

**DEVELOPMENT AGREEMENT**

- PARTIES:**
- 1. **City of Meridian**
  - 2. **Cole Valley Christian Schools, Inc., Owner/Developer**

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this 27 day of February, 2024, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY, whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642, and **Cole Valley Christian Schools, Inc.**, whose address is 200 E. Carlton Avenue, Meridian, ID, 83642, hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit “A”, which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owner and/or Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“UDC”), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner/Developer has submitted an application for annexation and zoning of 71.28 acres of land with a request for the R-15 (Medium High-Density Residential) zoning district on the property as shown in Exhibit “A” under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearings before Planning and Zoning Commission and the Meridian City Council as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested annexation and zoning held before Planning and Zoning Commission and the City Council includes responses of government subdivisions providing services within the City of Meridian planning jurisdiction and includes further testimony and comment; and
- 1.7 **WHEREAS**, City Council has approved the aforementioned application for annexation and zoning of that certain tract of land described in Exhibit “A” with an R-8 (Medium-Density Residential) zoning district designation; and,

- 1.8 **WHEREAS**, on the 25<sup>th</sup> day of July, 2023, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.9 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.10 **WHEREAS**, Owner/Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.11 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation is in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

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

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.

3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:

3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.

3.2 **OWNER/DEVELOPER:** means and refers to **Cole Valley Christian Schools, Inc.**, whose address is 200 E. Carlton Avenue, Meridian, Idaho, 83642, hereinafter called OWNER/DEVELOPER, the party that owns and is developing said Property and shall include any subsequent owner(s)/developer(s) of the Property.

3.3 **PROPERTY:** means and refers to that certain parcel(s) of Property located in the County of Ada, City of Meridian as in Exhibit “A” describing a parcel to bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

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

a. Future development shall be generally consistent with the site plan, landscape plan, phasing plan and conceptual building elevations included in Section VIII of the Staff Report attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit "B" and the provisions contained herein.

b. Future development of this site shall incorporate design elements consistent with the "modern rural" design theme outlined in the Fields Sub-Area Plan as discussed in Section V and proposed with this application.

*(Note: City Council approved the Applicant's request to construct black coated chain-link fencing along the west, north and east property boundaries; the Applicant is not required to construct the split rail fence along McMillan Rd. if they choose not to.)*

c. The McMillan Rd. improvements and the extension of Owyhee Storm Ave. and Ersatz Rd. to the northern boundary of the parcel shall be completed with the second phase of development at the width/street section required by the Ada County Highway District prior to issuance of Certificate of Occupancy for the high school building.

d. All detached sidewalks, multi-use pathways and street buffers along public streets (i.e., McMillan Rd., Owyhee Storm Ave. and Ersatz Rd.) shall be constructed by the Applicant, unless already constructed by ITD, prior to issuance of the Certificate of Occupancy for the high school building.

*(Note: A multi-use pathway is also required along the east side of Ersatz Road, which will be required with construction of the eastern portion of the street section by the developer of the adjacent property.)*

e. Compliance with the City noise ordinance (MCC 6-3-6) is required.

f. If the 23.4-acre portion of the site (5-acre portion at southeast corner and 18.4-acre portion at the north end) develops in the future with a use(s) other than an education institution and associated accessory uses, an amendment to the Development Agreement is required to include an updated development plan.

g. Direct access via W. McMillan Rd. is prohibited.

6. **COMPLIANCE PERIOD** This Agreement must be fully executed within six (6) months after the date of the Findings for the annexation and zoning or it is null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

- 7.1 **Acts of Default.** In the event Owner/Developer, or Owner/Developer's heirs, successors, assigns, or subsequent owners of the Property or any other person acquiring an interest in the Property, fail to faithfully comply with all of the terms and conditions included in this Agreement in connection with the Property, this Agreement may be terminated by the City upon compliance with the requirements of the Zoning Ordinance.
- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.
- 7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice from City as described in Section 7.2, City shall, upon satisfaction of the notice and hearing procedures set forth in Idaho Code section 67-6511A, have the right, but not a duty, to de-annex all or a portion of the Property, reverse the zoning designations described herein, and terminate City services to the de-annexed Property, including water service and/or sewer service. Further, City shall have the right to file an action at law or in equity to enforce the provisions of this Agreement. Because the covenants, agreements, conditions, and obligations contained herein are unique to the Property and integral to City's decision to annex and/or re-zone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserves all rights to contest whether a default has occurred.
- 7.4 **Choice of Law and Venue.** This Agreement and the rights of the parties hereto shall be governed by and construed in accordance with the laws of the State of Idaho, including all matters of construction, validity, performance, and enforcement. Any action brought by any party hereto shall be brought within Ada County, Idaho.
- 7.5 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.
- 7.6 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the rezoning of the Property by the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agree to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/Developer agree to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

|                       |                       |
|-----------------------|-----------------------|
| <b>CITY:</b>          | with copy to:         |
| City Clerk            | City Attorney         |
| City of Meridian      | City of Meridian      |
| 33 E. Broadway Ave.   | 33 E. Broadway Avenue |
| Meridian, Idaho 83642 | Meridian, Idaho 83642 |

**OWNER/DEVELOPER:**  
**Cole Valley Christian Schools, Inc.**  
200 E. Carlton Ave.  
Meridian, ID 83642

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the Owner/Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner and/or Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, had determined that Owner and/or Developer have fully performed their obligations under this Agreement.

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

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

20. **REMOVED PROPERTY:** The City is hereby authorized, in its sole discretion, to remove a portion of the Property ("Removed Property") from this Agreement at any time, provided that the City and the owner of the Removed Property concurrently enter into a modified development agreement governing the development and use of the Removed Property. The remaining portion of the Property, which has not been removed from this Agreement as described above, shall continue to be bound by the terms of this Agreement.

21. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

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

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

23. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective on the date the Meridian City Council shall adopt the amendment to the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property and execution of the Mayor and City Clerk.

[end of text; acknowledgements, signatures and Exhibits A and B follow]

**ACKNOWLEDGMENTS**

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

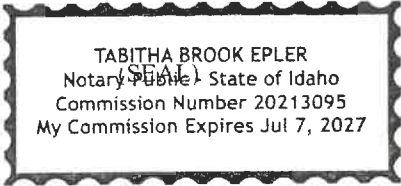
**OWNER/DEVELOPER:**  
**Cole Valley Christian Schools, Inc.**

  
 \_\_\_\_\_  
**By:**

STATE OF IDAHO )  
 : ss:  
 County of Ada )

On this 27 day of February, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Allen Howlett, known or identified to me to be the Superintendent of **Cole Valley Christian Schools, Inc.** and the person who signed above and acknowledged to me that they executed the same.

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



Tabitha Epler  
 Notary Public  
 My Commission Expires: 7/7/27

**CITY OF MERIDIAN**

**ATTEST:**

By: \_\_\_\_\_  
 Mayor Robert E. Simison

\_\_\_\_\_  
 Chris Johnson, City Clerk

STATE OF IDAHO )  
 : ss:  
 County of Ada )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

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

(SEAL)

\_\_\_\_\_  
 Notary Public for Idaho  
 My Commission Expires: \_\_\_\_\_



# EXHIBIT A

## LEGAL DESCRIPTION

Page 1 OF 1



February 1, 2024  
Project No.: 121048

### EXHIBIT "A"

#### COLE VALLEY CHRISTIAN SCHOOLS McMILLAN ROAD PROPERTY PARCEL A DESCRIPTION

A parcel of land located in the West Half of the Southeast Quarter of Section 29, Township 4 North, Range 1 West, Boise Meridian, Ada County Idaho, being more particularly described as follows:

Commencing at the Southeast Corner of Section 29 of said Township 4 North, Range 1 West;  
Thence North  $89^{\circ}22'00''$  West, a distance of 2642.71 feet on the South line of said Section 29 to the South Quarter Corner of said Section 29, said point being the POINT OF BEGINNING;

Thence North  $00^{\circ}51'06''$  East, a distance of 2630.21 feet on the north-south mid-section line of said Section 29 to the Center Quarter Corner of said Section 29;

Thence South  $89^{\circ}22'35''$  East, a distance of 1325.02 feet on the east-west mid-section line of said Section 29 to the Center-East 1/16th Corner of said Section 29;

Thence South  $00^{\circ}56'00''$  West, a distance of 2630.45 feet on the north-south 1/16th Section line of the Southeast Quarter of said Section 29 to the East 1/16th Corner common to Sections 29 and 32;

Thence North  $89^{\circ}22'00''$  West, a distance of 454.52 feet on the South line of said Section 29;

Thence North  $00^{\circ}56'00''$  East, a distance of 487.34 feet;

Thence North  $89^{\circ}43'44''$  West, a distance of 774.21 feet;

Thence South  $00^{\circ}16'16''$  West, a distance of 21.70 feet;

Thence South  $00^{\circ}51'07''$  West, a distance of 460.74 feet to a point on the South line of said Section 29;

Thence North  $89^{\circ}22'00''$  West, a distance of 93.49 feet on said South line of Section 29 to the POINT OF BEGINNING.

The above described parcel contains 71.28 acres more or less.

PREPARED BY:

The Land Group, Inc.

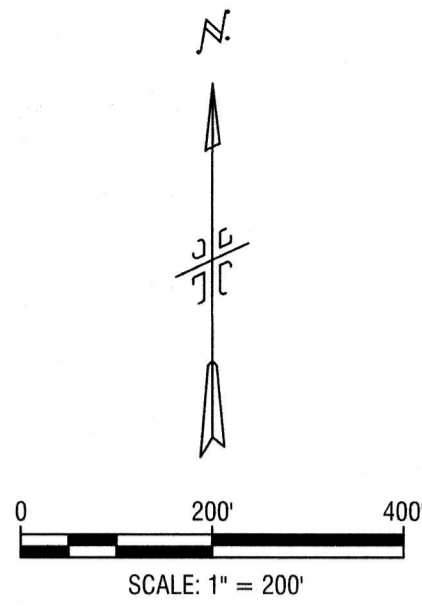
James R. Washburn, PLS



SURVEY RECORDING SHEET

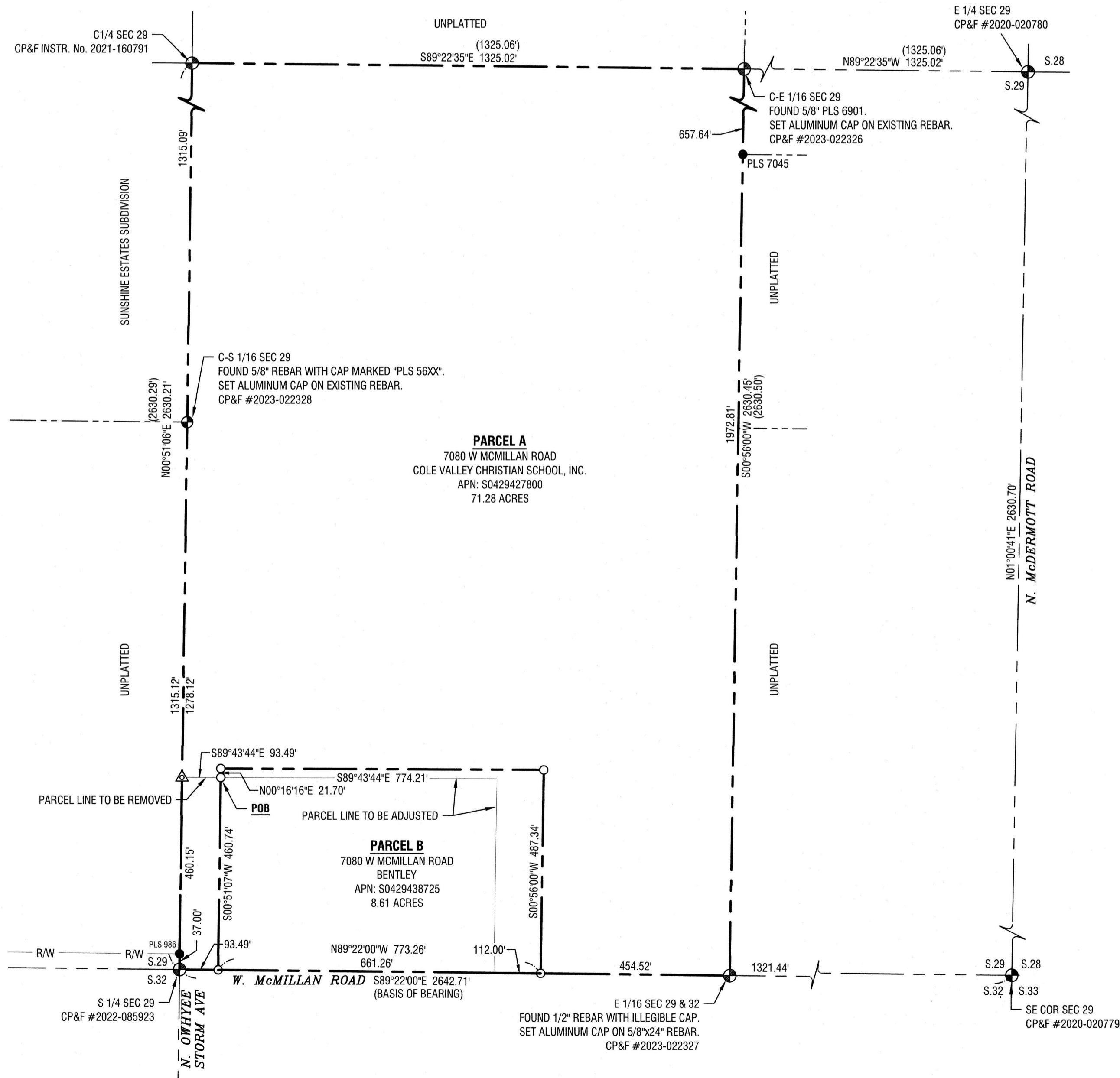
Digital Image of Survey Available in Separate System

