

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



In the Matter of the Request for Modification to the Existing Development Agreement (Inst. #110115738) to Replace it with a New Agreement for the Proposed Development; Rezone of 7.06-Acres from the C-C to the H-E Zoning District; 17.38-Acres from the C-C & H-E Zoning Districts to the M-E Zoning District; and 40.33-acres from the R-40, C-C and M-E Zoning Districts to the R-15 Zoning District; and 1.10-Acres from the H-E to the C-C Zoning District; Preliminary Plat Consisting of Eight (8) Building Lots & Six (6) Common Lots on 115.26-Acres of Land in the R-15, C-C, H-E and M-E Zoning Districts for Vanguard Village Subdivision; and, Conditional Use Permit for a Multi-Family Development Consisting of 552 Dwelling Units on 40.33-Acres of Land in the R-15 Zoning District for Vanguard Crossing, by Insight Investment Partners.

Case No(s). H-2021-0081

For the City Council Hearing Date of: April 19, 2022 (Findings on May 3, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of April 19, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of April 19, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of April 19, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of April 19, 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 April 19, 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 modification to the existing Development Agreement, Rezone, Preliminary Plat and Conditional Use Permit is hereby approved per the provisions in the Staff Report for the hearing date of April 19, 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 April 19, 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: April 19, 2022

TO: Mayor & City Council

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

SUBJECT: H-2021-0081
Vanguard Village – MDA, RZ, PP, CUP

LOCATION: Generally located 1/4 mile south of W. Franklin Rd. and S. Ten Mile Rd., in the middle of Section 15, T.3N. R.1W.



I. PROJECT DESCRIPTION

The Applicant has submitted an application for the following:

- Modification to the existing Development Agreement (Inst. #110115738) to replace it with a new agreement for the proposed development;
- Rezone of 7.06-acres from the C-C to the H-E zoning district; 17.38-acres from the C-C & H-E zoning districts to the M-E zoning district; and 40.33-acres from the R-40, C-C and M-E zoning districts to the R-15 zoning district; and 1.10-acres from the H-E to the C-C zoning district;
- Preliminary Plat consisting of 8 building lots & 6 common lots on 115.26-acres of land in the R-15, C-C, H-E and M-E zoning districts for Vanguard Village subdivision; and,
- Conditional Use Permit for a multi-family development consisting of 552 dwelling units on 40.33-acres of land in the R-15 zoning district for Vanguard Crossing.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	115.21 acres overall	
Existing/Proposed Zoning	R-40, M-E, C-C and H-E (existing)/H-E, M-E, C-C and R-15 (proposed)	
Future Land Use Designation	Mixed Use – Commercial (MU-COM); Medium High-Density Residential (MHDR); Mixed Employment (ME); High Density Employment (HDE)	

Description	Details	Page
Existing Land Use(s)	Vacant/agricultural land	
Proposed Land Use(s)	Multi-family residential, vertically integrated residential, light industrial, commercial/retail, research and development and other uses.	
Lots (# and type; bldg./common)	8 buildable lots/6 common lots	
Phasing Plan (# of phases)	4 5 phases (plat); 2 phases (multi-family development)	
Number of Residential Units (type of units)	552 multi-family apartment units	
Physical Features (waterways, hazards, flood plain, hillside)	The Williams gas pipeline bisects this site	
Neighborhood meeting date; # of attendees:	8/17/21	
History (previous approvals)	AZ-09-008 Meridian Crossing (Ord. #10-1467; DA Inst. #110115738); ROS #7623 (Inst. #106170019 2006)	

B. Community Metrics

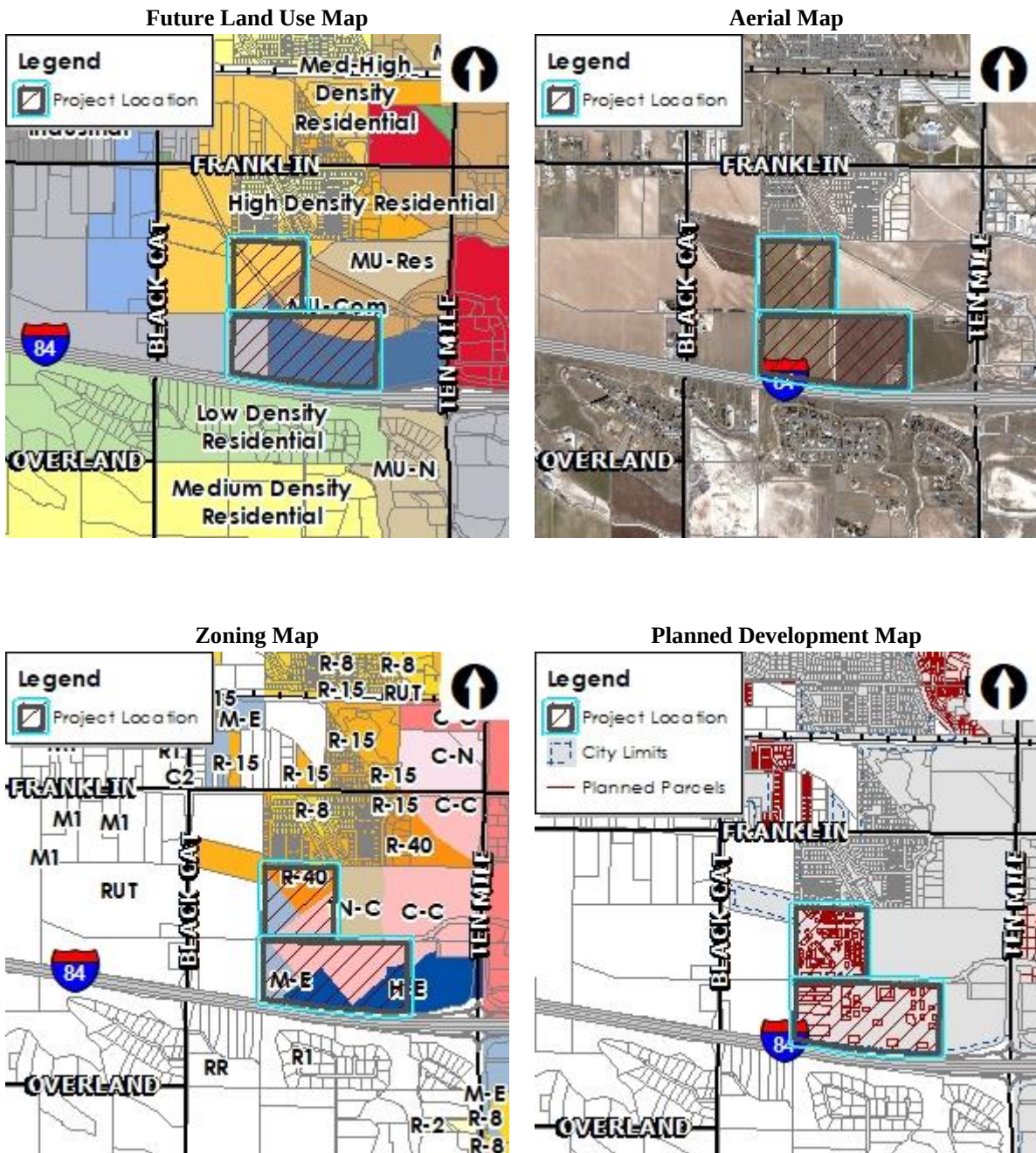
Description	Details	Pg
Ada County Highway District		
- Staff report (yes/no) - Requires ACHD Commission Action (yes/no)	Yes No A Traffic Impact Study (TIS) was submitted.	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)		
Traffic Level of Service		
Stub Street/Interconnectivity/Cross Access		
Existing Road Network		
Existing Arterial Sidewalks / Buffers		
Proposed Road Improvements		

Fire Service

- Distance to Fire Station - Fire Response Time - Resource Reliability - Risk Identification	2 miles Falls within 5:00 minute response time area - nearest station is Fire Station #2 – <i>can</i> meet response time goals 85% - does meet the target goal of 80% or greater 4 – current resources would <i>not</i> be adequate to supply service (risk factors include fire-fighting in multi-story buildings & a large gathering of people in a single location)	
- Accessibility - Special/resource needs - Water Supply	Project meets all required access, road widths and turnaround. Project will require an aerial device; can meet this need in the required timeframe if a truck company is required. Varies as there are multiple size buildings in which some will require fire sprinkler systems.	

Description	Details					Pg																																										
Other Resources																																																
West Ada School District																																																
- Capacity of Schools # of Students Enrolled	<table><thead><tr><th></th><th>Enrollment</th><th>Capacity</th><th>Approved prelim plat parcels per attendance area</th><th>Approved MF units per attendance area</th><th>Projected Students from Approved Dev.</th></tr></thead><tbody><tr><td>Chaparral Elementary</td><td>552</td><td>700</td><td>730</td><td>1549</td><td>209</td></tr><tr><td>Meridian Middle School</td><td>1070</td><td>1250</td><td>800</td><td>1798</td><td>136</td></tr><tr><td>Meridian High School</td><td>1759</td><td>2075</td><td>3343</td><td>2300</td><td>527</td></tr><tr><td colspan="6"><u>School of Choice Options</u></td></tr><tr><td>Chief Joseph Elementary -Arts</td><td>498</td><td>700</td><td>N/A</td><td>N/A</td><td></td></tr><tr><td>Barbara Morgan STEM Academy</td><td>414</td><td>500</td><td>N/A</td><td>N/A</td><td></td></tr></tbody></table>						Enrollment	Capacity	Approved prelim plat parcels per attendance area	Approved MF units per attendance area	Projected Students from Approved Dev.	Chaparral Elementary	552	700	730	1549	209	Meridian Middle School	1070	1250	800	1798	136	Meridian High School	1759	2075	3343	2300	527	<u>School of Choice Options</u>						Chief Joseph Elementary -Arts	498	700	N/A	N/A		Barbara Morgan STEM Academy	414	500	N/A	N/A		
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Predicted # of students generated from proposed development	83																																															
Wastewater																																																
Distance to Sewer Services																																																
Sewer Shed																																																
Estimated Project Sewer ERU’s																																																
WRRF Declining Balance																																																
Project Consistent with WW Master Plan/Facility Plan																																																
Impacts/concerns	- Flow is committed - See Public Works Site Specific Conditions in Section VII.B																																															
Water																																																
Distance to Water Services	Directly adjacent																																															
Pressure Zone	2																																															
Estimated Project Water ERU’s	See application																																															
Water Quality Concerns	None																																															
Project Consistent with Water Master Plan	Yes																																															
Impacts/Concerns	- Complete plans for water must be reviewed by Engineering before final plat approval of any phase, the plans provided are not adequate for a full review. - See Public Works Site Specific Conditions in Section VII.B																																															

C. Project Area Maps



A. Applicant:

Airalea Newman, Insight Investment Partners – 3005 W. Horizon Ridge Parkway, Ste. 141, Henderson, NV 89052

B. Owners:

James Zeiter, Meridian 118, LLC – 3005 W. Horizon Ridge Parkway, Ste. 141, Henderson, NV 89052

C. Representative:

JoAnn Butler, Butler Spink, LLP – 967 E. Parkcenter Blvd., Ste. 313, Boise, ID 83706

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	2/1/2022	4/3/2022
Notification mailed to property owners within 300 feet	2/1/2022	4/4/2022
Applicant posted public hearing notice on site	2/5/2022	4/6/2022
Nextdoor posting	1/31/2022	4/5/2022

IV. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#) and [Ten Mile Interchange Specific Area Plan](#))

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the northern 28.5+/- acres of this site as Medium-High Density Residential (MHDR); the northeast 21+/- acres as Mixed Use – Commercial (MU-COM); the southwest 20.5+/- acres as Mixed Employment (ME); and the southeast 45.5+/- acres as High-Density Employment (HDE). There is also a school site designated on the FLUM in this general area. This site is within the area governed by the Ten Mile Interchange Specific Area Plan ([TMISAP](#)).

A school site is not included in the proposed development plan. The school district states they don't currently own a site in this area and don't have any prospects of land to purchase in this area at this time; if a developer desires to donate a site in this area, the school district would consider it.

MHDR: MHDR designated areas should include a mix of relatively dense multi-family housing types such as row houses, townhouses, condominiums and apartment buildings and complexes with a density ranging from 8-15 units per acre with a target density of 12 units per acre. These areas should be located around or near more intensively developed areas such as Mixed Use – Commercial or Employment areas in order to provide convenient access to these activity and employment centers to the greatest number of residents.

A mix of multi-family residential housing types consisting of townhomes, flats and garden style apartments is proposed to develop on the northern 40 acres of the development area which is designated as MHDR, ME, HDE and MU-COM on the FLUM. A gross density of 13.63 units/acre is proposed, which falls within the desired density range in the MHDR designated area. Because the existing ME, HDR and MU-COM designations abutting the MHDR designation on this site consist of less than 50% of the site, the Applicant proposes the MHDR designation apply to the entire 40-acre portion of the site as allowed in the Comprehensive Plan (see pg. 3-9). The proposed R-15 zoning encompasses approximately 12 more acres than is currently designated MHDR on the FLUM and 23+/- acres more than currently zoned R-40. *See Pg. 3-6 in the TMISAP for more information on the MHDR designation.*

The proposed multi-family development is located in close proximity (directly to the north and west) to MU-COM, ME and HDE designated land which is proposed to and anticipated to develop with higher intensity commercial and employment uses. The proposed residential uses will provide housing options in close proximity to these uses with convenient pedestrian access between them,

which should reduce traffic in the area. This development will provide a transition between the higher intensity uses and existing single-family homes to the north in Baraya Subdivision.

ME: The purpose of ME designated areas is to encourage a diversity of compatible land uses that may include a mixture of office, research and specialized employment areas, light industrial including manufacturing and assembly, and other miscellaneous uses. These areas generally do not include retail and consumer service uses serving the wider community. However, a small amount of retail and service establishments, primarily serving employees and users of the ME areas or nearby industrial areas, are allowed. ME areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises. ME areas should be designed to encourage multimodal travel and convenient circulation to supporting uses located within the area. It's anticipated that buildings will range in height from 1-4 stories, have total floor areas of 10,000-1,000,000 square feet, and that FAR will exceed .75.

The ME designated area is intended to develop with a mix of flex uses of approximately 410,000 s.f., which may include office, light industrial and other uses, ~~along with a 410,000 s.f. research and development component such as distribution and light manufacturing.~~ Building heights will range from 2 1 to 4 stories. This area is located at the southwest corner of the development and abuts Mixed Employment designated land to the west and I-84 to the south and will have access to a collector street as desired. Medium-high density residential uses are proposed to the north and high-density employment and commercial uses are proposed to the east with this application. The proposed M-E zoning encompasses approximately 8 more acres than is currently designated ME on the FLUM and 4 acres more than currently zoned M-E. *See Pg. 3-11 in the TMISAP for more information on the ME designation.*

MU-COM: The purpose of MU-COM designated areas is to encourage the development of a mixture of office, retail, recreational, employment and other miscellaneous uses, with supporting multi-family or single-family attached residential uses. This designation requires developments to integrate the three major use categories – residential, commercial and employment. Traditional neighborhood design concepts with a strong pedestrian-oriented focus are essential. Development within these areas exhibit quality building and site design and an attractive pedestrian environment with a strong street character.

The MU-COM designated area is proposed to develop with a mix of uses including a vertically integrated residential project and commercial/retail uses. The proposed C-C zoning is located along the northern portion of the east parcel abutting the Mixed Use – Commercial designated property to the north at the entry to the development with access to a non-residential collector street as desired. High-density employment uses are proposed to the south and mixed employment uses are proposed to the west with this application. The proposed C-C zoning is approximately 3 acres fewer than is currently designated MU-COM on the FLUM and is 30+/- acres less than currently zoned C-C. *See Pg. 3-9 in the TMISAP for more information on the MU-COM designation.*

HDE: HDE designated areas are recommended as predominantly office, research and specialized employment areas and generally do not include retail and consumer service uses serving the wider community. Limited retail and service establishments primarily serving employees and users of the HDE areas are encouraged. HDE areas should provide a variety of flexible sites for small, local or startup businesses, as well as sites for large national or regional enterprises. They should be designed to encourage multimodal travel and convenient circulation to supporting services located within the area. Whenever possible, HDE areas should provide restaurants, lodging and other services in support of the employment uses. High Density Employment areas should be designed as compact urban centers rather than lower density suburban-style development. Buildings are anticipated to range in height from 1-6 stories, have total floor areas of 10,000-1,000,000 square feet with a FAR exceeding

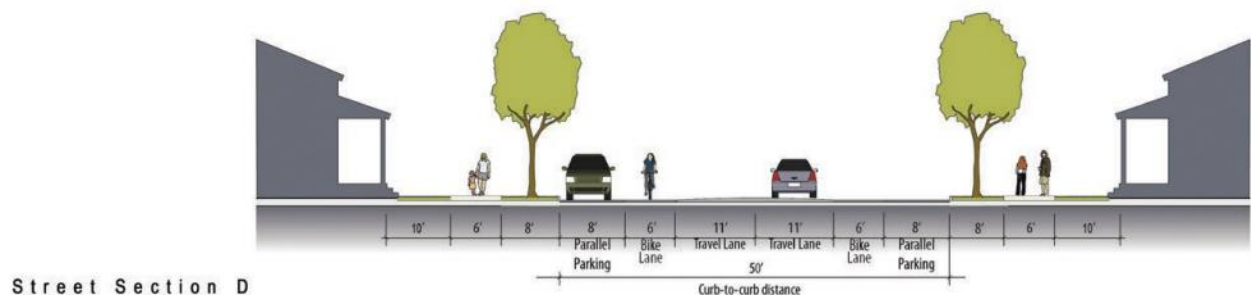
1.0. Designs that promote open space and parks are strongly encouraged. Structured parking is also allowed.

This area is intended to develop with non-residential uses such as a corporate campus, business and professional office space, research and development, and limited retail and service uses (approximately 380,000 square feet). The proposed H-E zoning is approximately 20+/- acres fewer than is currently designated HE on the FLUM but is only 1.6+/- acres more than currently zoned H-E. See Pg. 3-11 in the TMISAP for more information on the HDE designation.

Overall, the development area associated with the MHDR designation has increased 23+/- acres with R-15 zoning, the ME designated area has increased 4+/- acres with M-E zoning, the MU-C area is 3+/- acres less with C-C zoning, and the HDE area is 20+/- acres less with H-E zoning. Because the FLUM is a guide and not parcel-specific, adjacent abutting designations, when appropriate and approved as part of a public hearing with a land development application, may be used with some exceptions (see pg. 3-9 Comprehensive Plan for more information). All of the changes fall within the guidance provided; therefore, Staff is in general support of the proposed development and zoning.

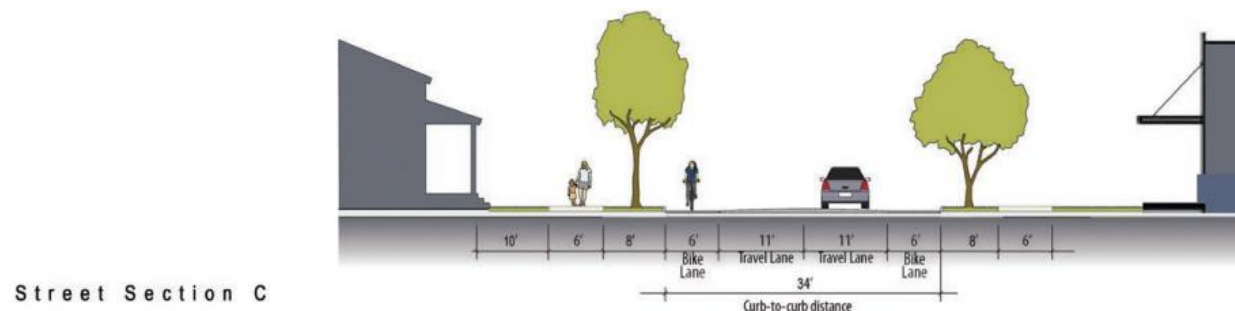
Transportation: The Transportation System Map in the TMISAP depicts collector streets through this site that connect to S. Black Cat Rd., W. Franklin Rd. and S. Ten Mile Rd., adjacent arterial streets. The collector street network depicted on the proposed development plan is generally consistent with the Transportation System Map (see pg. 3-18 in the TMISAP).

The Street Section Map depicts Street Section D (residential collector) as being appropriate to serve the local access needs of residential, live/work, and commercial activities within a residential neighborhood or mixed-use residential area.



The collector streets (i.e. Coral Reef Way & Sunset Point Way) in the multi-family portion of the development in the northern 40 acres of the development should be constructed in accord with this street section. Streetlights should be placed in the dry utilities corridor on either side of the street.

The Street Section Map depicts Street Section C (major collector) as being appropriate to provide access from adjacent arterial streets (i.e. Black Cat, Franklin & Ten Mile Roads) into the employment area. Streetlights should be located in the tree lawn area and should be of a pedestrian scale.



