISITION, LLC
925 S. SHENANDOAH BLVD.
EAST ID. 83616
TEL: (208) 377-4500
CONTACT: JIM HEATER

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
1100 N. EMERY STREET
BOISE, ID. 83725
PHONE: (208) 424-4147
CONTACT: TAYLOR HANSEN, PE

LAND SURVEYOR
DAVID SURVEY GROUP
P.O. BOX 61644
BOISE, ID. 83724
PHONE: (208) 333-8888
CONTACT: NICHOLAS EVANS



PRELIMINARY PLAT DATA

EXISTING ZONING: RUT
PROPOSED ZONING:

PROPOSED ZONE	GROSS ACRES	NET DEVELOPABLE ACRES (AD)	NUMBER OF BUILDABLE LOTS	NUMBER OF COMMON LOTS	MINIMUM LOT SIZE (SF)	AVERAGE LOT SIZE (SF)	RESIDENTIAL GROSS DENSITY (DUA/D)	RESIDENTIAL NET DENSITY
R-10	10.51	7.48	81	7	1738	2705	7.71	10.83
R-40	12.19	11.11	1 (200 UNITS)	1	20000	24200	20.00	22.50
CD	3.80	3.75	3	0	29000	40750	N/A	N/A
MD-10	13.55	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL	40.05	21.79	85	8	N/A	N/A	14.58	17.80

PRELIMINARY PLAT NOTES

1. BUILDING SETBACKS AND MINIMUM DISTANCES IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
2. THE TOTAL ELEVATION OF BUILDING FOOTINGS SHALL BE AT A MINIMUM OF 12 INCHES ABOVE THE HIGHEST EXISTING FLOOD PROJECTIONS ELEVATION.
3. ANY REQUIREMENTS OF THIS PLAT SHALL COMPLY WITH THE MOST RECENTLY APPROVED SUBDIVISION STANDARDS OF THE CITY OF MERIDIAN AT THE TIME OF THE SUBDIVISION.
4. ALL LOT LINES CORRELATE TO ADJACENT STREETS, THE HIGHEST DESIGNATED TO HAVE A 100' (100') FEET EASEMENT EASEMENT FOR ROAD, ROUTE, FLOODING, AND LOT CORRELATION, UNLESS OTHERWISE INDICATED.
5. FRONT, REAR, AND SIDE YARD EASEMENT LOCATIONS AND WIDTHS TO BE DETERMINED WITH PLAT.
6. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
7. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
8. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
9. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
10. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
11. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
12. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
13. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
14. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
15. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
16. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
17. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
18. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
19. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.
20. THE EASEMENT OF ANY EASEMENT AND OR EASEMENT CROSSING A LOT IN THE SUBDIVISION OF THE LOT LINE SHALL BE IN COMPLIANCE WITH TITLE 17, IDAHO, CITY CODE, UNLESS OTHERWISE NOTED BY COMMISSIONER OF LAND.

SHEET NUMBER	SHEET TITLE
01	PRELIMINARY PLAT COVER
02	PRELIMINARY PLAT
03	PRELIMINARY PLAT
04	EXISTING CONCRETE PLAN SINGLE-FAMILY
05	EXISTING CONCRETE PLAN SINGLE-FAMILY
06	EXISTING CONCRETE PLAN MULTIFAMILY
07	EXISTING CONCRETE PLAN MULTIFAMILY
08	EXISTING CONCRETE PLAN MULTIFAMILY
09	PRELIMINARY BUILDING PLAN SINGLE-FAMILY
10	PRELIMINARY BUILDING PLAN SINGLE-FAMILY
11	PRELIMINARY BUILDING PLAN MULTIFAMILY
12	PRELIMINARY BUILDING PLAN MULTIFAMILY
13	PRELIMINARY BUILDING PLAN MULTIFAMILY
14	PRELIMINARY BUILDING PLAN MULTIFAMILY
15	PRELIMINARY BUILDING PLAN MULTIFAMILY
16	PRELIMINARY BUILDING PLAN MULTIFAMILY
17	PRELIMINARY BUILDING PLAN MULTIFAMILY
18	PRELIMINARY BUILDING PLAN MULTIFAMILY
19	PRELIMINARY BUILDING PLAN MULTIFAMILY
20	PRELIMINARY BUILDING PLAN MULTIFAMILY

LEGEND

---	PROPOSED CL/SECTION LINE
---	PROPERTY BOUNDARY
---	ROAD RIGHT OF WAY
---	LIT LINE
---	EXISTENT
---	PROPOSED 1" EASEMENT
---	PROPOSED 1" EASEMENT (ST. CODE)
---	PROPOSED CURB
---	PROPOSED REAR YARD
---	EXISTING FIRE HYDRANT
---	EXISTING SEWER MAIN
---	EXISTING WATER MAIN
---	EXISTING IRRIGATION MAIN
---	EXISTING EASE OF EASEMENT
---	EXISTING FENCE
---	EXISTING OVERHEAD POWER