SURVEY NO. 14284  
 NAME OF SURVEY Cole Valley Christian School PBA Survey  
 SURVEYOR James R. Washburn  
 AT THE REQUEST OF The Land Group  
 COMMENTS W 1/4 SE 1/4 Sec 29 T4N R1W



# Record of Survey - Property Boundary Adjustment for Cole Valley Christian School

Located in the West 1/2 of the SE 1/4 of Section 29  
Township 4 North, Range 1 West, Boise Meridian,  
Ada County, Idaho  
2024



**Legend:**

|  |   |
|--|---|
|  | FOUND BRASS CAP MONUMENT                    |
|  | FOUND ALUMINUM CAP MONUMENT                 |
|  | FOUND 5/8" REBAR, AS SHOWN                  |
|  | FOUND 1/2" REBAR, AS SHOWN                  |
|  | SET 5/8"x24" REBAR W/PLASTIC CAP "PLS 7880" |
|  | BOUNDARY LINE                               |
|  | PARCEL LINE TO BE REMOVED/ADJUSTED          |
|  | ADJACENT PROPERTY LINE                      |
|  | SECTION LINE                                |
|  | RIGHT-OF-WAY LINE                           |

**Note:**

ADA COUNTY FILE NUMBER: 202300414-PBA

**Certificate of Ada County Recorder:**

STATE OF IDAHO)  
 COUNTY OF ADA)  
 INSTRUMENT NUMBER 2024-005389

I HEREBY CERTIFY THAT THIS RECORD OF SURVEY WAS FILED AT THE REQUEST OF The Land Group  
 AT 58 MINUTES PAST 9 O'CLOCK A.M. THIS 2nd  
 DAY OF February, A.D. 2024, IN MY OFFICE AND WAS DULY RECORDED.

DEPUTY TRENT TRIPPLE  
 EX-OFFICIO RECORDER

FEES: \$5.00

**Survey Narrative:**

THIS SURVEY IS BEING PREPARED AT THE REQUEST OF COLE VALLEY CHRISTIAN SCHOOLS, INC. THE BASIS OF BEARING IS FROM THE SOUTH 1/4 CORNER OF SECTION 29 TO THE SOUTHEAST CORNER OF SECTION 29. THE FOUND MONUMENTS WERE HELD AND SUBSTANTIALLY FIT RECORD DATA.

**Referenced Survey Table:**

- R1. RECORD OF SURVEY No. 2713, INSTRUMENT #94000018, RECORDS OF ADA COUNTY.
- R2. SUNSHINE ESTATES SUBDIVISION, BOOK 78 OF PLATS AT PAGE 8328, RECORDS OF ADA COUNTY.

**Certificate of Surveyor:**

I, JAMES R. WASHBURN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.



462 East Shore Drive, Suite 100  
 Eagle, ID 83616 PH: (208) 939-4041

## EXHIBIT B

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



**In the Matter of the Request for Annexation and Zoning of 71.28-Acres of Land with an R-15 (Medium High-Density Residential) Zoning District; and Conditional Use Permit (CUP) for a Private Education Institution for Pre-kindergarten through 12th Grade on 48.48-Acres of Land in the R-15 Zoning District, by LKV Architects.**

**Case No(s). H-2023-0011**

**For the City Council Hearing Date of: July 11, 2023 (Findings on July 25, 2023)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of July 11, 2023, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 11, 2023, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 11, 2023, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 11, 2023, 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 July 11, 2023, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

#### C. Decision and Order

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

1. The applicant's request for annexation & zoning is hereby approved with an R-8 zoning district, instead of the requested R-15 zoning district, with the requirement of a Development Agreement; and the request for a conditional use permit is hereby approved per the provisions in the Staff Report for the hearing date of July 11, 2023, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### 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 July 11, 2023

By action of the City Council at its regular meeting held on the 25th day of July, 2023.

COUNCIL PRESIDENT BRAD HOAGLUN VOTED AYE

COUNCIL VICE PRESIDENT JOE BORTON VOTED AYE

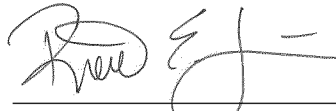
COUNCIL MEMBER JESSICA PERREAULT VOTED AYE

COUNCIL MEMBER LUKE CAVENER VOTED AYE

COUNCIL MEMBER JOHN OVERTON VOTED AYE

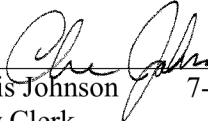

COUNCIL MEMBER LIZ STRADER VOTED AYE

MAYOR ROBERT SIMISON VOTED \_\_\_\_\_  
(TIE BREAKER)



\_\_\_\_\_  
Mayor Robert E. Simison 7-25-2023

Attest:

  
Chris Johnson 7-25-2023  
City Clerk 

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

By:  \_\_\_\_\_ Dated: 7-25-2023  
City Clerk's Office



**STAFF REPORT**

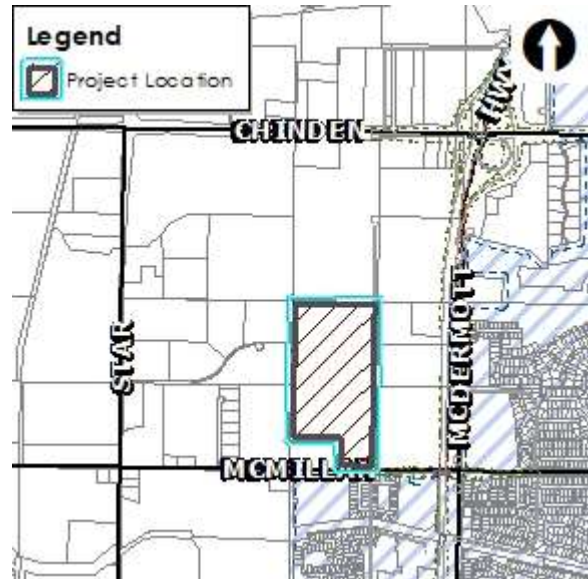
**COMMUNITY DEVELOPMENT DEPARTMENT**

HEARING DATE: July 11, 2023

TO: Mayor & City Council  
 FROM: Sonya Allen, Associate Planner  
 208-884-5533

SUBJECT: Cole Valley Christian School – AZ,  
 CUP  
[H-2023-0011](#)

LOCATION: 7080 W. McMillan Rd., in the NE ¼ of  
 Section 29, Township 4N., Range 1W.  
 (Parcel #S0429427800)



**I. PROJECT DESCRIPTION**

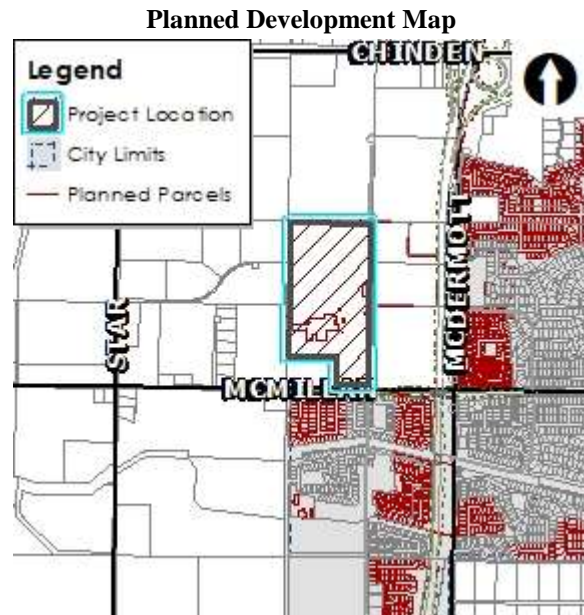
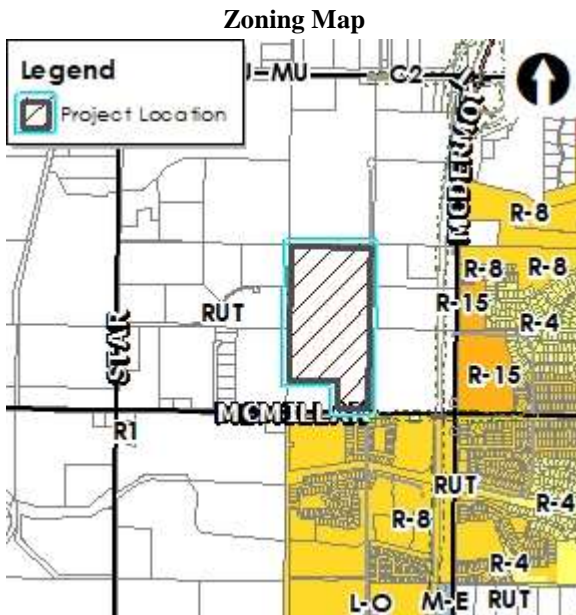
Annexation and Zoning (AZ) of 71.28 acres of land with an R-15 (Medium High-Density Residential) zoning district; and Conditional Use Permit (CUP) for a private education institution for pre-kindergarten through 12th grade on 48.48 acres of land in the R-15 zoning district.

**II. SUMMARY OF REPORT**

A. Project Summary

| Description   | Details   |
|---|---|
| Acreage   | 71.28-acres   |
| Future Land Use Designation                                   | Medium Density Residential (MDR) with a school designation  |
| Existing Land Use   | Agricultural  |
| Proposed Land Use(s)  | Private education institution for pre-K through 12 <sup>th</sup> grades   |
| Current Zoning  | RUT in Ada County   |
| Proposed Zoning   | R-15 (Medium High-Density Residential)  |
| Phasing Plan  | 2 phases  |
| Physical Features (waterways, hazards, flood plain, hillside) | None  |
| Neighborhood meeting date                                     | 2/16/23   |
| History (previous approvals)                                  | ROS #2713 (1993). A property boundary adjustment has been tentatively approved by Ada County but has not yet received final approval. |

B. Project Area Maps



*Note: The configuration of the property shown above does not reflect the property boundary adjustment in process with Ada County; the resulting boundary is consistent with the annexation exhibit map shown in Section VIII.A below.*

**III. APPLICANT INFORMATION**

A. Applicant:

Amber Van Ocker, LKV Architects – 2400 E. Riverwalk, Boise, ID 83706

B. Owner:

Cole Valley Christian Schools – 200 E. Carlton Ave., Meridian, ID 83642



C. Representative:  
 Same as Applicant

**IV. NOTICING**

|  | <b>Planning &amp; Zoning<br/>Notice Dates</b> | <b>City Council<br/>Notice Dates</b> |
|--|---|--------------------------------------|
| Newspaper Notification                                   | 5/3/2023                                      | 06/25/2023                           |
| Radius notification mailed to properties within 300 feet | 4/28/2023                                     | 06/23/2023                           |
| Site Posting Date  | 5/18/2023                                     | 6/23/2023                            |
| Next Door posting  | 4/28/2023                                     | 06/23/2023                           |

**V. COMPREHENSIVE PLAN ANALYSIS**

**Land Use:** This property is designated as Medium Density Residential (MDR) on the Future Land Use Map (FLUM) contained in the [\(Comprehensive Plan\)](#). This designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre. There is also a school designation on this property, which indicates a school should be developed in this general area.

