

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



In the Matter of the Request for Rezone of 1.80-Acres of Land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) Zoning District; and Short Plat Consisting of Four (4) Building Lots on 1.62-Acres of Land in the Proposed L-O Zoning District for Turin Plaza Subdivision, by 12.15 Design.

Case No(s). H-2022-0063; SHP-2022-0013

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 a rezone and short plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of December 13, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Short 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).

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	

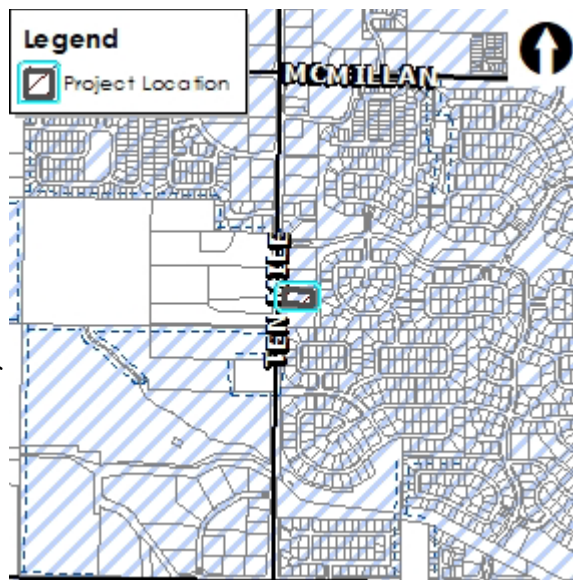
HEARING DATE: December 13, 2022

TO: Mayor & City Council

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

SUBJECT: Turin Plaza – RZ, SHP
H-2022-0063; SHP-2022-0013

LOCATION: 3169 W. Belltower Dr., in the NW 1/4 of
Section 35, T.4N., R.1W. (Parcel
#R1079860290)



I. PROJECT DESCRIPTION

Rezone of 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district; and Short Plat consisting of four (4) building lots on 1.62 acres of land in the proposed L-O zoning district for Turin Plaza Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	1.62 acres (Short Plat) & 1.80 acres (Rezone)
Future Land Use Designation	Office
Existing Land Use	Vacant/undeveloped
Proposed Land Use(s)	Office
Current Zoning	R-4 (Medium Low-Density Residential)
Proposed Zoning	L-O (Limited Office)
Lots (# and type; bldg/common)	4 building lots
Phasing plan (# of phases)	NA (not proposed to be phased)
Number of Residential Units (type of units)	0
Density (gross & net)	NA
Open Space (acres, total [%] / buffer / qualified)	NA
Amenities	NA
Physical Features (waterways, hazards, flood plain, hillside)	NA

Neighborhood meeting date	7/11/22
History (previous approvals)	Lot 2, Block 6, Bridgetower Crossing Sub. 2; AZ-01-003 (Ord. #01-930), DA Inst. #101117652.