The collector streets (i.e. Vanguard Way & Umbria Hills) in the commercial mixed-use area in the southern portion of the development should be constructed in accord with this street section with the following exceptions as required by ACHD: (3) travel lanes instead of (2); and 10-foot wide detached sidewalks/pathways instead of 6-foot wide detached sidewalks in lieu of on-street bike lanes. On-street parking is allowed along Vanguard Way between the Williams pipeline easement and the eastern boundary of the site as proposed.

Design: The TMISAP emphasizes the quality of the built environment and includes recommendations on the location, scale, form, height and design quality of public and private buildings in the form of building placement, orientation, and massing; types and design treatments for building frontages; as well as recommendations for the incorporation of art in public and private projects.

The design elements in the Plan are intended to serve as the basic framework on any given project within the Ten Mile Area. The primary components that the design elements address include: architecture and cultural heritage; building placement whereby build-to lines are identified; heights and step backs; the definition of a base, body and top; and frontage types.

The proposed development should be designed in the accord with the TMISAP (see pgs. 3-31 thru 3-51). See the Application of the Design Elements table on pg. 3-49 to determine specific design element requirements according to the associated FLUM designation. Future development applications should include the applicable design elements.

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.

- “Encourage diverse housing options suitable for various income levels, household sizes, and lifestyle preferences.” (2.01.01)

The proposed multi-family development will include a mix of apartments, flats and townhome-style units with choices between 1-, 2- and 3-bedroom units. A variety of amenities are proposed for different preferences.

- “With new subdivision plats, require the design and construction of pathways 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)

Several multi-use pathway segments are proposed within this development for interconnectivity between the residential and commercial and employment portions of the development and open space and site amenity areas.

- “Encourage the development of high quality, dense residential and mixed use areas near in and around Downtown, near employment, large shopping centers, public open spaces and parks, and along major transportation corridors, as shown on the Future Land Use Map.” (2.02.01E)

The proposed project provides high quality, dense residential units that complement and provide a transition between the commercial and employment areas to the south and the

single-family residential to the north and is located along I-84, a major transportation corridor.

- “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 residential uses will provide housing options in close proximity to employment, shopping, dining and other commercial uses which should reduce vehicle trips and enhance livability and sustainability of the area.

- “Encourage the development of supportive commercial near employment areas.” (3.06.02C)

The proposed commercial and retail uses should provide supportive uses for the proposed employment area.

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

A pedestrian circulation plan is included in Section VII.C.3 for the southern portion of the development and in Section VIII.D for the northern portion of the development which provides safe pedestrian connectivity throughout the development.

- “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 though 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 Dept. and Fire Dept. meets the established goals.

- “Where feasible, encourage large transmission and pipeline utility corridors to function as transitional buffers, parkland, pathways, and gathering places within and adjacent to their right-of-way.” (3.07.01E)

The Williams pipeline crosses this site; within the easement, a landscaped common area with a meandering multi-use pathway and seating areas are proposed.

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

*A 50-foot wide landscaped street buffer is required to be provided along the southern boundary of the site adjacent to I-84; **Staff recommends a berm is included in the buffer.***

- “Encourage the integration of public art as an integrated component with new development.” (5.03.01B)

Public art is proposed along the multi-use pathway in the center of the project, which will take the form of sculptures that create points of interest along the pathways and speak to the nexus of the region’s heritage and its future.

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

Urban sewer and water infrastructure and curb, gutter and sidewalks are proposed as required with this development.

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. Development Agreement Modification (MDA):

The existing Development Agreement (DA) was approved with the annexation of the property in 2009 (Meridian Crossing AZ-09-008; Inst. #[110115738](#)); the provisions of such and the approved conceptual development plan and sample building elevations are included below in Section VII.A.

The Applicant proposes a modification to the DA to amend and restate the DA with a termination of the existing DA. All property governed by the original DA will be governed by the amended and restated DA.

A new conceptual development plan is included in Section VII.A.3 for the proposed development and new recommended provisions for the agreement are included in Section VIII.A.1 based on the analysis of the project below and applicable UDC and TMISAP provisions. Some of the existing DA provisions that are still applicable are also recommended to be included in the amended and restated DA.

B. Rezone (RZ):

A rezone is requested of 7.06-acres from the C-C to the H-E zoning district; 17.38-acres from the C-C & H-E zoning districts to the M-E zoning district; and 40.33-acres from the R-40, C-C and M-E zoning districts to the R-15 zoning district; and 1.10-acres from the H-E to the C-C zoning district as shown on the zoning map exhibit in Section VII.B. A conceptual development plan and elevations are included in Section VII.A.3 and A.4 that shows how the site is anticipated to develop.

All of these zoning districts currently exist on the site except for the R-15 district which is proposed to replace the R-40 district. The rezone proposes to reconfigure the boundaries of these zoning districts into more developable areas consistent with the proposed road layout and concept plan. The existing zoning consists of 27 acres of H-E, 25 acres of M-E, 16.83 acres of R-40 and 48 acres of C-C zoning. The rezone will result in 28.6 acres of H-E (an increase of 1.6 acres), 29.07 acres of M-E (an increase of 4.07 acres), 40.33 acres of R-15 (an increase of 23.5 acres of residential) and 17.27 acres of C-C (a decrease of 30.73 acres) zoning overall.

The proposed R-15 zoning is located on the northern 40 acres of the site, which abuts Baraya Subdivision and R-15 zoned single-family residential properties. Medium-high density residential uses are planned to the west and the property to the east is designated Mixed Use – Commercial. Mixed employment and commercial uses are proposed to the south with this application. A multi-family development containing 552 dwelling units at a gross density of 13.63 units/acre is proposed to develop in the R-15 zone. This development will provide a transition between mixed employment uses to the south and lower density single-family homes to the north. The residences proposed for this site will allow people to live and work in the nearby existing and planned commercial and employment areas in the vicinity, thus reducing traffic on area roads by allowing employees to walk or bike to work, shopping and services. *Note: The existing R-40 and C-C*

zoning districts allow a multi-family development with a conditional use permit; however, Staff requested the Applicant rezone the overall area to a zone (i.e. R-15) that better represents the land use.

The proposed C-C zoning is located along the northern portion of the east parcel abutting the Mixed Use – Commercial designated property to the north at the entry to the development with access to a non-residential collector street as desired. High-density employment uses are proposed to the south and mixed employment uses are proposed to the west with this application. Allowed uses in the C-C district should be larger scale and broader mix of retail, office, and service uses. This area is proposed to develop with a mix of uses including a vertically integrated residential project and commercial/retail uses.

The proposed M-E zoning is located at the southwest corner of the development and abuts Mixed Employment designated land to the west and I-84 to the south and will have access to a collector street as desired. Medium-high density residential uses are proposed to the north and high-density employment and commercial uses are proposed to the east with this application. Allowed uses in the M-E district consist of offices, medical centers, research and development facilities, and light industrial uses with ancillary support services. This area is intended to develop with flex uses of approximately 410,000 s.f., which may include office, light industrial and other uses, ~~along with a 410,000 s.f. research and development component~~ such as distribution and light manufacturing.

The proposed H-E zoning is located along the southeast portion of the site adjacent to I-84, in close proximity to Ten Mile interchange, as desired. Mixed employment uses are proposed to the west and commercial uses to the north with this application; I-84 borders the site on the south. Allowed uses in the H-E district consist of corporate headquarters, office complexes, research and development facilities and complementary services such as conference centers and hospitality uses with limited retail. This area is intended for non-residential uses such as a corporate campus, business and professional office space, research and development, and limited retail and service uses (approximately 380,000 square feet).

Proposed Use Analysis:

A variety of uses are proposed including a multi-family development, a vertically integrated residential project, retail, office, flex space, light industrial, research and development, and other uses; see UDC Tables [11-2A-2](#) and [11-2B-2](#) for allowed uses in the applicable zoning districts. Compliance with the dimensional standards listed in UDC Table [11-2A-7](#) and [11-2B-3](#) is required, as applicable.

The proposed zoning and uses are generally consistent with the associated FLUM designations as discussed above in Section IV.

C. Preliminary Plat (PP):

The proposed preliminary plat consists of 8 building lots & 6 common lots on 115.26-acres of land in the R-15, C-C, H-E and M-E zoning districts for Vanguard Village subdivision. The subdivision is proposed to develop in four (4 ~~5~~) final plat phases as shown on the revised phasing plan in Section VI.C1. The first phase of the multi-family development on the north end of the site zoned R-15 is proposed to develop first with the M-E second, the second phase of the multi-family development third, the H-E ~~third~~ fourth and the C-C zoned area last.

The Applicant requests they are allowed to apply for building permits in the multi-family portion of the development prior to recordation of the final plat. The following condition is proposed, “Prior to applying for building permits, the following minimum items shall be completed: street signs are to be in place, the installation of sanitary sewer and water systems (with the water system being fully activated), a compacted road base capable of

supporting an 80,000 lb. fire truck shall be approved by design engineer, with written confirmation of such approval submitted to the Meridian Building Department.” Staff is *not* in favor of allowing a Certificate of Zoning Compliance & Design Review applications to be submitted and building permits issued prior to recordation of the final plat as the necessary infrastructure for development, including roads, should be in place first and lots established for development. Therefore, Staff is not supportive of the request. The Applicant may submit a design review application(s) to finalize building design prior to recordation of the final plat.

Existing Structures/Site Improvements:

There are no existing structures remaining on this site.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the R-15 zoning district in UDC Table [11-2A-7](#) and the C-C, M-E and H-E zoning districts in UDC Table [11-2B-3](#), as applicable. A minimum building setback of 10-feet is required in the multi-family portion of the development unless a greater setback is otherwise required, per UDC 11-4-3-27B.1. Separation between buildings should comply with Building code.

A reduced building setback from 20- to 14-feet is requested for the multi-family structures proposed along Sunset Point Way and Coral Reef. However, a recent code amendment (ZOA-2021-0003) allows a reduction of the collector street setback to be granted for homes that front on a collector street when on-street and required off-street parking is provided (UDC Table 11-2A-7); the required 20-foot landscape buffer easement is measured from back of curb and the dwelling setback shall not be less than 10-feet from the back of sidewalk along the collector street. **Staff recommends the street sections for Sunset Point Way and Coral Reef are constructed consistent with Street Section D in the TMISAP (see pg. 3-21), which requires 11-foot travel lanes, 6-foot bike lanes, 8-foot parallel parking, 8-foot parkways and 6-foot wide detached sidewalks. The 20-foot wide street buffer may be placed in an easement rather than a common lot in accord with UDC 11-3B-7C.2a. The building setback must be at least 10-feet from the back of sidewalk, which achieves the ultimate setback desired.** This accomplishes the street-oriented design desired in urban environments for a more walkable neighborhood and creates a more consistent edge to the public space in accord with the TMISAP.

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. The proposed subdivision appears to comply with these standards.

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

Access is proposed to be provided from the northern boundary of the site from W. Franklin Rd. via S. Sunset Point Way and S. Baraya Way and from the east from S. Ten Mile Rd. via the extension of Vanguard Way. Coral Reef Way, Sunset Point Way, Umbria Hills and Vanguard Way are all designed as collector streets in accord with the Master Street Map and the Transportation System Map in the TMISAP. Stub streets are proposed to adjacent properties for future extension.

Streets: Sunset Point Way and Coral Reef Way should be constructed in accord with Street Section D (residential collector street) in the TMISAP, which requires (2) 11-foot travel lanes, 6-foot bike lanes, 8-foot parallel parking, 8-foot parkways and minimum 6-foot wide detached

sidewalks (see pg. 3-21 and 3-23). Streetlights should be placed in the dry utilities' corridor on either side of the street. **The plat should be revised consistent with Street Section D.**

Vanguard Way and Umbria Hills should be constructed in accord with Street Section C (major collector street) in the TMISAP, which requires (2) 11-foot travel lanes, 6-foot bike lanes, 8-foot parkways with streetlights at a pedestrian scale and minimum 6-foot wide detached sidewalks (see pg. 3-20, 3-22, 3-23). The Applicant proposes a modification of the street section with (3) 11-foot travel lanes, on-street parking between the Williams pipeline and the eastern boundary of the site, 8-foot wide parkways and 10-foot wide detached sidewalks/pathways in lieu of bike lanes, which is required by ACHD. Staff is supportive of this change.

All streets should be constructed as complete streets as defined in the TMISAP (see pg. 3-19 & 3-20).

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

Ten (10) foot wide multi-use pathways are proposed on the site in accord with the Pathways Master Plan. One segment follows the Williams pipeline easement diagonally across this site; another segment runs along the southern boundary within the street buffer along I-84. The Park's Dept. has requested a pathway connection be provided between the Purdam Drain pathway and the pathway within the pipeline easement (see Section VIII.G). **A 14-foot wide public use easement for all multi-use pathways shall be submitted to the Planning Division prior to submittal for City Engineer signature on the final plat(s).** *If the pathway will be located entirely within the right-of-way, a public pedestrian easement is not needed.*

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

The UDC requires minimum 5-foot wide sidewalks to be provided adjacent to all streets with detached sidewalks along collector streets and attached or detached sidewalks along local streets. **However, the guidelines in the TMISAP for the collector street sections (i.e. C and D) depict 6-foot wide sidewalks, which should be provided within the development at a minimum.**

Sidewalks, walkways and pathways should include dedicated crosswalks at the intersection with all streets within commercial activity centers with changes in color, markings, materials, texture and/or surface to distinguish them from the surrounding pavement as set forth in the TMISAP (see pg. 3-28, Crosswalks).

Pedestrian Circulation: A pedestrian circulation plan is included in Section VII.C.3 that depicts all sidewalks and pedestrian pathways planned throughout the site in accord with the TMISAP for mixed use areas.

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

Parkways are recommended along all streets within the development in accord with the TMISAP, planted with street trees and landscaping per the standards in UDC 11-3B-7C.

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

Street buffers are required to be provided as set forth in UDC [Table 11-2A-7](#). A minimum 10-foot wide street buffer is required along all local streets (i.e. Vantage Point Way, Vanguard Trail) in commercial districts. A 20-foot wide street buffer is required along all collector streets (i.e. Vanguard Way, Umbria Hills, Coral Reef Way and Sunset Point Way) – the buffer may be placed in an easement rather than a common lot in accord with UDC 11-3B-7C.2a; the building setback must be at least 10-feet from the back of sidewalk in the R-15 district as set forth in UDC Table 11-2A-7. A minimum 50-foot wide street buffer is required along I-84, landscaped per the standards listed in UDC [11-3B-7C.3](#), which requires a variety of trees, shrubs, lawn or other vegetative groundcover (**see updated code for specifics**). **A 20-foot wide street buffer, instead of a 10-foot wide buffer, is required along Umbria Hills, a collector street. One (1)**

additional tree should be added within the street buffer along Umbria Hills (east) per the minimum standard.

Landscaping is required within parkways per the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#). **Class II trees shall be provided in parkways in accord with UDC 11-3A-17E; Class III trees may be considered if the parkways are widened to 10 feet – revise the landscape plan accordingly.**

Landscaping is required along all pathways per the standards in UDC [11-3B-12C](#). A 5' wide landscape strip is required on both sides of the pathway planted with a *mix* of trees, shrubs, lawn and/or other vegetative ground cover. **If trees are not allowed within the pipeline easement, an additional 5-feet should be added to the common area outside of the easement to allow for trees; or, alternative compliance may be requested to the planting requirement.**

Mitigation is required for all existing trees 4" caliper or greater that are removed from the site in accord with the standards in UDC 11-3B-10C.5. Mitigation calculations are depicted on the landscape plan in accord with UDC standards (i.e. 185 trees at 2.5 caliper inches each for a total of 462.5 caliper inches). **The location of mitigation trees shall be depicted on a revised landscape plan submitted with the final plat application.**

Storm Drainage:

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 Evaluation](#) for the subdivision.

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.

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

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21.

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

The Marvin Lateral runs along the west boundary of the site and the Purdam Drain crosses near the northeast corner of the site. **If an easement for either of these waterways lies on this site, the easement(s) shall be clearly depicted on the plat.** All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council.

Williams Pipeline: The Williams pipeline crosses this site diagonally within a 75-foot wide easement (Inst. #390283, #8018289, #8103052, and #8048122). **Development within the easement should comply with the Williams Developers' Handbook.**

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. No fencing is proposed on the landscape plan.

D. Conditional Use Permit (CUP):

A Conditional Use Permit is proposed for a multi-family development (i.e. Vanguard Crossing) consisting of 552 dwelling units with a mix of 3-story apartments and 2-story flats and townhome-style buildings ranging from 758 to 1,693 square feet (s.f.) on 40.33-acres of land in the R-15 zoning district. A 9,368 square foot single-story clubhouse is proposed with amenities along with two (2) other amenity buildings.

Nine (9) garden-style apartment buildings containing a total of 216 units and 51 flats and townhome-style buildings are proposed containing a total of 336 units with a mix of 1-, 2- and 3-bedroom units. See site plan and associated exhibits in Section VII.D.

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

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. *As noted above in Section V.C, if the required street buffers along the collector streets are placed in easements rather than common lots, setbacks can be reduced to 10-feet measured from back of sidewalk with streets constructed per Street Section D in the TMISAP.*
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 floor plans all depict at least 80 s.f. of private usable open space (i.e. patios or balconies) for each unit except for Buildings 3, 5 and 6 – Unit C's – the Applicant states these units will all have 84 s.f. patios on-grade. **Floor plans for each unit should be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with 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 (see common open space exhibit in Section VII.D.5).*
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. *The proposed parking meets and exceeds UDC standards (see parking analysis below).*
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)

*A leasing office, storage area, and a mail & parcel center are depicted on the clubhouse floor plan. **The location of the directory and map of the development shall be noted on the site plan submitted with the Certificate of Zoning Compliance application.***

C. Common Open Space Design Requirements:

1. The total baseline land area of all qualified common open space shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *Based 40.33 acres of land, a minimum of 4.03 acres of common open space should be provided. A total of 8.99 acres is proposed in accord with this standard.*
2. All common open space shall meet the following standards:
 - a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. Open space areas that has been given priority in the development design have:
 - (1) Direct pedestrian access;
 - (2) High visibility;
 - (3) Comply with Crime Prevention through Environmental Design (CTED) standards; and
 - (4) Support a range of leisure and play activities and uses.

Irregular shaped, disconnected or isolated open spaces shall not meet this standard.

Although there are some irregular shaped areas, they are all directly accessible by pedestrians with high visibility; the majority of the areas are in compliance with these standards and the overall common open space is twice that required.
 - b. Open space shall be accessible and well connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street. *Proposed open space meets this standard.*
 - c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering and relaxation to serve the development. *Proposed open space meets this standard.*
3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.
 - a. Minimum size of common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development. *Several common*

grassy areas are proposed in accord with this standard, which Staff believes is proportionate for the proposed development.

- b. Alternative compliance is available for these standards, if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land use designations with collectively integrated and shared open space areas. *Alternative compliance is not needed; the project meets the required standards.*
4. 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 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. *352 units contain between 500 and 1,200 square feet of living area.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *104 units exceed 1,200 square feet of living area.*

A total of 151,000 s.f. (or 3.47 acres) of outdoor common open space is required to be provided per this standard and a minimum of 4.03 acres is required to be provided per the standard listed above in 11-4-3-27C.1 for a total of 7.5 acres overall. A total of 391,590 s.f. (or 8.99 acres) is proposed in excess of the minimum requirement as shown on the exhibit in Section VII.D.5.

5. 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 (20) feet. *All of the common open space areas depicted on the open space exhibit in Section VII.F meet this requirement.*
6. 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. *This project is proposed to develop in two phases; common open space is proposed in each phase in accord with UDC standards for the size and number of dwelling units.*
7. 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 (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access. *The common open space exhibit in Section VII.F includes common open space along collector streets; however, the minimum standards for open space are met internal to the development. **A berm or a constructed barrier at least 4 feet in height with breaks in the berm or barrier to allow for pedestrian access should be provided within the collector street buffer along Vanguard Way.***

D. 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.

Based on 552-units, a minimum of 4 amenities are required. Amenities are proposed as follows: a clubhouse with a swimming pool, hot tub and cabanas; an outdoor kitchen and dining area; fitness lounge, lawn games and firepit lounge; pickleball court; children's play area; dog parks; a smaller swimming pool, picnic shelter and fire pit lounge; art; pedestrian walkways; 10-foot wide sidewalks along the collector street (Vanguard); and

an amenity area with a BBQ lounge (see Exhibit 6 in Section VI.D below). Amenities are provided from all of the required categories.

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)

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 on all street-facing elevations 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 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](#), which requires a minimum 5-foot wide landscape strip along each side of the pathway planted with a mix of trees, shrubs, lawn, and/or other vegetative ground cover; a minimum of one (1) tree per 100 linear feet of pathway is required.

Parking lot landscaping is required to be provided per the standards listed in UDC [11-3B-8C](#).