The proposed use of the property as a private education institution is consistent with the school designation depicted on the FLUM. Although dwelling units are typically desired in the MDR designation, the UDC ([Table 11-2A-2](#)) does allow school uses with approval of a conditional use permit.

**Transportation:** The Master Street Map (MSM) depicts a north/south residential collector street along the west boundary of this site. The Applicant has negotiated a land swap with the property owner at the southwest corner of this site to obtain the property necessary to complete the extension of Owyhee Storm Ave. to the school property.

A local street (Ersatz Place Road) is proposed along the east boundary of the site that extends off-site from McMillan Rd. to the north that will provide access to the properties fronting on future SH-16. A Traffic Impact Study (TIS) was submitted to ITD and ACHD for review of this project.

**Design:** This property is located within a four-square mile area governed by the [Fields Sub-Area Plan](#) located at the northwest corner of the Area of City Impact boundary. This area is bounded by Ustick Rd. on the south, Can-Ada Rd. on the west, Chinden Blvd./US Highway 20/26 on the north, and McDermott Rd./SH-16 on the east.

The Fields area is primarily designated for future residential development, with a mixed-use community center at the southeast corner of Star and McMillan Roads, and multiple school and park sites. Interchange and regional mixed-use designations are incorporated along both Ustick Road and Chinden Boulevard, generally from the SH-16 extension to Star Road. The southwest corner of the Subarea has been reserved for expanded industrial and non-residential mixed-use area within the southwest quadrant, and is aligned with the existing Intermountain Gas Facility, currently located on Can-Ada Road.

In accord with the Fields Sub-Area Plan, the general character, design and identity of this area should have a cohesive theme that is “modern rural,” which applies to housing, amenities, streetscape/open space, and retail/commercial. Because the proposed school does not front on W. McMillan Rd. and is

not oriented toward N. Owyhee Storm Ave. and because it's not residential or retail/commercial, Staff does not recommend the building is required to have a modern rural design theme. **However, some of the other thematic design elements that contribute to the desired character of the area should be adhered to such as lighting, fencing (e.g. split rail), landscaping (e.g. tall fescues, dry creek materials, wildflowers, street trees, etc.), public art, on-street bike lanes and/or off-street multi-use pathways, signage (e.g. metal roof on sign), etc. – see the Character Framework – Amenities (pg. 3-12) and Streetscape (pg. 3-13) in the Plan for more information. A high-quality of design is expected in this area.**

In response to the modern rural design theme, the Applicant proposes to develop some of the areas adjacent to building entrances with dry stream beds with a mix of rock types, boulders and plantings. In the portions of the site that will not be developed with Phase 1, a “meadow seed” mix is proposed to be planted for wild flowers and grass to grow. Detached sidewalks, landscaping and street lights are proposed along all public streets, which will provide pedestrian connectivity to the school from adjacent existing and future neighborhoods in the area. A 10-foot wide sidewalk/pathway is proposed along Owyhee Storm Ave., which should provide a safe off-street route for school children to bicycle/walk to school; and a 5-foot wide sidewalk is proposed along McMillan Rd. and Ersatz Place Rd.

Building materials will consist of a combination of masonry, deep ribbed metal and smooth metal with large expansions of glazing. The ball fields will be fenced from general use by the public; however, those areas help preserve the open space and views from adjacent developments and properties. **Fencing and signage designs have not been fully developed yet but the Applicant anticipates incorporating the “modern rural” design theme in those elements at the perimeter of the development. Details of such should be submitted prior to the City Council hearing.**

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

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

*City water service is available and can be extended by the developer with development in accord with UDC 11-3A-21. City sewer service will not be available until the Can-Ada lift station project is complete at the end of fiscal year 2025.*

- “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 required to be provided with development of this site.*

- “Ensure development provides safe routes and access to schools, parks, and other community gathering places.” (2.02.01G)

*Detached sidewalks are proposed adjacent to all public streets, which should assist in providing safe access to the proposed school. The walkway along Owyhee Storm Ave. is proposed to be a 10-foot wide multi-use pathway, which will provide an off-street route for bicyclists.*

- “Ensure the location and design of schools are compatible with existing and planned neighborhoods and land uses.” (2.03.01D)

*The proposed school should be compatible with adjacent existing and future residential uses in the vicinity.*

## VI. STAFF ANALYSIS

### A. Annexation & Zoning (AZ):

The Applicant proposes to annex 71.28 acres of land with an R-15 (Medium-High Density Residential) zoning district for the development of a private education institution for pre-kindergarten through 12<sup>th</sup> grade on approximately 48.48 acres of the site. The remaining 23.4-acres of the site is to be used for agricultural purposes until further development occurs in the future. As discussed above in Section V, the proposed use is desired and consistent with the Comprehensive Plan for this area.

There are no existing structures on this site; the property is currently being used for agricultural purposes. The site is within the Area of City Impact (AOCI) boundary at the periphery of the current City limits and is contiguous to City annexed land to the south.

**Because the R-8 zoning district is the most appropriate district for the MDR FLUM designation, Staff recommends an R-8 instead of R-15 zone for the subject property.**

A private education institution is listed as an allowed use in the recommended R-8 (and requested R-15) zoning district with approval of a conditional use permit, per UDC [Table 11-2A-2](#), subject to the specific use standards listed in UDC [11-4-3-14](#).

A property boundary adjustment application has been tentatively approved by Ada County Development Services for the reconfiguration of this property as shown in the annexation legal description and exhibit map in Section VIII.A below. **Final approval is required to be obtained prior to City Council approval of the annexation ordinance.**

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure this property develops as proposed and required, Staff recommends a DA with the provisions discussed herein and included in Section IX.A.**

**If the 23.4-acre portion of the site not proposed to develop at this time is proposed to develop with any use(s) other than an education institution and associated accessory uses in the future, Staff recommends an amendment to the Development Agreement is required to include an updated development plan.**

### B. Conditional Use Permit (CUP):

A Conditional Use Permit (CUP) is proposed, as required by UDC Table 11-2A-2, for a private education institution in an R-8/R-15 zoning district. The education institution requires CUP approval because it exceeds 250,000 square feet (s.f.) within a residential district; includes lighted fields adjoining/within a residential district; will generate in excess of 1,500 vehicular trips per day; takes access from a collector street (i.e. Owyhee Storm Ave.) and there is not a safe, separate pedestrian and bikeway access between the neighborhood and the school site, per UDC [11-4-3-14E](#).

Cole Valley currently has two existing campuses that will be relocated and consolidated into one 259,919 square foot building on the subject property. The proposed school will be for pre-kindergarten through 12th grade and the development area will include parking, access drives, open space for student play area and outside athletic venues on 48.48 acres of land. The new facility will service approximately 1,825 students with the potential to add 12 additional classrooms with future building additions on the south, east and west wings, totaling 15,300 square feet, to serve an additional 300 students.

Development will likely occur in two phases but may occur in one. If phased, Phase 1 will consist of all of the outside athletic venues except the tennis courts, a portion of the southeast parking lot, public restroom outbuilding, construction of Ersatz Rd. and the extension of Owyhee Storm Ave.

(the length and width to be determined by the City and ACHD), and the adjustment and piping of the Creason Lateral. Phase 2 will consist of building construction, remaining site development of parking lots, access points, play structures, full road sections to the north property line and public utility connections. Although shown as part of the 2<sup>nd</sup> phase, the storage, maintenance and CTE building likely won't be constructed for a few years per the Applicant.

**Dimensional Standards:** The proposed development is required to comply with the dimensional standards listed in UDC [Table 11-2A-7](#) for the proposed R-15 zoning district (or UDC [Table 11-2A-6](#) for the R-8 district recommended by Staff). Education facilities are allowed a maximum building height of 50 feet as set forth in UDC [11-2A-3E.3](#).

**Specific Use Standards:** The proposed use is required to comply with the specific use standards listed in UDC [11-4-3-14F](#), Education Institution, as follows: *Staff's analysis is in italics.*

- A. Accessory uses. Accessory uses including, but not limited to, daycare facilities, community events, community services, social services, curricular and extracurricular activities, meeting facilities for clubs and organizations, and school administration may be allowed.
  1. Community events shall include, but are not limited to, events organized by an association of persons for a social, literary, political, educational or recreational purpose. Community events shall not include retail or other services that are customarily carried on as a business.
  2. Curricular or extracurricular activities at an education institution shall include any sporting, musical, dramatic, artistic, fundraising or educational activities associated with any group, association, or classroom of said education facilities. Curricular or extracurricular activities shall not include retail or other services of businesses not directly associated with the education facility.
  3. When conducted within an existing structure and site modifications are not proposed and/or required accessory uses do not require a certificate of zoning compliance.
  4. Uses not deemed as an accessory use by the Director shall require approval as a principal permitted or conditional use consistent with this title or as a temporary use consistent with [title 3](#), chapter 4 of this Code.
- B. Location criteria for elementary schools. Elementary schools should be located within the center of neighborhoods with access encouraged from local streets. Elementary school locations adjacent to public parks or open space are encouraged. At least thirty (30) percent of the perimeter of an elementary school site should be open to streets or open space areas. *The site is not located within the center of a neighborhood but may be in the future as much of the property surrounding this area has yet to annex but has a residential FLUM designation; a local street (Ersatz Rd.) is proposed along the east boundary of the site. Over 30% of the proposed school site is open to streets.*
- C. Location criteria for middle schools and high schools. Middle and high schools may take access off a designated arterial or collector street. *The proposed school takes access off a collector street (Owyhee Storm Ave.).*
- D. Exemption. An education institution with less than one hundred fifty (150) students or located within the TN-R district may be exempt from the requirements for open space, landscaping, parking and drop off areas. *Not Applicable*
- E. Conditional use requirement. A conditional use permit shall be required for any education institution in which any of the following circumstances exist:

1. The education institution is in excess of two hundred fifty thousand (250,000) square feet within a residential district; *The proposed school is 259,919 square feet.*
  2. The education institution includes lighted fields adjoining or within a residential district; *The football field is proposed to be lighted within a residential district.*
  3. The education institution will generate in excess of one thousand five hundred (1,500) vehicular trips per day; *The proposed school will exceed 1,500 vehicle trips per day at 4,132 trips per day.*
  4. The education institution takes access from a collector or an arterial street and there is not a safe, separate pedestrian and bikeway access between the neighborhood and the school site. *The proposed school takes access from a collector street (Owyhee Storm Ave.); a 10-foot wide detached multi-use pathway is proposed on the school site adjacent to the street for safe pedestrian/bicycle access to the site. There are no abutting neighborhoods to the west, north or east at this time as the adjacent land is yet to redevelop; an arterial street separates this site from the development to the south (i.e. Gander Creek subdivision).*
- F. Portable classrooms (temporary and permanent). The site plan for all education institutions shall include the location of any future portable classrooms (temporary and/or permanent). *Four (4) portable future classrooms are proposed on the west side of the site just north of the elementary wing totaling 8,400 s.f. (2,100 s.f. each).*
1. Temporary portables. A temporary portable classroom shall be an accessory use valid for a maximum period of four (4) years from the date of issuance of a certificate of occupancy.
    - a. Temporary portable classrooms that meet the standards as set forth in subsection (F)(4) of this section shall require a certificate of zoning compliance approval but shall not be subject to design review.
    - b. Temporary portable classrooms that do not meet the standards as set forth in subsection (F)(4) of this section shall require a conditional use permit but shall not be subject to design review.
  2. Permanent portables. Prior to the termination of the four-year permit, the applicant may request to convert a temporary portable classroom to a permanent portable classroom.
    - a. Permanent portable classrooms that meet the standards as set forth in subsection (F)(4) of this section shall require a certificate of zoning compliance and design review approval.
    - b. Permanent portable classrooms that do not meet the standards as set forth in subsection (F)(4) of this section shall require a conditional use permit and design review approval.
  3. Permit termination. Upon termination of the four-year permit, the temporary portable classroom approval shall be null and void and the applicant shall remove the structure immediately.
  4. Standards.
    - a. The portable classroom shall not be located in the front yard of the principal school structure.
    - b. The portable classroom shall not be located in any required yard.