B. Community Metric

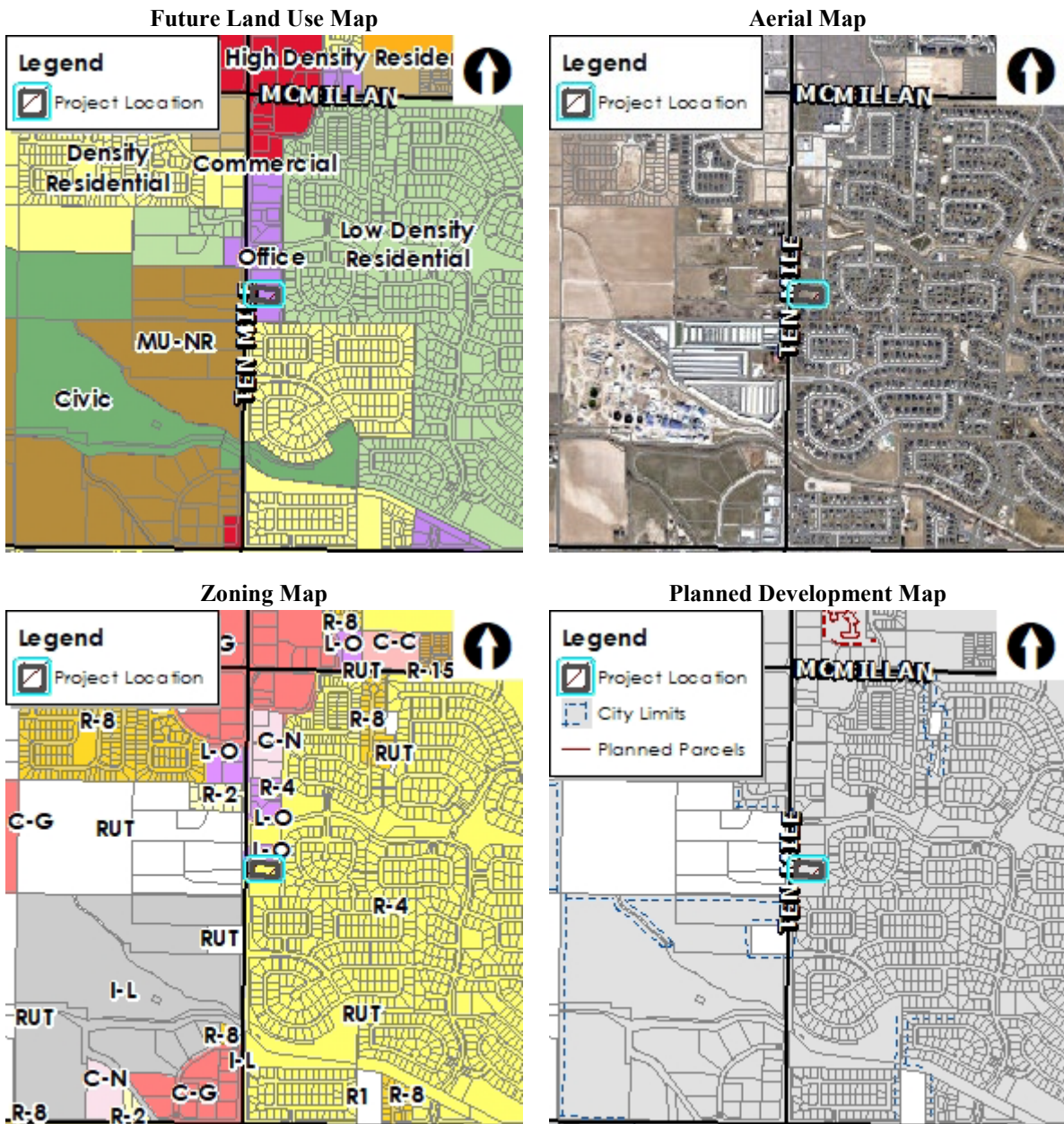
Description	Details
Ada County Highway District	
• Staff report (yes/no)	Yes
• Requires ACHD Commission Action (yes/no)	No
• Existing Conditions	N. Ten Mile Rd., an arterial street runs along the street buffer on the west side of this property.
• CIP/IFYWP	

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	A backage road exists along the east boundary of the site for access via W. Belltower Dr., a residential collector street.
Proposed Road Improvements	None proposed, none required.
Fire Service	<i>No comments received.</i>
Police Service	<i>No comments received.</i>

West Ada School District	<i>No comments received.</i>
Distance (elem, ms, hs)	
Capacity of Schools	
# of Students Enrolled	

Wastewater	
• Distance to Sewer Services	Sewer is available to the east.
• Sewer Shed	
• Estimated Project Sewer ERU's	
• WRRF Declining Balance	
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/Concerns	
Water	
• Distance to Services	Water is stubbed to the site.
• Pressure Zone	
• Estimated Project Water ERU's	
• Water Quality Concerns	
• Project Consistent with Water Master Plan	
• Impacts/Concerns	

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jessica Petty, 12.15 Design – 6584 E. Playwright Dr., Boise, ID 83716

B. Owner:

Cottages Senior Living – 1079 S. Ancona Ave., Ste. 110, Eagle, ID 83616

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	10/19/2022	11/27/2022
Radius notification mailed to property owners within 300 feet	10/13/2022	11/13/2022
Public hearing notice sign posted on site	10/20/2022	11/28/2022
Nextdoor posting	10/13/2022	11/28/2022

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Office on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation will provide opportunities for low-impact business areas. These uses would include professional offices, technology and resource centers; ancillary commercial uses may be considered (particularly within research and development centers or technological parks). Sample zoning include L-O.