Staff recommends a minimum of one (1) tree be provided for every 8,000 square feet of common open space.

Parking: Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). Based on 222 1-bedroom units and 330 2- and 3-bedroom units, a minimum of 993 off-street spaces are required with 552 of those being in a covered carport or garage. Off-street parking is required for the clubhouse and amenity building as set forth in UDC 11-3C-6B.1 for non-residential uses; based on 9,368 s.f. for the clubhouse and 1,800 s.f. for each of the amenity buildings, a minimum of 26 spaces are required.

Between the residential units, clubhouse and two amenity buildings, a minimum of 1,019 off-street parking spaces are required with 552 of those being in a covered carport or garage. A total of 1,054 off-street parking spaces are proposed with 665 of those being covered spaces (470 garages/195 carports) in excess of UDC standards. Based on 1,054 parking spaces proposed, a minimum of 42 bicycle parking spaces are required to be provided; a total of 48 spaces are

proposed. Bicycle parking facilities should comply with the standards in UDC [11-3C-5C](#). **Bike racks should be provided in central locations for each building and for the clubhouse.**

The Applicant's narrative states an additional 94 off-site on-street parking spaces will be provided for guests, which totals 129 additional spaced beyond those required. However, ACHD is requesting some turn lanes be provided which will reduce this number.

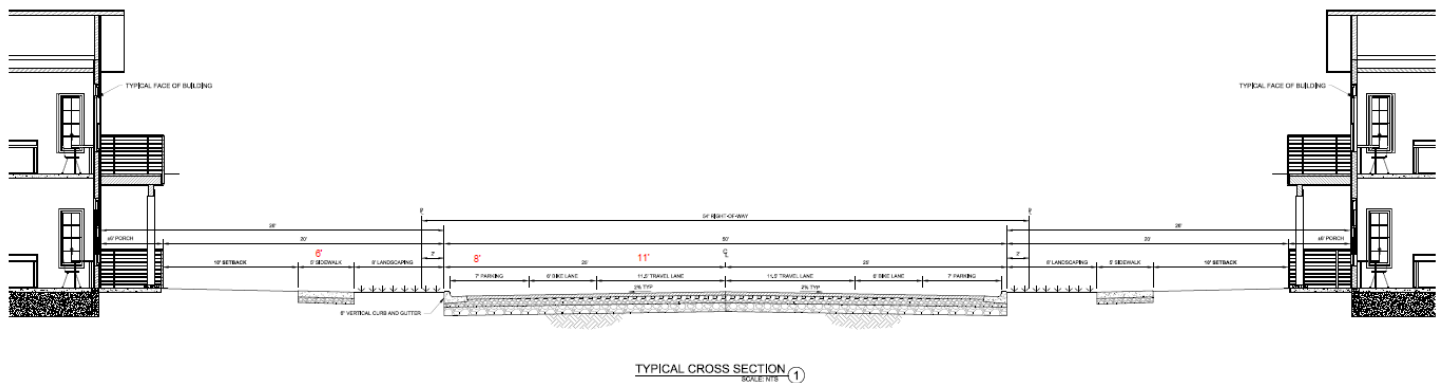
Private Streets: The Fire Dept. has requested private streets are provided for addressing purposes of the multi-family units. All private streets should comply with the standards listed in UDC [11-3F-4](#). **The Applicant shall submit a private street application concurrent with the final plat application.**

Fencing: No fencing is depicted on the landscape plan for this development. All fencing should comply with the standards listed in UDC [11-3A-7](#) if proposed.

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

Conceptual building elevations were submitted for the proposed apartment, flat and townhome-style multi-family and clubhouse buildings as shown in Section VII.D.7. Updated Building materials consist of vertical and horizontal hardie plank siding in light gray, and green and wood colors; stucco in dark gray and off-white colors; and vertical western red cedar siding with cedar posts and beams and asphalt shingles.

Per the TMISAP for MHDR designated areas, the design of residential buildings should incorporate street-oriented and human-scale design and be located as close to the property line as possible to create a consistent edge to the public space and make streets more friendly and walkable. The closest the structures are allowed to be per UDC [Table 11-2A-7](#) is 10-feet from the back of sidewalk as proposed in the cross-section below with the collector street buffer placed in an easement.



Structures should incorporate traditional neighborhood design. Front porches with parking behind the buildings are desired. Streetscapes with landscaped parkways with trees between curbs and sidewalks, street furniture and view corridors are key. Primary facades should include an entry into the building; entries should be located so as to provide direct access from adjacent public spaces, streets and activity areas as proposed. **Where primary facades face a designated public space and another faces a parking area designed to serve that structure such as proposed, both facades should be designed and detailed as primary facades and both should have prominent usable entries.**

The space between a building façade and the adjacent sidewalk should be landscaped with a combination of lawns, groundcover, shrubs and trees. Mostly attached low-rise buildings of 1-3 stories are recommended as proposed. ~~Buildings should be designed with clearly delineated bases, bodies and tops (see pg. 3-39).~~

~~Landscaped buffers should be provided between the proposed development and the existing single-family development to the north.~~ Ground floor elevations should be 18 to 24 inches above sidewalk grade with individual units opening directly onto adjacent rights-of-way with stoop frontage. Pitched roofs should be symmetrical hips or gables with a pitch between 4:12 and 12:12 and have an overhang of at least 12 inches. **Public art in a high quality of design should also be provided in shared spaces and incorporated into the design of streetscapes.**

The proposed conceptual elevations are *not* approved. Final design must comply with the design standards in the Architectural Standards Manual (ASM) and the design guidelines in the TMISAP for the MHDR designation (see the matrix for Application of the Design Elements on pg. 3-49). A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications. *Note: Any variations from the design standards in the ASM should be requested through a design standard exception as detailed in the ASM with the Design Review application.*

VI. DECISION

A. Staff:

Staff recommends approval of the requested DA modification, rezone, preliminary plat and conditional use permit per the provisions noted in Section VIII, per the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on March 17, 2022. At the public hearing, the Commission moved to recommend approval of the subject RZ, PP and CUP requests.

1. Summary of Commission public hearing:

- a. In favor: JoAnn Butler, Deb Nelson, Garret Scott, T.J. Winger
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: JoAnn Butler, Applicant's Representative
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. The Applicant requests a couple of alternatives to the design guidelines in the TMISAP pertaining to roof pitches and front stoops in the multi-family portion of the development. The plan calls for roof pitches ranging from 4:12 to 12:12; the Applicant requests the allowance of a lower pitch for the community clubhouse amenity buildings of 2:12 and for the townhome garages of 3:12 to allow larger windows with lower sills at the second level. Front stoops are desired in the Plan for buildings that face public streets of 18" to 24" above grade; due to concerns pertaining to compliance with ADA requirements, the Applicant proposes patios instead with railings that frames off the entrances that are covered by the above balconies.
- b. In favor of the roof pitches and front porches proposed in lieu of stoops for sense of place within the community & opinion that they meet the intent of the guidelines. – TJ Winger (part of the architecture team for this project).

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

- a. The Applicant's request for lower roof pitches for certain structures; and for front stoops to not be required per the design guidelines in the Plan;
- b. Preference for more commercial to develop first rather than residential to create more jobs.

4. Commission change(s) to Staff recommendation:

- a. The Commission was supportive of the Applicant's request for lower roof pitches in the multi-family portion of the development (i.e. 2:12 on amenity buildings and 3:12 on townhome garages) and for the design guideline pertaining to front stoops to not be required.
 - 5. Outstanding issue(s) for City Council:
 - a. If Council agrees with the Applicant's request for lower roof pitches for certain buildings and for covered front patios to be provided instead of stoops, it should be memorialized in the DA.
- C. The Meridian City Council heard these items on April 19, 2022. At the public hearing, the Council moved to approve the subject MDA, RZ, PP and CUP requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: JoAnn Butler, Deb Nelson, Garret Scott, T.J. Winger
 - b. In opposition: None
 - c. Commenting: None
 - 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. None
 - 3. Key issue(s) of discussion by City Council:
 - a. Desire for xeriscape landscaping to be provided around commercial buildings in areas where landscaping isn't required per UDC standards;
 - b. The lower roof pitches and front patios instead of stoops requested by the Applicant;
 - 4. City Council change(s) to Commission recommendation:
 - a. City Council approved the Applicant's request for lower roof pitches for certain buildings as specified and front patios instead of elevated stoops in the multi-family portion of the development.

VII. EXHIBITS

A. Development Agreement (DA) Modification

1. Existing DA provisions (Planning Dept. only):

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**
- 5.1. Developer/Owner shall develop the Property in accordance with conditions identified in Exhibit B of the staff report for the hearing date of December 8, 2009, which Exhibit B of the staff report is a portion of **Exhibit B** attached to this Agreement.

EXHIBIT B: AGENCY & DEPARTMENT COMMENTS

On September 24, 2009, Planning Staff held an agency comments meeting. The agencies and departments present include: Meridian Fire Department, Meridian Public Works Department, Meridian Parks Department, and Sanitary Service Company. Staff has included all comments and recommended actions in the attached Exhibit B.

1. PLANNING DEPARTMENT

- 1.1 The legal description and exhibit map for the area contained in the proposed annexation submitted with the application (stamped on August 26, 2009, by Michael Marks, PLS) shows the property within the existing corporate boundary of the City of Meridian (see Exhibit C).
- 1.2 A Development Agreement (DA) will be required as part of the annexation of this property. Prior to the annexation ordinance approval, 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. The Applicant shall contact the City Attorney's Office within one year of Council approval to initiate this process. Currently, a fee of \$303.00 shall be paid by the applicant to the City Attorney's office prior to commencement of the DA. The DA shall, at minimum, incorporate the following provisions:
- a. An encroachment permit is required for any improvements proposed within the pipeline easement. A copy of the executed encroachment agreement shall be submitted to the City prior to issuance of any Certificate of Zoning Compliance for this site. Uses such as daycares, schools, hospitals, assisted living facilities, etc. where occupants are not able to leave the area quickly in case of an emergency, are discouraged in the vicinity of the pipeline.
 - b. Street buffer landscaping, internal parking lot landscaping, landscape buffers to adjoining residential uses, and mitigation for existing trees 4-inch caliper and larger that are removed from the site, will be required with development of this site and shall be installed in accordance with City of Meridian ordinances in effect at the time of development.
 - c. Development of this site shall be consistent with the concept site plan shown in Exhibit A.2 and the concept pictures shown in Exhibit A.3. Further, future development shall be consistent with the vision of the Ten Mile Specific Area Plan, the Design Manual, and City of Meridian ordinances in effect at the time of development.

- d. Development in the R-40 district shall be consistent with the overall density and development standards contained in the Ten Mile Interchange Specific Area Plan for Medium High Density Residential (MHDR) designated areas.
- e. Development in the C-C district shall be consistent with the development standards contained in the Ten Mile Interchange Specific Area Plan for Mixed Use Commercial (MUC) designated areas. Uses within the C-C district shall be comprised of a *mix* of uses (i.e. office, retail, recreational, employment, and other uses, including residential uses) as defined in the Ten Mile Interchange Specific Area Plan.
- f. A 10-foot wide segment(s) of the City's multi-use regional pathway system shall be constructed on the site in accordance with the Master Pathways Plan in the general locations noted on the plan included in Exhibit A.4; exact location of the pathways shall be determined by the Planning Department and Parks Department at the time of development. Said pathway shall be primarily located within the pipeline easement and provide connectivity to the planned pathway in Baraya Subdivision at the northwest corner of the site. Pathway stubs shall be provided at the west boundary further to the south and to the east boundary on the north end of the site for connectivity with future segments of the pathway.
- g. The applicant shall submit a Certificate of Zoning Compliance application to the Planning Department for approval of all future uses on the site to ensure compliance with the Unified Development Code, Ten Mile Interchange Specific Area Plan, Comprehensive Plan, Design Manual, and provisions of the development agreement contained herein, prior to issuance of building permits for any structure(s) within this site.

Link to complete Development Agreement (Inst. #110115738):

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=76898&dbid=0&repo=MeridianCity>

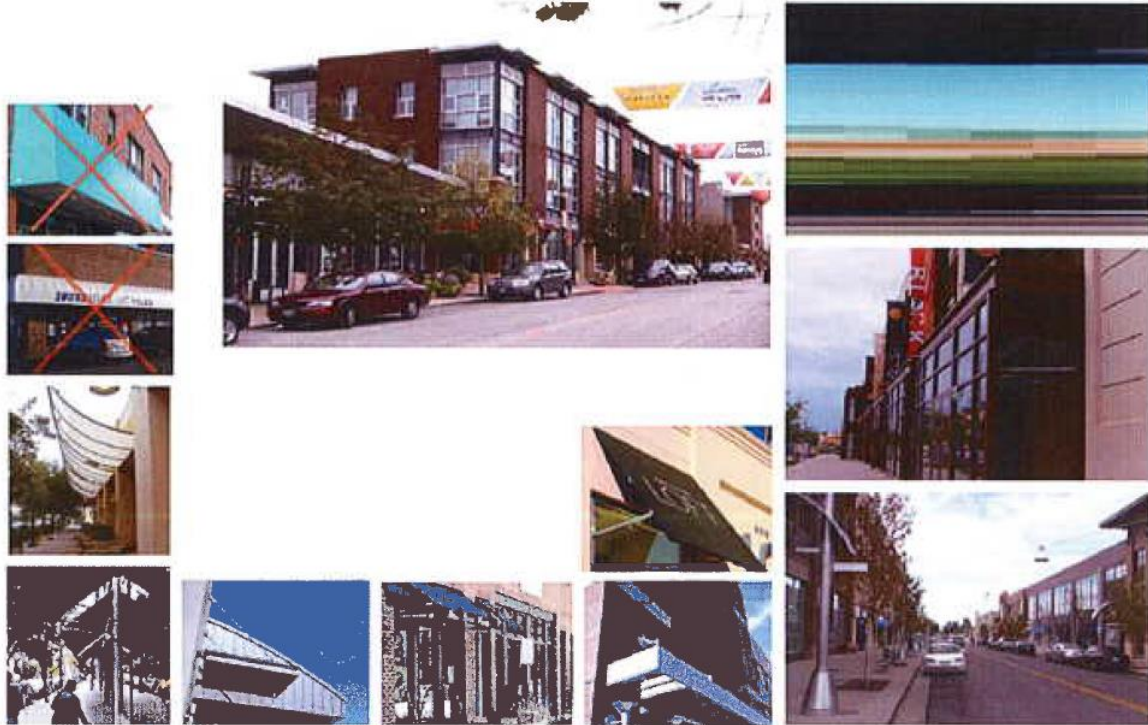
2. Existing Approved Conceptual Development Plan & Elevations:



3. Proposed Conceptual Development Plan



4. Proposed Conceptual Building Elevations/Design

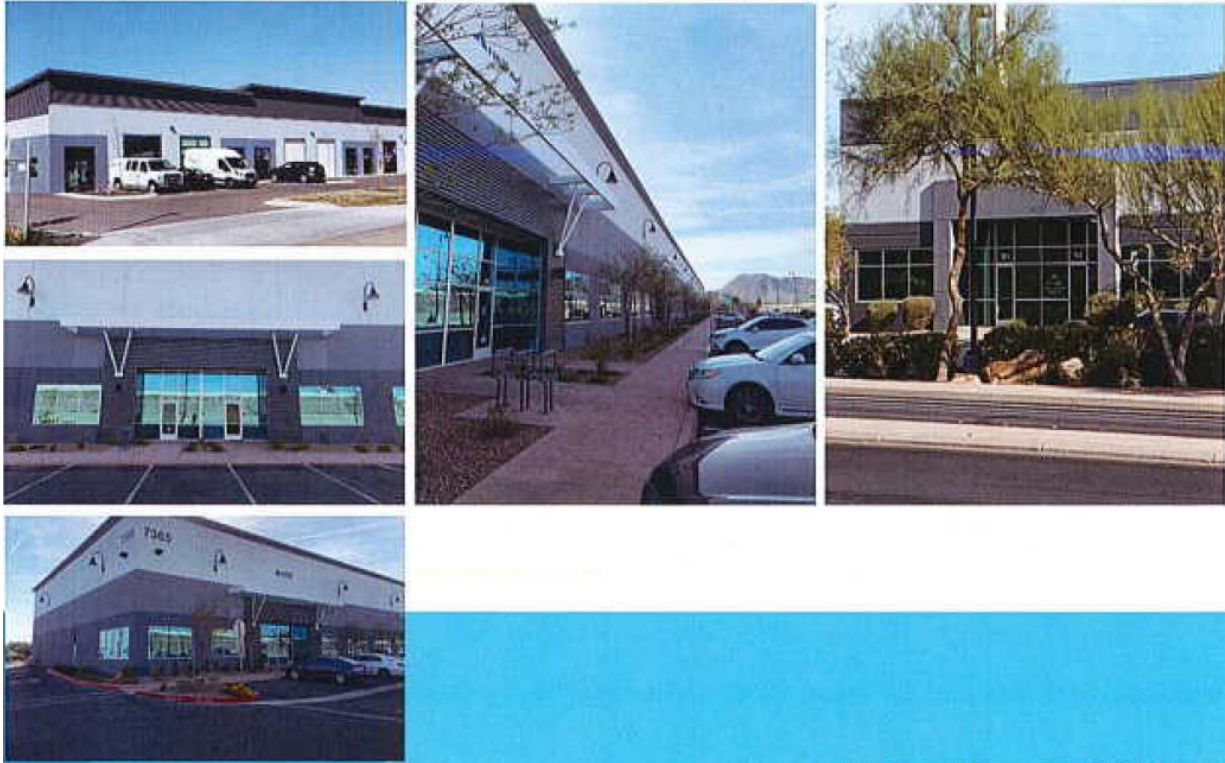


Examples of Mixed Use Commercial/Retail in the C-C Zone



C-C PRODUCT CONCEPT STUDY

Examples of Vertically Integrated Residential Design



M-E PRODUCT CONCEPT STUDY

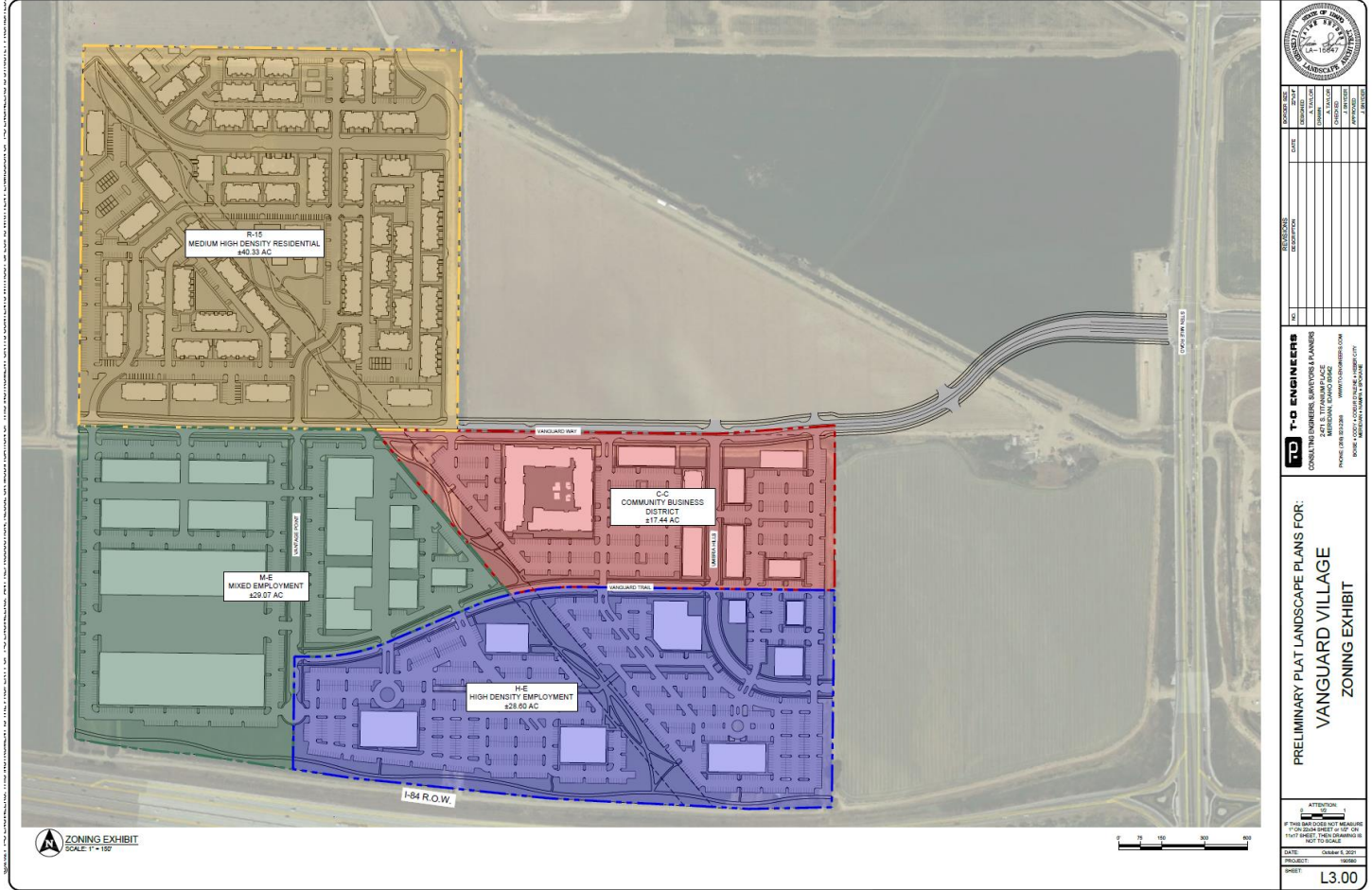
Examples of Mixed Employment Design



H-E PRODUCT CONCEPT STUDY

Examples of High Density Employment Design

B. Rezone – Legal Descriptions & Exhibit Maps





Project No: 190580
Date: December 15, 2021
Page 1 of 1

**MERIDIAN 118
H-E ZONING**

A parcel of land located in portions of the NE1/4 of the SW1/4, and the NW1/4 of the SE1/4, of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the Center East 1/16 Corner of said Section, from which the Center 1/4 Corner of said Section bears N.89°14'39"W., 1321.43 feet; thence along the east boundary of said NW1/4 of the SE1/4,

- A) S.00°33'33"W., 419.50 feet; thence,
- B) S.88°20'35"W., 422.37 feet; thence,
- C) S.06°13'49"W., 104.18 feet to the **POINT OF BEGINNING**; thence continuing,
 - 1) S.06°13'49"W., 46.04 feet to the beginning of a tangent curve; thence,
 - 2) Southwesterly along said curve to the right, having a radius of 125.00 feet, an arc length of 96.48 feet, through a central angle of 44°13'28" and a long chord which bears S.28°20'33"W., 94.11 feet; thence tangent from said curve,
 - 3) S.50°27'17"W., 698.92 feet; thence,
 - 4) N.39°32'45"W., 589.58 feet; thence,
 - 5) N.66°06'05"E., 97.09 feet to the beginning of a tangent curve; thence,
 - 6) Northeasterly along said curve to the right, having a radius of 1000.00 feet, an arc length of 430.30 feet, through a central angle of 24°39'16" and a long chord which bears N.78°25'43"E., 426.99 feet; thence tangent from said curve,
 - 7) S.89°14'39"E., 456.97 feet to the **POINT OF BEGINNING**.

