

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



In the Matter of the Request for Preliminary plat Consisting of 113 Building Lots and 19 Common Lots (Including 3 Private Street Lots) on 17.49 Acres in the R-8 and C-C Zoning Districts for Sagarra Subdivision; and a Planned Unit Development (PUD) for a Residential Community Containing a Mix of Single-family Detached (32 Units), Single-family Attached (40 Units), Townhome (38 Units) and Multi-family (29 Units) Units with a Reduction to the Minimum Setback and Lot Size Standards for the R-8 Zoning District Listed in UDC Table 11-2A-6, by Accomplish.

Case No(s). H-2022-0027

For the City Council Hearing Dates of: February 14 and March 21, 2023 (Findings on April 4, 2023)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 21, 2023, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 21, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 21, 2023, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 21, 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 March 21, 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 a planned unit development and preliminary plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 21, 2023, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration/Planned Unit Development

Please take notice that the conditional use permit/planned unit development, 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/planned unit developments 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).

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 March 21, 2023

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

COUNCIL PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL VICE PRESIDENT JOE BORTON VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOHN OVERTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



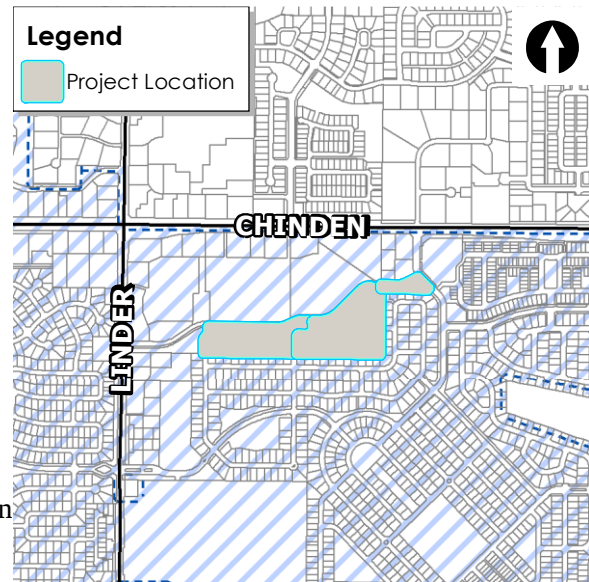
HEARING DATE: March 21, 2023
Continued from: February 14, 2023

TO: Mayor & City Council

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

SUBJECT: H-2022-0027
Sagarra – PUD, PP
(aka Linder Village)

LOCATION: South side of W. Orchard Park Dr., west of N. Fox Run Way, east of N. Linder Rd., in the NW 1/4 and NE 1/4 of Section 25, T.4N., R.1W. (Parcels #R5262501800, R5262502100 & #R6905540100)



Update: Since the last hearing on February 14th, the Applicant submitted revised plans (i.e. preliminary plat, landscape plan, open space exhibit, site amenity plan, parking diagram, setback diagram and concept elevations for the single-family residential units), included in Section VII, to address items of discussion at the hearing. Changes to the plans include the following: two (2) common lots have been added; nine (9) multi-family units have been removed and two (2) single-family attached units have been added for an overall reduction of seven (7) units resulting in a decrease in density from 8.35 to 7.95 units/acre; removal of on-street parking where the road curves; and updated elevations for the single-family homes that represent a better architectural quality. The reduction of units increased the qualified open space by 0.11-acre. With the reduction of 7 units and reconfiguration of parking, a total of 25 extra off-street vehicle parking spaces are proposed; and with the removal of on-street spaces on the curves, a total of 76 on-street spaces are available. The setback diagram depicts the portions of buildings that are nearest the property line where reductions to setbacks are requested through the PUD application and the standard R-8 setbacks required by the UDC. Overall, the proposed project exceeds the minimum parking, open space & amenity standards and is consistent with the density desired in the MDR & MU-C FLUM designations and with the minimum density required in the DA of 6 units/acre.

In summary, Staff is supportive of the proposed changes to the plan and overall PUD as we believe it provides an opportunity for exemplary site development that allows for innovative design that meets the purpose and findings required for a PUD. Note: The exhibits in Section VII have been updated to include the revised plans but the body of the staff report has not been updated.