- c. The placement of the portable classroom shall not reduce the number of required off street parking spaces.
  - d. The portable structures shall comply with the building code in accord with [title 10](#) of this Code.
  - e. Exterior colors of the portable classrooms shall be compatible with the color of the primary school building.
  - f. The roofing material on the portable classrooms shall be of a finish that emits a minimal amount of glare.
  - g. Where the portable classroom is located within two hundred (200) feet of a street and is visible from such a street, the portable classroom shall be screened from view of the street with a minimum of one (1) evergreen tree per fifteen (15) feet of linear structure. The tree shall be a minimum of six (6) feet in height.
- G. Additional standards for education institution, private. The applicant shall provide written documentation that the facility meets the minimum site area guidelines as established by the Idaho State Department of Education. ***The Applicant shall comply with this standard.***
- H. Additional standards for vocational or trade schools. The applicant shall provide written documentation that the school will have a major curriculum relating to technological industrial research and processes. *Not applicable.*
- I. Parking space requirement. In all commercial and residential districts, education institutions shall provide one (1) parking space for every four hundred (400) square feet of gross floor area. *The proposed parking complies with this standard. See below for more detailed analysis on parking.*

**Road Improvements:** The Applicant proposes to extend Owyhee Storm Ave., a collector street, and Ersatz Rd., a local street, from the south boundary at McMillan Rd. to the north boundary of the subject property with development. The extension of these streets is proposed in two (2) phases as shown on the phasing plan in Section VIII.B. **To ensure the timely extension of Owyhee Storm Ave. and Ersatz Rd. for future development in the area, Staff recommends these streets (and associated detached sidewalks/multi-use pathways) are constructed to the northern boundary of the subject property with the first phase of development.** The Applicant states ITD has acquired the property necessary to complete the extension of Ersatz but not to a local street section with sidewalks, etc. The street section will start at the eastern ROW that ITD has acquired and the street section will extend the necessary dimension onto the subject property. The multi-use pathway required along the east side of Ersatz will be constructed with future development of the adjacent land.

**Access:** Two (2) driveway accesses are proposed via Owyhee Storm Ave., a future collector street, along the west boundary of the site and two (2) driveway accesses are proposed via Ersatz Place Rd., a future local street, along the east boundary of the site; no access is proposed via W. McMillan Rd.

The southern driveway via Ersatz will provide access to the eastern parking lot and drop-off areas that are primarily dedicated to the high school and middle school portion of the building and campus. The northern driveway will provide access to the smaller secondary parking lot that will include a bus drop-off area, a future career technical building and the emergency vehicle access lane that extends west to Owyhee Storm Ave.

The southern driveway via Owyhee Storm will provide access to the western parking lot and drop-off areas that are primarily dedicated to the pre-school and elementary portions of the building and campus.

**Parking:** Off-street parking is required to be provided as set forth in UDC [11-4-3-14.I](#) (i.e. one space per 400 square feet of gross floor area). Based on 273,344 square feet (s.f.) of gross floor area (259,919 s.f. school building + 13,425 s.f. storage, maintenance & CTE building), a minimum of 683 parking spaces are required that comply with the standards listed in UDC [Table 11-3C-5](#). If future classroom additions occur as anticipated, an additional 38 parking spaces will be required based on 15,300 square feet of gross floor area. If temporary portable classrooms are added as anticipated, an additional 21 parking spaces will be required based on 8,400 s.f. of gross floor area. The site plan depicts a total of 843 parking spaces at full build-out, which exceeds the minimum standards by 101 spaces. The Applicant proposes to only construct the minimum amount of parking (i.e. 650 spaces) required with the initial building construction.

Bicycle parking is required to be provided as set forth in UDC [11-3C-6G](#). Based on 843 vehicle spaces, a minimum of 34 bicycle parking spaces are required that meet the location and design standards listed in UDC [11-3C-5C](#); a total of 48 spaces are proposed, exceeding the minimum standards.

**Sidewalks/Pathways:** A 10-foot wide detached sidewalk/multi-use pathway is proposed within the street buffer along Owyhee Storm Ave. in accord with the Pathways Master Plan; and 5-foot wide detached sidewalks are proposed along W. McMillan Rd. and Ersatz Rd. *Note: A multi-use pathway is also required along the east side of Ersatz Rd., which will be required with construction of the eastern portion of the street section by the developer of the adjacent property.*

**Five-foot wide detached sidewalks are typically required within street buffers along arterial streets. However, because ACHD is changing policy to require detached 10-foot wide multiple-use pathways (MUP) along arterial streets (i.e. McMillan Rd.) in lieu of on-street bike lanes, and because school children will be using this sidewalk to bike and walk to school, Staff recommends a 10-foot wide sidewalk/MUP is required along McMillan as a provision of the development agreement.**

**The multi-use pathway is required to be placed in a 14-foot wide public use easement if it's outside of the right-of-way. The easement should be submitted to the Planning division with the Certificate of Zoning Compliance application for the first phase of development.**

**To ensure pedestrian safety, Staff recommends the sidewalk/multi-use pathways are constructed along all streets with the first phase of development.**

**Landscaping:** A landscape plan was submitted as shown in Section VIII.C.

A minimum 25-foot wide street buffer is required along W. McMillan Rd., an arterial street and a minimum 20-foot wide street buffer is required along Owyhee Storm Ave., a collector street, landscaped in accord with the standards listed in UDC [11-3B-7C](#). **Buffers are required to be planted with a variety of trees, shrubs, lawn, or other vegetative groundcover. The landscape plan should be revised in accord with the aforementioned standards. Where the buffer is encumbered by an easement, the buffer area is required to include a minimum 5-foot wide area for planting shrubs and trees outside of the easement; the plans should be revised accordingly to accommodate the required plantings.**

Parking lot landscaping is required in accord with the standards listed in UDC [11-3B-8C](#).

**Utilities (UDC [11-3A-21](#)):** Connection to City water and sewer services is required in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances.

All utilities, *except* for City sewer, are available to the site or in close proximity. **Sewer service to this site will be provided from the Can-Ada Lift Station, which has not yet been built. Construction is planned to be completed towards the end of Fiscal Year 2025. The City plans to install a trunk sewer from the lift station (to be located near McMillan Road/Can-Ada Road) one mile to the east near the intersection of McMillan Road/Star Road as a part of the Can-Ada Lift Station Project. The school will need to extend sewer down McMillan Rd. and Owyhee Storm Ave. to the school campus in accord with the Sewer Master Plan.** The City is amenable to allowing a temporary lift station for the sports field concession and restroom buildings only, which shall be taken off-line as part of the construction of the school.

**Waterways:** The West Tap Sublateral runs along the southern boundary of this site adjacent to McMillan Rd. and the Creason Lateral bisects this site within a 30-foot wide easement. **The UDC [\(11-3A-6\)](#) requires all waterways that lie on the property being developed to be piped or otherwise covered unless being improved as a water amenity of linear open space. The easement for the Creason Lateral shall be depicted on the site and landscape plans.**

**Pressurized Irrigation System** (UDC [11-3A-15](#)): Underground pressurized irrigation water is required to be provided to the development as set forth in UDC 11-3A-15. On-site pressurized irrigation is proposed utilizing existing water rights from the Creason Lateral and a secondary irrigation well and pumping system will be installed to supplement irrigation needs during the “shoulder season” watering times.

**Storm Drainage** (UDC [11-3A-18](#)): An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances.

**Hours of Operation:** The primary hours of operation for the campus will be from 7:00 am to 3:00 pm Monday through Friday. Extended hours of operation will be based on athletic events and various activities throughout the school year. **Compliance with the City noise ordinance (MCC [6-3-6](#)) is required.**

**Building Elevations:** Building elevations were submitted as shown in Section VIII.D for the proposed 2-story school building. Building materials consist of a combination of masonry in smooth-face and split-face in two colors, deep ribbed metal and smooth metal with large expansions of glazing, which should be low maintenance. Raised parapets are proposed for modulation and screening of rooftop mechanical equipment. Proposed building heights are as follows: auditorium/gymnasium – 45’8”; classroom wings – 35’0”.

**Certificate of Zoning Compliance/Design Review:** A Certificate of Zoning Compliance (CZC) and Design Review application is required to be submitted to the Planning Division and approved prior to submittal of building permit application(s). The application materials should be updated as necessary to comply with the conditions contained in Section IX. Compliance with the design standards in the Architectural Standards Manual is required. As discussed above in Section V, a “modern rural” design theme should be integrated into the project as desired in the Fields Sub-Area Plan.

## VII. DECISION

### A. Staff:

Staff recommends approval of the proposed annexation & zoning with an R-8 instead of R-15 zoning district, and conditional use permit with the provisions included in Section IX per the Findings in Section X.

### B. The Meridian Planning & Zoning Commission heard these items on May 18, June 1 and 15, 2023. At the public hearing, the Commission moved to continue the subject AZ and CUP



requests to June 1<sup>st</sup> in order to review the ACHD report. The ACHD report wasn't received by the 1<sup>st</sup> so the Commission continued the project to the June 15<sup>th</sup> hearing date.

1. Summary of Commission public hearing:
  - a. In favor: Amber Van Ocker, LKV Architects (Applicant's Representative); Sonia Daleiden, Kittleson & Assoc.; Wayne Thowless, LKV Architects
  - b. In opposition: None
  - c. Commenting: Patrick Nichols
  - d. Written testimony: Amber Van Ocker, Applicant's Representative
  - e. Staff presenting application: Sonya Allen
  - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
  - a. The Applicant requests to *not* be required to construct Owyhee Storm & Ersatz (& the associated sidewalks/pathways and street buffers) to the northern property boundary, just to the northern boundary of the school campus proposed to develop at this time; and the street buffer & pathway along McMillan to be constructed with future development of that area.
  - b. Concerns with how traffic generated from the proposed school will impact already congested traffic and intersections in the vicinity.
3. Key issue(s) of discussion by Commission:
  - a. The timing for construction of Owyhee Storm & Ersatz to the northern property boundary; and pedestrian walkways and street buffers along public streets;
  - b. Concerns pertaining to traffic and existing congestion in this area and impacts from the proposed development.
4. Commission change(s) to Staff recommendation:
  - a. At Staff's request, include a clarification to DA provision #A.1.1d in Section IX that all street buffers adjacent to public streets (i.e. McMillan, Owyhee Storm & Ersatz) also be constructed by the Applicant, unless already constructed by ITD, prior to issuance of Certificate of Occupancy for the high school building.
  - b. Commission required the McMillan Rd. improvements and the extension of Owyhee Storm Ave. and Ersatz to the northern parcel boundary to be completed either by the Applicant or ITD, as applicable, prior to issuance of Certificate of Occupancy for the high school building in the second phase of development (see Section IX.A.1.1c).
5. Outstanding issue(s) for City Council:
  - a. The Applicant should provide more details on how perimeter fencing, signage, public art, etc. planned for the site incorporates the "modern rural" design theme in accord with the Fields Sub-area Plan.

C. The Meridian City Council heard these items on July 11, 2023. At the public hearing, the Council moved to approve the subject AZ and CUP requests.