CONTAINING: 7.06 acres, more or less.

*Bearings and distances are based on the record zoning descriptions included in the Development Agreement recorded as Instrument No. 110115738, Official Records of Ada County, Idaho.



EXHIBIT SKETCH - H-E ZONING

LOCATED IN PORTIONS OF THE NE1/4 OF THE SW1/4 AND THE NW1/4 OF THE SE1/4 OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 WEST
BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2021

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S06°13'49"W	104.18'
L2	S06°13'49"W	46.04'
L3	N66°06'05"E	97.09'

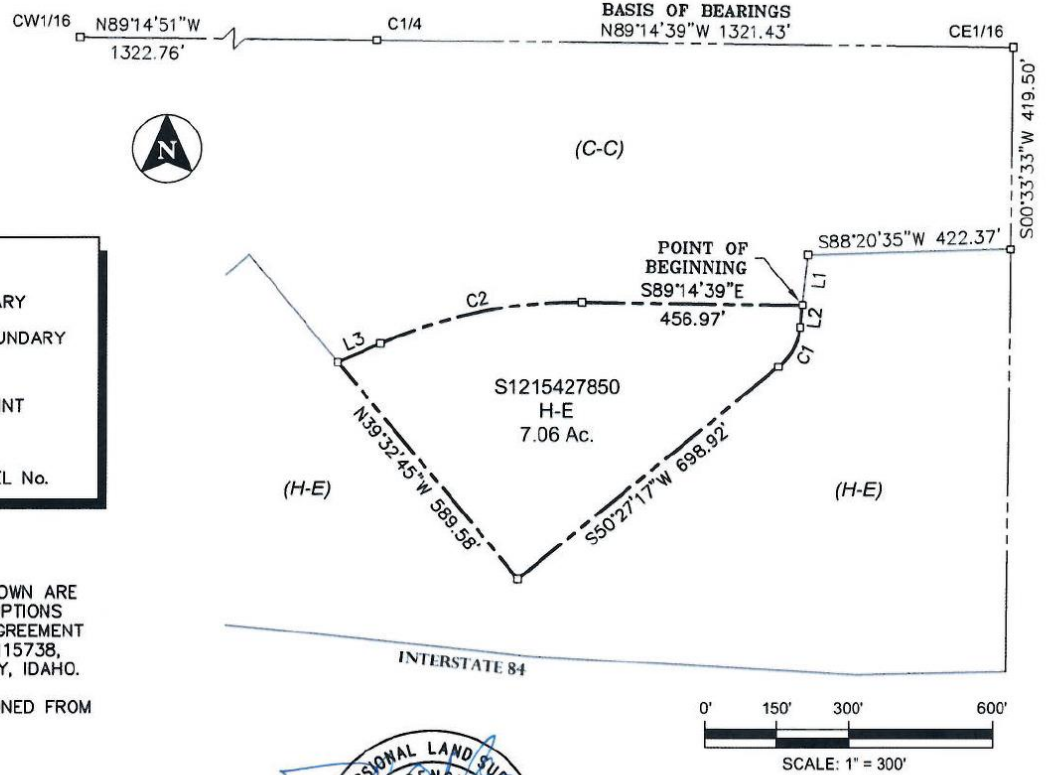
LEGEND

- NEW ZONE BOUNDARY
- EXISTING ZONE BOUNDARY
- SECTION LINE
- RECORD ANGLE POINT
- (C-C) EXISTING ZONING
- S1215427850 ASSESSOR'S PARCEL No.

NOTES

- ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON RECORD ZONING DESCRIPTIONS INCLUDED IN THE DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT No.110115738, OFFICIAL RECORDS OF ADA COUNTY, IDAHO.
- THE PARCEL SHOWN WILL BE REZONED FROM C-C TO H-E.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	125.00'	96.48'	44°13'28"	S28°20'33"W	94.11'
C2	1000.00'	430.30'	24°39'16"	N78°25'43"E	426.99'



T-O ENGINEERS

332 N. BROADMORE WAY
NAMPA, IDAHO 83687

PHONE: (208) 442-6300 WWW.TO-ENGINEERS.COM
E-FILE: 190580-V-XB_ZONING_H-E DATE: 12/15/2021 JOB: 190580

**MERIDIAN 118
M-E ZONING**

A parcel of land located in portions of the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4, of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 15, from which the Center East 1/16 Corner of said Section bears S.89°14'39"E., a distance of 1321.43 feet; thence, along the north line of said NE1/4 of the SW1/4,

- A) N.89°14'51"W., 291.63 feet to the **POINT OF BEGINNING**; thence,
- 1) S.39°31'08"E., 747.95 feet to the beginning of non-tangent curve; thence,
 - 2) Southwesterly along said curve to the left, having a radius of 1000.00 feet, an arc length of 185.66 feet, through a central angle of 10°38'16" and a long chord which bears S.71°25'13"W., 185.40 feet; thence tangent from said curve,
 - 3) S.66°06'05"W., 231.67 feet to the beginning of a non-tangent curve; thence,
 - 4) Southwesterly along said curve to the right, having a radius of 750.00 feet, an arc length of 322.73 feet, through a central angle of 24°39'16" and a long chord which bears S.78°25'43"W., 320.24 feet; thence tangent from said curve,
 - 5) N.89°14'39"W., 51.86 feet; thence,
 - 6) S.00°45'21"W., 393.83 feet to the north right-of-way of Interstate Highway 84; thence along said right-of-way,
 - 7) N.81°24'57"W., 352.28 feet; thence,
 - 8) N.85°23'09"W., 21.65 feet; thence departing said north right-of-way,
 - 9) N.09°28'05"E., 86.37 feet to the beginning of a tangent curve, thence,
 - 10) Northeasterly along said curve to the right, having a radius of 150.00 feet, an arc length of 107.30 feet, through a central angle of 40°59'02" and a long chord which bears N.29°57'36"E., 105.02 feet; thence tangent from said curve,

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- 11) N.50°27'07"E., 357.09 feet; thence,
- 12) N.39°32'45"W., 918.69 feet to beginning of a tangent curve; thence,
- 13) Northwesterly along said curve to the right, having a radius of 150.00 feet, an arc length of 39.04 feet, through a central angle of 14°54'48" and a long chord which bears N.32°05'21"W., 38.93 feet to the north boundary of said NE1/4 of the SW1/4, from which point the Center West 1/16 Corner of said Section bears N.89°14'51"W., a distance of 115.16 feet; thence,
- 14) S.89°14'51"E., 915.97 feet to the **POINT OF BEGINNING**.

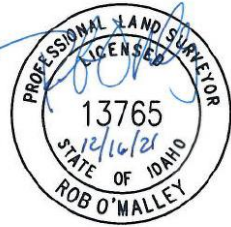
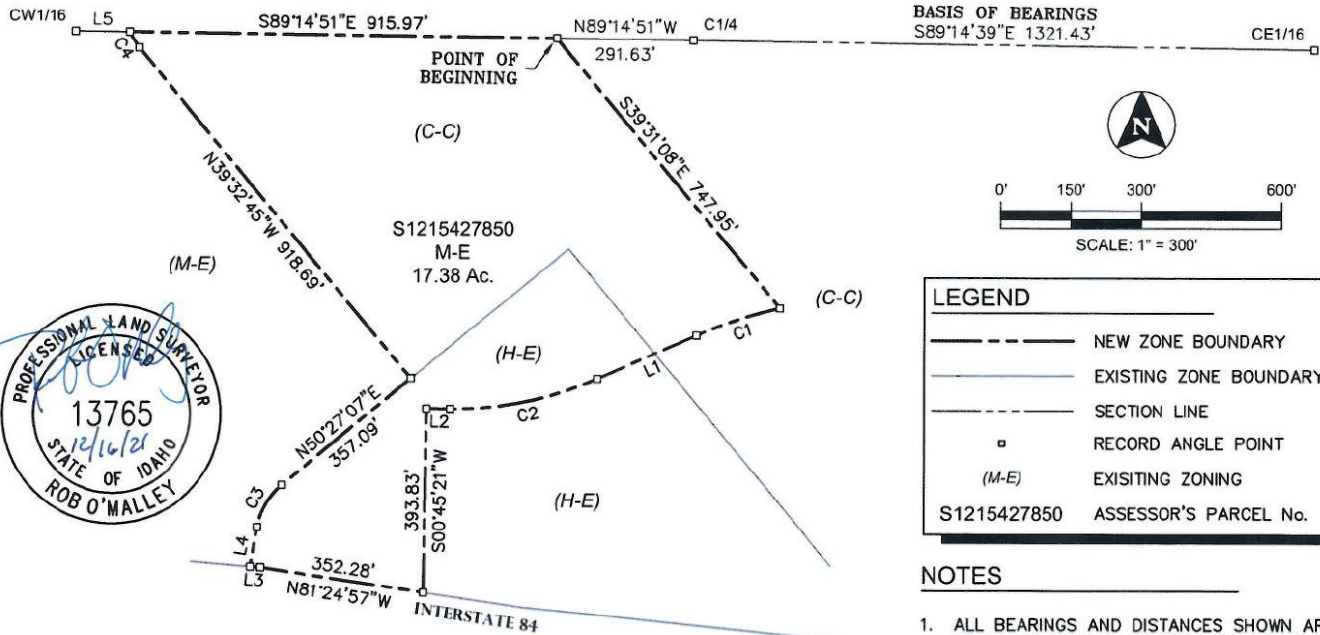
CONTAINING: 17.38 acres, more or less.

*Bearings and distances are based on the record zoning descriptions included in the Development Agreement recorded as Instrument No. 110115738, Official Records of Ada County, Idaho.



EXHIBIT SKETCH - M-E ZONING

LOCATED IN PORTIONS OF THE NE1/4 OF THE SW1/4 AND THE NW1/4 OF THE SE1/4 OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 WEST
BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2021



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S66°06'05"W	231.67'
L2	N89°14'39"W	51.86'
L3	N85°23'09"W	21.65'
L4	N09°28'05"E	86.37'
L5	N89°14'51"W	115.16'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	1000.00'	185.66'	10°38'16"	S71°25'13"W	185.40'
C2	750.00'	322.73'	24°39'16"	S78°25'43"W	320.24'
C3	150.00'	107.30'	40°59'02"	N29°57'36"E	105.02'
C4	150.00'	39.04'	14°54'48"	N32°05'21"W	38.93'



T-O ENGINEERS

332 N. BROADMORE WAY
NAMPA, IDAHO 83687

PHONE: (208) 442-6300

WWW.TO-ENGINEERS.COM

E-FILE: 190580-VXB_ZONING_M-E

DATE: 12/15/2021 JOB: 190580



Project No: 190580
Date: December 15, 2021
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**MERIDIAN 118
R-15 ZONING**

A parcel of land being all of the SE1/4 of the NW1/4, of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the Center 1/4 Corner of said Section 15, from which the Center East 1/16 corner of said Section bears S.89°14'39"E., a distance of 1321.43 feet; thence along the south boundary of said SE1/4 of the NW1/4,

- 1) N.89°14'51"W. 1322.76 feet to the Center West 1/16 Corner of said Section; thence along the west boundary of said SE1/4 of the NW1/4,
- 2) N.00°39'49"E. 1328.76 feet to Northwest 1/16 Corner of said Section, thence along the north boundary of said SE1/4 of the NW1/4,
- 3) S.89°15'14"E. 1321.52 feet to the Center North 1/16 Corner of said Section, thence along the east boundary of said SE1/4 of the NW1/4,
- 4) S.00°36'37"W. 1328.91 feet to the **POINT OF BEGINNING**.

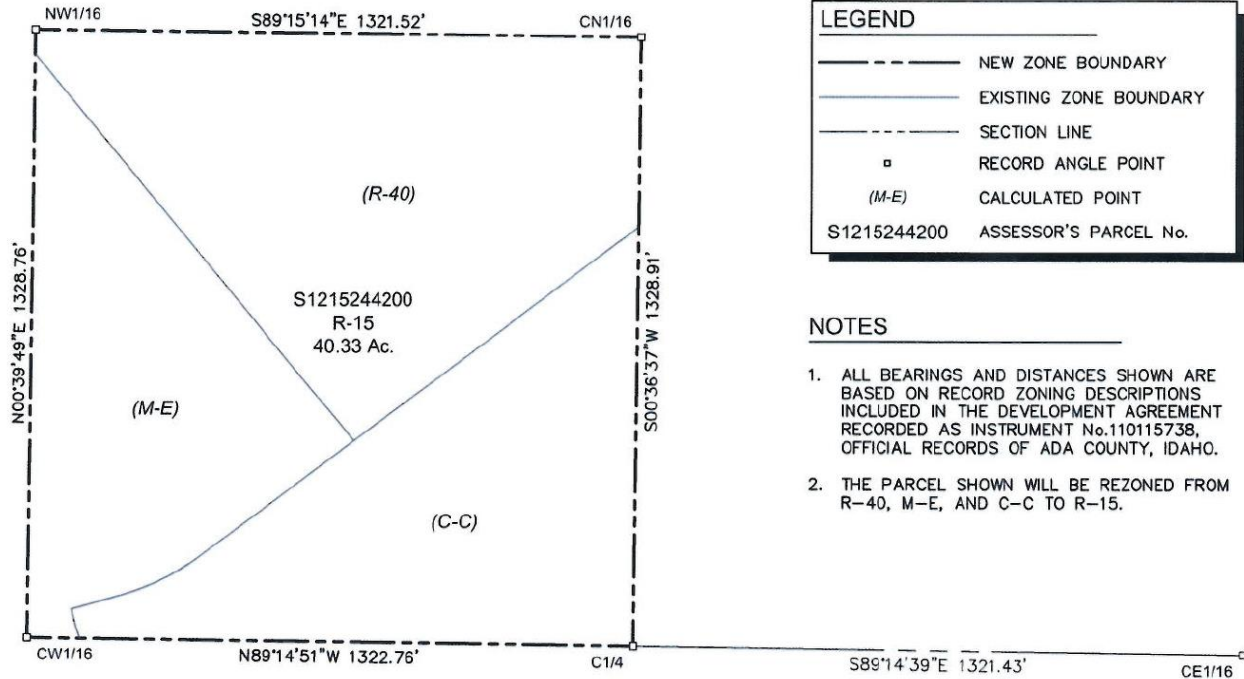
CONTAINING: 40.33 acres, more or less.

*Bearings and distances are based on the record zoning descriptions included in the Development Agreement recorded as Instrument No. 110115738, Official Records of Ada County, Idaho.



EXHIBIT SKETCH - R-15 ZONING

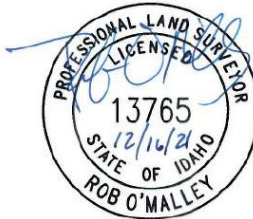
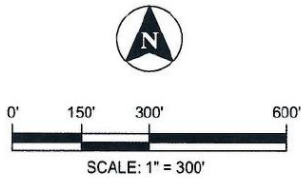
ALL OF THE SE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 WEST
BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2021



LEGEND	
---	NEW ZONE BOUNDARY
---	EXISTING ZONE BOUNDARY
---	SECTION LINE
□	RECORD ANGLE POINT
(M-E)	CALCULATED POINT
S1215244200	ASSESSOR'S PARCEL No.

NOTES

1. ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON RECORD ZONING DESCRIPTIONS INCLUDED IN THE DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT No. 110115738, OFFICIAL RECORDS OF ADA COUNTY, IDAHO.
2. THE PARCEL SHOWN WILL BE REZONED FROM R-40, M-E, AND C-C TO R-15.



332 N. BROADMORE WAY
NAMPA, IDAHO 83687

PHONE: (208) 442-6300 WWW.TO-ENGINEERS.COM
E-FILE: 190580-VXB_ZONING_R-15 DATE: 12/13/2021 JOB: 190580



Project No: 190580
Date: December 16, 2021
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**MERIDIAN 118
C-C ZONING**

A parcel of land located in a portion of the NW1/4 of the SE1/4 of Section 15, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at The Center East 1/16 Corner of said Section 15, from which the Center 1/4 Corner of said Section bears N.89°14'39"W., 1321.43 feet; thence, along the east boundary of said NW1/4 of the SE1/4,

- A) S.00°33'33"W., 419.50 feet to the **POINT OF BEGINNING**; thence continuing along said east boundary,
 - 1) S.00°33'33"W., 121.49 feet; thence leaving said east boundary,
 - 2) N.89°14'39"W., 432.35 feet; thence,
 - 3) N.06°13'49"E., 104.18 feet; thence,
 - 4) N.88°20'35"E., 422.37 feet to the **POINT OF BEGINNING**.

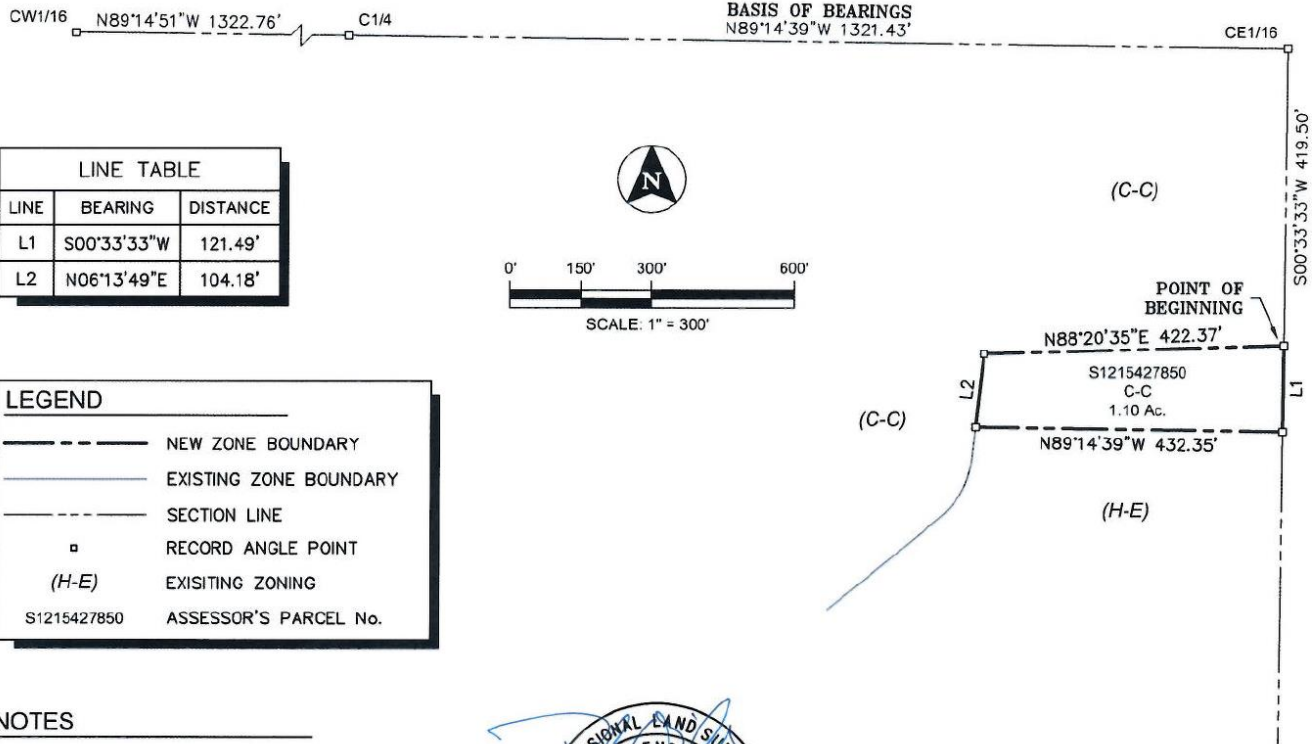
CONTAINING: 1.10 acres, more or less.