Kimley-Horn

SCALE: 1" = 40' (AS SHOWN)
DESIGNED BY: T.H.
CHECKED BY: T.H.
DATE: 10/25/2021

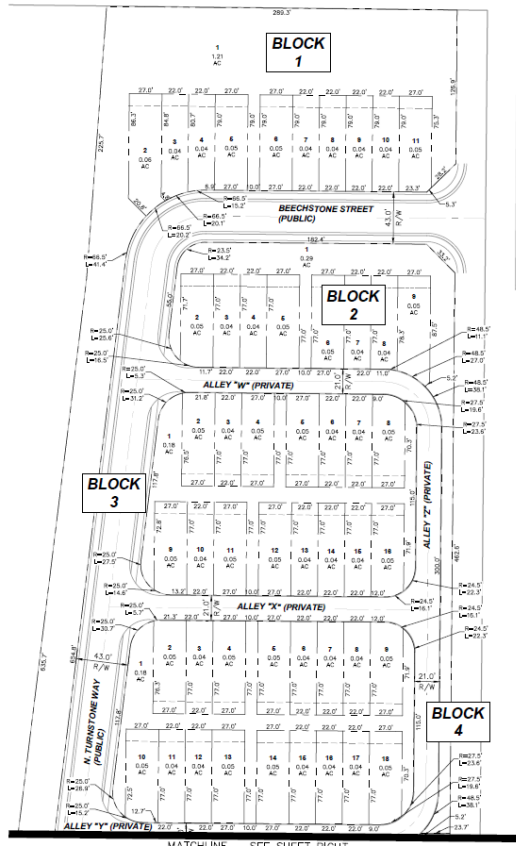
MCDERMOTT VILLAGE
PRELIMINARY PLAT COVER
MERIDIAN, IDAHO



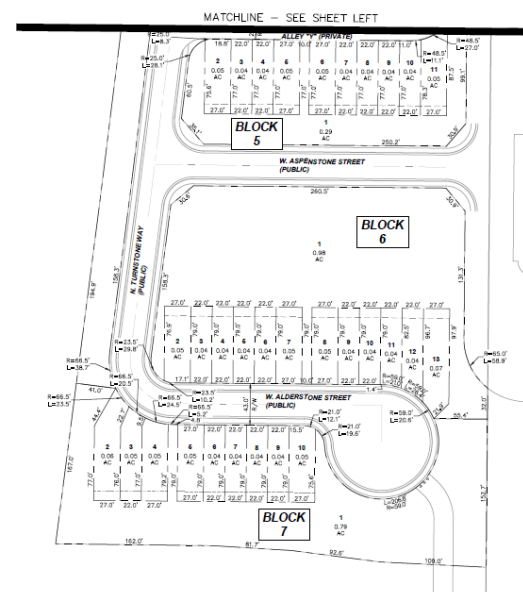
PROJECT NO. 03190000

DRAWING NAME: PPD1.dwg

01 of 17



MATCHLINE - SEE SHEET RIGHT



MATCHLINE - SEE SHEET LEFT

Kimley»Horn

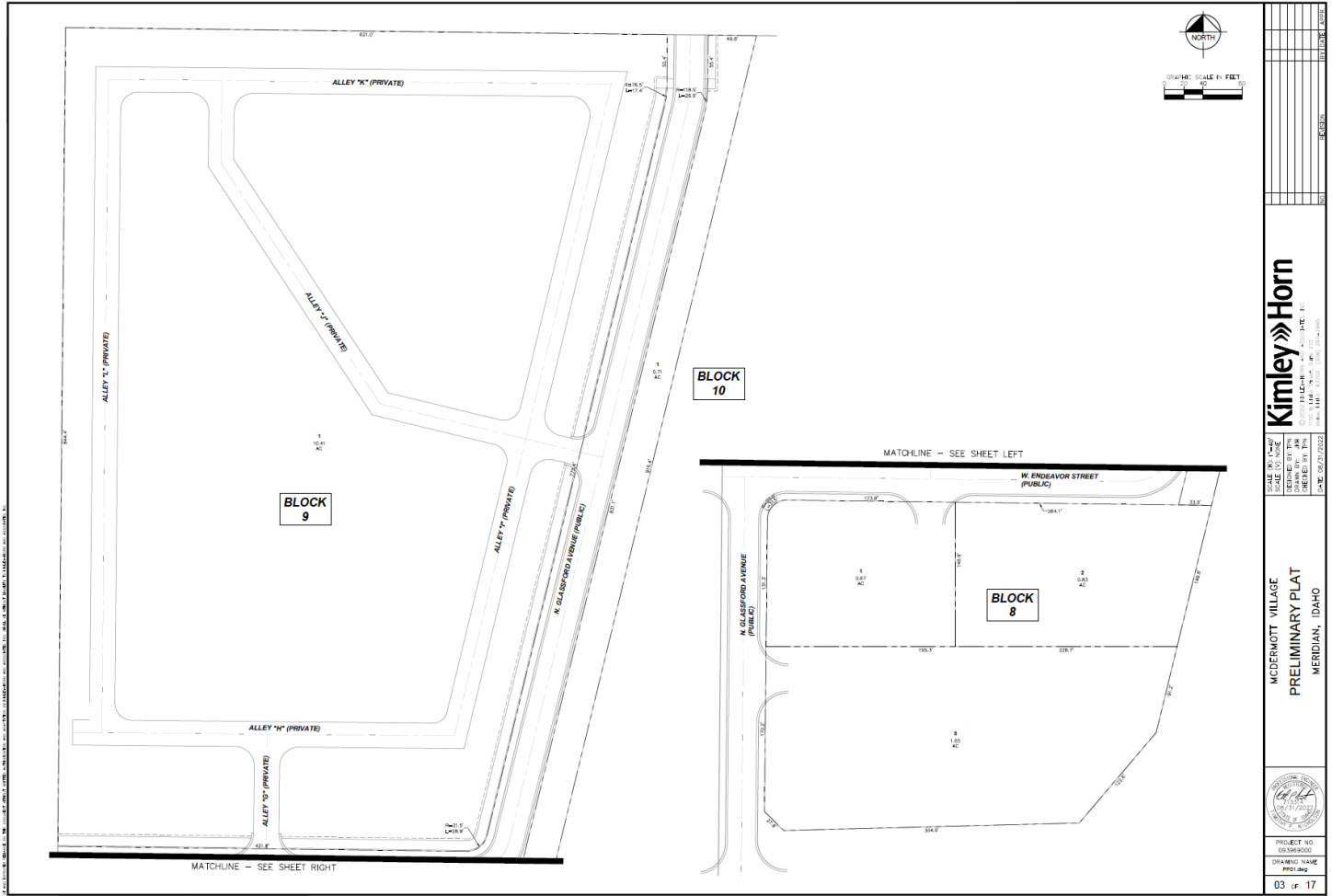
SCALE: 1"=40'
DATE: 08/27/2022
DRAWN BY: JH
CHECKED BY: JH
PROJECT NO.: 093969000

MCDERMOTT VILLAGE
PRELIMINARY PLAT
MERIDIAN, IDAHO



PROJECT NO.: 093969000
DRAWING NAME: PRELIM

02 of 17



Kimley»Horn

DATE: 05/17/2022
 DRAWN BY: JH
 CHECKED BY: JH
 SCALE: 1" = 40'