The subject property is an enclave in the City surrounded by office and residentially developed properties. The Applicant proposes to rezone the subject property from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district and re-subdivide the property into four (4) building lots for the development of four (4) 3,550 to 3,600 square foot office buildings, consistent with the Office FLUM designation for this property.

TRANSPORTATION: The Master Street Map (MSM) does not depict any collector streets across this property. A collector street, W. Belltower Dr., exists to the north for access via N. Ten Mile Rd.; a backage road from Belltower provides access to the subject property.

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “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 has been stubbed to this lot and is available to be extended by the developer with development in accord with UDC 11-3A-21.

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

The site design for the proposed development should be compatible with the adjacent office uses to the north and the senior living center to the south. A backage road exists along the east boundary of the site and a 50-foot wide landscape buffer exists on the east side of the backage road with sight-obscuring fencing which provides screening for adjacent single-family residential uses to the east, which should reduce conflicts.

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

The proposed infill development should be consistent with existing adjacent uses and shouldn't

negatively impact adjacent properties.

- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)

With lot development, a pedestrian connection should be provided from the sidewalk along N. Ten Mile Rd. to the main building entrances in accord with UDC 11-3A-19B.4.

- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multi-modal corridors.” (3.07.02B)

The proposed office uses are smaller-scale and will have convenient access from nearby residential areas. No access is proposed or approved to N. Ten Mile Rd., an arterial street.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

Development of the subject infill parcel will maximize public services.

VI. STAFF ANALYSIS

A. REZONE (RZ)

The Applicant proposes to rezone 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district. A legal description and exhibit map for the rezone area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

There is an existing Development Agreement (DA) for Bridgetower Crossing Subdivision recorded in 2001 as Instrument No. [101117652](#), that governs future development of this property. It requires the subject property to be rezoned to L-O prior to issuance of any building permits.

The Applicant proposes to develop the property with four (4) 3,550 to 3,600 square foot office buildings, consistent with the Office FLUM designation for this property.

Professional services, which include, but are not limited to, architects, landscape architects and other design services; graphic designers, consultants, lawyers, media advisors, photography studios, and general offices, are listed as a principal permitted use in the L-O zoning district per UDC [Table 11-2B-2](#). Future development is subject to the dimensional standards listed in UDC Table [11-2B-3](#) for the L-O zoning district.

This property is an undeveloped enclave that was previously annexed into the City surrounded by developed properties. As noted above in Section V, the proposed development and use of the property should be compatible with the scale and use of adjacent properties.

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because there is already an existing DA in effect for this property and the proposed development is in compliance with the DA, Staff does not recommend a new DA or changes to the DA with this application. If the Commission and/or City Council would like to tie future development to the conceptual development plan submitted with this application included in Section VIII.B below, an amendment to the DA should be required to do so.

B. SHORT PLAT (SHP):

The proposed short plat is a re-subdivision of Lot 2, Block 6, Bridgetower Crossing Subdivision No. 2, consisting of four (4) building lots on 1.62 acres of land in the proposed L-O zoning district. Each of the four (4) lots are 17,686 square feet in area.

The existing plat for Bridgetower Crossing No. 2 depicts the following easements applicable to this property: a 35-foot wide landscape easement along N. Ten Mile Rd. with a note prohibiting vehicle access across the easement; a 33-foot wide Idaho Power easement also Long N. Ten Mile Rd.; and a 25-foot wide cross-access and City of Meridian sewer easement along the east boundary of the site where the backage road is located. These easement have been carried over to the proposed plat.

Existing Structures/Site Improvements: There are no existing structures on this site. There is an existing landscaped street buffer with a detached sidewalk along N. Ten Mile Rd. that was constructed with the subdivision improvements for Bridgetower Crossing Subdivision No. 2. A backage road exists along the east boundary of this site and adjacent lots to the north and south for access via W. Belltower Dr., a collector street to the north.