*Bearings and distances are based on the record zoning descriptions included in the Development Agreement recorded as Instrument No. 110115738, Official Records of Ada County, Idaho.



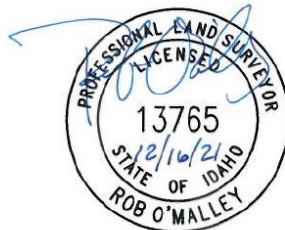
EXHIBIT SKETCH - C-C ZONING

LOCATED IN A PORTION OF THE NW1/4 OF THE SE1/4 OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 WEST
BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2021



NOTES

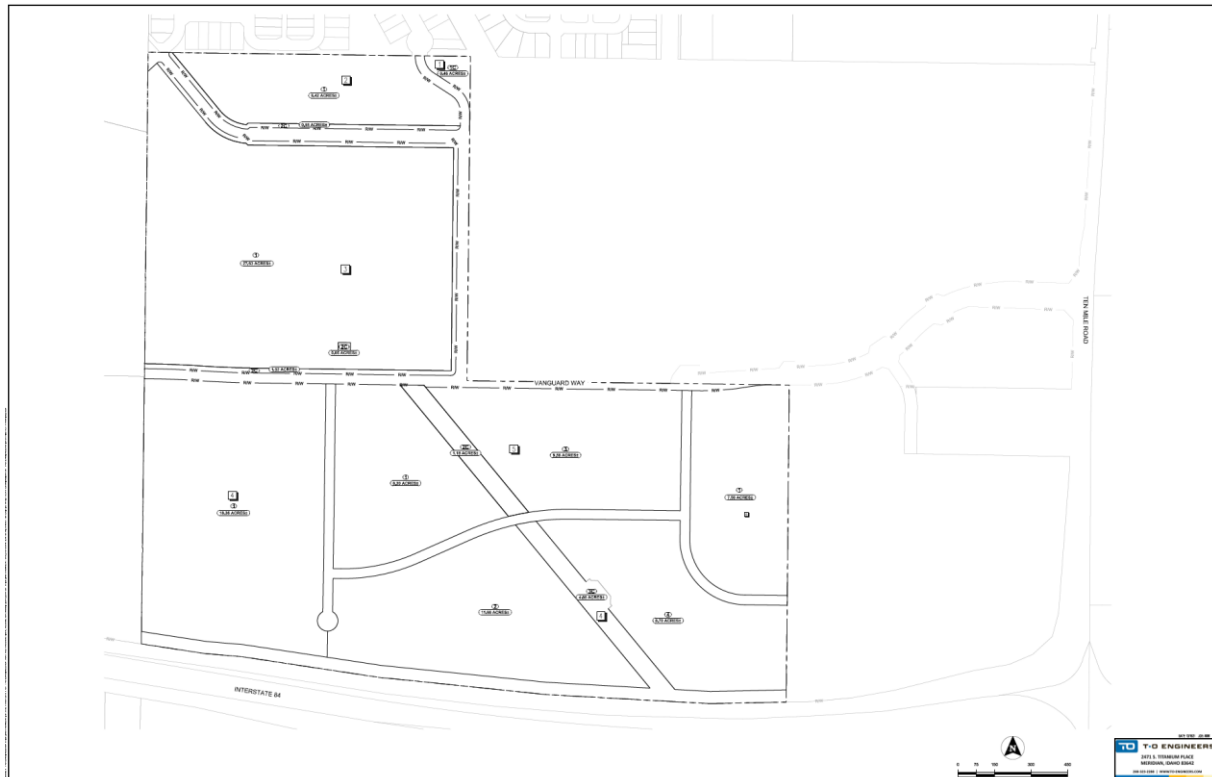
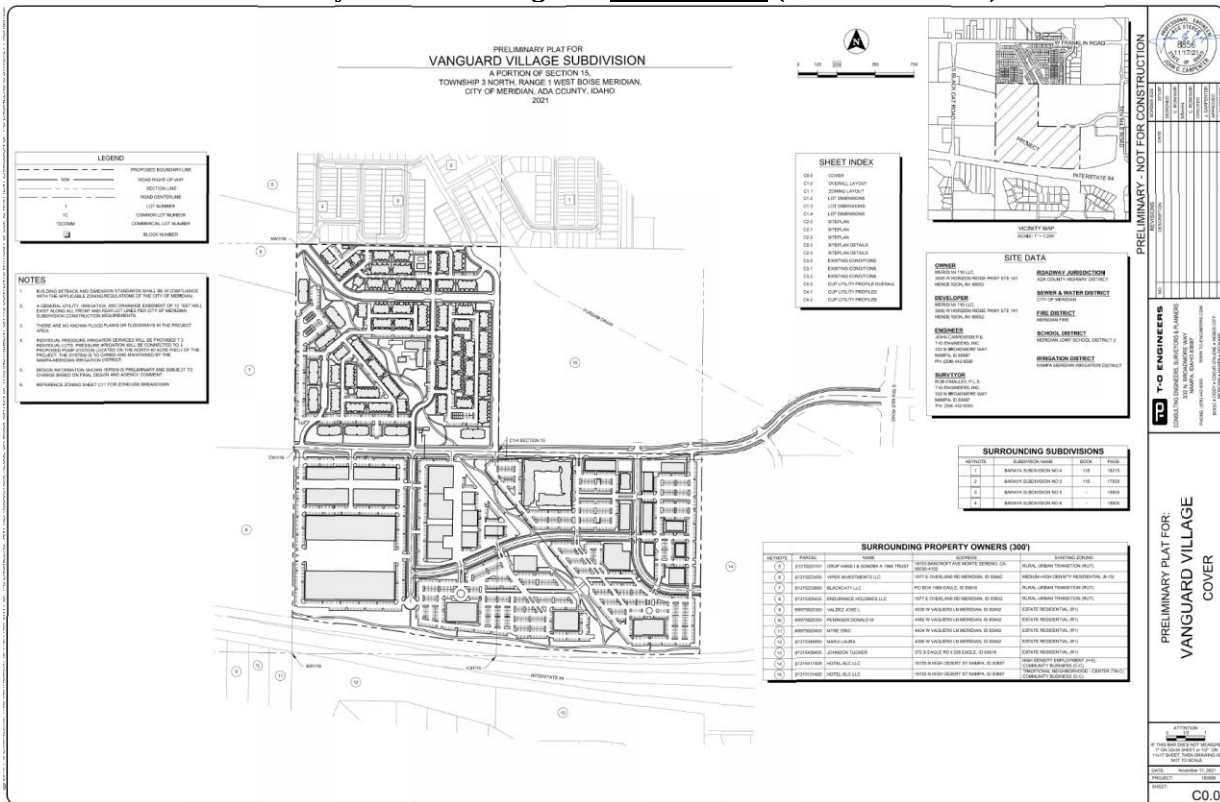
- ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON RECORD ZONING DESCRIPTIONS INCLUDED IN THE DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT No.110115738, OFFICIAL RECORDS OF ADA COUNTY, IDAHO.
- THE PARCEL SHOWN WILL BE REZONED FROM H-E TO C-C.

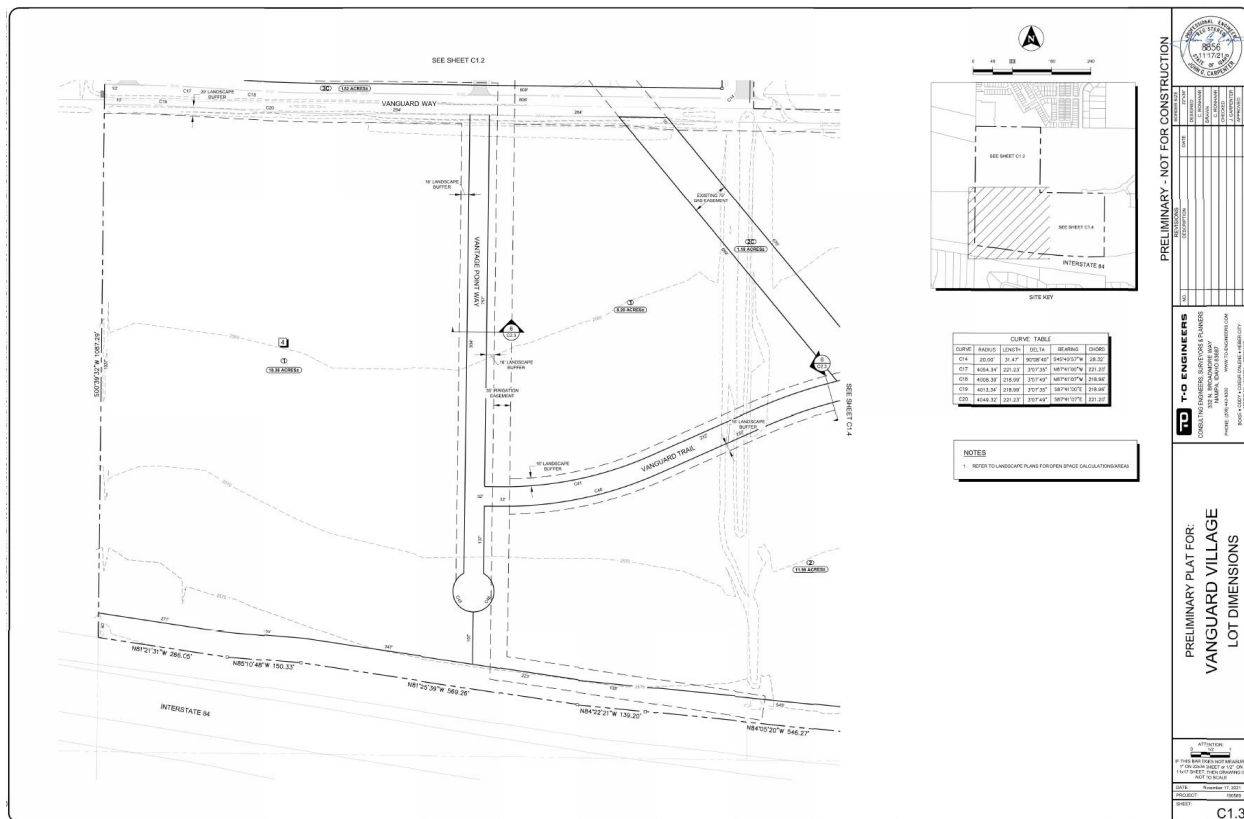
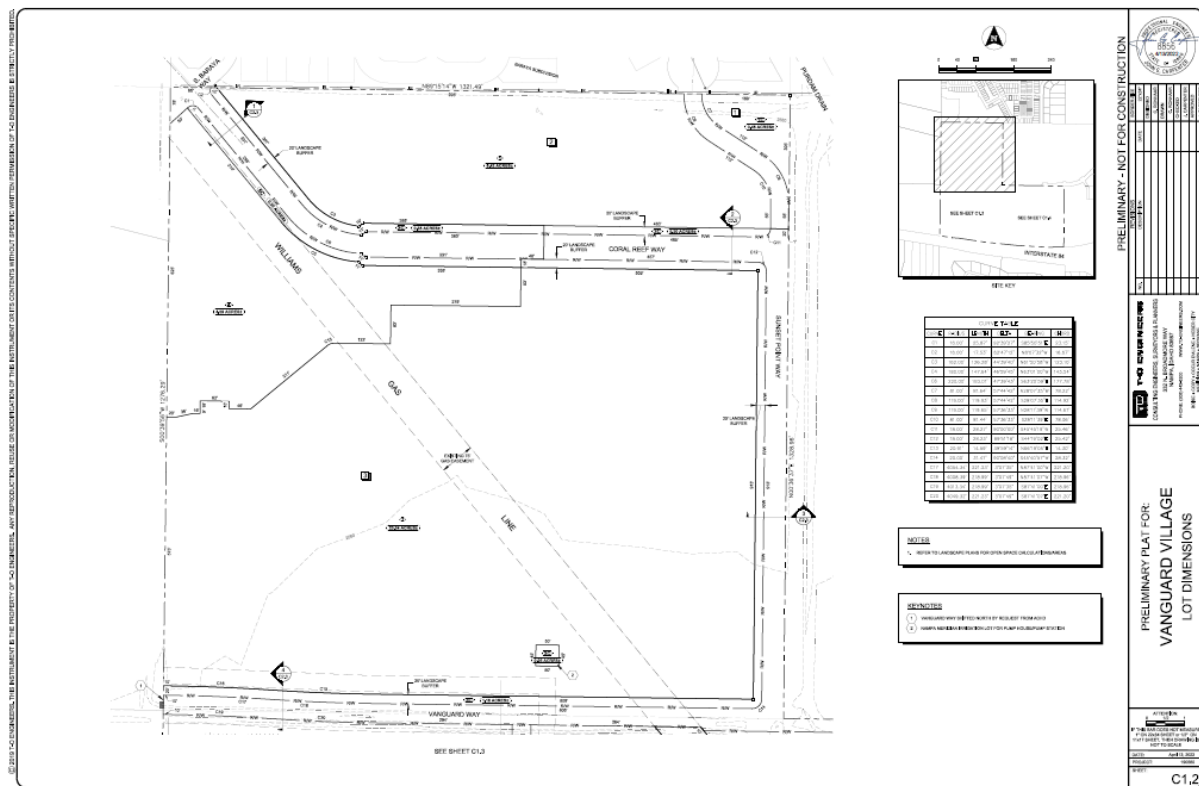


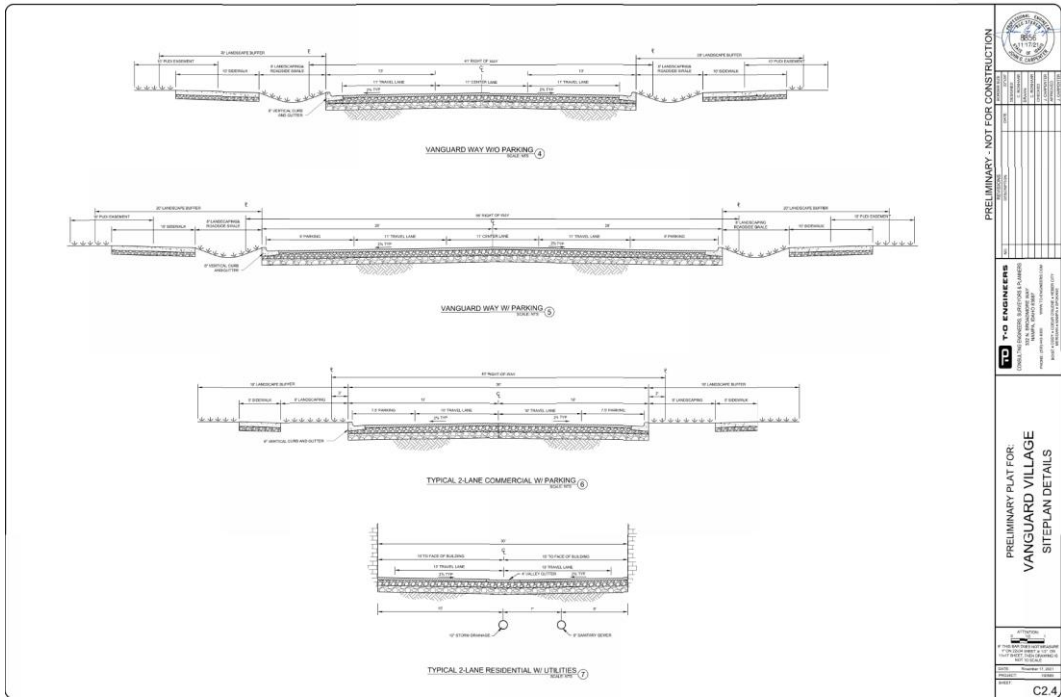
332 N. BROADMORE WAY
NAMPA, IDAHO 83687

PHONE: (208) 442-6300 WWW.TO-ENGINEERS.COM
E-FILE: 190580-V-XB_ZONING_C-C DATE: 12/15/2021 JOB: 190580

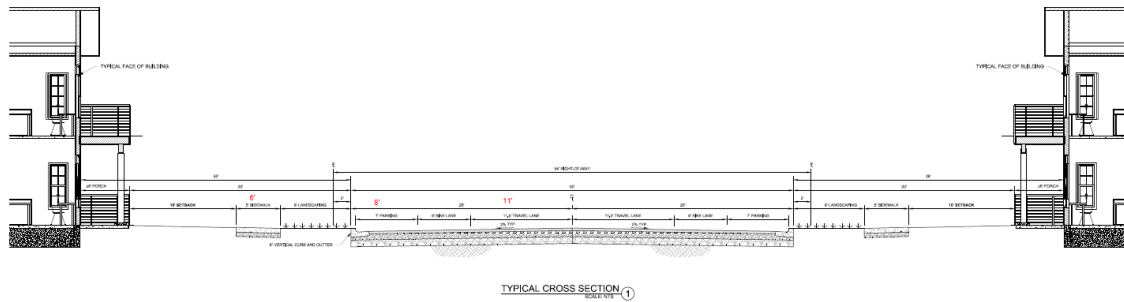
1. Preliminary Plat & Phasing Plan (REVISED) (date: 11/17/2021)