I. PROJECT DESCRIPTION

Preliminary plat (PP) consisting of 114 building lots and 16 common lots (including 3 private street lots) on 17.49 acres in the R-8 and C-C zoning districts; and a Planned Unit Development (PUD) for a residential

community containing a mix of single-family detached, single-family attached, townhome and multi-family units with a reduction to the setback requirements in UDC Table 11-2A-6.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	17.49-acres
Existing Zoning	R-8 (Medium-Density Residential) & C-C (Community Business)
Future Land Use Designation	Mixed Use – Community (MU-C) & Medium Density Residential (MDR)
Existing Land Use(s)	Vacant/undeveloped land
Proposed Land Use(s)	Single-family residential (attached & detached units) (SFR) & multi-family residential (MFR)
Lots (# and type; bldg./common)	114 buildable lots & 16 common lots (including 3 private street lots)
Phasing Plan (# of phases)	2 phases
Number of Residential Units (type of units)	146 units (32 SFR detached units, 38 SFR attached, 38 townhomes & 38 MFR units)
Density (gross/net)	8.35 (gross)/16.30 (net)
Common Open Space (acres/%)	4.34 acres (24.8%)
Site Amenities	12' wide multi-use pathway along the south & east boundaries of the site, a swimming pool with changing rooms & restrooms, tool library/community workshop, dog washing stations, outdoor activity complex, fire pits, BBQ area with tables and shade structures
Physical Features (waterways, hazards, flood plain, hillside)	The North Slough crosses this property.
Neighborhood meeting date	1/27/22
History (previous approvals)	H-2017-0088 (AZ, PP, VAR) (Development Agreement Inst. # 2019-028376); H-2021-0034 (MDA, Inst. # 2021-102392); FP-2020-0004

B. Community Metrics

Description	Details
Ada County Highway District	
- Staff report (yes/no) - Requires ACHD Commission Action (yes/no)	Yes No A Traffic Impact Study (TIS) was prepared by Kittleson & Associates, Inc. in 2017.
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via the extension of existing local streets, which connect to W. Orchard Park Dr., a collector street; private streets are planned for internal access to some of the units.