Dimensional Standards (UDC 11-2): The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2B-3](#) for the L-O zoning district, which require a minimum 10-foot interior side setback – the front and rear setbacks are zero (0). Buildings may not encroach within the street buffer along Ten Mile Rd. **Changes may be needed to the building placement shown on the conceptual development plan to comply with the side setback standard or lot lines may need to be adjusted accordingly.**

Access: Access is proposed via an existing backage road along the east boundary of the site from W. Belltower Dr., a collector street to the north, from N. Ten Mile Rd., an arterial street along the west boundary of the site. Direct access via Ten Mile Rd. is prohibited. **A cross-access/cross-parking easement should be granted between all of the proposed lots for internal access from the backage road and because some of the parking for each building appears to be located on adjacent lots; this may be done via a note on the plat.**

Landscaping (UDC 11-3B): A 35-foot wide street buffer exists along N. Ten Mile Rd., an arterial street, in accord with UDC Table 11-2B-3, as depicted on the plat. No landscaping is proposed with this application. With future development of each lot, parking lot landscaping will be required in accord with the standards listed in UDC [11-3B-8C](#).

Sidewalks (11-3A-17): A 5-foot wide detached sidewalk exists within the street buffer along N. Ten Mile Rd., an arterial street.

Waterways: No waterways cross this site.

Utilities (UDC 11-3A-21): Connection to City water and sewer services is required in accord with UDC 11-3A-21.

Pressurized Irrigation System (UDC 11-3A-15): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

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 shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. A [Storm Drainage Master](#) was submitted with this subdivision.

Certificate of Zoning Compliance & Design Review: No conceptual building elevations were submitted with this application. A Certificate of Zoning Compliance and Design Review application is required to be approved for each of the structures and associated site improvements prior to submittal of building permit applications. All structures shall comply with the design standards in the [Architectural Standards Manual](#). *Note: One CZC/DR application could be submitted for the entire development.*

VII. DECISION

A. Staff:

Staff recommends approval of the proposed rezone and short plat with the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard the RZ request on November 3, 2022. At the public hearing, the Commission moved to recommend approval of the subject RZ request.

1. Summary of Commission public hearing:

- a. In favor: Jessica Petty and David Moorhouse
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Jessica Petty, 1215 Design (Applicant's Representative) – in agreement with staff report
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by Commission:

- a. None

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. None

C. The Meridian City Council heard these items on December 13, 2022. At the public hearing, the Council moved to approve the subject RZ and SHP requests.

1. Summary of the City Council public hearing:

- a. In favor: Jessica Petty, 12.15 Design, LLC (Applicant's Representative); David Moorehouse (property owner)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Jessica Petty, 12.15 Design, LLC (Applicant's Representative) – in agreement with the conditions in the staff report.
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by City Council:

- a. None

4. City Council change(s) to Commission recommendation:

- a. None

VIII. EXHIBITS

A. Rezone Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83651

Ph (208) 454-0256 Fax (208) 467-4130

e-mail: dholtzhey@masonandassociates.us

FOR: McCarter-Moorhouse
JOB NO.: MR0622
DATE: August 23, 2022

REZONE DESCRIPTION

A parcel of land being all of Lot 2, Block 6, Bridgetower Crossing Subdivision No. 2 in the Ada County Recorder's Office in Book 86 at Pages 9641-9643 situated in the SW1/4 NW1/4 of Section 35, Township 4 North, Range 1 West, Boise Meridian, Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of Section 35;

Thence S 00° 52' 50" W., 2630.96 feet along the west boundary of the NW1/4 to the southwest corner of the NW1/4;

Thence N 00° 52' 50" E., 218.84 feet along the west boundary of the NW1/4 the **POINT OF BEGINNING**;

Thence N 00° 52' 50" E., 197.62 feet along the west boundary of the NW1/4;

Thence S 89° 07' 10" E., 40.00 feet of Lot 2 to the northwest corner of Lot 2;

Thence S 89° 07' 10" E., 358.00 feet along the north boundary of Lot 2 to the northeast corner of Lot 2;

Thence S 00° 52' 50" W., 197.62 feet along the east boundary of Lot 2 to the southeast corner of Lot 2;

Thence N 89° 07' 10" W., 358.00 feet along the south boundary of Lot 2 to the southwest corner of Lot 2;