MCDERMOTT VILLAGE
 PRELIMINARY PLAT
 MERIDIAN, IDAHO



PROJECT NO.: 03184000
 DRAWING NAME: PRELIM PLAT
 03 OF 17



1 CONCEPTUAL PHASING PLAN

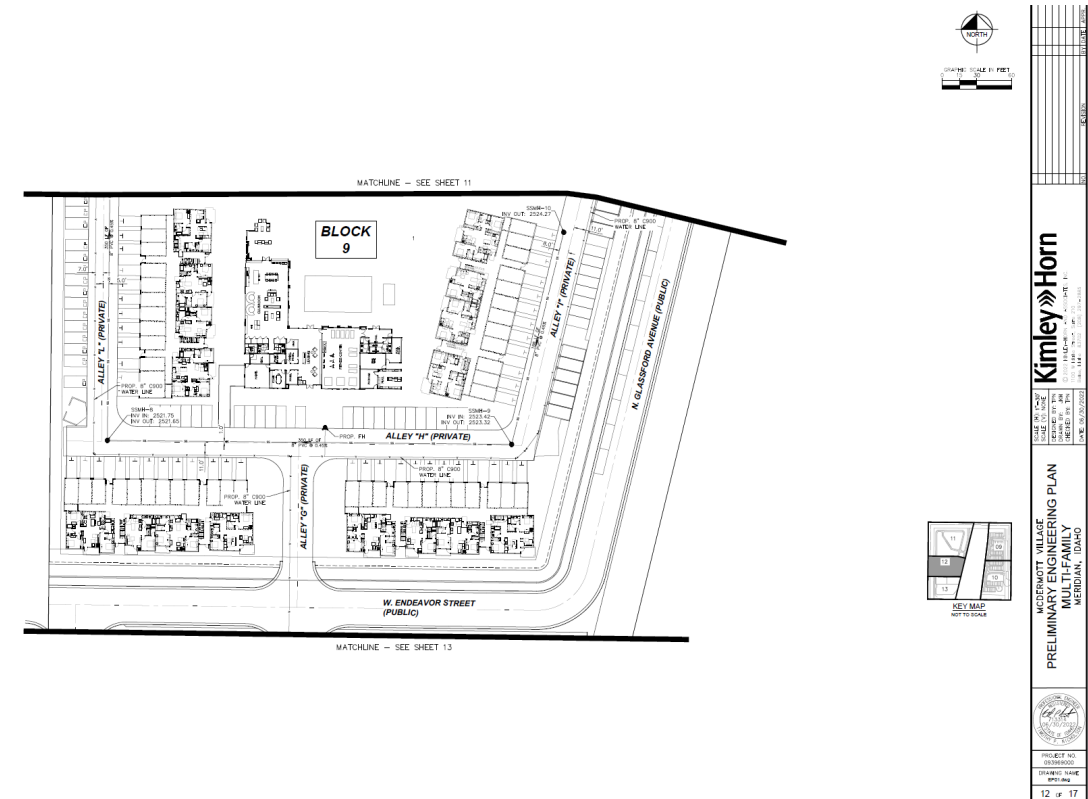
L-005
08/30/2022

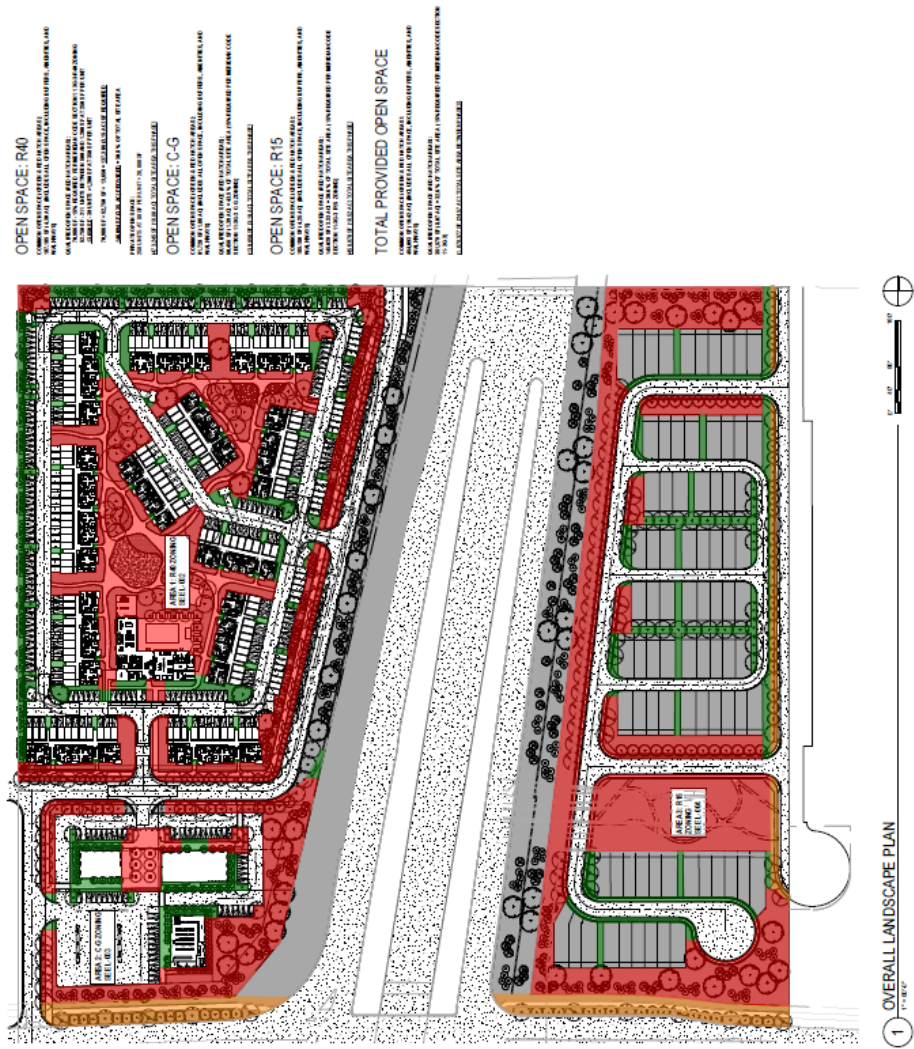
GGLO **pivot north**
ARCHITECTURE

McDermott and Ustick, MERIDIAN, ID
2022014.01

McDermott Mixed-Use

D. CUP Site Plan for Multi-Family Development (dated: 6/30/2022)







PRELIMINARY PLAT OPEN SPACE, AMENITY, &
STREET TREE CALCULATIONS - C-G

McDermott Mixed-Use

[illegible]

TO ORDER THE CASE TO BE REOPENED
THE REASON MUST BE TOTAL EVIDENCE FAILURE
ON THE PROSECUTOR'S CASE

[illegible][illegible]

1. **NAME OF THE COMPANY:** TOTAL SERVICE MANAGEMENT SERVICES
2. **ADDRESS:** 10000 WILLOW CREEK DRIVE, SUITE 100, DALLAS, TX 75243
3. **PHONE:** (214) 343-1111
4. **FAX:** (214) 343-1111
5. **E-MAIL:** info@total-service.com
6. **WEBSITE:** www.total-service.com
7. **INDUSTRY:** INFORMATION TECHNOLOGY
8. **PRODUCTS:** IT SUPPORT, NETWORK MANAGEMENT, SECURITY, COMPLIANCE, CLOUD SERVICES
9. **MARKETING CHANNELS:** DIRECT SALES, PARTNERSHIPS, REFERRALS
10. **COMPETITORS:** ACCEL, ADVA, ALTIMETRIQ, ARCADIS, BROADCOM, CUMULUS, DUKAKIS, ETC.

[illegible][illegible][illegible]

LANDSCAPE PLAN - OPEN SPACE DIAGRAM - R15

PRELIMINARY PLAT OPEN SPACE, AMENITY, &
STREET TREE CALCULATIONS - R15

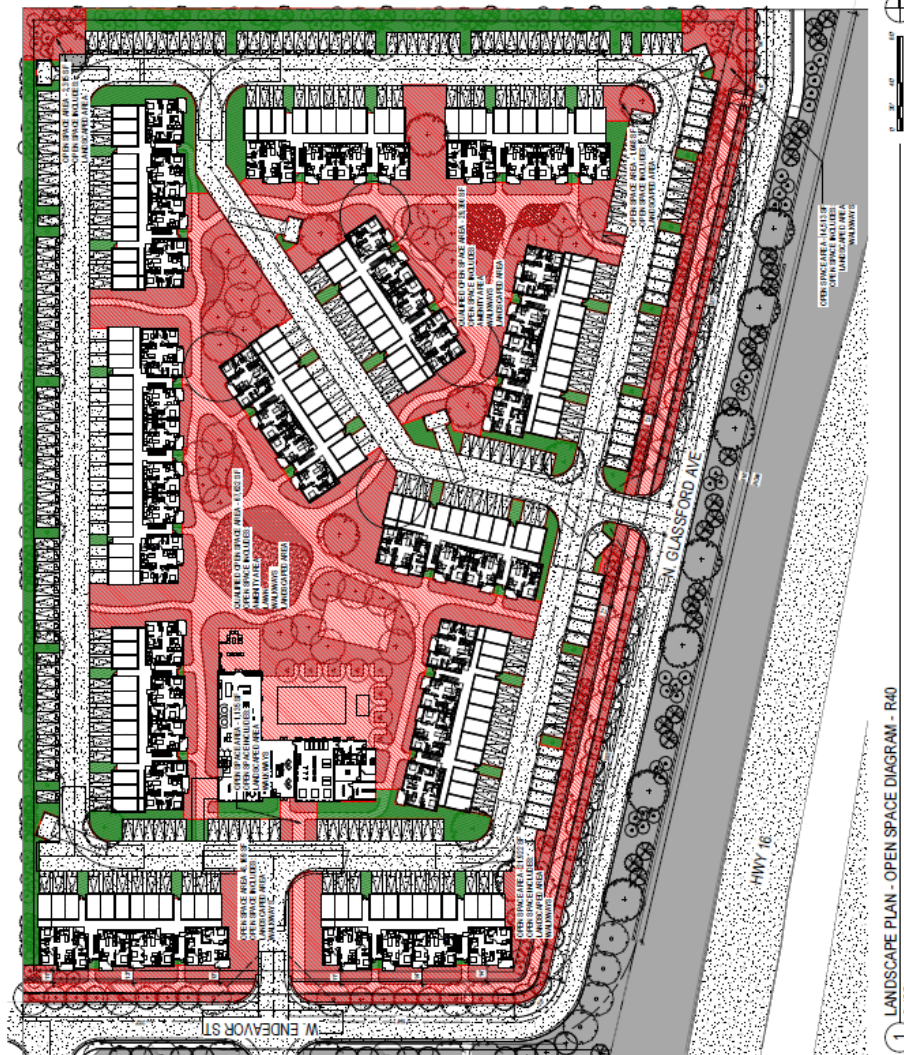
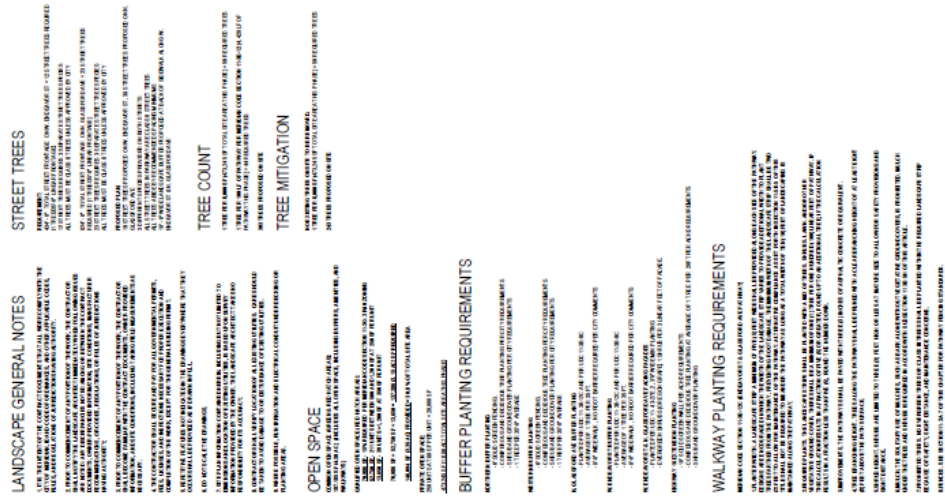
SCALE: 1"=40'-0" @ 24X36

McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
2022014.01

GGLO pivot north

F. Open Space Exhibit (dated: 6/30/2022)



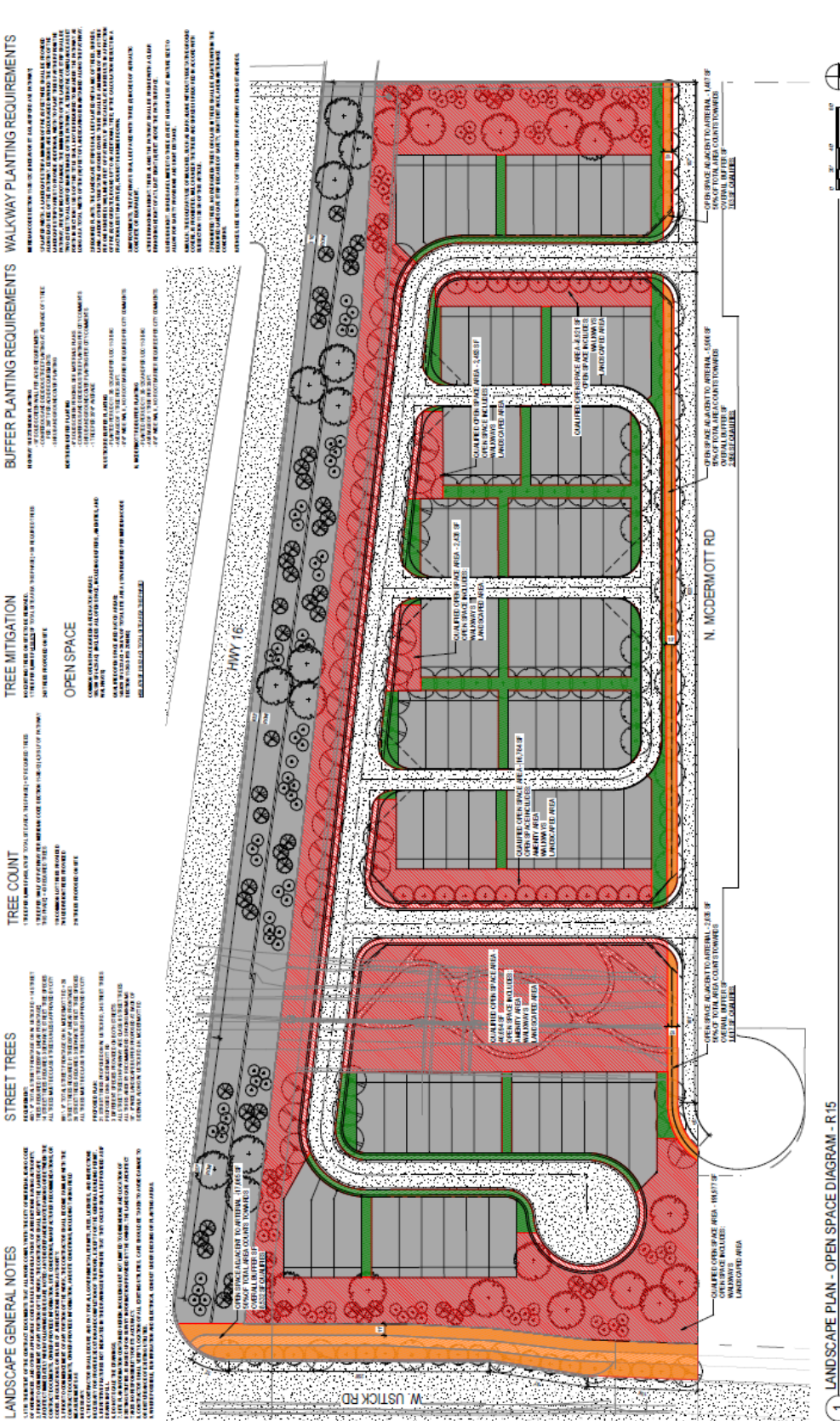


McDermott Mixed-Use

WALSH, THE DEPUTY CHIEF OF POLICE, TOLD JAMES A. AND MARY ANN O'NEILL THAT THEY WOULD BE PROSECUTED, BECAUSE THEY HAD NOT REPORTED TO THE POLICE THE ACCIDENT WITHIN THE 10-DAY PERIOD.