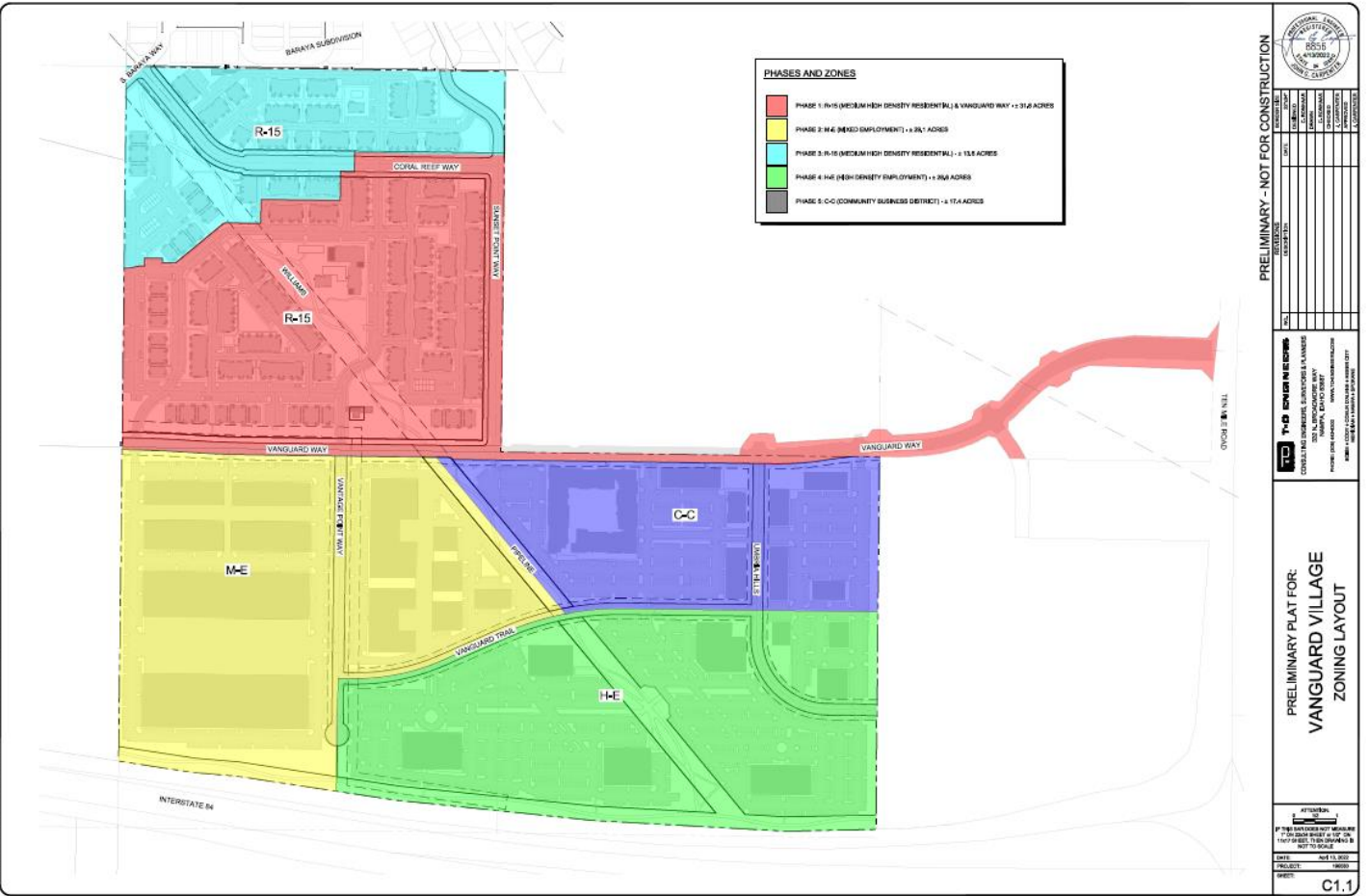




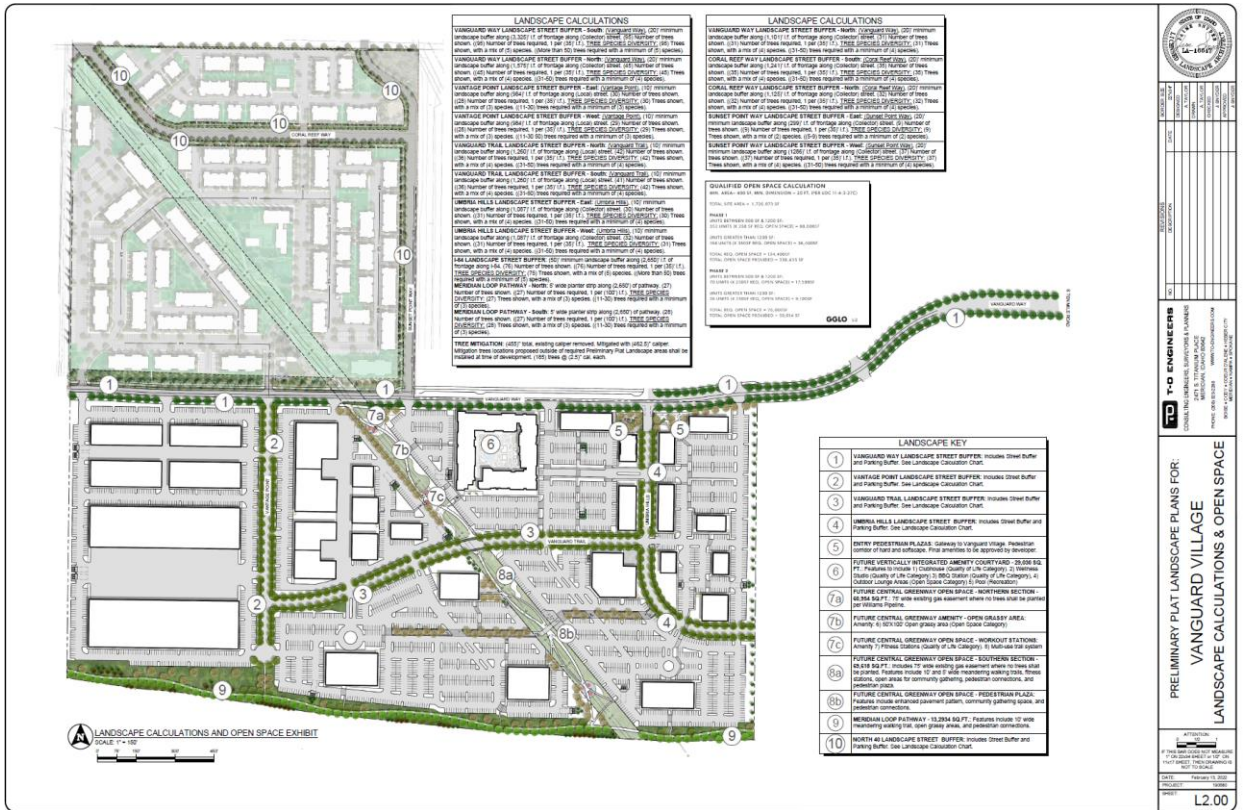
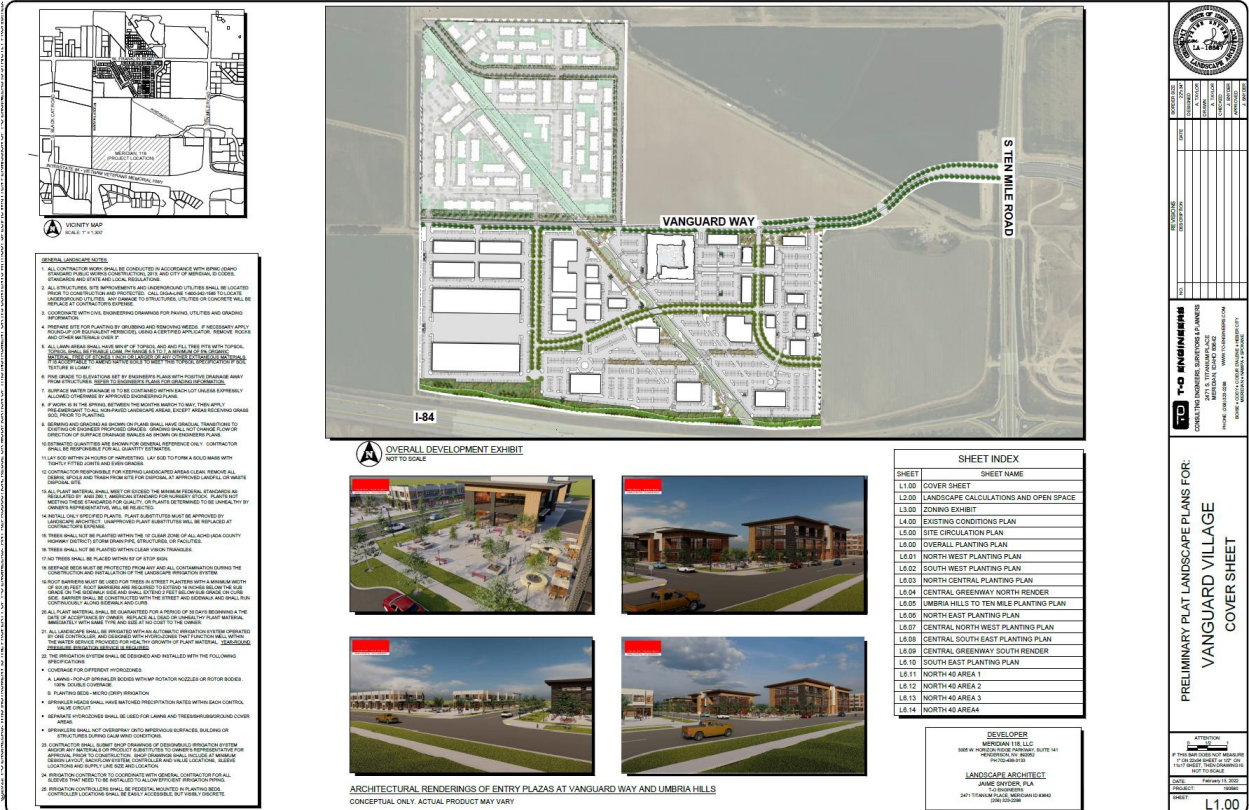
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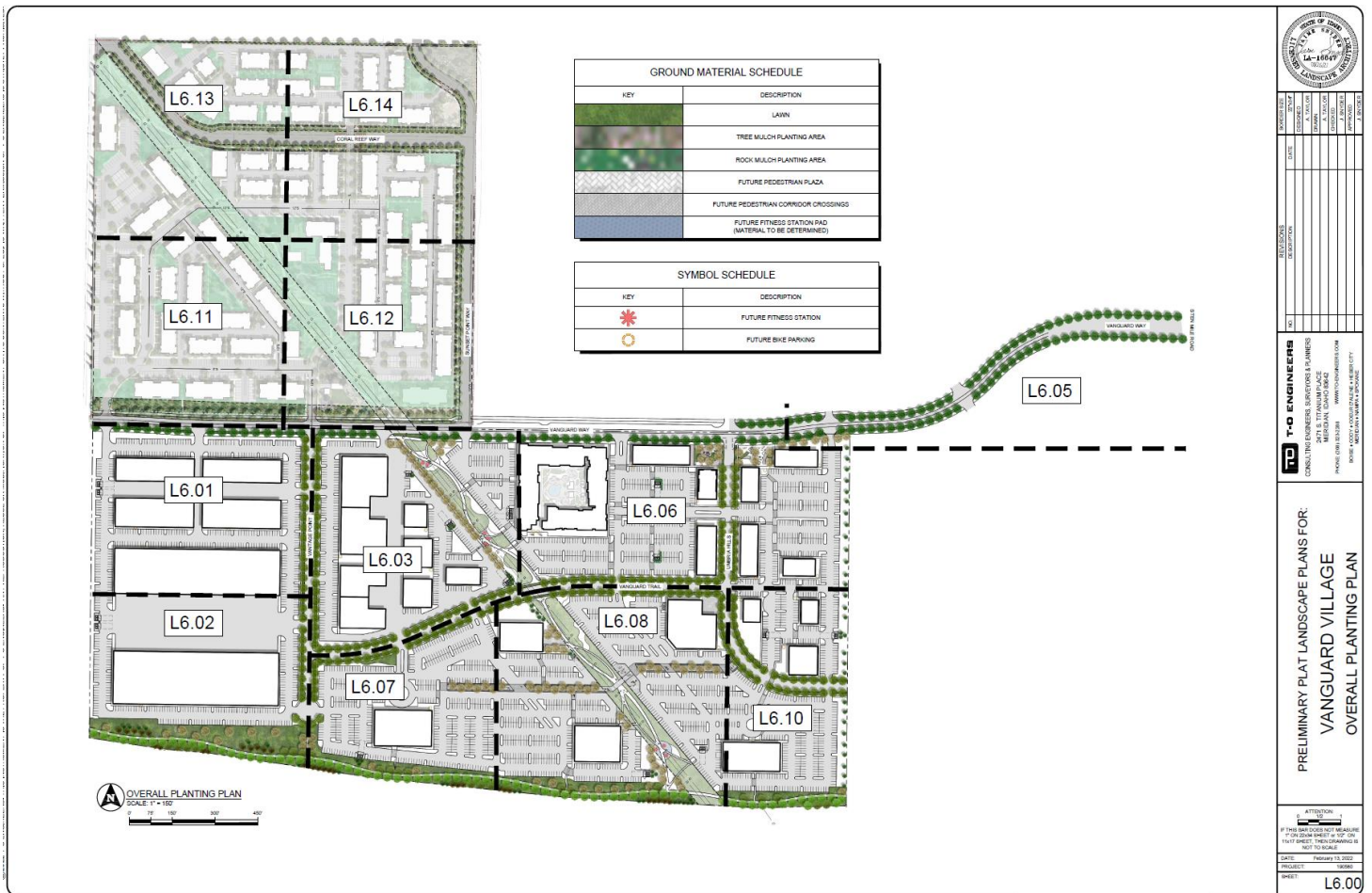


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2. Landscape Plan (date: 2/13/2022)

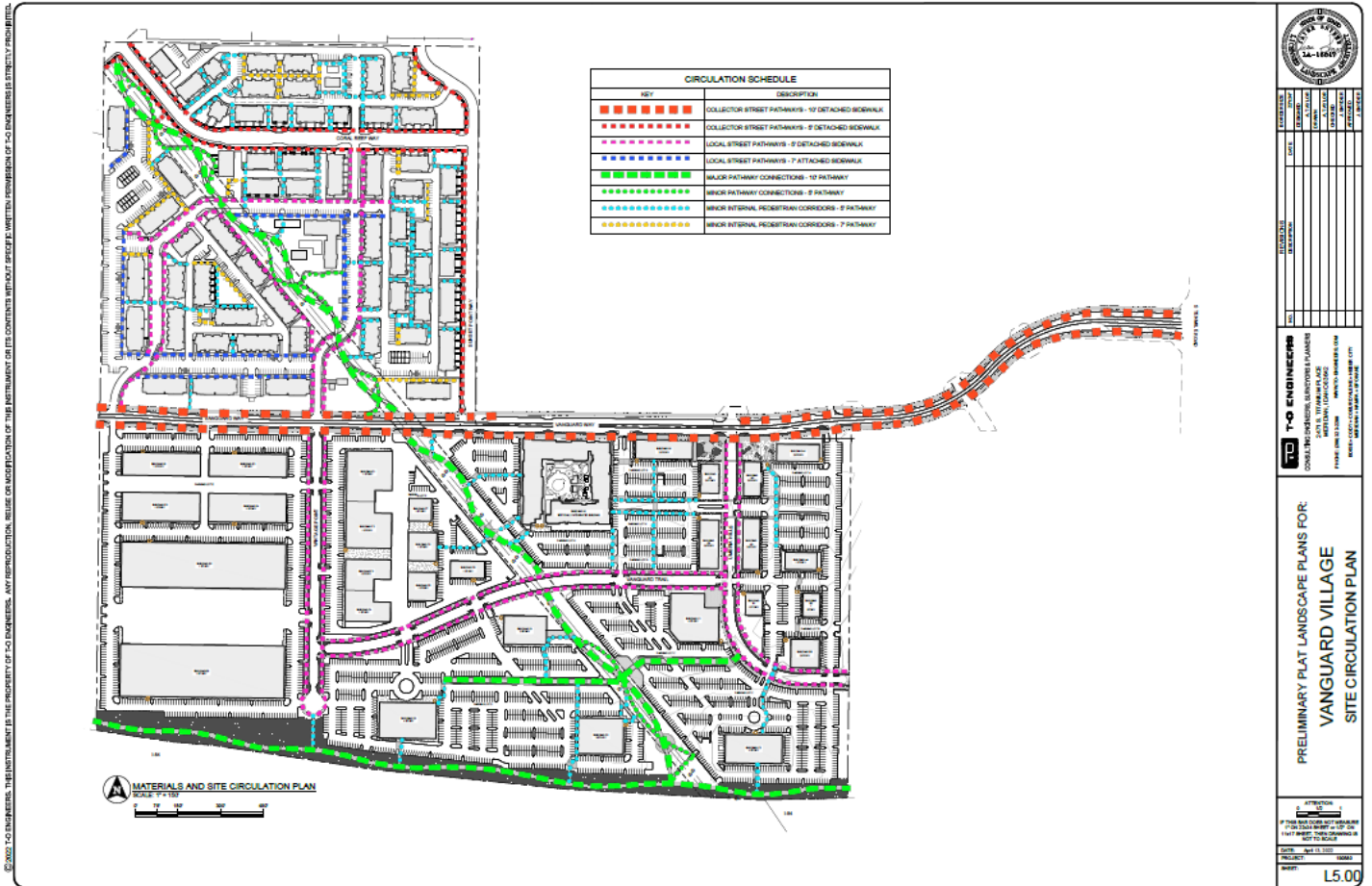




Link to complete plan set:

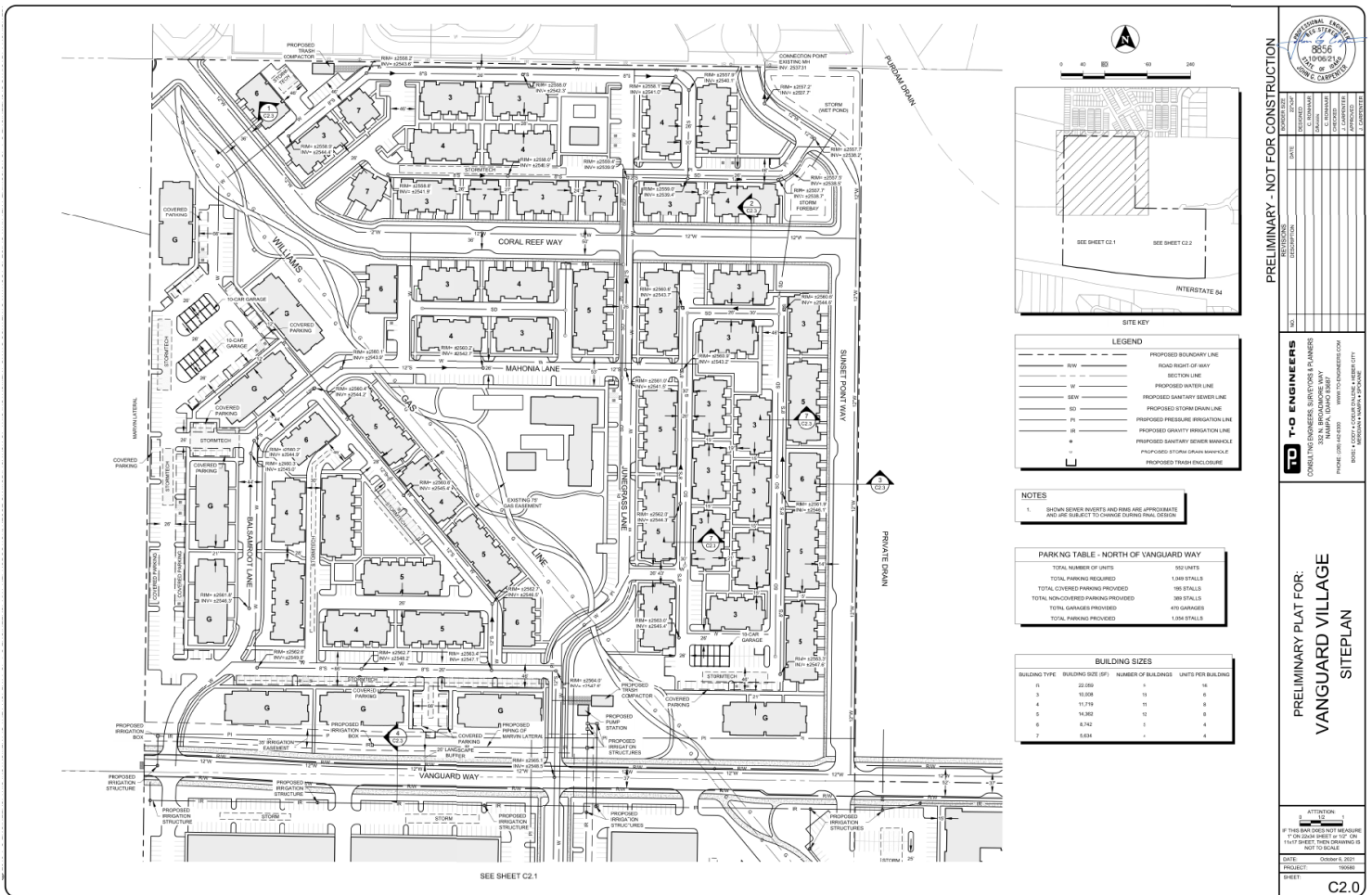
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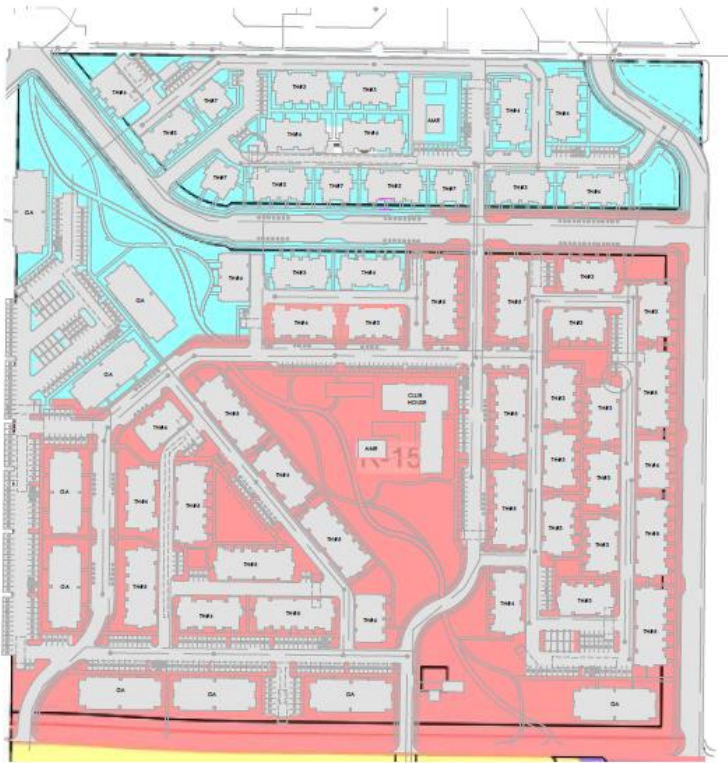
3. Circulation Plan - Revised