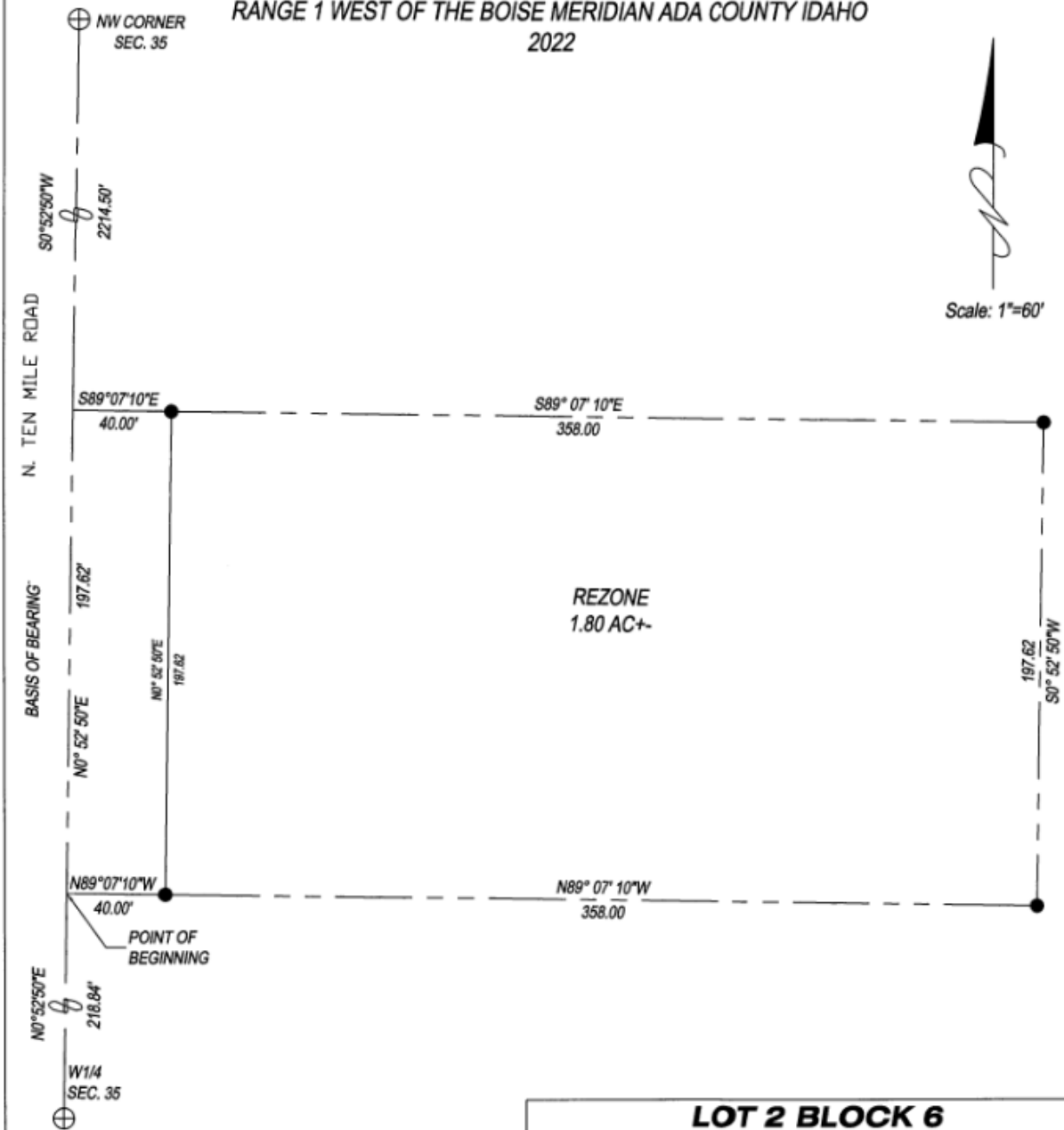
Thence N 89° 07' 10" W., 40.00 feet to the **POINT OF BEGINNING**.

This rezone description contains 1.80 acres more or less.