1. Summary of the City Council public hearing:
  - a. In favor: Amber Van Ocker, LKV Architects (Applicant's Representative)
  - 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. Applicant requested Council *not* require the extension of Owyhee Storm & Ersatz to the northern property boundary at this time, just the northern boundary of the school site proposed to develop at this time.
3. Key issue(s) of discussion by City Council:

- a. The appropriateness of black coated chain-link fencing in the Fields Sub-Area and necessity of fencing along McMillan Rd.
  - b. The Applicant's request to defer construction of Owyhee Storm & Ersatz along with the associated sidewalks/pathways and street buffers on the future development area at the northern boundary of the site until future development occurs.
4. City Council change(s) to Commission recommendation:
- a. Council approved the project with the allowance of black coated chain-link fencing along the west, north and east boundaries of the site (the Applicant is not required to construct the split rail fence along McMillan Rd. if they choose not to).

## VIII. EXHIBITS

### A. Annexation & Zoning Legal Description and Exhibit Map



## LEGAL DESCRIPTION

Page 1 OF 1

March 2, 2023  
Project No.: 121048

### EXHIBIT "A"

#### COLE VALLEY CHRISTIAN SCHOOL ANNEXATION DESCRIPTION

A parcel of land located in the West Half of the Southeast Quarter of Section 29, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the South One Quarter Corner of Section 29 of said Township 4 North, Range 1 West, (from which point the Southeast Corner of said Section 29 bears South 89° 22' 00" East, 2642.71 feet distant), said South One Quarter Corner being the POINT OF BEGINNING;

Thence North 00° 51' 06" East, a distance of 2630.21 feet on the north-south mid-section line of said Section 29 to the Center One Quarter Corner of said Section 29;

Thence South 89° 22' 35" East, a distance of 1325.02 feet on the east-west mid-section line of said Section 29 to the Center-East 1/16th Corner of said Section 29;

Thence South 00° 56' 00" West, a distance of 2630.45 feet to a point on the southerly Section line of said Section 29;

Thence North 89° 22' 00" West, a distance of 454.52 feet on said southerly Section line;

Thence North 00° 56' 00" East, a distance of 487.34 feet;

Thence North 89° 43' 44" West, a distance of 774.21 feet;

Thence South 00° 16' 16" West, a distance of 21.70 feet;

Thence South 00° 51' 07" West, a distance of 460.74 feet to a point on the southerly Section line of said Section 29;

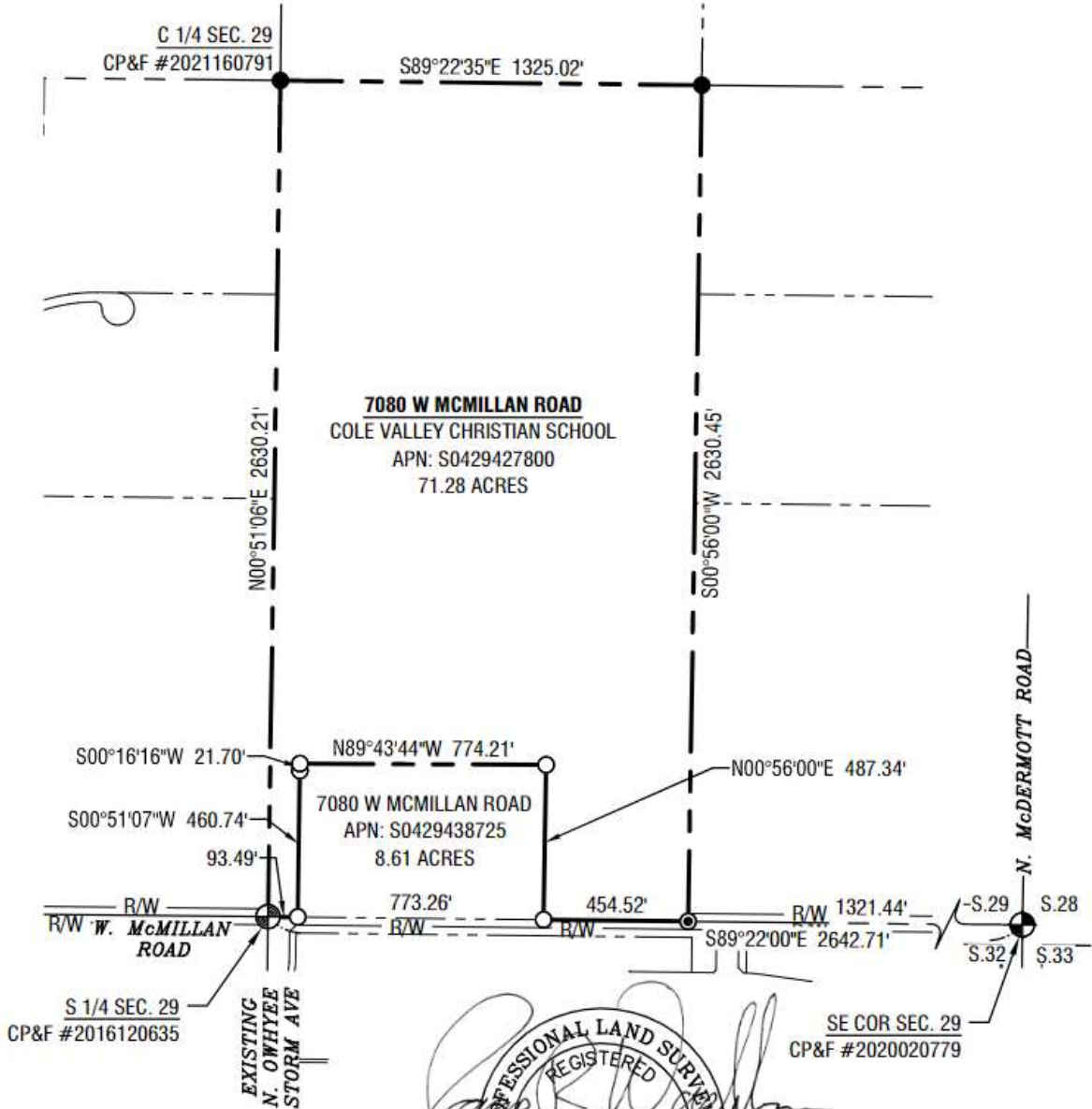
Thence North 89° 22' 00" West, a distance of 93.49 feet on said southerly Section line to the POINT OF BEGINNING.

The above described parcel contains 71.28 acres more or less.

PREPARED BY:  
**The Land Group, Inc.**

James R. Washburn



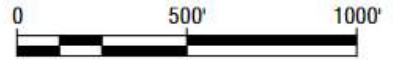


File Location: s:\2021\121048\survey\dwg\121048\_01a.dwg  
 User: jrwashburn  
 Date Plotted: Thursday, March 2, 2023 at 09:55 AM



**Exhibit "B"**

Horizontal Scale: 1" = 500'



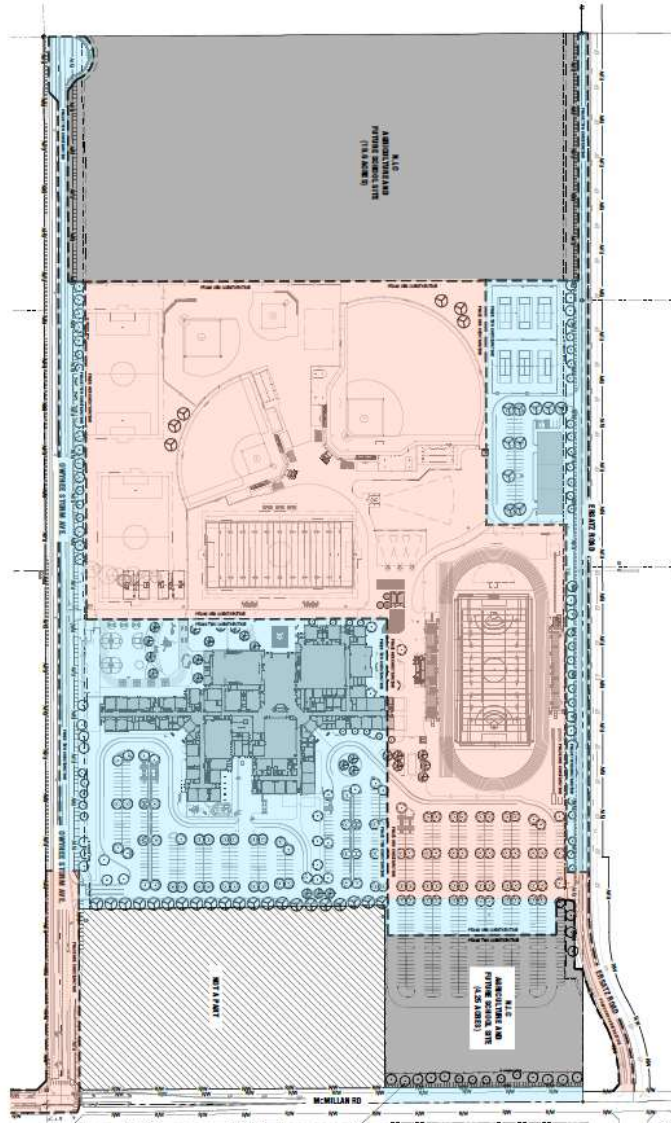
Project No.: 121048  
March 2, 2023



**Annexation Description**  
**Cole Valley Christian School**  
**7080 W. McMILLAN Road**

B. Proposed Site Plan with Phasing Plan (dated: ~~3/1/23~~ 6/30/23) - Revised

Phasing Plan



COMPLETIVE LANDSCAPE AND  
GENERAL IMPROVEMENTS  
WITHIN OUR DEVELOPMENT

- Phasing Legend**
- Phase 1: (Hatched) EXISTING LANDSCAPE AND GENERAL IMPROVEMENTS WITHIN OUR DEVELOPMENT
  - Phase 2: (Blue) PHASE 2 DEVELOPMENT
  - Phase 3: (Orange) PHASE 3 DEVELOPMENT

**Landscaping Notes**

1. LANDSCAPING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MERIDIAN'S LANDSCAPING ORDINANCE.
2. LANDSCAPING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MERIDIAN'S LANDSCAPING ORDINANCE.
3. LANDSCAPING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MERIDIAN'S LANDSCAPING ORDINANCE.

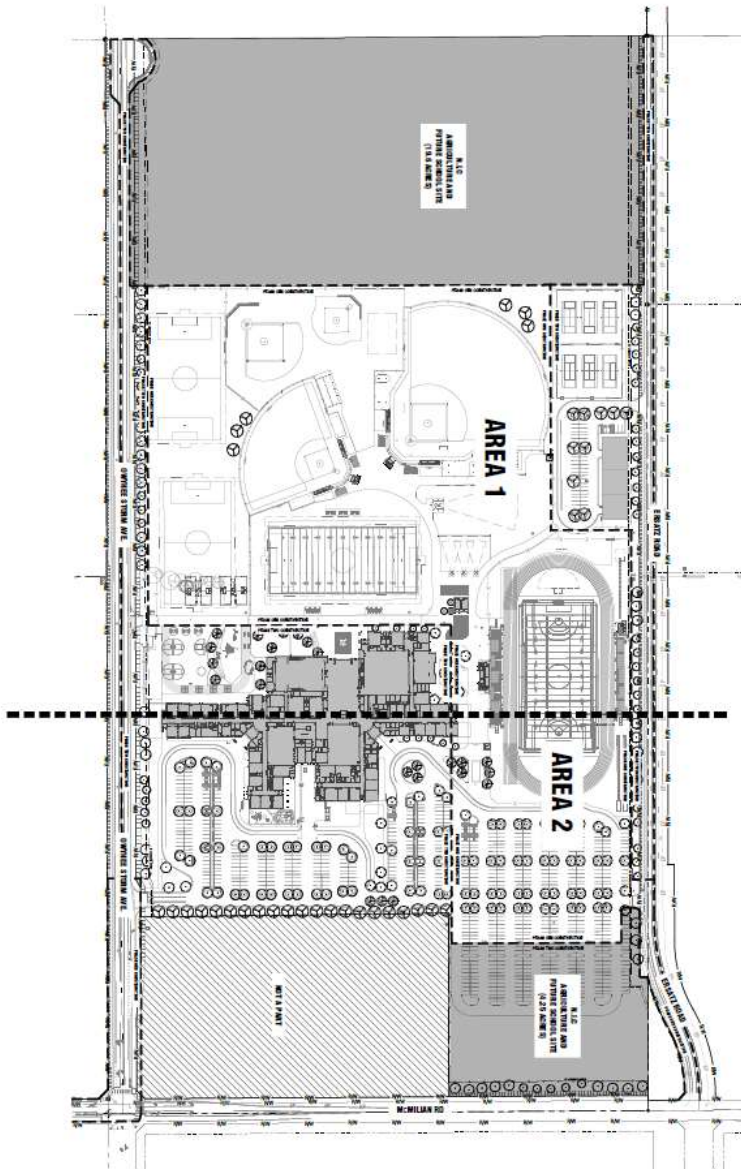
**CALCULATION TABLE**

| ITEM                | QUANTITY | UNIT PRICE | TOTAL    |
|---------------------|----------|------------|----------|
| PHASE 1 LANDSCAPING | 100      | 100.00     | 10000.00 |
| PHASE 2 LANDSCAPING | 200      | 100.00     | 20000.00 |
| PHASE 3 LANDSCAPING | 300      | 100.00     | 30000.00 |
| TOTAL               | 600      | 100.00     | 60000.00 |