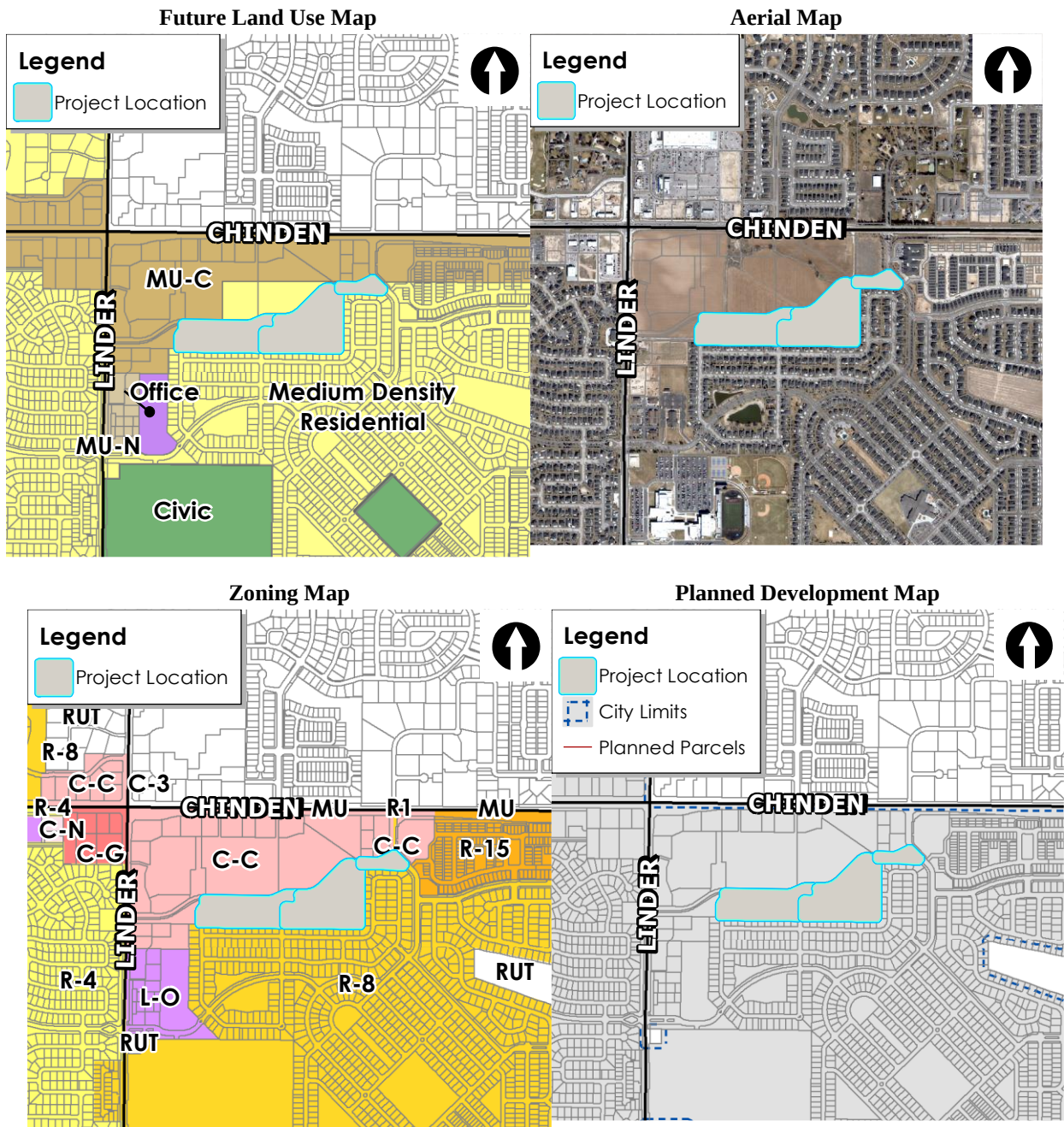
Description	Details				
Traffic Level of Service	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
	**SH-20/26 Chinden Boulevard	0-feet	Expressway	1,406	N/A
	Linder Road	0-feet	Principal Arterial	924	Better than "E"
	Fox Run Way	0-feet	Collector	105	Better than "D"
	Orchard Park Drive	1,935-feet	Collector	N/A	Better than "D"
	**Arliiss Ave	50-feet	Local	N/A	N/A
	**Bergman Ave	960-feet	Local	N/A	N/A
	**Director Street	52-feet	Local	65	N/A
	* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH). * Acceptable level of service for a two-lane collector is "D" (425 VPH). ** ACHD does not set level of service thresholds for State Highways or Local Roadways.				
Stub Street/Interconnectivity/Cross Access	N. Arliiss Ave., W. Director St. and N. Bergman Ave., existing local streets, stub to this site from the south and east and will be extended with development.				
Existing Road Network	W. Orchard Park Dr., a collector street, exists between N. Linder Rd., an arterial street, and N. Fox Run Way, a collector street.				
Existing Arterial Sidewalks / Buffers	There are no arterial streets that abut this site.				
Proposed Road Improvements	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): - Linder Road is scheduled in the IFYWP to be widened to 5-lanes and enhanced with pedestrian and bicycle improvements from Chinden Boulevard to State Street in the future. - Linder Road is scheduled in the CIP to be widened to 7-lanes from Chinden Boulevard to State Street between 2026 to 2030. - Linder Road is scheduled in the IFYWP to receive three bridge replacements over the Boise River, Eureka Canal, and the Phillis Canal in the future. - Fox Run Way is scheduled in the IFYWP to receive bicycle corridor improvements from Pine Ave to Temple Drive in the future. - Cayuse Creek Drive is scheduled in the IFYWP to receive bikeway signage in 2026.				