REZONE EXHIBIT

LOT 2 BLOCK 6 OF BRIDGETOWER CROSSING SUBDIVISION NO. 2
IN THE SW1/4 NW1/4 OF SECTION 35 TOWNSHIP 4 NORTH
RANGE 1 WEST OF THE BOISE MERIDIAN ADA COUNTY IDAHO
2022



LEGEND

- ⊕ FOUND ALUMINUM MONUMENT
- FOUND 1/2" IRON PIN

LOT 2 BLOCK 6

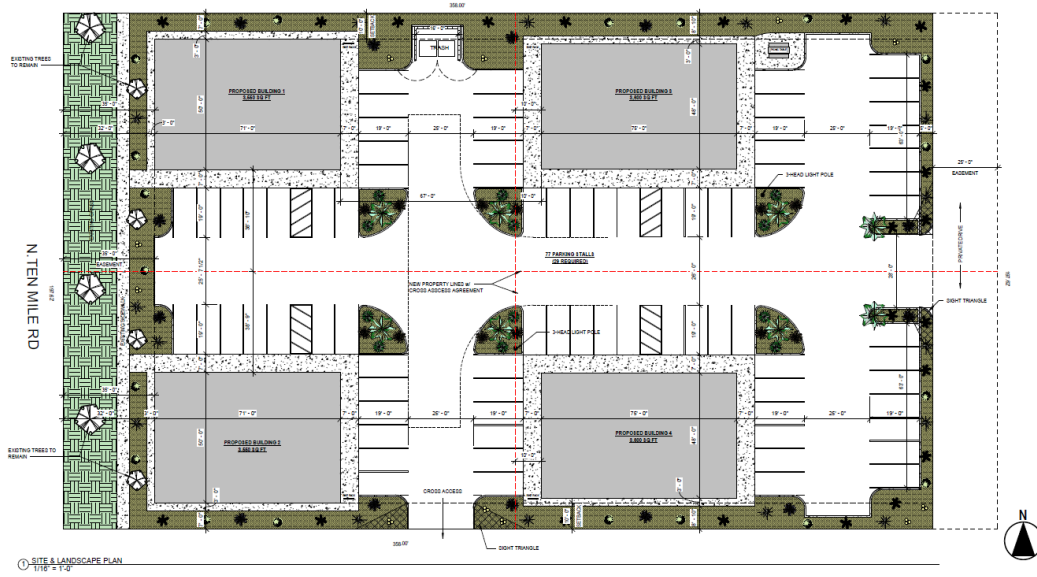
BRIDGETOWER CROSSING SUBDIVISION NO 2

Mason & Associates

Professional Engineers,
Land Surveyors
& Planners
8013rd St South, Nampa, ID 83855
(208) 434-0200 Fax (208) 467-4100

JOB NO.	MR0622		
DWG NO.	REZONE		
SCALE:	1" = 60'	REV.	△
FIELD BOOK NO.			
DRAWN BY:	DATE:		
DH	8/10/22		

B. Conceptual Development Plan – REVISED



PLANT SCHEDULE				
TREE SYMBOL	COMMON NAME	BOTANICAL NAME	QTY.	
	EXISTING TREE TO RETAIN	EXISTING	5	
	MIXED PLANTING OF: WILLOW DWARF DOG BLACK PIGEON FLAME TREE PINK BLOSSOM PINK BLOSSOM ACER VICTORIA BLUE	CEASE AFFLE OFFICE DOGEER FLAME ACTING BLUE	5	
	BOUGAINVILLEA	BOUGAINVILLEA	12	
	HIBISCUS	PHYSICUS DAPHNODENDRA	14	
	GOLD HIBISCUS	PHYSICUS DAPHNODENDRA	13	
	DRIED	DRIED, JAPANESE DOGWOOD	16	
	WINKWORT SUNFLOWER	SUNFLOWER DOGWOOD	11	
	KALM'S FORESTER GRASS	CHLOROPHYLL ACTING BLUE	22	
	SERISSA	THUNBERGIA	20	
GROUND COVER: RED BURNING 1 CHANGED BLUE 1 TREE DUE ALL PLANTERS				

SITE INFO:

PARKING REQUIREMENTS:

1 STALLIED SPT:
14,000 SQ. FT. / SPT = 28 PARKING STALLS
(77 PROVIDED)

1 HANDICAP STALL FOR FIRST 25 STALLS = 3
HANDICAP STALLS

BICYCLE STALLS = 1 TRACK

LOT INFORMATION:

LOT SIZE: 1.634 ACRES

SETBACKS SEE PLAN

EASEMENTS SEE PLAN

ZONE: R-4

12.15
Design

ARCHITECT STAMP

LICENSED ARCHITECT
AR-885249
08.11.2022

Jessica Petty

JESSICA PETTY
STATE OF IDAHO

TURIN PLAZA

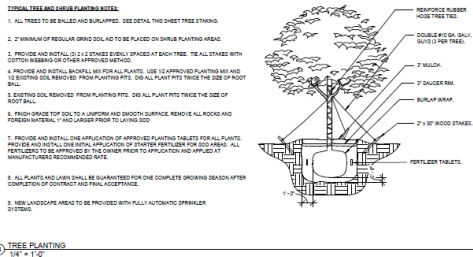
SITE & LANDSCAPE PLAN

VERIFY SCALES
THIS BAR IS 1 INCH
ON ORIGINAL DRAWING
0 1"
IF NOT 1 INCH ON
THIS SHEET, ADJUST
SCALES
ACCORDINGLY

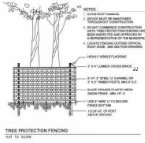
CHECKED	
DATE	08.11.2022
DRAWN	JESSICA
OR NO.	001