Cole Valley Christian Schools  
 Site Development Plan  
 Meridian, Idaho  
 L1.03  
 11/11/18

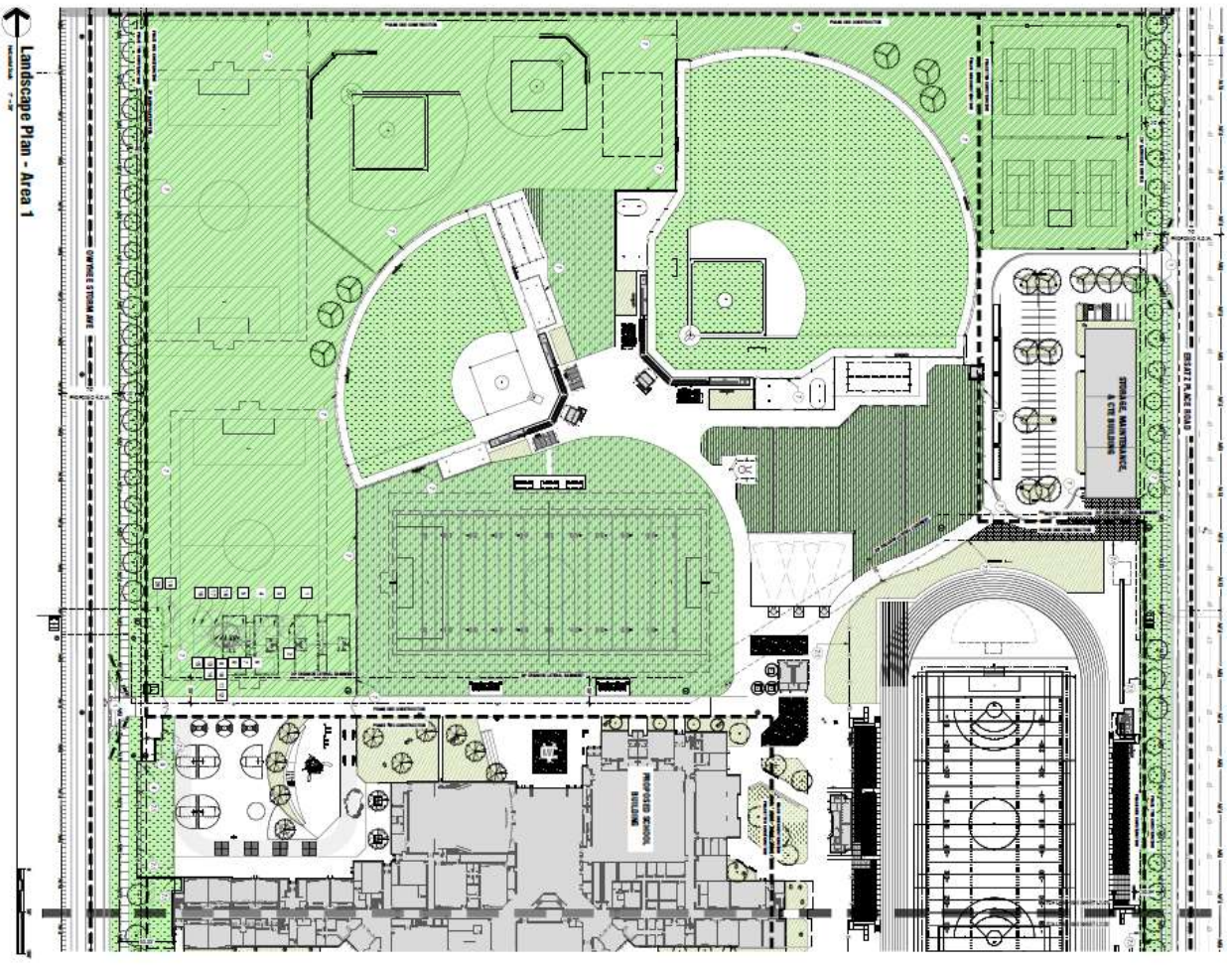
C. Landscape Plan (dated: ~~3/1/23~~ 6/30/23) - Revised