West Ada School District	No comments were received from WASD
Distance (elem, ms, hs)	
Capacity of Schools	
# of Students Enrolled	
Predicted # of students generated from proposed development	

Police Service	
Distance to Police Station	5.6 miles
Police Response Time	4:37 minutes in an emergency (meets the goal of 3-5 minutes)
Calls for Service	2,465 within a mile of the site between 5/1/20 and 4/30/22
Accessibility	If climate controlled hallways are proposed in multi-family structures, PD requests further discussions with developer on plans for emergency police access.
Specialty/resource needs	None – MPD can service this development & already serves this area.
Crimes	330 within a mile of the site between 5/1/20 and 4/30/22

Description	Details
• Crashes	128 within a mile of the site between 5/1/20 and 5/30/22
• Other	For more info, see Section VIII.D
Wastewater	
• Distance to Sewer Services	
• Sewer Shed	
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/concerns	
Water	
• Distance to Water Services	
• Pressure Zone	
• Estimated Project Water ERU's	See application
• Water Quality Concerns	
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	

C. Project Area Maps



A. Applicant:

Michael Slavin, Accomplice – 424 E. Thurman Mill St., Garden City, ID 83714

B. Owners:

Joe Huarte, Lynx Investments, LLLP – 198 N. Al Fresco Pl., Boise, ID 83712

C. Representative:

Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	11/16/2022	1/29/2023
Notification mailed to property owners within 300 feet	11/10/2022	1/26/2023
Applicant posted public hearing notice on site	11/2/2022	1/19/2023
Nextdoor posting	11/10/2022	1/30/2023

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

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the majority of this site as Medium Density Residential (MDR) with some Mixed Use – Community (MU-C) on the west end.

The MDR designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C.

Transportation: ACHD’s Master Street Map doesn’t depict any collector streets planned across this site. Valley Connect 2.0 identifies a future express bus route on Chinden Blvd. and secondary bus route on Linder Rd. The higher density is supportive of future transit service. A Traffic Impact Study (TIS) was prepared by Kittleson & Associates, Inc. in 2017.

Proposed Development: The Applicant proposes to develop the site with a mix of residential uses consisting of single-family detached and attached homes, townhomes, and multi-family apartments/condos at a gross density of 8.35 units per acre consistent with the density desired in MDR and MU-C designated areas and in the development agreement.

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

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

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

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

The proposed residential development should be compatible with existing adjacent residential uses. The proposed site design, which provides a transition in density and single-family detached homes with a 35-foot wide linear common area between the proposed development and the existing development with single-family detached homes, should minimize conflicts.

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

The proposed development will provide housing in close proximity to the MU-C designated area to the north where a mix of uses are planned, which will reduce vehicle trips and enhance overall livability and sustainability.

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

The proposed site plan depicts a linear common area with a pedestrian pathway along the south and east perimeter boundaries of the site, which will connect with pedestrian facilities to the north in the mixed-use development.

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

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

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

City water and sewer services are available to this site and can be extended by the developer with development in accord with UDC 11-3A-21. The emergency response times for Police and Fire Dept. fall within established response time goals.

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

Safe pathway connections should be provided from the proposed development to the mixed-use development to the north. Usable open space and quality amenities are proposed.

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

The proposed residential development is located in close proximity to employment, shopping, restaurant and civic uses to the north and near US 20-26/Chinden Blvd., a major transportation corridor.

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

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

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

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

A. Preliminary Plat:

The proposed preliminary plat is a re-subdivision of Lot 2, Block 2 and Lot 1, Block 3, Linder Village Subdivision and Lot 1, Block 2, Paramount Point Subdivision. The plat consists of 114 building lots and 16 common lots (including 3 lots for private streets) on 17.49 acres of land in the R-8 and C-C zoning districts. *Note: ACHD has provided written consent for the right-of-way for N. Bergman Ave. to be included in the proposed plat.*

The Applicant proposes to develop the project in two (2) phases with the western portion of the site first, followed by the eastern portion of the site, as shown on the phasing plan in Section VII.A.

Existing Structures/Site Improvements:

There is an existing street buffer along W. Orchard Park Dr. on this site consisting of an 8-foot wide parkway and 5-foot wide detached sidewalk with grass on the back side of the sidewalk; street trees are provided within the buffer. The C-C zoned lot (Lot 8, Block 4) was fully landscaped with Paramount Point Subdivision (SHP-2020-0082), the commercial development to the north. North Bergman Ave. has been extended through this site. There are no existing structures on the site. *Note: The Applicant's narrative incorrectly states a 10-foot wide multi-use pathway exists along W. Orchard Park Dr.*

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards listed in UDC Tables [11-2A-6](#) for the R-8 district. A reduction to the setback requirements in UDC Table 11-2A-6 is requested with the PUD request (see below).