D. Conditional Use Permit

1. Site Plan (dated: 10/6/21)





1 SITE PLAN

PLATE I - SITE BACKGROUND

GA	- GARDEN APARTMENTS	04 TOTAL	144 UNITS x 1300 SF
CLUB HOUSE	- CLUBHOUSE	01 TOTAL	
AM	- AMENITIES BUILDING	01 TOTAL	
TH#3	- TOWN HOME BUILDING #3	11 TOTAL	44 UNITS x 1300 SF
TH#4	- TOWN HOME BUILDING #4	02 TOTAL	22 UNITS x 1300 SF
TH#5	- TOWN HOME BUILDING #5	13 TOTAL	52 UNITS x 1300 SF
TH#6	- TOWN HOME BUILDING #6	03 TOTAL	12 UNITS x 1300 SF
366 UNITS TOTAL			

PLATE II - CIVIL BACKGROUND

GA	- GARDEN APARTMENTS	03 TOTAL	72 UNITS x 1300 SF
AM	- AMENITIES BUILDING	01 TOTAL	
TH#3	- TOWN HOME BUILDING #3	07 TOTAL	28 UNITS x 1300 SF
TH#4	- TOWN HOME BUILDING #4	04 TOTAL	16 UNITS x 1300 SF
TH#5	- TOWN HOME BUILDING #5	03 TOTAL	12 UNITS x 1300 SF
TH#7	- TOWN HOME BUILDING #7	04 TOTAL	16 UNITS x 1300 SF
144 UNITS TOTAL			

TOTAL NUMBER OF BUILDINGS, PARKING GARAGES, AND COVERED PARKING AT GARDEN

GARDEN APARTMENTS	03	TOTAL BUILDINGS	30	GARAGES TOTAL DEDICATED AND 15M COVERED PARKING STALLS
TOWN HOME #3	11	TOTAL BUILDINGS	144	GARAGES TOTAL DEDICATED
TOWN HOME #4	11	TOTAL BUILDINGS	88	GARAGES TOTAL DEDICATED
TOWN HOME #5	13	TOTAL BUILDINGS	156	GARAGES TOTAL DEDICATED
TOWN HOME #6	03	TOTAL BUILDINGS	40	GARAGES TOTAL DEDICATED
TOWN HOME #7	04	TOTAL BUILDINGS	16	GARAGES TOTAL DEDICATED

DEDICATED GARAGE PARKING PER TOWNHOME

TOWN HOME #3	08 DEDICATED GARAGES
TOWN HOME #4	08 DEDICATED GARAGES
TOWN HOME #5	13 DEDICATED GARAGES
TOWN HOME #6	08 DEDICATED GARAGES
TOWN HOME #7	04 DEDICATED GARAGES

DEDICATED GARAGE PARKING PER UNIT TYPE

UNIT TYPE A =	1 DEDICATED STALL
UNIT TYPE B =	1 DEDICATED STALL
UNIT TYPE C =	2 DEDICATED STALLS
UNIT TYPE D =	1 DEDICATED STALL
UNIT TYPE E =	1 DEDICATED STALL

GARDEN APARTMENTS PROVIDES 24 UNITS PER BUILDING

1 BEDROOM	720 SF RENTABLE	80 SF PATIO	4 UNITS PER BUILDING
2 BEDROOM	1060 SF RENTABLE	80 SF PATIO	4 UNITS PER BUILDING
1 BEDROOM DELUXE	856 SF RENTABLE	80 SF PATIO	4 UNITS PER BUILDING
3 BEDROOM DELUXE	1120 SF RENTABLE	80 SF PATIO	4 UNITS PER BUILDING

TOWNHOME #3 UNITS PER BUILDING

UNIT A - FLAT	886 SF RENTABLE	84 SF PATIO	2 UNITS PER BUILDING
UNIT B - FLAT	1196 SF RENTABLE	90 SF PATIO	2 UNITS PER BUILDING
UNIT C - 2 STORY	1475 SF RENTABLE	84 SF PATIO	2 UNITS PER BUILDING

TOWNHOME #4 UNITS PER BUILDING

UNIT A - FLAT	886 SF RENTABLE	84 SF PATIO	2 UNITS PER BUILDING
UNIT B - FLAT	1196 SF RENTABLE	90 SF PATIO	2 UNITS PER BUILDING
UNIT D - FLAT	882 SF RENTABLE	102 SF PATIO	2 UNITS PER BUILDING
UNIT E - FLAT	1245 SF RENTABLE	90 SF PATIO	2 UNITS PER BUILDING

TOWNHOME #5 UNITS PER BUILDING

UNIT A - FLAT	886 SF RENTABLE	84 SF PATIO	2 UNITS PER BUILDING
UNIT B - FLAT	1196 SF RENTABLE	90 SF PATIO	2 UNITS PER BUILDING
UNIT C - FLAT	1475 SF RENTABLE	84 SF PATIO	4 UNITS PER BUILDING

TOWNHOME #6 UNITS PER BUILDING

UNIT C - FLAT	1475 SF RENTABLE	84 SF PATIO	4 UNITS PER BUILDING
---------------	------------------	-------------	----------------------

TOWNHOME #7 UNITS PER BUILDING

UNIT A - FLAT	886 SF RENTABLE	84 SF PATIO	2 UNITS PER BUILDING
UNIT B - FLAT	1196 SF RENTABLE	90 SF PATIO	2 UNITS PER BUILDING



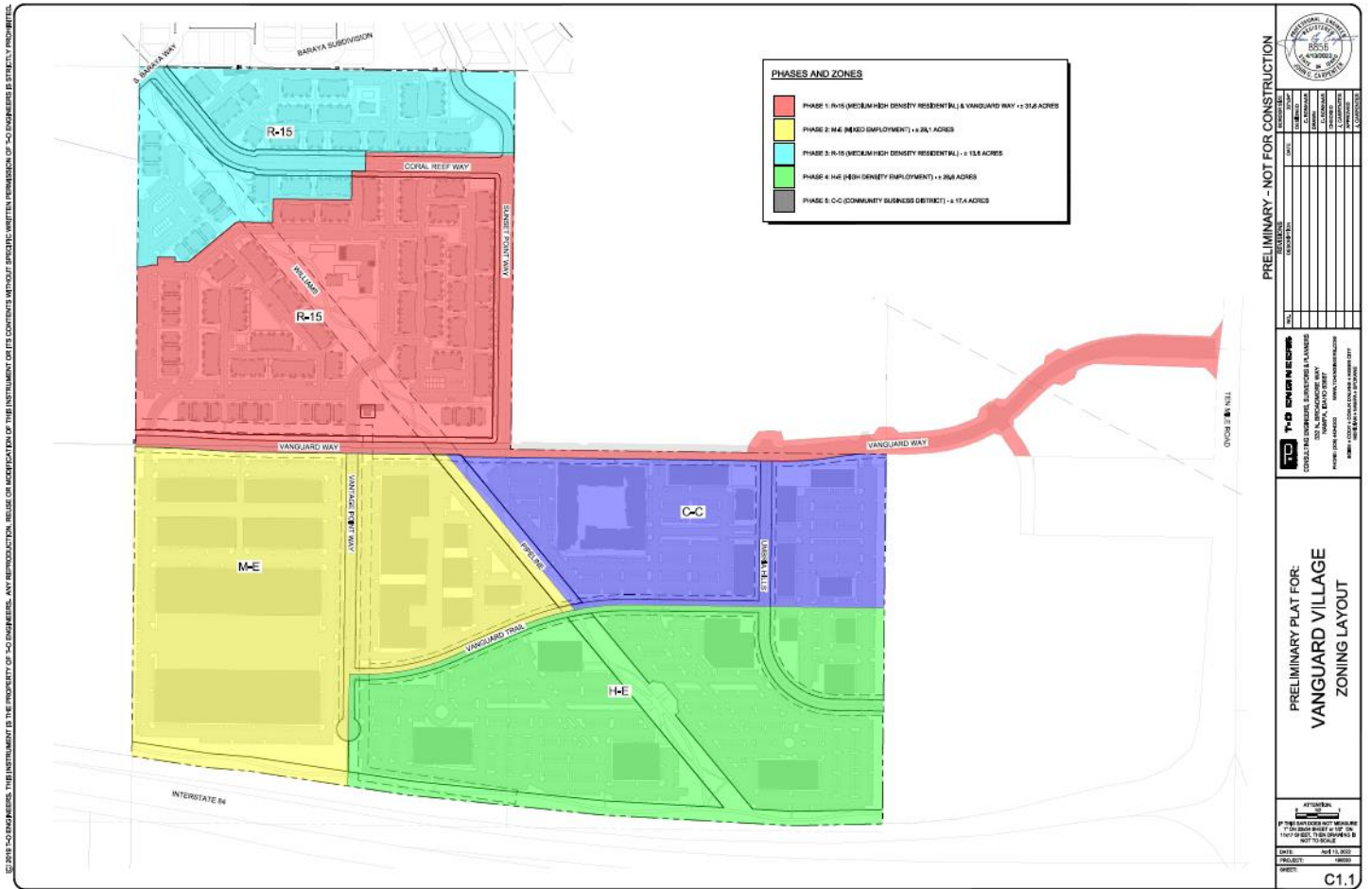
CUP FOR LDK PROJECT VANGUARD AT 10 MILE MERIDIAN IDAHO 83642

VANGUARD SITE PLAN

Salt Lake City 52 Exchange Place Salt Lake City, UT 84111 801.531.1144 | Boise 800 W. Main Street Suite 940 Boise, ID 83702 208.424.7475 | babcockdesign.com

04.12.2020

2. Phasing Plan - REVISED



3. Parking Calculations - Revised

	Total Units	Attached Garage count	1 bed	Parking 1.5/unit	non- covered	covered		2-3 bed	Parking 2/unit	non - covered			covered		total non- covered	total covered
Garden Style	24	0	12	18	6	12		12	24	12			12		18	24
Building 3	6	8	2	3	1	2		4	8	4			4		5	6
Building 4	8	8	4	6	2	4		4	8	4			4		6	8
Building 5	8	12	2	3	1	2		6	12	6			6		7	8
Building 6	4	8	0	0	0	0		4	8	4			4		4	4
Building 7	4	4	2	3	1	2		2	4	2			2		3	4

PHASE 1	Building type	No. of bldgs	Total Units	Required Non-Covered	Required Covered	Required Guest Parking	Required ADA Stalls	Required Bike Parking	Provided non-covered	Provided attached Garages	Provided detached garages	Provided Carports	Provided Covered	Provided ADA stalls	Provided Bike Parking
	Garden	6	144	108	144				0						
	3	11	66	55	66				88						
	4	5	40	30	40				40						
	5	13	104	91	104				156						
	6	3	12	12	12				24						
			366							308	10	156			
TOTAL PHASE 1				296	366	37	14	35	264				474	14	40

PHASE 3	Building type	No. of bldgs	Total Units	Required Non-Covered	Required Covered	Required Guest Parking	Required ADA Stalls	Required Bike Parking	Provided non-covered	Provided attached Garages	Provided detached garages	Provided Carports	Provided Covered	Provided ADA stalls	Provided Bike Parking
	Garden	3	72	54	72				0						
	3	7	42	35	42				56						
	4	6	48	36	48				48						
	6	2	8	8	8				16						
	7	4	16	12	16				16						
			186							136	20	39			
TOTAL PHASE 3				91	114	19	7	9	125				195	8	9

4. Landscape Plan (dated: November 2021)

SECTION 05 | TREE SPECIES MIX



TREES

TOTAL NUMBER OF PROPOSED TREES = 970
 NUMBER OF STREET TREES = 157 REQ (157 PROPOSED)
 LINEAL FEET OF STREET FRONTAGE = 5,496 SF

TREE MITIGATION

ALL EXISTING TREES REMOVED TO BE MITIGATED AT 1:1 RATIO

NO EXISTING TREES ON SITE FOR REQUIRING MITIGATION

PROPOSED TREE SPECIES MIX

CONIFER - 94 Trees

PINUS FLEXILIS 100%

CLASS I - 557 Trees

AMELINCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' 75%

MALUS 'SNOW DRIFT' 25%

CLASS II - 162 Trees

BETULA NIGRA 'HERITAGE' 60%

ACER RUBRUM 40%

CLASS III - 157 Trees

GYMNOCLADUS DIOICA 60%

LIRIODENDRON TULIPIFERA 40%

VANGUARD VILLAGE. | Meridian, ID | Conditional Use Permit | July 2021

GGLO L-6

SECTION 05 | TREE SPECIES MIX & ADDITIONAL DETAILS

CLASS I



Amelanchier x grandiflora 'Autumn Brilliance'
 Serviceberry
 Height: 15-25'
 Spread: 15-25'
 Water: Medium
 Maintenance: Low



Acer rubrum
 Red Maple
 Height: 35-45'
 Spread: 25-35'
 Water: Medium
 Maintenance: Low

CLASS II



Betula nigra 'Heritage'
 River Birch
 Height: 35-50'
 Spread: 30-40'
 Water: Medium
 Maintenance: Low



Liriodendron tulipifera
 Tulip Tree
 Height: 50-80'
 Spread: 35-45'
 Water: Medium
 Maintenance: Low

CLASS III



Gymnocladus dioica
 Kentucky Coffee Tree
 Height: 50-60'
 Spread: 35-45'
 Water: Medium
 Maintenance: Low

CONIFERS

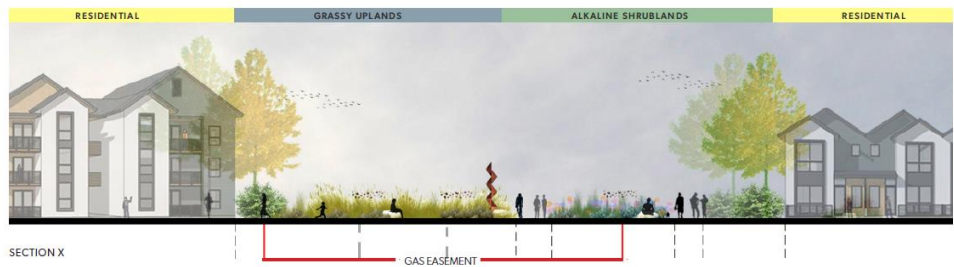


Pinus flexilis
 Lumber Pine
 Height: 40-60'
 Spread: 25-40'
 Water: Medium
 Maintenance: Low

VANGUARD VILLAGE. | Meridian, ID | Conditional Use Permit | July 2021

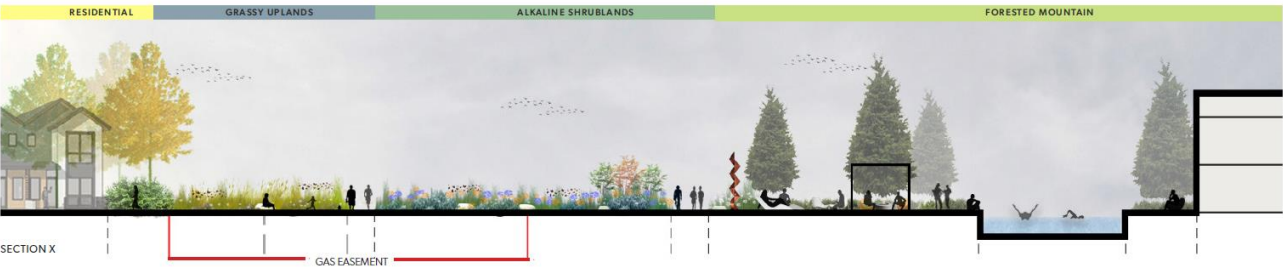
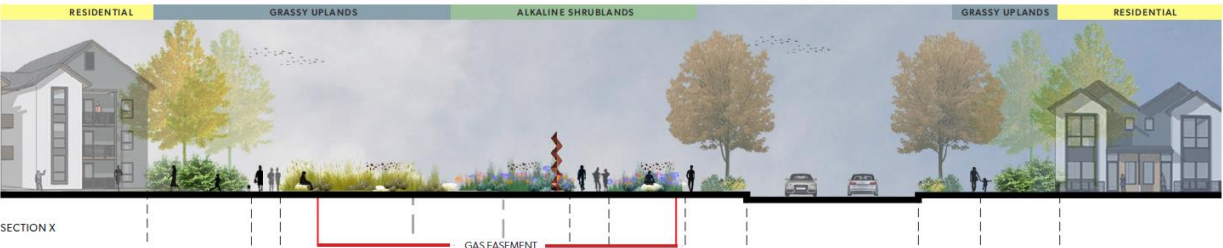
GGLO L-7

SECTION 07 | PLANTING ZONES



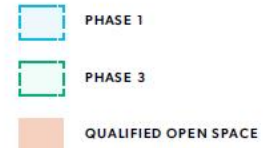
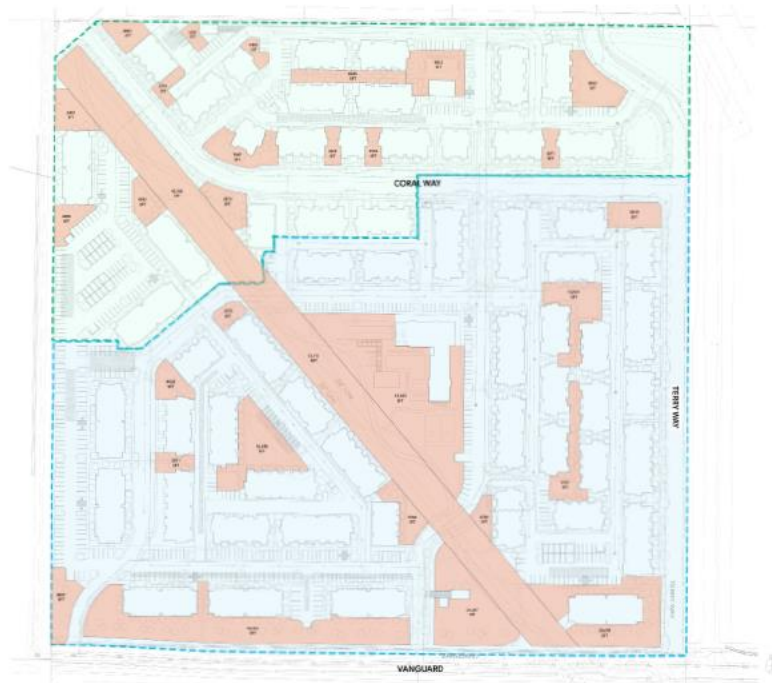
- FORESTED MOUNTAIN
- ALKALINE SHRUBLANDS
- GRASSY UPLANDS
- TREASURE VALLEY

NOTE: Building elevations shown on these sections are for reference only and are not in scale. Please see architecture section for proposed building plans, elevations and sections.



5. Qualified Open Space - Revised

SECTION 03 | OPEN SPACE DIAGRAM



QUALIFIED OPEN SPACE CALCULATION

MIN. AREA = 400 SF, MIN. DIMENSION = 20 FT. (PER UDC 11-4-3-27C)

TOTAL SITE AREA = 1,726,873 SF

PHASE 1
UNITS BETWEEN 500 SF & 1200 SF:
270 UNITS (X 250 SF REQ. OPEN SPACE) = 67,500 SF
UNITS GREATER THAN 1200 SF:
104 UNITS (X 350SF REQ. OPEN SPACE) = 36,600SF

TOTAL REQ. OPEN SPACE = 101,100SF
TOTAL OPEN SPACE PROVIDED = 275,878SF

PHASE 3
UNITS BETWEEN 500 SF & 1200 SF:
152 UNITS (X 250SF REQ. OPEN SPACE) = 38,000SF

UNITS GREATER THAN 1200 SF:
34 UNITS (X 350SF REQ. OPEN SPACE) = 11,900SF

TOTAL REQ. OPEN SPACE = 49,900SF
TOTAL OPEN SPACE PROVIDED = 115,712SF

*NOTE:
FOR PRIVATE OPEN SPACE CALCULATION SEE ARCHITECTURAL PROJECT DATA

6. Site Amenities

SECTION 02 | ILLUSTRATIVE LANDSCAPE PLAN



SITE AMENITIES

1. COMMON CENTRAL AMENITY AREA WITH NATIVE GRASSES, MULTIPURPOSE TRAILS, SOCIAL GATHERING NODES AND SEATING (*LOCATED ATOP GAS EASEMENT. NO TREES OR FOUNDATIONS PERMITTED)
 2. CLUB HOUSE AMENITY - SWIMMING POOL, HOT TUB, CABANAS AND PRIVACY FENCES
 3. OUTDOOR KITCHEN & DINING
 4. FITNESS LOUNGE
 5. LAWN GAMES & FIREPIT LOUNGE
 6. PICKLE BALL COURT
 7. CHILDREN PLAY AREA
 8. DOG PARKS
 9. RESIDENTIAL AMENITY AREAS WITH SWIMMING POOL, PICNIC SHELTER AND FIRE PIT LOUNGE
 10. ART & STORMWATER FACILITIES
 11. PUMP BUILDING
 12. RESIDENTIAL AMENITY AREA WITH PLAY AREA AND BBQ LOUNGE
 13. 60'-0" SETBACK (25' STREET SCAPE PLANTING +35' IRRIGATION EASEMENT)
 14. 5'-0" MIN PARKING LOT PERIMETER LANDSCAPE STRIP
 15. BUFFER PLANTING AT DIFFERENT LAND USES
 16. COVERED PARKING
 17. ADA PARKING
 18. 20' STREET BUFFER
 19. 5' RESIDENTIAL BUFFER
 20. TRASH LOCATIONS (TYP. SEE L-8 & ARCHITECTURE SHEETS FOR TRASH ENCLOSURE DETAILS)
 21. SITE TRIANGLE
- (BP) BICYCLE PARKING (SEE PARKING CALCULATION ON CIVIL SHEETS)

*NOTE: THERE ARE CURRENTLY NO EXISTING BUILDINGS, STRUCTURES, PLANTING AREAS, LIGHT POLES, POWER POLES, WALLS, FENCES, BERMS, PARKING AND LOADING AREAS, VEHICULAR DRIVES, TRASH AREAS, SIDEWALKS, PATHWAYS, STORMWATER DETENTION AREAS, SIGNS, STREET FURNITURE OR OTHER MAN-MADE ELEMENTS ON SITE.