Overall - Landscape Plan



**CALCULATION TABLE**

| ITEM | DESCRIPTION       | QUANTITY   | UNIT PRICE | TOTAL  |
|------|-------------------|--|------------|--|
| 1    | ASPHALT DRIVEWAY  | 10,000   | 1.50       | 15,000   |
| 2    | CONCRETE DRIVEWAY | 5,000  | 2.00       | 10,000   |
| 3    | ASPHALT DRIVEWAY  | 5,000  | 1.50       | 7,500  |
| 4    | CONCRETE DRIVEWAY | 2,500  | 2.00       | 5,000  |
| 5    | ASPHALT DRIVEWAY  | 2,500  | 1.50       | 3,750  |
| 6    | CONCRETE DRIVEWAY | 1,250  | 2.00       | 2,500  |
| 7    | ASPHALT DRIVEWAY  | 1,250  | 1.50       | 1,875  |
| 8    | CONCRETE DRIVEWAY | 625  | 2.00       | 1,250  |
| 9    | ASPHALT DRIVEWAY  | 625  | 1.50       | 937.50   |
| 10   | CONCRETE DRIVEWAY | 312.5  | 2.00       | 625  |
| 11   | ASPHALT DRIVEWAY  | 312.5  | 1.50       | 468.75   |
| 12   | CONCRETE DRIVEWAY | 156.25   | 2.00       | 312.50   |
| 13   | ASPHALT DRIVEWAY  | 156.25   | 1.50       | 234.375  |
| 14   | CONCRETE DRIVEWAY | 78.125   | 2.00       | 156.25   |
| 15   | ASPHALT DRIVEWAY  | 78.125   | 1.50       | 117.1875   |
| 16   | CONCRETE DRIVEWAY | 39.0625  | 2.00       | 78.125   |
| 17   | ASPHALT DRIVEWAY  | 39.0625  | 1.50       | 58.59375   |
| 18   | CONCRETE DRIVEWAY | 19.53125   | 2.00       | 39.0625  |
| 19   | ASPHALT DRIVEWAY  | 19.53125   | 1.50       | 29.296875  |
| 20   | CONCRETE DRIVEWAY | 9.765625   | 2.00       | 19.53125   |
| 21   | ASPHALT DRIVEWAY  | 9.765625   | 1.50       | 14.6484375                                       |
| 22   | CONCRETE DRIVEWAY | 4.8828125  | 2.00       | 9.765625   |
| 23   | ASPHALT DRIVEWAY  | 4.8828125  | 1.50       | 7.32421875                                       |
| 24   | CONCRETE DRIVEWAY | 2.44140625                                       | 2.00       | 4.8828125  |
| 25   | ASPHALT DRIVEWAY  | 2.44140625                                       | 1.50       | 3.662109375                                      |
| 26   | CONCRETE DRIVEWAY | 1.220703125                                      | 2.00       | 2.44140625                                       |
| 27   | ASPHALT DRIVEWAY  | 1.220703125                                      | 1.50       | 1.8310546875                                     |
| 28   | CONCRETE DRIVEWAY | 0.6103515625                                     | 2.00       | 1.220703125                                      |
| 29   | ASPHALT DRIVEWAY  | 0.6103515625                                     | 1.50       | 0.91552734375                                    |
| 30   | CONCRETE DRIVEWAY | 0.30517578125                                    | 2.00       | 0.6103515625                                     |
| 31   | ASPHALT DRIVEWAY  | 0.30517578125                                    | 1.50       | 0.457763671875                                   |
| 32   | CONCRETE DRIVEWAY | 0.152587890625                                   | 2.00       | 0.30517578125                                    |
| 33   | ASPHALT DRIVEWAY  | 0.152587890625                                   | 1.50       | 0.22888184375                                    |
| 34   | CONCRETE DRIVEWAY | 0.0762939453125                                  | 2.00       | 0.152587890625                                   |
| 35   | ASPHALT DRIVEWAY  | 0.0762939453125                                  | 1.50       | 0.1144408671875                                  |
| 36   | CONCRETE DRIVEWAY | 0.03814697265625                                 | 2.00       | 0.0762939453125                                  |
| 37   | ASPHALT DRIVEWAY  | 0.03814697265625                                 | 1.50       | 0.0571104609375                                  |
| 38   | CONCRETE DRIVEWAY | 0.019073486328125                                | 2.00       | 0.03814697265625                                 |
| 39   | ASPHALT DRIVEWAY  | 0.019073486328125                                | 1.50       | 0.02858548125                                    |
| 40   | CONCRETE DRIVEWAY | 0.0095367431640625                               | 2.00       | 0.019073486328125                                |
| 41   | ASPHALT DRIVEWAY  | 0.0095367431640625                               | 1.50       | 0.01430511453125                                 |
| 42   | CONCRETE DRIVEWAY | 0.00476837158203125                              | 2.00       | 0.0095367431640625                               |
| 43   | ASPHALT DRIVEWAY  | 0.00476837158203125                              | 1.50       | 0.00715255734375                                 |
| 44   | CONCRETE DRIVEWAY | 0.002384185791015625                             | 2.00       | 0.00476837158203125                              |
| 45   | ASPHALT DRIVEWAY  | 0.002384185791015625                             | 1.50       | 0.00357627890625                                 |
| 46   | CONCRETE DRIVEWAY | 0.0011920928955078125                            | 2.00       | 0.002384185791015625                             |
| 47   | ASPHALT DRIVEWAY  | 0.0011920928955078125                            | 1.50       | 0.001781091453125                                |
| 48   | CONCRETE DRIVEWAY | 0.00059604644775390625                           | 2.00       | 0.0011920928955078125                            |
| 49   | ASPHALT DRIVEWAY  | 0.00059604644775390625                           | 1.50       | 0.00089106934375                                 |
| 50   | CONCRETE DRIVEWAY | 0.000298023223876953125                          | 2.00       | 0.00059604644775390625                           |
| 51   | ASPHALT DRIVEWAY  | 0.000298023223876953125                          | 1.50       | 0.00044703471875                                 |
| 52   | CONCRETE DRIVEWAY | 0.0001490116119384765625                         | 2.00       | 0.000298023223876953125                          |
| 53   | ASPHALT DRIVEWAY  | 0.0001490116119384765625                         | 1.50       | 0.00022351734375                                 |
| 54   | CONCRETE DRIVEWAY | 0.00007450580596923828125                        | 2.00       | 0.0001490116119384765625                         |
| 55   | ASPHALT DRIVEWAY  | 0.00007450580596923828125                        | 1.50       | 0.00011175871875                                 |
| 56   | CONCRETE DRIVEWAY | 0.000037252902984619140625                       | 2.00       | 0.00007450580596923828125                        |
| 57   | ASPHALT DRIVEWAY  | 0.000037252902984619140625                       | 1.50       | 0.000055879359375                                |
| 58   | CONCRETE DRIVEWAY | 0.0000186264514923095703125                      | 2.00       | 0.000037252902984619140625                       |
| 59   | ASPHALT DRIVEWAY  | 0.0000186264514923095703125                      | 1.50       | 0.0000279394765625                               |
| 60   | CONCRETE DRIVEWAY | 0.00000931322574615478515625                     | 2.00       | 0.0000186264514923095703125                      |
| 61   | ASPHALT DRIVEWAY  | 0.00000931322574615478515625                     | 1.50       | 0.00001396984375                                 |
| 62   | CONCRETE DRIVEWAY | 0.000004656612873077392578125                    | 2.00       | 0.00000931322574615478515625                     |
| 63   | ASPHALT DRIVEWAY  | 0.000004656612873077392578125                    | 1.50       | 0.00000698989375                                 |
| 64   | CONCRETE DRIVEWAY | 0.0000023283064365386962890625                   | 2.00       | 0.000004656612873077392578125                    |
| 65   | ASPHALT DRIVEWAY  | 0.0000023283064365386962890625                   | 1.50       | 0.000003494959375                                |
| 66   | CONCRETE DRIVEWAY | 0.00000116415321826934814453125                  | 2.00       | 0.0000023283064365386962890625                   |
| 67   | ASPHALT DRIVEWAY  | 0.00000116415321826934814453125                  | 1.50       | 0.0000017462296875                               |
| 68   | CONCRETE DRIVEWAY | 0.000000582076609134674072265625                 | 2.00       | 0.00000116415321826934814453125                  |
| 69   | ASPHALT DRIVEWAY  | 0.000000582076609134674072265625                 | 1.50       | 0.0000008730921875                               |
| 70   | CONCRETE DRIVEWAY | 0.0000002910383045673370361328125                | 2.00       | 0.000000582076609134674072265625                 |
| 71   | ASPHALT DRIVEWAY  | 0.0000002910383045673370361328125                | 1.50       | 0.0000004365386962890625                         |
| 72   | CONCRETE DRIVEWAY | 0.00000014551915228366851806640625               | 2.00       | 0.0000002910383045673370361328125                |
| 73   | ASPHALT DRIVEWAY  | 0.00000014551915228366851806640625               | 1.50       | 0.00000021826934814453125                        |
| 74   | CONCRETE DRIVEWAY | 0.000000072759576141834259033203125              | 2.00       | 0.00000014551915228366851806640625               |
| 75   | ASPHALT DRIVEWAY  | 0.000000072759576141834259033203125              | 1.50       | 0.00000010914436453125                           |
| 76   | CONCRETE DRIVEWAY | 0.0000000363797880709171295166015625             | 2.00       | 0.000000072759576141834259033203125              |
| 77   | ASPHALT DRIVEWAY  | 0.0000000363797880709171295166015625             | 1.50       | 0.00000005456968265625                           |
| 78   | CONCRETE DRIVEWAY | 0.00000001818989403545856475830078125            | 2.00       | 0.0000000363797880709171295166015625             |
| 79   | ASPHALT DRIVEWAY  | 0.00000001818989403545856475830078125            | 1.50       | 0.00000002728484109375                           |
| 80   | CONCRETE DRIVEWAY | 0.00000000909494701772928237895140625            | 2.00       | 0.00000001818989403545856475830078125            |
| 81   | ASPHALT DRIVEWAY  | 0.00000000909494701772928237895140625            | 1.50       | 0.0000000136424203125                            |
| 82   | CONCRETE DRIVEWAY | 0.000000004547473508864641189475703125           | 2.00       | 0.00000000909494701772928237895140625            |
| 83   | ASPHALT DRIVEWAY  | 0.000000004547473508864641189475703125           | 1.50       | 0.0000000068224703125                            |
| 84   | CONCRETE DRIVEWAY | 0.0000000022737367544323205947378515625          | 2.00       | 0.000000004547473508864641189475703125           |
| 85   | ASPHALT DRIVEWAY  | 0.0000000022737367544323205947378515625          | 1.50       | 0.00000000341173515625                           |
| 86   | CONCRETE DRIVEWAY | 0.00000000113686837721616029736892578125         | 2.00       | 0.0000000022737367544323205947378515625          |
| 87   | ASPHALT DRIVEWAY  | 0.00000000113686837721616029736892578125         | 1.50       | 0.000000001705352578125                          |
| 88   | CONCRETE DRIVEWAY | 0.000000000568434188608080148684462890625        | 2.00       | 0.00000000113686837721616029736892578125         |
| 89   | ASPHALT DRIVEWAY  | 0.000000000568434188608080148684462890625        | 1.50       | 0.0000000008526512890625                         |
| 90   | CONCRETE DRIVEWAY | 0.0000000002842170943040400743422314453125       | 2.00       | 0.000000000568434188608080148684462890625        |
| 91   | ASPHALT DRIVEWAY  | 0.0000000002842170943040400743422314453125       | 1.50       | 0.0000000004265259375                            |
| 92   | CONCRETE DRIVEWAY | 0.00000000014210854715202003717111572265625      | 2.00       | 0.0000000002842170943040400743422314453125       |
| 93   | ASPHALT DRIVEWAY  | 0.00000000014210854715202003717111572265625      | 1.50       | 0.0000000002132664453125                         |
| 94   | CONCRETE DRIVEWAY | 0.00000000007105427357601001858557890625         | 2.00       | 0.00000000014210854715202003717111572265625      |
| 95   | ASPHALT DRIVEWAY  | 0.00000000007105427357601001858557890625         | 1.50       | 0.00000000010658140625                           |
| 96   | CONCRETE DRIVEWAY | 0.000000000035527136788005009292789453125        | 2.00       | 0.00000000007105427357601001858557890625         |
| 97   | ASPHALT DRIVEWAY  | 0.000000000035527136788005009292789453125        | 1.50       | 0.00000000005329059375                           |
| 98   | CONCRETE DRIVEWAY | 0.0000000000177635683940025046463947265625       | 2.00       | 0.000000000035527136788005009292789453125        |
| 99   | ASPHALT DRIVEWAY  | 0.0000000000177635683940025046463947265625       | 1.50       | 0.00000000002664534375                           |
| 100  | CONCRETE DRIVEWAY | 0.00000000000888178419700125232319736328125      | 2.00       | 0.0000000000177635683940025046463947265625       |
| 101  | ASPHALT DRIVEWAY  | 0.00000000000888178419700125232319736328125      | 1.50       | 0.00000000001332267265625                        |
| 102  | CONCRETE DRIVEWAY | 0.0000000000044408920985006261615986815625       | 2.00       | 0.00000000000888178419700125232319736328125      |
| 103  | ASPHALT DRIVEWAY  | 0.0000000000044408920985006261615986815625       | 1.50       | 0.0000000000066613371875                         |
| 104  | CONCRETE DRIVEWAY | 0.00000000000222044604925031308079934078125      | 2.00       | 0.0000000000044408920985006261615986815625       |
| 105  | ASPHALT DRIVEWAY  | 0.00000000000222044604925031308079934078125      | 1.50       | 0.00000000000333066859375                        |
| 106  | CONCRETE DRIVEWAY | 0.000000000001110223024625154040399670390625     | 2.00       | 0.00000000000222044604925031308079934078125      |
| 107  | ASPHALT DRIVEWAY  | 0.000000000001110223024625154040399670390625     | 1.50       | 0.000000000001665332640625                       |
| 108  | CONCRETE DRIVEWAY | 0.0000000000005551115123126270201998351953125    | 2.00       | 0.000000000001110223024625154040399670390625     |
| 109  | ASPHALT DRIVEWAY  | 0.0000000000005551115123126270201998351953125    | 1.50       | 0.00000000000083269968125                        |
| 110  | CONCRETE DRIVEWAY | 0.00000000000027755575615631310509991759765625   | 2.00       | 0.0000000000005551115123126270201998351953125    |
| 111  | ASPHALT DRIVEWAY  | 0.00000000000027755575615631310509991759765625   | 1.50       | 0.000000000000416324765625                       |
| 112  | CONCRETE DRIVEWAY | 0.00000000000013877787807815652504995879878125   | 2.00       | 0.00000000000027755575615631310509991759765625   |
| 113  | ASPHALT DRIVEWAY  | 0.00000000000013877787807815652504995879878125   | 1.50       | 0.00000000000021066859375                        |
| 114  | CONCRETE DRIVEWAY | 0.000000000000069388939039078262524979399390625  | 2.00       | 0.00000000000013877787807815652504995879878125   |
| 115  | ASPHALT DRIVEWAY  | 0.000000000000069388939039078262524979399390625  | 1.50       | 0.000000000000104078421875                       |
| 116  | CONCRETE DRIVEWAY | 0.000000000000034694469519539131262489896953125  | 2.00       | 0.000000000000069388939039078262524979399390625  |
| 117  | ASPHALT DRIVEWAY  | 0.000000000000034694469519539131262489896953125  | 1.50       | 0.000000000000052034215625                       |
| 118  | CONCRETE DRIVEWAY | 0.0000000000000173472347597695656312489484765625 | 2.00       | 0.000000000000034694469519539131262489896953125  |
| 119  | ASPHALT DRIVEWAY  | 0.0000000000000173472347597695656312489484765625 | 1.50       | 0.0000000000000255256609375                      |
| 120  | CONCRETE DRIVEWAY | 0.000000000000008673617379884782815624472423125  | 2.00       | 0.0000000000000173472347597695656312489484765625 |
| 121  | ASPHALT DRIVEWAY  | 0.000000000000008673617379884782815624472423125  | 1.50       | 0.000000000000013010273125                       |
| 122  | CONCRETE DRIVEWAY | 0.00000000000000433680868994239128122362115625   | 2.00       | 0.000000000000008673617379884782815624472423125  |
| 123  | ASPHALT DRIVEWAY  | 0.00000000000000433680868994239128122362115625   | 1.50       | 0.000000000000006453910625                       |
| 124  | CONCRETE DRIVEWAY | 0.000000000000002168404344971195                 |            |  |



**Finishing Legend**

- 1. 1/2" ASPHALT DRIVE
- 2. 1/2" ASPHALT DRIVE WITH CURB
- 3. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER
- 4. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK
- 5. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY
- 6. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE
- 7. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY
- 8. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY
- 9. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 10. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY

**Material Legend**

- 1. ASPHALT DRIVE
- 2. ASPHALT DRIVE WITH CURB
- 3. ASPHALT DRIVE WITH CURB AND GUTTER
- 4. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK
- 5. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY
- 6. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE
- 7. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY
- 8. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY
- 9. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 10. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY

**PLANT SCHEDULE**

| PLANT   | QUANTITY | LOCATION |
|---|----------|----------|
| 1. ASPHALT DRIVE  | 1        | DRIVEWAY |
| 2. ASPHALT DRIVE WITH CURB  | 1        | DRIVEWAY |
| 3. ASPHALT DRIVE WITH CURB AND GUTTER   | 1        | DRIVEWAY |
| 4. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK  | 1        | DRIVEWAY |
| 5. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY  | 1        | DRIVEWAY |
| 6. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE  | 1        | DRIVEWAY |
| 7. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY                                      | 1        | DRIVEWAY |
| 8. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY                          | 1        | DRIVEWAY |
| 9. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY              | 1        | DRIVEWAY |
| 10. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY | 1        | DRIVEWAY |

**Keynotes**

- 1. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 2. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 3. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 4. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 5. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 6. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 7. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 8. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 9. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY
- 10. 1/2" ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY

**TREE MATERIALS**

| TREE  | SIZE | QUANTITY | LOCATION |
|---|------|----------|----------|
| 1. ASPHALT DRIVE  | 1"   | 1        | DRIVEWAY |
| 2. ASPHALT DRIVE WITH CURB  | 1"   | 1        | DRIVEWAY |
| 3. ASPHALT DRIVE WITH CURB AND GUTTER   | 1"   | 1        | DRIVEWAY |
| 4. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK  | 1"   | 1        | DRIVEWAY |
| 5. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY  | 1"   | 1        | DRIVEWAY |
| 6. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE  | 1"   | 1        | DRIVEWAY |
| 7. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY                                      | 1"   | 1        | DRIVEWAY |
| 8. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY                          | 1"   | 1        | DRIVEWAY |
| 9. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY              | 1"   | 1        | DRIVEWAY |
| 10. ASPHALT DRIVE WITH CURB AND GUTTER AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND BIKEWAY AND BIKEWAY AND BIKEWAY AND BIKEWAY | 1"   | 1        | DRIVEWAY |