The final plat should graphically depict zero (0) lot lines on internal lot lines where single-family attached and townhome structures are proposed (i.e. where structures will span across lot lines).

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

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3 unless otherwise modified through the proposed PUD.

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

Access is proposed via the extension of two existing local public streets, N. Arliss Ave. and W. Director St., and N. Bergman Ave. Two (2) local public street accesses (i.e. N. Bergman Ave. and N. Arctic Fox Way) are proposed via W. Orchard Park, a collector street. Private streets are planned for internal access off the public streets; an application for such will be submitted with the final plat application. All private streets shall comply with the standards listed in UDC [11-3F-4](#).

The Applicant should work with ACHD and the Fire Dept. on traffic calming measures to slow traffic on Bergman Ave. and W. Bacall St. as noted in the Development Agreement. Details of such should be included with and depicted on the final plat.

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

The Pathways Master Plan doesn't depict any pathways across this site. A 12-foot wide asphalt access road/pathway is proposed within the linear common area along the south and east boundaries of the site in accord with the development agreement.

Several micro-paths are proposed for internal connectivity and access to the sidewalk along Orchard Park Dr. and to the pathway along the south and east boundaries of the site; **micro-paths on private building lots should be depicted in public use easements on the plat.** Internal pedestrian pathways are also proposed within the multi-family portion of the development.

The Applicant plans to propose two (2) crossings across Orchard Park Dr. for connectivity between the proposed residential development and the mixed-use development to the north with one or both being

smartwalks. The first is proposed just south of the library and the second just west of Bergman with the intention of connecting the residential development to a pathway to the east of The Barn and to the west of the live/work units to create an animated north/south pathway bringing life to the live/work units as well as a connection to the promenade connecting The Collection Library plaza, north promenade of The Barn and continuing through the east 13.7 acre proposed mixed use site (see pedestrian connectivity exhibit in Section VII.G). **The Applicant should work with ACHD on the location and design of these crossings.**

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

A detached 5-foot wide sidewalk exists along W. Orchard Park Dr., a collector street, along the northern boundary of the site. Attached sidewalks are proposed along local streets.

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

A street buffer exists along W. Orchard Park Dr., a collector street, that includes an 8-foot wide parkway, detached 5-foot wide sidewalk and landscaping on the back side of the sidewalk with street trees.

Enhanced landscaping should be provided within the buffer in accord with the updated standards listed in UDC [11-3B-7C](#) and additional area added if needed to provide a minimum 20-foot wide buffer. Street buffers are required to be maintained by the property owner or business owners' association.

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

Landscaping is required in common open space areas in accord with the updated standards listed in UDC 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover. **The Landscape Requirements table on the landscape plan and the Site Amenity Plan should be updated to reflect compliance with the updated standard.**

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

Common Open Space (UDC [11-3G-3B](#)):

A minimum of 15% *qualified* open space is required in the R-8 district to be provided within the development per UDC [Table 11-3G-3](#) that meets the quality standards listed in UDC [11-3G-3A.2](#). Based on 16.79 acres, which excludes the 0.70-acre C-C zoned common lot (Lot 8, Block 4), a minimum of 2.52-acres of qualified open space is required. A total of 4.34 acres of open space is depicted on the open space exhibit included in Section VII.C; however, some of these areas (lots-blocks) do not qualify toward the minimum standards as follows:

- 1-1, 1-3 and 2-4 (multi-use pathways 11-3G-3B.3b): The referenced code section pertains to buffers along collector and arterial streets – these common area lots are along the south & east perimeter boundaries and are not street buffers. The correct code section is 11-3G-3B.1e (linear open space), which requires the area to be landscaped per the standards in UDC 11-3B in order to qualify. No trees are allowed within this area due to the irrigation easement that encompasses the area. In order for this area to qualify, an additional 5-feet would need to be provided outside of the easement area for trees and shrubs would also need to be provided in accord with the standards listed in UDC [11-3B-12C](#). This isn't feasible due to an IPCO easement that runs alongside the irrigation easement, which also presumably doesn't allow trees. This area cannot be counted unless otherwise approved through alternative compliance.
- 9-1, 39-5, 26-2, 28-2, 10-5, 11-5, 18-5 and 19-5 (micro-pathway & landscaping): 26-2 doesn't have a minimum width of 20-feet, therefore, it doesn't qualify; 10-5, 11-5, 28-2, 18-5 and 19-5 are all private building lots, which don't qualify – the pathways should be placed in public pedestrian easements and should be a minimum width of 20-feet in order to qualify. (*only 0.071-acre qualifies: 9-1 & 39-5*)
- 1-2, 2-5 and 1-4 (landscape buffer along collector road): the collector street buffer can only be counted if it meets all of the enhanced buffer requirements listed in UDC [11-3G-3B.3](#); otherwise it

does not qualify. A 5-foot wide detached sidewalk was constructed in the buffer – unless this is replaced with a 10-foot wide pathway and enhanced landscaping and amenities are provided per the aforementioned standards, this area cannot be counted.

- 8-4 (landscape common lot greater than 50' x 100' in area): This area is not integrated into the development, therefore, it doesn't qualify.
- 7-2 (micro-path connection): this 0.04-acre area qualifies.
- 3-5 (parking): the parking area does *not* qualify but the tool share/bike station/dog wash does qualify.
- 24-5 (clubhouse/pool/grass play area/parking): this 0.48-acre area qualifies.

The common open space exhibit is *not* approved as submitted and should be revised to comply with the common open space standards prior to the City Council hearing; or an application for alternative compliance to these standards may be submitted if the proposed design includes innovative design features based on “new urbanism”, “neotraditional design”, or other architectural and/or site designs that promote walkable and mixed use neighborhoods (see UDC [11-5B-5](#) for more information).

Site Amenities (UDC [11-3G-4](#)):

A minimum of three (3) points of site amenities are required based on 17.49-acres of development area from the Site Amenities and Point Value [Table 11-3G-4](#). A linear open space area is proposed along the south and east boundaries of the site with a 2,309-foot long multi-use pathway (4 points), which meets the minimum standards. *Other site amenities are proposed within the multi-family development (see analysis in Section V.B below).*

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

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

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

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

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

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

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

The North Slough crosses this site and was relocated and piped along the south and east boundaries of the site; the easement for such is depicted on the plat. All waterways on this site shall be piped as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council. This project is not within the floodplain.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. There is an existing wood fence around the perimeter of the development that is proposed to remain; this fence should be protected during construction.

B. Planned Unit Development (PUD):

A Planned Unit Development (PUD) is proposed for a residential community consisting of a total of 146 dwelling units on 17.5 acres of land in the R-8 zoning district.

A request for a reduction to the setback requirements for the R-8 zoning district in UDC [Table 11-2A-6](#) is included with the PUD application (see table below and full exhibit in Section VII.E). Dimensions listed as *minimum*; however, the typical dimension will be greater. Deviations to the setbacks may be approved with the exception that along the periphery of the development, the applicable setbacks as established by the district shall not be reduced per UDC [11-7-4A.1](#). *Because common lots are proposed around the periphery of the development, deviations from setbacks are allowed for adjacent building lots.*

SETBACK INFORMATION (R-8/PUD REQUEST)							
DIAGRAM COLOR	UNIT TYPE	FRONT PROPOSED	GARAGE PROPOSED	SIDE PROPOSED	STREET SIDE PROPOSED	REAR PROPOSED	NOTES:
	RIBBON TOWNHOMES	0' MIN	0' MIN	5'	0'	0' MIN	0' IS TO BACK OF COMMON LOT WHICH IS 20' FROM BACK OF CURB
	TWO PACK TOWNHOMES	10'	0' MIN	5'	0' MIN	0' MIN	STREET SIDE SETBACK FROM PARALLEL PORTION OF STREET IS TYPICALLY >10'
	MIDDLE THREE TOWNHOMES	8'6"	4' MIN	N/A	0' MIN	4' MIN	
	BOULDER FLATS*	3'6" MIN	N/A	5' MIN	3'6"	6' MIN	
	COURTYARD/HEADWATER CONDOS*	2'	N/A	5'	7'	10'	THERE ARE 5 GARAGE SPACES AT THE HEADWATER CONDO LOCATION W/ 5' SETBACK
	SINGLE FAMILY UNITS	10'	20'	5'	0'	10'	

The uses within the PUD are proposed to be interconnected through a system of local and private streets and pedestrian pathways as desired in UDC [11-7-4A.3](#) (see preliminary plat in Section VII.A and pedestrian connectivity exhibit in Section VII.G).