SHEET
NUMBER
A1.0

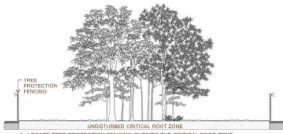
08.11.2022



NOTE: TREES TO BE PROTECTED WITHIN 25' OF BUILDING

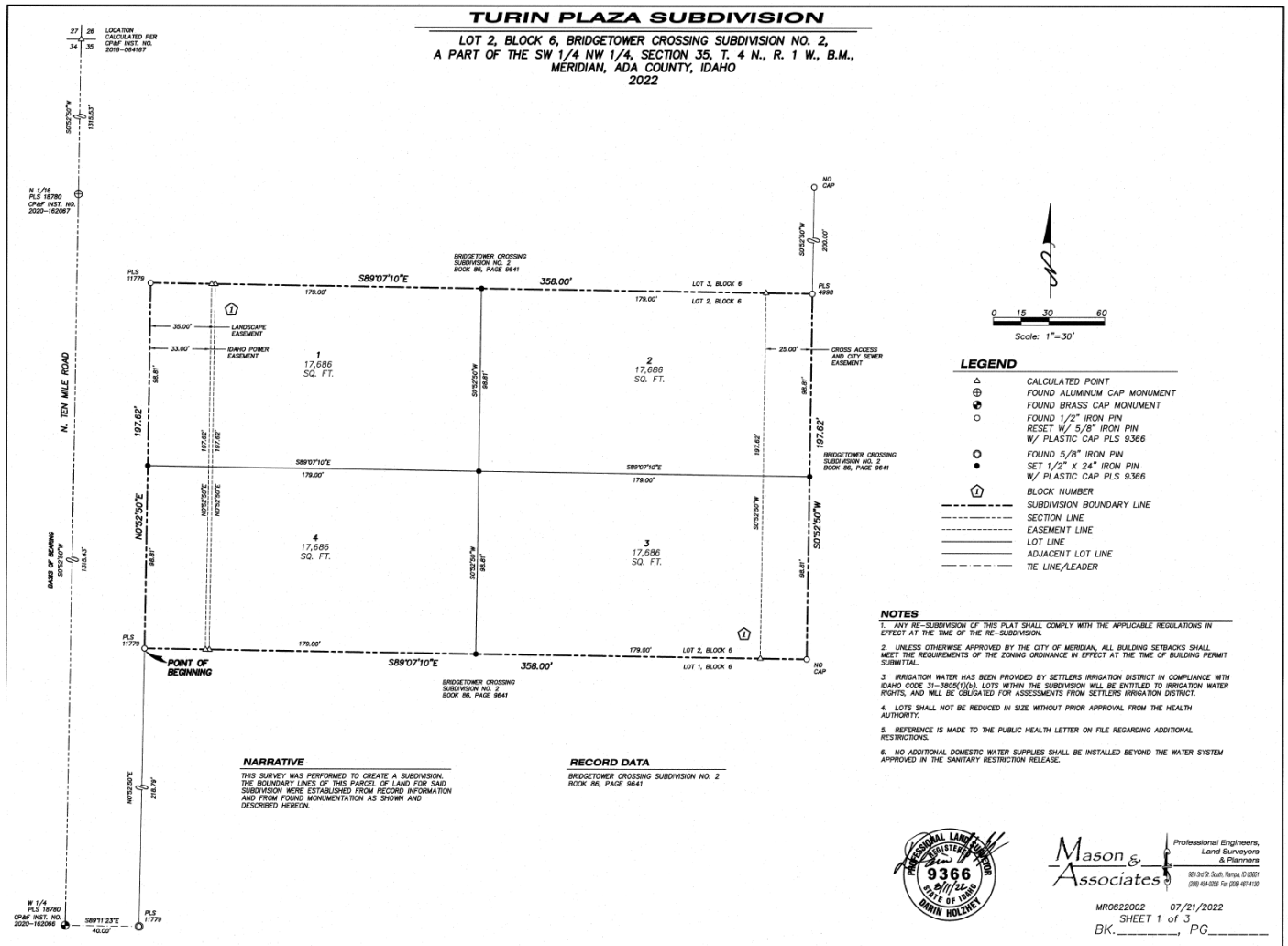


④ EXISTING TREE PROTECTION
1' = 1'-0"



1. LOCATE TREE PROTECTION FENCING OUTSIDE THE CRITICAL ROOT ZONE.
2. NO SITE CONSTRUCTION OR DISTURBANCE IS PERMITTED BEFORE TREE PROTECTION FENCING HAS BEEN INSPECTED AND APPROVED BY A QUALIFIED TREE CARE PROFESSIONAL.

C. Short Plat (dated: 8/11/22)



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The short plat shall include the following revisions:
 - a. Note #4: "Lots shall not be reduced in size without prior approval from the health authority and the City of Meridian."
 - b. Include a note stating all lots within the proposed subdivision are subject to a cross-access/cross-parking easement.
 - c. Include a note prohibiting access via N. Ten Mile Road.
2. A Certificate of Zoning Compliance and Design Review application is required to be approved for each of the structures and associated site improvements prior to submittal of building permit applications. All structures shall comply with the design standards in the [Architectural Standards Manual](#). *Note: One CZC/DR application may be submitted for the entire development if desired.*
3. Approval of the 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 short plat, as set forth in UDC 11-6B-7A. Upon written request prior to the expiration of the final plat, the Applicant may request an extension of time to obtain the City Engineer's signature on the final plat as set forth in UDC [11-6B-7C](#).

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Ensure no sewer services pass through infiltration trenches.

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 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point

connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

- 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 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.
- 2.17 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed

in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.

- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.20 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.
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278191&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278762&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275948&dbid=0&repo=MeridianCity>

X. 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 Applicant's request to rezone the subject property from the R-4 to the L-O zoning district and develop the site with office uses is consistent with the Office FLUM designation for this property.
- 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 to L-O and development generally complies with the purpose statement of the commercial districts in that it will provide for the service needs of the community 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 map amendment should not be detrimental to the public health, safety and welfare as the proposed office uses should be compatible with adjacent office, residential care facility and single-family residential homes/uses in the area.

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 City services are available to this property and will be provided with development.

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

This finding not applicable as the request is for a rezone, not annexation. The City Council finds the proposed rezone is in the best interest of the city.

B. Short Plat (UDC 11-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

City Council finds the proposed plat is generally in conformance with the UDC and the Comprehensive Plan.

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

City Council finds public services are available to the subject property and will be adequate to accommodate the proposed development.

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

City Council finds the plat is in conformance with scheduled public improvements for this area in accord with the City's CIP.

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

City Council finds there is public financial capability of supporting services for the proposed development.

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

City Council finds the proposed development will not be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

City Council is unaware of any significant natural, scenic or historic features that need to be preserved with this development.