1 Dry Creek Bed  
July 2016



2 No Mow Prairie  
July 2016



3 Well-Diverse Meadow Mix  
July 2016



4 Polyanthus Prairie  
July 2016



5 Naturalized Landscape  
July 2016



6 Small Boulders  
July 2016



7 Stream-Tier Rock Work  
July 2016



8 4' Tall Split-Rail Fence  
July 2016



9 3-FT High CMU Wall with 3-FT High Taper Steel Fencing  
July 2016



10 Chain Link Fence  
July 2016



11 1/2" Wide Walk-Bay Pathway  
July 2016



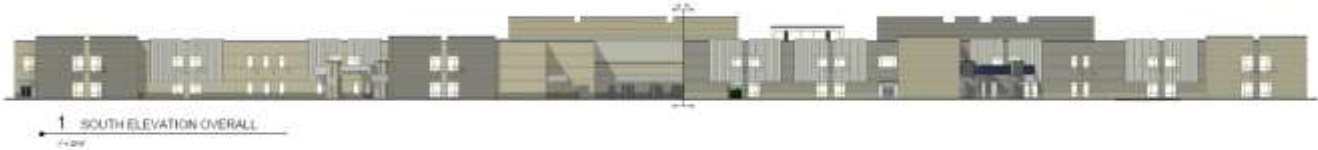
12 Tree-Lined Streets  
July 2016



13 Dry Land Seed Mix  
July 2016



## D. Building Elevations





1 PRESCHOOL / ELEMENTARY ENTRANCE



2 MIDDLE / HIGH SCHOOL ENTRANCE

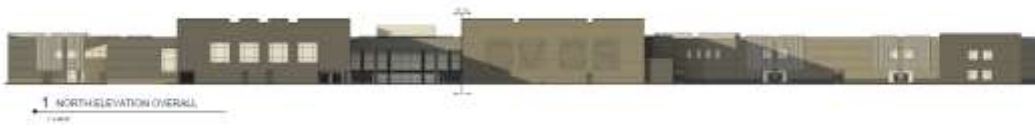


COLE VALLEY CHRISTIAN SCHOOLS  
ARCHITECTS

CVCS - CENTRAL CAMPUS  
ENLARGED ELEVATION

SCALE: 1/4" = 1'-0"

4



1 NORTH ELEVATION OVERALL  
1/8" = 1'-0"



1a NORTH ELEVATION 1  
1/8" = 1'-0"



1b NORTH ELEVATION 2  
1/8" = 1'-0"



1 EAST ELEVATION OVERALL  
1/8" = 1'-0"



2 WEST ELEVATION OVERALL  
1/8" = 1'-0"



COLE VALLEY CHRISTIAN SCHOOLS  
ARCHITECTS

CVCS - CENTRAL CAMPUS  
BUILDING ELEVATIONS - NORTH  
SCALE: 1/8" = 1'-0"

5



COLE VALLEY CHRISTIAN SCHOOLS  
ARCHITECTS

CVCS - CENTRAL CAMPUS  
BUILDING ELEVATIONS - EAST / WEST  
SCALE: 1/8" = 1'-0"

6



1 PRESCHOOL / ELEMENTARY ENTRANCE



2 MIDDLE / HIGH SCHOOL ENTRANCE



3 AERIAL MIDDLE / HIGH SCHOOL ENTRANCE



4 NORTH PATIO



COLE VALLEY CHRISTIAN SCHOOLS  
BRISTOL, OHIO

CVCS - CENTRAL CAMPUS  
EXTERIOR RENDERING  
SCALE: 1/8"

## IX. CITY/AGENCY COMMENTS & CONDITIONS

Prior to the City Council hearing, additional site development details (i.e. landscaping, fencing, signage, public art, etc.) shall be submitted to the Planning Division that demonstrate compliance with the “modern rural” design theme in the Fields Sub-Area Plan.

**Final approval of the property boundary adjustment application by Ada County Development Services shall be obtained prior to City Council approval of the Annexation Ordinance.**

~~Prior to City Council approval of the Development Agreement, an amended phasing plan shall be submitted that includes the extension of Owyhee Storm Ave. and Ersatz Place Road to the northern property boundary and detached sidewalks/multi-use pathways along McMillan Rd., Owyhee Storm Ave. and Ersatz Place Rd. with the first phase of development. Done~~

### A. PLANNING DIVISION

#### 1. Annexation & Zoning

1.1 A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

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

- a. Future development of this site shall be generally consistent with the site plan, landscape plan, phasing plan and conceptual building elevations included in Section VIII and the provisions contained herein.
- b. Future development of this site shall incorporate design elements consistent with the “modern rural” design theme outlined in the Fields Sub-Area Plan as discussed in Section V and proposed with this application. *(Note: City Council approved the Applicant’s request to construct black coated chain-link fencing along the west, north and east property boundaries; the Applicant is not required to construct the split rail fence along McMillan Rd. if they choose not to.)*
- c. The McMillan Road improvements and the extension of Owyhee Storm Ave. and Ersatz Rd. shall be constructed the full length of the subject property to the northern boundary of the parcel shall be completed with the first second phase of development at the width/street section required by the Ada County Highway District, prior to issuance of Certificate of Occupancy for the high school building.
- d. All detached sidewalks, and multi-use pathways and street buffers along public streets (i.e. McMillan Rd., Owyhee Storm Ave. and Ersatz Rd.) shall be constructed by the Applicant, unless already constructed by ITD, with the first phase of development prior to issuance of the Certificate of Occupancy for the high school building.
- e. Compliance with the City noise ordinance (MCC [6-3-6](#)) is required.
- f. If the 23.4-acre portion of the site (5-acre portion at southeast corner and 18.4-acre portion at the north end) develops in the future with a use(s) other than an education institution, an amendment to the Development Agreement is required to include an updated development plan.
- g. Direct access via W. McMillan Rd. is prohibited.

## 2. Conditional Use Permit

- 2.1 Compliance with the standards listed in UDC [11-4-3-14](#) – Education Institution, is required.
- 2.2 Compliance with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district is required with the exception of building height. Education facilities are allowed a maximum building height of 50 feet as set forth in UDC [11-2A-3E.3](#).
- 2.3 The site/landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
  - a. Depict a minimum 25-foot wide street buffer along W. McMillan Rd. and a minimum 20-foot wide street buffer along Owyhee Storm Ave., measured from back of curb.
  - b. Depict landscaping within street buffers in accord with the standards listed in UDC [11-3B-7C.3](#), which requires a variety of trees, shrubs, lawn, or other vegetative groundcover among other specifications. *Where the buffer is encumbered by an easement, the buffer area shall include a minimum 5-foot wide area for planting shrubs and trees outside of the easement as set forth in UDC 11-3B-7C.1b.*
  - c. Depict the 30-foot wide easement for the Creason Lateral.
  - d. Depict a 10-foot wide detached sidewalk/multi-use pathway within the required street buffers along Owyhee Storm Ave. and W. McMillan Rd.
- 2.4 All waterways on the subject property shall be piped or otherwise covered unless improved as a water amenity of linear open space as set forth in UDC [11-3A-6](#).
- 2.5 A 14-foot wide public use easement shall be submitted to the Planning Division with the first Certificate of Zoning Compliance application for the 10-foot wide multi-use pathway along Owyhee Storm Ave. if the pathway is outside of the right-of-way.
- 2.6 The applicant shall provide written documentation that the facility meets the minimum site area guidelines as established by the Idaho State Department of Education per UDC [11-4-3-14G](#) with the Certificate of Zoning Compliance application.
- 2.7 A Certificate of Zoning Compliance application shall be submitted for the proposed use that complies with all UDC conditions and the provisions contained herein.
- 2.8 The future temporary portable classrooms shall comply with the standards listed in UDC [11-4-3-14E](#). A Certificate of Zoning Compliance application shall be submitted for approval of the portable classrooms. These structures are not subject to design review. *Temporary portable classrooms that do not meet the aforementioned standards shall require a conditional use permit but shall not be subject to design review.*
- 2.9 A Design Review application shall be submitted for the proposed structures that complies with the design standards listed in the Architectural Standards Manual. Design elements should be incorporated in the site consistent with the “modern rural” design theme outlined in the Fields Sub-Area Plan as discussed in Section V.8.
- 2.10 The conditional use permit is 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 as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

## **B. PUBLIC WORKS DEPARTMENT**

### **1. Site Specific Conditions of Approval**

1.1 At the applicant's request the City will allow a temporary lift station for the sports field concession stand and restrooms subject to the following requirements:

- The lift station is only for the sports fields concession & restrooms. No other flows can be added to it in the future.
- No connections from neighboring properties will be allowed. The only flow for the lift station must be from the school property.
- It must be taken offline as part of the construction of the school. It cannot be done separately at a later date.
- The discharge line must discharge to a manhole that has an H2S liner.
- The manhole must be vented above the surround houses. One suggestion is to run a vent up a telephone pole or similar.
- The force main discharge line must connect perpendicular to the manhole and not run parallel in the ROW. A force main cannot run along the road.

The lift station itself (which will most likely be a little grinder pump) will not require a QLPE. It will be private infrastructure and DEQ only reviews public infrastructure. It will be more of a plumbing code issue. However, the discharge configuration does need to be reviewed by the City. This includes the manhole and ventilation process. This could be submitted with the plans for the development to the east to which this will discharge. We would review and provide comments for that.

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



- 2.5 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 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.10 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.
- 2.11 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.
- 2.12 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.13 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.14 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.
- 2.15 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.
- 2.16 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.
- 2.17 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.
- 2.18 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](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.19 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost

estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

- 2.20 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=292608&dbid=0&repo=MeridianCity>

**D. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=292614&dbid=0&repo=MeridianCity>

**E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=294319&dbid=0&repo=MeridianCity>

**F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=294389&dbid=0&repo=MeridianCity>

**G. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=293650&dbid=0&repo=MeridianCity>

**H. IDAHO TRANSPORTATION DEPARTMENT (ITD)**

TIS Acceptance:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=292597&dbid=0&repo=MeridianCity>

**I. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

TIS Acceptance:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=292599&dbid=0&repo=MeridianCity>

Staff report:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=300166&dbid=0&repo=MeridianCity>

## **X. FINDINGS**

### **A. Annexation (UDC 11-5B-3E)**

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

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

*The City Council finds the Applicant's request to annex the subject property with the recommended R-8 zoning district for the development of a private education institution on the site is consistent with the MDR and school designations on the FLUM in 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 map amendment to the recommended R-8 zoning district and associated development is consistent with the regulations outlined for the district.*

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

*The City Council finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed use should be compatible with adjacent existing and future residential uses in the vicinity.*

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

*The City Council finds City water service is available to be extended to this development; however, City sewer service will not be available until the Can-Ada lift station project has been completed toward the end of fiscal year 2025. The provision of a school in this area will assist in providing for the education needs of the community in this area of the City.*

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

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

### **B. Conditional Use (UDC 11-5B-6)**

Findings: The commission shall base its determination on the conditional use permit request 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 the site is large enough to accommodate the proposed use and meet all dimensional and development regulations of the recommended R-8 zoning district.*

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 the proposed education institution will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.*

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 design, construction, operation and maintenance of the proposed use should be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential 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 the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII of this report.*

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 the proposed use will be served by essential public facilities and services as required once the City's Can-Ada lift station project is completed.*

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

*The City Council finds the proposed use will not create additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.*

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*The City Council finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.*

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*The City Council finds the proposed use will not result in the destruction, loss or damage of any such features.*

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

*This finding is not applicable.*

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

*This finding is not applicable.*