THE UNIVERSITY OF CHICAGO PRESS

GGLO pivot north
ARCHITECTURE



1 LANDSCAPE PLAN - OPEN SPACE DIAGRAM - R15

PRELIMINARY PLAT OPEN SPACE, AMENITY, & STREET TREE CALCULATIONS - R15

McDermott Mixed-Use

McDermott and Ustick, Meridian, ID

2022014.01

SCALE: 1" = 40'-0" @ 24336

GGLO pivotnorth

ARCHITECTURE

L-004

06/30/2022

↑ 01 16 29 2022



pivot north
ARCHITECTURE

Ustick & McDermott, Meridian ID
PNa JOB # 21-0XX

McDermott Multifamily



H. Conceptual Building Elevations & Perspectives for Residential (dated: 6/30/22)

Townhomes:



Multi-Family Development – Apartment & Amenity Buildings:



VIEW 1. VIEW TO RESIDENT ENTRY, LOOKING NORTH



VIEW 2. VIEW TO AMENITY BUILDING



VIEW 3. VIEW TO POOL DECK



VIEW 4. VIEW TO FITNESS CENTER/ CLUBROOM AND POOL

CONCEPT IMAGERY

McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
P/N Job # 21-059

v1
06.30.2022

pivot north
ARCHITECTS



VIEW 5. VIEW TO RESIDENT BUILDING, LOOKING NORTH WEST



VIEW 6. VIEW TO RESIDENT BUILDING, LOOKING SOUTH EAST



VIEW 7. VIEW TO RESIDENT COMMUNITY FROM FUTURE HIGHWAY



VIEW 8. AERIAL VIEW TO AMENITY BUILDING

CONCEPT IMAGERY

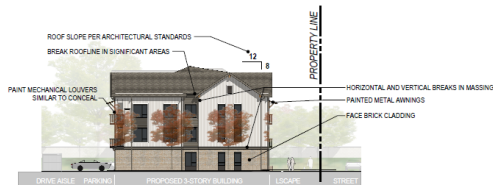
McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
PNa JOB # 21-059

v2
06.30.2022
pivot north
ARCHITECTURE



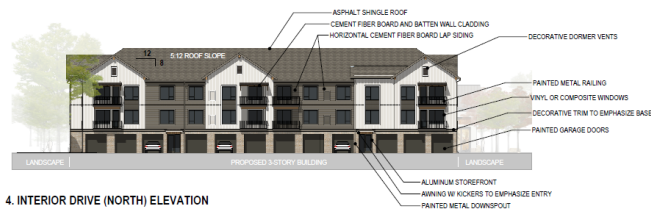
1. STREET (NORTH) ELEVATION



2. STREET (WEST) ELEVATION



3. HWY16 (EAST) ELEVATION



4. INTERIOR DRIVE (NORTH) ELEVATION

CONCEPT ELEVATION VIEWS

SCALE: 1/16" = 1'-0" @ 24x36

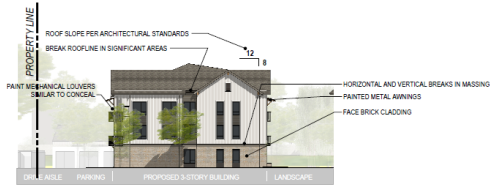
McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
PNa JOB # 21-059

01
06.30.2022
pivot north
ARCHITECTURE



1. OPEN SPACE (SOUTH) ELEVATION



2. (WEST) ELEVATION



3. (EAST) ELEVATION



4. INTERIOR DRIVE (NORTH) ELEVATION

CONCEPT ELEVATION VIEWS

SCALE: 1/16" = 1'-0" @ 24x36

McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
PNa JOB # 21-059

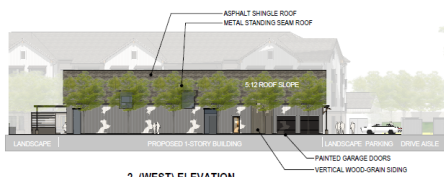
02

06.30.2022

pivot north
ARCHITECTURE



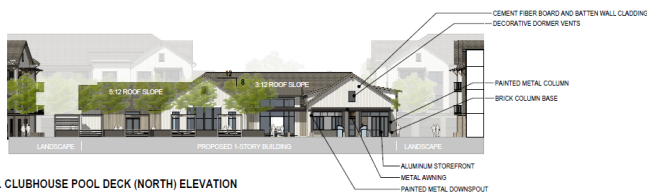
1. CLUBHOUSE ENTRY (SOUTH) ELEVATION



2. (WEST) ELEVATION



3. (EAST) ELEVATION



4. CLUBHOUSE POOL DECK (NORTH) ELEVATION

CONCEPT ELEVATION VIEWS

SCALE: 1/16" = 1'-0" @ 24x36

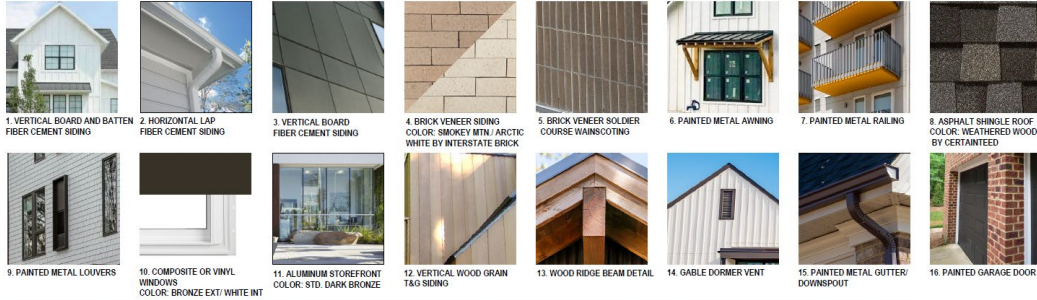
McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
PNa JOB # 21-059