7. Building Elevations (dated: ~~September 27, 2021~~ March 9, 2022) **REVISED (NOT APPROVED)**

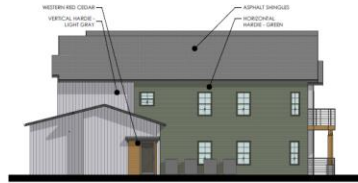
Link to complete plan set, including floor plans:

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=248842&dbid=0&repo=MeridianCity>





1 | FRONT ELEVATION - BUILDING 04



2 | SIDE ELEVATION TYP. - BUILDING 04



3 | REAR ELEVATION - BUILDING 04

MATERIAL LEGEND



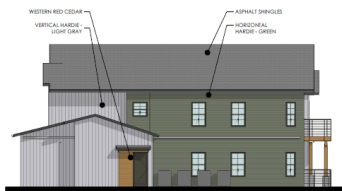
TOWN HOUSE - BUILDING 4 ELEVATIONS

Salt Lake City | 82 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Boise | 800 W. Main Street Suite 140 | Boise, ID 83702 | 208.424.7675 | babcockdesign.com

03-09-22



1 | FRONT ENTRY ELEVATION



2 | SIDE ELEVATION



3 | REAR ELEVATION

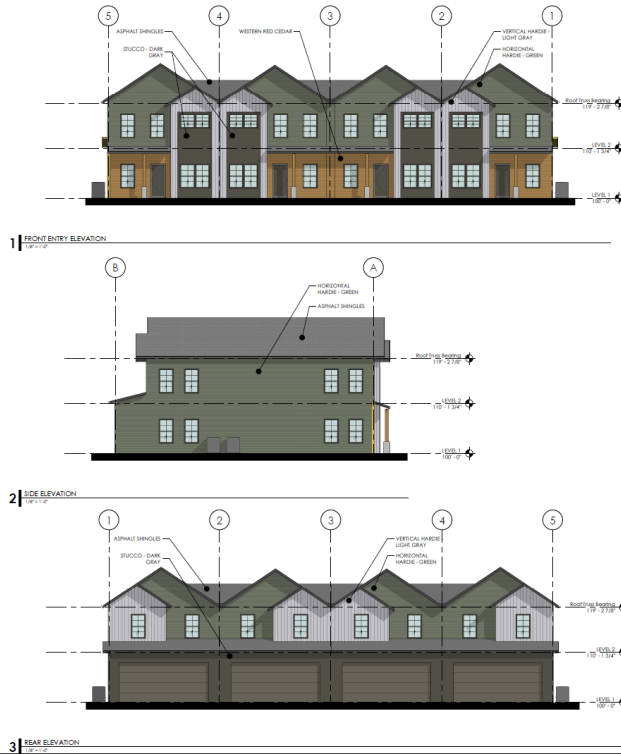
MATERIAL LEGEND



TOWN HOUSE- BUILDING 5 ELEVATIONS

Salt Lake City | 82 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Boise | 800 W. Main Street Suite 140 | Boise, ID 83702 | 208.424.7675 | babcockdesign.com

03-09-22

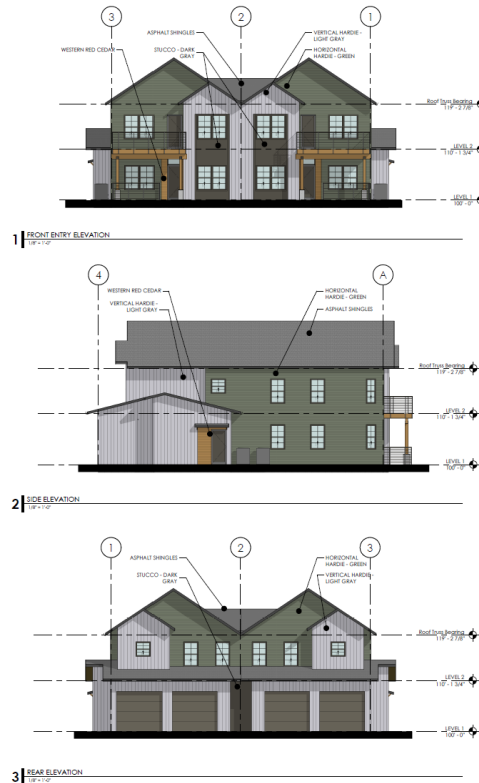


MATERIAL LEGEND



TOWN HOUSE - BUILDING 6
ELEVATIONS
Salt Lake City 52 Exchange Place Salt Lake City, UT 84111 801.531.1144 | Boise 800 W. Main Street Suite 940 Boise, ID 83702 208.424.7475 | babcockdesign.com

03-09-22



MATERIAL LEGEND

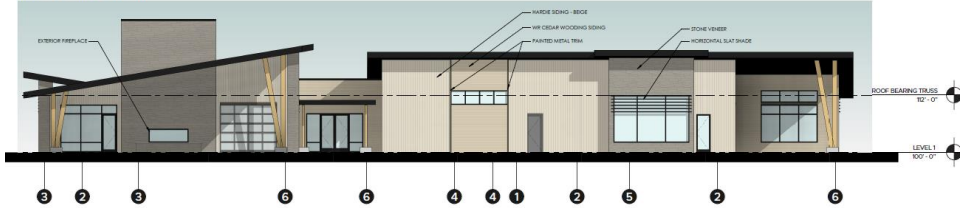


TOWN HOUSE - BUILDING 7
ELEVATIONS
Salt Lake City 52 Exchange Place Salt Lake City, UT 84111 801.531.1144 | Boise 800 W. Main Street Suite 940 Boise, ID 83702 208.424.7475 | babcockdesign.com

03-09-22



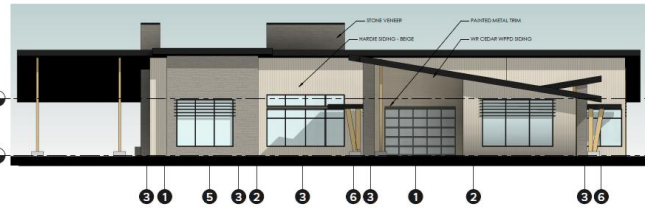
BACK ELEVATION



SIDE ELEVATION
1/8" = 1'-0"



SIDE ELEVATION
1/8" = 1'-0"



CLUBHOUSE ELEVATIONS.

- 1 VERTICAL HARDIE PLANK SIDING - WOOD
- 2 VERTICAL HARDIE PLANK SIDING - BEIGE
- 3 STONE VENEER
- 4 PAINTED METAL TRIM
- 5 HORIZONTAL SLAT SHADE
- 6 CEDAR POSTS & BEAMS
- 7 STANDING SEAM ROOFING

CLUBHOUSE. FRONT ENTRY



LDK THE VISIONED PROJECT
27 SEPTEMBER 2021

A801

LDK THE VISIONED PROJECT
27 SEPTEMBER 2021

A802



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Development Agreement Modification:

- 1.1 The existing Development Agreement (DA) shall be terminated and a new amended and re-stated DA is required as a provision of the proposed modification which shall at a minimum, incorporate the following provisions:
 - a. Development of the subject property shall be generally consistent with the site plan, qualified open space exhibit, site amenity exhibit, pedestrian circulation plan, preliminary plat, phasing plan, landscape plan and conceptual building elevations submitted with the applications contained herein.
 - b. All future development, site design and building design shall comply with the guidelines in the Ten Mile Interchange Specific Area Plan (TMISAP) and the standards in the Architectural Standards Manual (ASM), as applicable. The City Council approved alternatives to the design guidelines in the TMISAP consisting of lower roof pitches of 2:12 for the community clubhouse amenity buildings and 3:12 for the townhome garages to allow larger windows with lower sills at the second level; and front patios with railings that frame off the entrances that are covered by the above balconies instead of front stoops due to concerns pertaining to compliance with ADA requirements.
 - c. An encroachment permit is required for any improvements proposed within the Williams pipeline easement. A copy of the executed encroachment agreement shall be submitted to the City prior to issuance of any Certificate of Zoning Compliance for this site. Uses such as daycares, schools, hospitals, assisted living facilities, etc. where occupants are not able to leave the area quickly in case of an emergency, are discouraged in the vicinity of the pipeline. All development within the Williams pipeline easement shall comply with the Williams Developers' Handbook.
 - d. The street sections for Sunset Point Way and Coral Reef Way shall be constructed in accord with Street Section D (residential collector street) in the TMISAP, which requires 11-foot travel lanes, 6-foot bike lanes, 8-foot parallel parking, 8-foot parkways and minimum 6-foot wide detached sidewalks (see pg. 3-21 and 3-23).
 - e. The street sections for Vanguard Way and Umbria Hills shall be constructed in accord with Street Section C (major collector street) in the TMISAP with a modification that allows (3) 11-foot travel lanes, on-street parking between the Williams pipeline and the eastern boundary of the site, 8-foot parkways and detached 10-foot wide sidewalks/pathways in lieu of on-street bike lanes as required by ACHD. Streetlights are required at a pedestrian scale (see pg. 3-20, 3-22, 3-23).
 - f. Sidewalks, walkways and pathways shall include dedicated crosswalks at the intersection with all streets within commercial activity centers with changes in color, markings, materials, texture and/or surface to distinguish them from the surrounding pavement as set forth in the TMISAP (see pg. 3-28, Crosswalks).
 - g. Development in the R-15 district shall be consistent with the development guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP) for Medium High Density Residential (MHDR) designated areas.
 - h. Development in the C-C district shall be consistent with the development guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP) for Mixed Use Commercial (MU-COM) designated areas.

- i. Development in the M-E district shall be consistent with the development guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP) for Mixed Employment (ME) designated areas.
- j. Development in the H-E district shall be consistent with the development guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP) for High-Density Employment (HDE) designated areas.
- k. Public art in a high quality of design shall be provided in shared spaces and incorporated into the design of streetscapes as set forth in the TMISAP (see pg. 3-47).
- l. Design elements shall be provided within the overall development as required in the Application of the Design Elements matrix on pg. 3-49 of the TMISAP.
- m. The subject property shall be subdivided prior to submittal of any Certificate of Zoning Compliance application(s) and/or building permit application(s). The Applicant may submit a design review application(s) to finalize building design prior to recordation of the final plat(s).
- n. The applicant shall submit a Certificate of Zoning Compliance and Design Review application to the Planning Division for approval of all future uses on the site to ensure compliance with the Unified Development Code, Ten Mile Interchange Specific Area Plan, Comprehensive Plan, Architectural Standards Manual, and provisions of the development agreement contained herein, prior to issuance of building permits for any structure(s) within this site.

2. Preliminary Plat:

2.1 Future development of the proposed lots is required to comply with the dimensional standards of the R-15 zoning district in UDC [Table 11-2A-7](#) and the C-C, M-E and H-E zoning districts in UDC [Table 11-2B-3](#), as applicable. A minimum building setback of 10-feet is required in the multi-family portion of the development unless a greater setback is otherwise required, per UDC 11-4-3-27B.1. The 20-foot wide collector street buffer may be placed in an easement rather than a common lot in accord with UDC [11-3B-7C.2a](#). Separation between buildings shall comply with Building code.

2.2 The final plat shall include the following revisions:

- a. Depict the easements for the Marvin Lateral and/or the Purdam Drain on the plat if they encroach on this site.
- b. Include a note prohibiting direct access via the collector streets other than the access points approved by the City and ACHD with this application.
- c. Depict street sections for Sunset Point Way and Coral Reef Way consistent with Street Section D in the TMISAP (see pg. 3-21).
- d. Depict street sections for Vanguard Way and Umbria Hills consistent with Street Section C in the TMISAP with a modification that allows (3) 11-foot travel lanes, on-street parking between the Williams pipeline and the eastern boundary of the site, 8-foot parkways and detached 10-foot wide sidewalks/pathways in lieu of on-street bike lanes as required by ACHD. Streetlights are required at a pedestrian scale (see pg. 3-20, 3-22, 3-23).
- e. Depict required street landscape buffers in common lots or on permanent dedicated buffer easements, maintained by the property owner, homeowner's association or business owners' association, as applicable, as set forth in UDC 11-3B-7C.2. *A reduction of the*

collector street setback may be granted for homes that front on a collector street when certain conditions exist as noted in UDC Table 11-2A-7, note #1.

2.3 The landscape plan submitted with the final plat shall be revised as follows:

- a. Depict one (1) additional tree within the street buffer along Umbria Hills (east) per the minimum standard listed in UDC [11-3B-7C.3b](#).
 - b. Widen the street buffer along Umbria Hills to 20-feet as required for a collector street in UDC Table 11-2B-3.
 - c. Depict landscaping within required street buffers in accord with the recently amended standards listed in UDC [11-3B-7C](#).
 - d. Landscaping is required within parkways per the standards listed in UDC 11-3A-17 and 11-3B-7C. Class II trees shall be provided in parkways in accord with UDC 11-3A-17E; Class III trees may be considered if the parkways are widened to 10 feet.
 - e. Sidewalks, walkways and pathways should include dedicated crosswalks at the intersection with all streets within commercial activity centers with changes in color, markings, materials, texture and/or surface to distinguish them from the surrounding pavement as set forth in the TMISAP (see pg. 3-28, Crosswalks).
 - f. Depict minimum 6-foot wide detached sidewalks along all streets in accord with the street sections (i.e. C and D) in the TMISAP.
 - g. Depict a berm in the street buffer along I-84 in accord with the TMISAP for street buffers along transportation corridors (3.07.01C).
 - h. Mitigation trees shall be depicted on the plan (185 trees at 2.5 caliper inches each for a total of 462.5 caliper inches).
 - i. If trees are not allowed within the pipeline easement, an additional 5-feet should be added to the common area outside of the easement to allow for trees; or, alternative compliance may be requested to the planting requirement for pathways and open space.
- 2.4 All streets shall be constructed as complete streets as defined in the TMISAP (see pg. 3-19 & 3-20).
- 2.5 All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council.
- 2.6 A 14-foot wide public use easement for the multi-use pathways within this site shall be submitted to the Planning Division prior to submittal for City Engineer signature on the final plat(s).
- 2.7 A private street application shall be submitted with the final plat application for the multi-family development as required by the Fire Dept. All private streets shall comply with the standards listed in UDC [11-3F-4](#).

3. Conditional Use Permit:

- 3.1 Comply with the specific use standards listed in UDC 11-4-3-27 for multi-family developments, including but not limited to the following: (revise the site plan and/or landscape plan accordingly)
- 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 as set forth in UDC [11-4-3-27B.2](#).

- b. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit as set forth in UDC [11-4-3-27B.3](#). This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Floor plans shall be submitted for all units that demonstrate compliance with this standard.
 - c. Depict the location of the property management office, maintenance storage area, and central mailbox location (including provisions for parcel mail) on the site plan that provides safe pedestrian and/or vehicular access and the location of the directory & map of the development at an entrance or convenient location for those entering the development as set forth in UDC [11-4-3-27B.7](#).
 - d. Depict a berm or a constructed barrier at least 4 feet in height with breaks in the berm or barrier to allow for pedestrian access within the street buffer along the north side of Vanguard Way in accord with UDC [11-4-3-27C](#).
 - e. All street facing elevations shall have landscaping along their foundation that meets the minimum standards listed in UDC [11-4-3-27E.2](#).
 - f. 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 said documents shall be submitted prior to issuance of the first Certificate of Occupancy for the development.\
- 3.2 Include a detail for the bicycle parking facilities that complies with the standards in UDC [11-3C-5C](#). Bicycle racks should be depicted in central locations for each building and for the clubhouse.
- 3.3 Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#), which requires a minimum 5-foot wide landscape strip along each side of the pathway planted with a mix of trees, shrubs, lawn, and/or other vegetative ground cover; a minimum of one (1) tree per 100 linear feet of pathway is required.
- 3.4 Parking lot landscaping is required to be provided per the standards listed in UDC 11-3B-8C.
- 3.5 A minimum of one (1) tree shall be provided for every 8,000 square feet of common open space.
- 3.6 The space between building façades and adjacent sidewalks should be landscaped with a combination of lawns, groundcover, shrubs and trees as set forth in the TMISAP.
- ~~3.7 A landscaped buffer should be provided between the proposed development and the existing single-family development to the north as set forth in the TMISAP.~~
- 3.8 Include a 10-foot wide pathway connection between the pathway along the Purdam Drain and the pathway within the pipeline easement.
- 3.9 If trees are not allowed within the pipeline easement, an additional 5-feet should be added to the common area outside of the easement to allow for trees; or, alternative compliance may be requested to the planting requirement for pathways and open space.
- 3.10 All structures shall comply with the design standards in the Architectural Standards Manual (ASM) and the design guidelines in the TMISAP for the MHDR designation with the deviations noted in the Development Agreement (see the matrix for Application of the Design Elements on pg. 3-49).

- 3.11 A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- ~~1.1. Applicant shall be required to re-rout the existing water and sewer mains into the proposed roadway extensions of E. Oakcrest Dr. and N. Dixie Ave.~~
- 1.2. The geotechnical investigative report prepared by GeoTek, Inc indicates some very specific construction considerations. The applicant shall be responsible for the adherence of these recommendations.
- 1.3. All mains outside of right-of-way require a 20-foot-wide easement at minimum. For sewer mains of depths 15 feet – 30 feet require a 30-foot-wide easement.
- 1.4. No permanent structures shall be within the footprint of a City utility easement including but not limited to buildings, carports, fences, infiltration trenches, trees, shrubs, light poles, etc. Based off the currently landscape plan, some trees will be in conflict with easements.
- 1.5. The angle of sewer main into and out of manholes must be a 90-degree minimum. Where the proposed sewer main connects to the existing 36-inch sewer main, this requirement is not met.
- 1.6. All water main north of Vanguard way should be 8-inch diameter.
- 1.7. A water main extension is required to the northwest corner of the development for future connection to the west.
- 1.8. Water main in West Navigator should be 12-inch diameter from the east boundary to the west boundary.
- 1.9. A 12-inch diameter water main shall be extended to the west property boundary on the south side for future connection.
- 1.10. It is unclear by the provided plans how buildings will be served and how fire protection will be provided. An additional water loop around the buildings might be required to provide fire flow. A complete water plan will be required to be submitted and reviewed by Public Works Engineering before any final plat is approved.

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 for the phase which is being developed.
 - 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 on the phase which is being developed. 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. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252151&dbid=0&repo=MeridianCity>

B. MERIDIAN POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251147&dbid=0&repo=MeridianCity> - The Police Dept. requests further discussions with the Developer on plans for emergency police access into each building entry point using a multi-technology keypad.

C. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=249959&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250049&dbid=0&repo=MeridianCity>

E. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252295&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252296&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252341&dbid=0&repo=MeridianCity>

G. PARK'S DEPARTMENT (REVISED)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=256235&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=256216&dbid=0&repo=MeridianCity>

I. COMMUNITY DEVELOPMENT DEPARTMENT – SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=258731&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 and subsequent development is generally consistent with the Comprehensive Plan.

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 a mix of residential, commercial/retail, light industrial and employment uses which will provide for the retail and service needs of the community consistent with the purpose statement of the commercial 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.

This finding is not applicable as the request is for a rezone, not annexation.

B. Preliminary Plat Findings (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:

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 V of this report for more information.)

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

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 Findings (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-15 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 as a multi-family development is generally consistent with the future land use map designations for this property and is allowed as a conditional use in UDC Table 11-2A-2 in the R-15 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.

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.