03

06.30.2022

pivot north
ARCHITECTURE



NOTE:
NUMBERS DENOTE MATERIALS
LETTERS DENOTE COLORS

NOTE:
ALL MATERIALS AS NOTED OR OWNER
APPROVED EQUAL

CONCEPT DETAIL/ MATERIAL BOARD

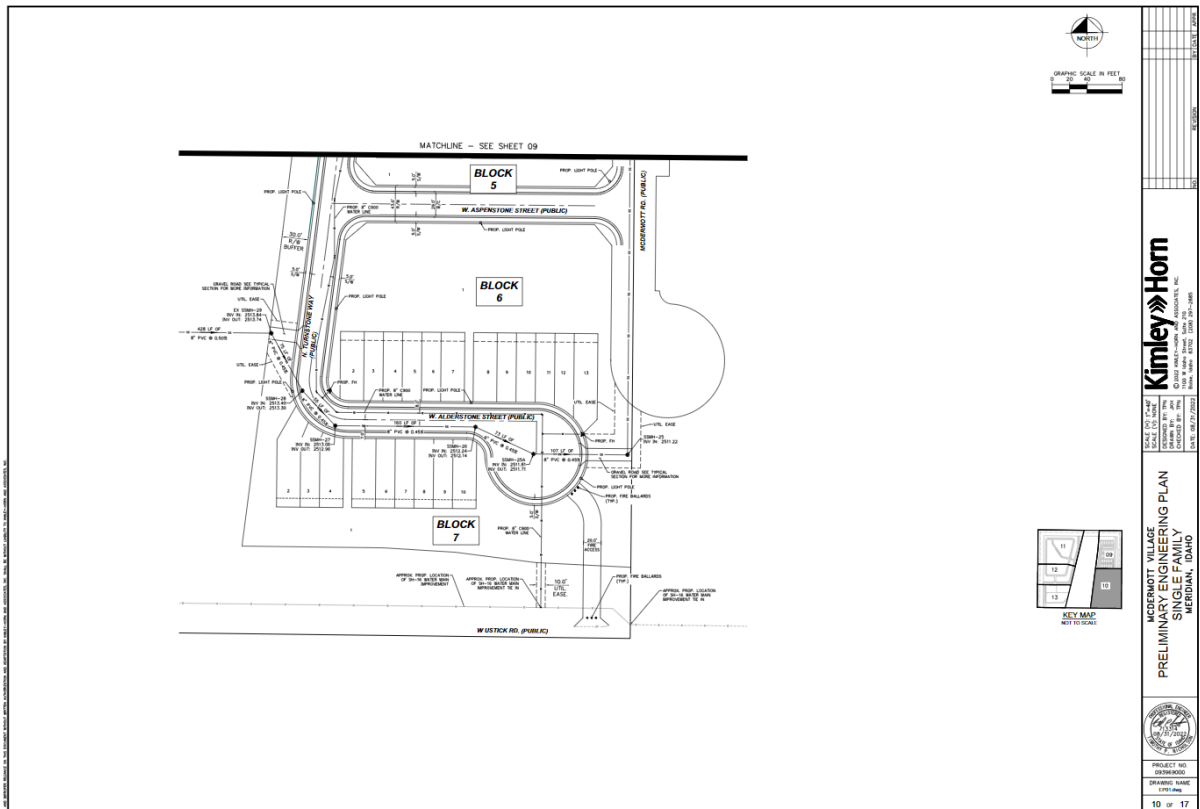
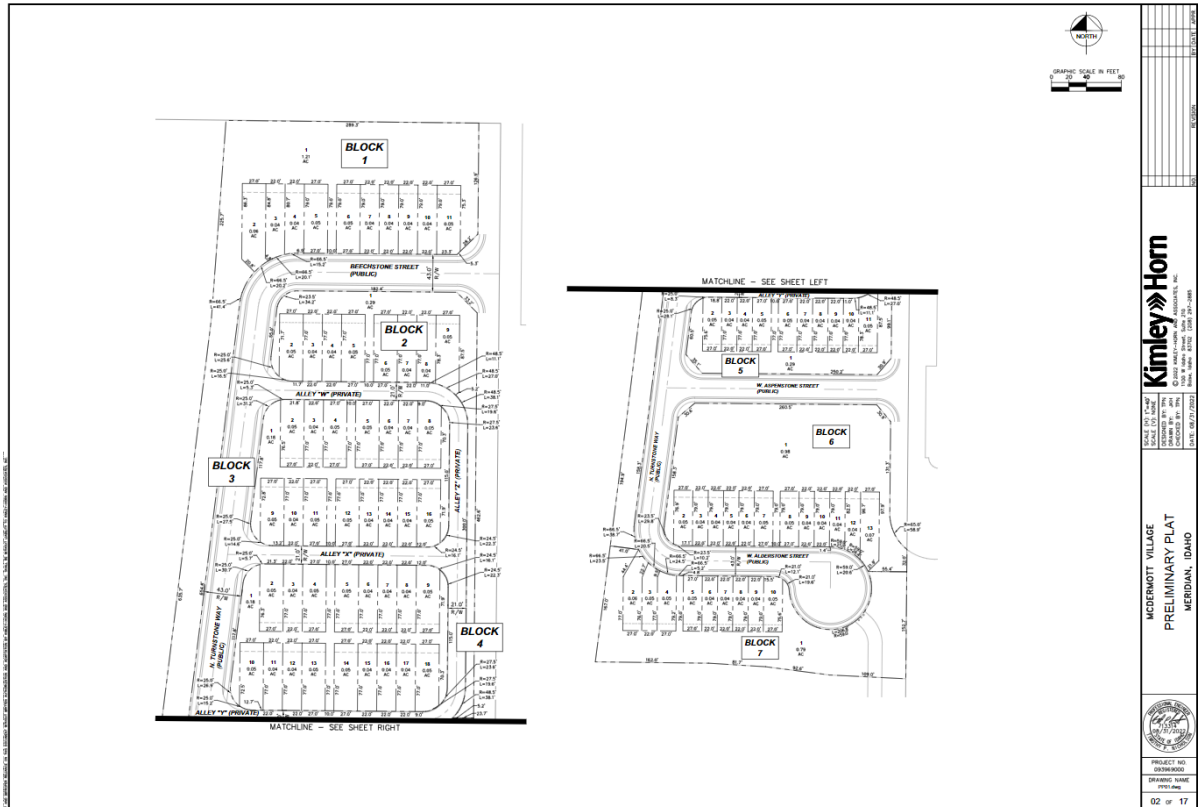
McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID
PNa JOB # 21-059

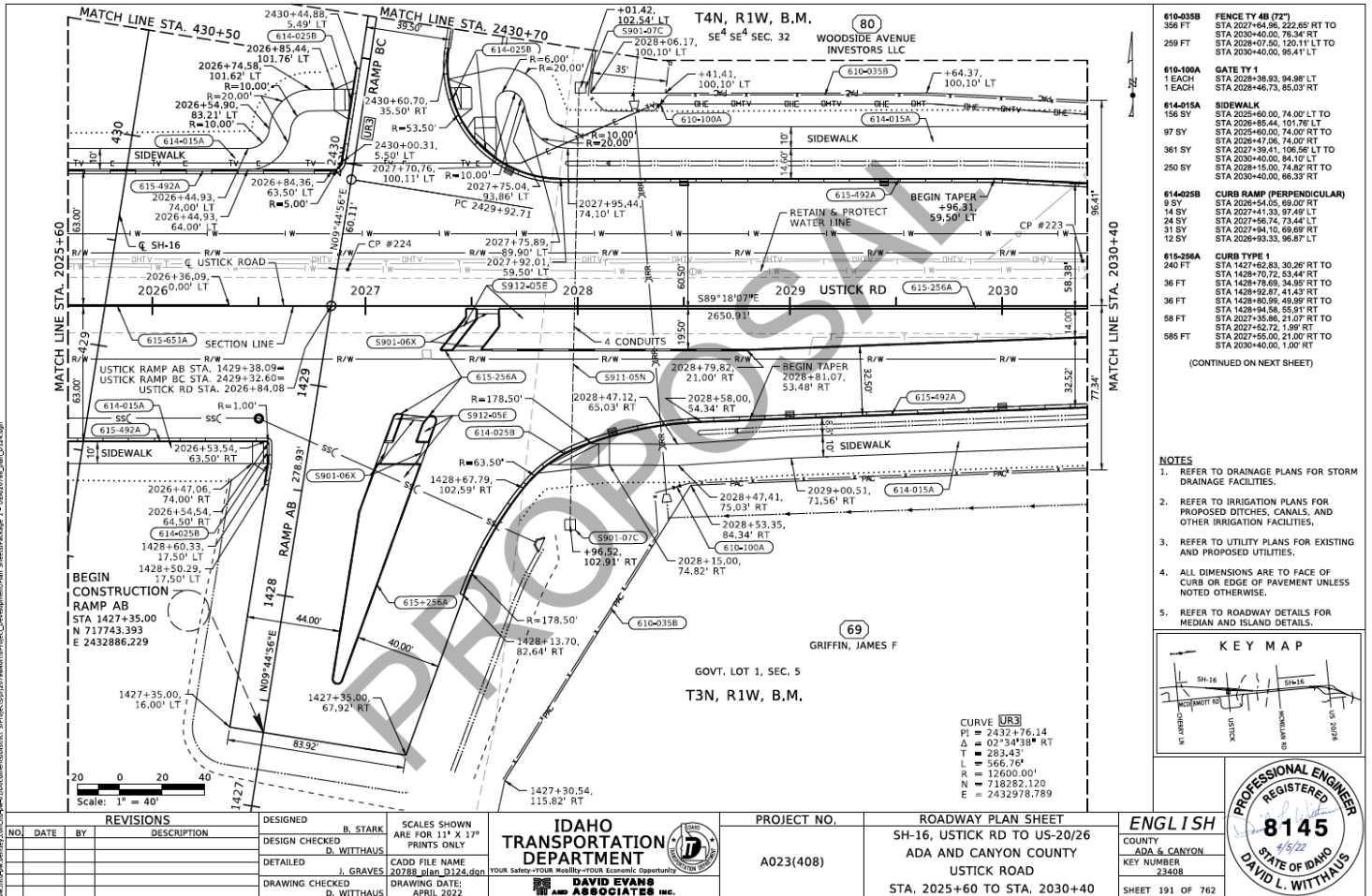
06.29.2022
pivotnorth
ARCHITECTURE

XX

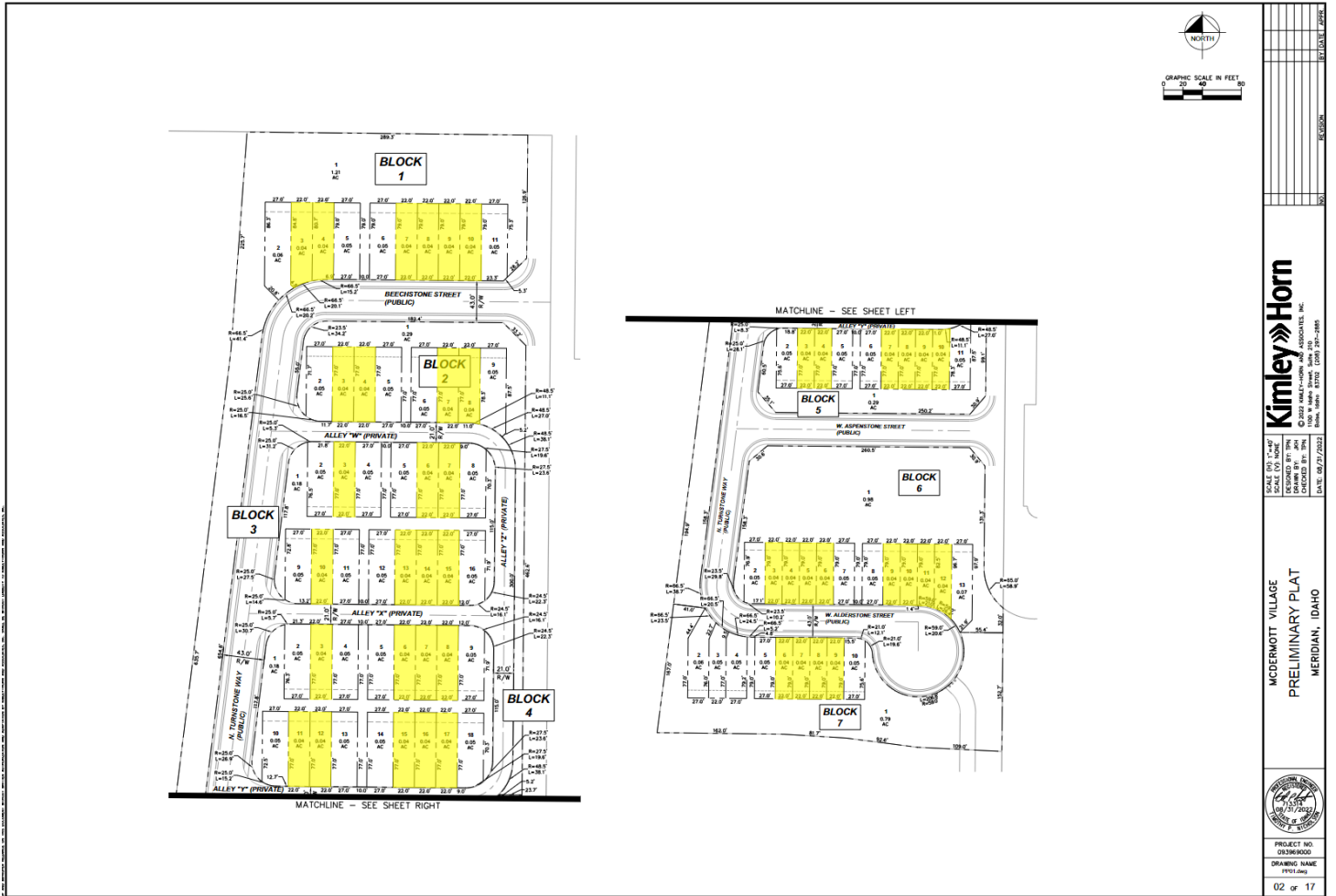
I. Emergency Access Exhibit Approved by Fire Department



J. ITD's Plan for the Ustick Rd./SH-16 Interchange



K. Lots allowed to be reduced in size with Variance request



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, the property owner(s) at the time of annexation ordinance adoption, and the developer.

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

- a. Development of the subject property shall be generally consistent with the conceptual development plan, site plan, preliminary plat, conceptual phasing plan, landscape plan, open space and site amenity exhibits, and conceptual building elevations submitted with the application contained herein.
- b. The two (2) commercial buildings proposed on the northern portion of the site shall be arranged to create some form of common, usable gathering area, such as a plaza or green space as depicted on the conceptual development plan in accord with the mixed-use guidelines in the [Comprehensive Plan](#) (see pg. 3-13).
- c. A minimum 25-foot wide buffer shall be provided on the C-G zoned property to the ~~adjacent residential use to the west (Flower #S0432438850) and to the future multi-family residential uses in this development as set forth in UDC [Table 11-2B-3](#), unless such width is otherwise modified by City Council at a public hearing with notice to surrounding property owners as set forth in UDC [11-3B-9C.2](#). The buffer shall be landscaped in accord with the standards listed in UDC [11-3B-9C](#). *Note: If the land use on the Flower property changes to non-residential prior to development of the subject property, a buffer to residential uses is not required.*~~
- d. Noise mitigation shall be provided within the buffers along future SH-16 in accord with the standards listed in UDC [11-3H-4D](#) for residential uses adjoining a state highway.
- e. Private streets shall be required within the multi-family development for addressing purposes and shall comply with the standards listed in UDC [11-3F-4](#). The private street application shall be submitted prior to or concurrently with the final plat application.
- f. A 10-foot wide multi-use pathway shall be provided within the street buffers along N. Glassford Ave. adjacent to SH-16 within a 14-foot wide public use easement.
- g. The final plat shall be recorded prior to issuance of building permits for any structures within this development.
- h. All future structures constructed on this site shall comply with the applicable design standards contained in the Architectural Standards Manual.

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. Include a note granting cross-access/ingress-egress easements between all commercial lots in the subdivision via a note on the final plat or a separate recorded easement.
 - b. Depict all street landscape buffers in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association or business

owners' association as set forth in UDC [11-3B-7C.2a](#). *A minimum 35-foot wide buffer is required along future SH-16 and the interchange and along N. McDermott Rd., entryway corridors; a minimum 25-foot wide buffer is required along the western portion of W. Ustick Rd., an arterial street; and a minimum 10-foot wide buffer is required along local streets in the C-G zoning district, measured per the standards listed in UDC [11-3B-7C.1](#).*

- c. Depict the easements for all waterways (i.e. the Sky Pilot Drain, the Eight Mile Lateral and the Noble Lateral) on the site; structures shall not encroach within these easements. *A License Agreement is required with NMID for any encroachments within the easements. If the location of the Eight Mile lateral changes, the new location shall be depicted on the plat.*
 - d. All R-15 zoned lots shall be a minimum of 2,000 square feet as set forth in UDC [Table 11-2A-7](#) *except for the 44 lots approved to be reduced to 1,694 square feet with approval of the Variance request (see exhibit in Section VII. K for specific lots affected by the variance).*
 - e. Graphically depict zero (0) lot lines on the internal lot lines where the townhomes are proposed (i.e. where structures will span across lot lines).
3. The landscape plan submitted with the final plat shall be revised as follows:
- a. Depict the bollards proposed to restrict access to the emergency access driveway off W. Ustick Rd. completely outside of the right-of-way.
 - b. Depict a 10-foot wide multi-use pathway within the street buffers along SH-16 within a 14-foot wide public use easement; the easement shall be submitted to the Planning division prior to submittal of the final plat for City Engineer signature.
 - c. Depict landscaping along all pathways as set forth in UDC [11-3B-12C](#).
 - d. Landscaping is required within the street buffer as set forth in UDC [11-3B-7C](#). *(See updated standards.)*
 - e. Depict landscaping within common open space areas as set forth in UDC 11-3G-5B.3.
 - f. Change the Fraxinus Pennsylvanica "Marshall's Seedless" Green Ash tree to another variety per the City Arborists' comments.
 - g. Depict a minimum of two (2) points of site amenities for the townhome portion of the development from the Site Amenities and Point Value [Table 11-3G-4](#). **~~The Applicant should clarify prior to or at the Commission hearing what amenities are proposed.~~**
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables [11-2A-7](#) for the R-15 district and [11-2A-8](#) for the R-40 district; and UDC Table [11-2B-3](#) for the C-G zoning district.
5. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#), unless otherwise waived by City Council.
6. Cross-access/ingress-egress easements shall be provided between all commercial C-G zoned lots in the subdivision via a note on the final plat or a separate recorded easement.
7. The emergency access driveway required and approved by the Fire Dept. off W. Ustick Rd. east of future SH-16 shall be approved by ITD as it's located within the influence area of their intersection project.
8. All alleys shall comply with the standards listed in UDC [11-6C-3B.5](#).

Conditional Use Permit:

9. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development and the dimensional standards listed in UDC [Table 11-2A-8](#) is required.
10. The site/landscape plans included in Section VII shall be revised as follows:
 - a. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC [11-4-3-27B.2](#).
 - b. Depict the location of the property management office; maintenance storage area; central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access; and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC [11-4-3-27B.7](#).
 - c. Depict safe pathway connections from the proposed multi-family development to the abutting high school to the west.
 - f. Depict landscaping along all the foundation of all street facing elevations in accord with the standards listed in UDC [11-4-3-27E](#).
 - g. Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.*
 - i. Depict a minimum of 20 bicycle parking spaces per the standards listed in UDC 11-3C-6G; bicycle parking facilities shall comply with the standards listed in UDC [11-3C-5C](#). Bike racks should be provided in central locations for each multi-family building and the amenity building.
 - j. Depict a minimum of 495 off-street parking spaces for the development in accord with the standards listed in UDC [Table 11-3C-6](#) and [11-3C-6B.1](#) per the analysis in Section VI.
 - k. At a minimum, depict site amenities consisting of the following: a clubhouse with a fitness facility, a swimming pool and spa with cabanas and an outdoor lounge area; 10-foot wide multi-use pathways and internal walking trails; a plaza; a pickleball sports court; a bike repair station; ~~a commercial outdoor kitchen with a BBQ~~; a picnic area with tables, benches, landscaping and a shade structure; and a children's play structure.
 - k. Minimum 7-foot wide sidewalks shall be provided where parking abuts sidewalks if wheel stops aren't proposed to prevent vehicle overhang in accord with UDC 11-3C-5B4; if 7-foot sidewalks are proposed, the length of the stall may be reduced to 17 feet.
11. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area as set forth in UDC 11-4-3-27B.5.
12. All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC [11-4-3-27F](#). **A recorded copy of the document shall be submitted prior to issuance of the first Certificate of Occupancy for the development.**

13. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units in accord with UDC [11-4-3-27C.6](#).
14. A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the multi-family and commercial development to ensure compliance with UDC standards and development provisions associated with this application. A Design Review application is required to be submitted for approval of the townhomes. Final design of all structures must comply with the design standards in the Architectural Standards Manual.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 There is a sewer loop on the northern section. Sewer connects to McDermont in Block 1 and the existing SSMH-06. Reconfigure the design so this is removed.
- 1.2 Manhole SSMH-11 and SSMH-12 has angles of pipe in/out of manhole at less than 90 degrees. Adjust these manholes so min angle of pipe through manhole is 90 degrees.
- 1.3 Provide Steel Casing for all locations where sewer crosses future Hwy 16 per City's casing requirements.
- 1.4 All manholes require 14ft graveled/paved access path.
- 1.5 End of the line requires minimum 0.6% slope.
- 1.6 Ensure manholes are not located in curb/gutter.
- 1.7 Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Adjust easements accordingly.
- 1.8 Area is subject to the Oaks Lift Station and Pressure Sewer Reimbursement agreement.
- 1.9 No permanent structures (trash receptacle walls, trees, bushes, buildings, carports, fences, infiltration trenches, light poles, etc.) are to be built within the utility easement.
- 1.10 Sewer must be built 10ft from edge of easement.
- 1.11 Ensure no sewer services pass through infiltration trenches.
- 1.12 12-inch water main must be built to and through the development on McDermott Road. On west side of future SH-16, water must connect to north.
- 1.13 A streetlight plan will be required for the development of this property.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.

- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any 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.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.

- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272855&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=279522&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273744&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276592&dbid=0&repo=MeridianCity>

G. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=279662&dbid=0&repo=MeridianCity&cr=1>

H. PARK'S DEPARTMENT

City Arborist:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272795&dbid=0&repo=MeridianCity>

I. COMMUNITY DEVELOPMENT SCHOOL IMPACT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275929&dbid=0&repo=MeridianCity>

J. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273537&dbid=0&repo=MeridianCity&cr=1>

K. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278192&dbid=0&repo=MeridianCity>

L. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275528&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

The City Council finds the proposed zoning map amendment to R-15, R-40 and C-G and subsequent development is generally consistent with the Comprehensive Plan and the MU-R FLUM designation.

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

The City Council finds the proposed map amendment will allow for the development of commercial uses which will assist in providing for the service needs of area residents; and residential uses which will contribute to the range of housing opportunities in the City consistent with the purpose statement of the commercial and residential districts in accord with the Comprehensive Plan.

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

The City Council 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

The City Council 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.

The City Council finds the proposed annexation is in the best interest of the City.

B. Preliminary Plat:

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;

The City Council finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use and transportation. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)

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

The City Council finds that public services will be provided to the subject property with development. (See Exhibit B 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, the City Council 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;

The City Council 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 VIII for more information.)

5. The development will not be detrimental to the public health, safety or general welfare; and,
The City Council 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.
6. The development preserves significant natural, scenic or historic features.
The City Council is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.

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

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

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
The City Council finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 zoning district (see Analysis, Section V for more information).
2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.
The City Council finds that the proposed use is consistent with the future land use map designation of MU-R and is allowed as a conditional use in UDC Table 11-2B-2 in the R-40 zoning district.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.
The City Council finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.
4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
The City Council finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area. The Commission and Council should weigh any public testimony provided to determine if the development will adversely affect other properties in the vicinity.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
The City Council finds that essential public services are available to this property and that the use will be adequately served by these facilities.

D. Variance (UDC 11-5B-4):

1. The variance relieves an undue hardship because of characteristics of the site;

The City Council finds an undue hardship exists to this site due to the future extension of SH-16 and the Sky Pilot Drain bisecting this site, which will be relieved by granting the requested variance.

2. The variance shall not be detrimental to the public health, safety, and welfare.

The City Council finds granting the variance shall not be detrimental to the public health, safety and welfare.