Buildings are clustered to consolidate small open spaces into larger, more usable areas for common use and enjoyment in accord with UDC [11-7-4A.4](#).

Private Open Space (UDC [11-7-4B](#)): In addition to the common open space and site amenity standards in UDC 11-3G-3, **a minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit.** This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.

Residential Use Standards (UDC [11-7-4C](#)): Typically, the UDC does not allow multi-family developments in the R-8 zoning district; however, multi-family dwellings may be allowed in the R-8 district when included in a PUD per UDC Table 11-2A-2, note #2 and UDC 11-7-4C.1. *Single-family detached/attached and townhomes are listed as principal permitted uses in the R-8 district.*

A variety of housing types are proposed, including single-family detached (32 units), single-family attached (38 units), townhome (38 units) and multi-family (38 units) units. The gross density of the proposed development is 8.35 units per acre; the net density is 16.3 units per acre. A density bonus is not requested or approved; dedication of land for public use is not proposed.

If some of the multi-family units are proposed to be condominiumized, a short plat shall be submitted where all buildings are constructed or have received building permits for construction as set forth in UDC [11-6B-5](#)

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

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

11-4-3-27: MULTI-FAMILY DEVELOPMENT:

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Lesser setbacks are proposed with the PUD (see Section VII.E for more information).*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully

screened from view from a public street. ***The plans submitted with the Certificate of Zoning Compliance application should demonstrate compliance with this standard.***

3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. ***Compliance with this standard is required.***
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. ***Some of the parking areas in the multi-family development were included in the common open space calculations and should be removed from the calculations and not be counted.***
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. ***The Applicant should comply with this requirement.***
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. ***Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 shown below. Staff recommends the parking exhibit in Section VII.F is revised prior to the City Council hearing to demonstrate compliance with the following standards:***

Use And Form	Number Of Bedrooms (Per Unit)	Required Parking Spaces ¹
Dwelling, duplex and dwelling, single-family (detached, attached, townhouse)	1/2	2 per dwelling unit; at least 1 in an enclosed garage, other space may be enclosed or a minimum 10-foot by 20-foot parking pad ²
	3/4	4 per dwelling unit; at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
	5+	6 per dwelling unit; at least 3 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
Dwelling, multifamily ³ (triplex, fourplex, apartments, etc.)	Studio	1 per dwelling unit
	1	1.5 per dwelling unit; at least 1 in a covered carport or garage
	2/3	2 per dwelling unit; at least 1 in a covered carport or garage
	4+	3 per dwelling unit; at least 2 in a covered carport or garage
	Guest spaces	1 per 10 dwelling units

Notes:

¹ The size of the garage or carport required for dwelling units shall be measured by exterior dimensions and shall be at least ten (10) feet by twenty (20) feet for a one-space garage or carport and 20 feet by 20 feet for a two-space garage or carport.

² The parking pad shall be measured from edge of sidewalk or edge of paved travel lane (public street, private street, or alley) where no sidewalk exists. For alley accessed properties the parking pad is not required in front of the garage if the garage is located at the five-foot setback to the rear property line; the required parking pad must be provided along the side of the garage unless equivalent off-street parking, as determined by the Director, is provided in accord with [Section 11-3C-5](#), [Table 11-3C-5](#) of this Article.

³ For condominium projects, the required number of parking spaces shall be determined by the Director based on the proposed development. If the proposed development is similar to a single-family development, such standards shall apply. If the proposed development is similar to a multifamily apartment complex, such standards shall apply.

⁴ The required number of parking spaces for the residential portion of a vertically integrated project shall be in addition to that required for nonresidential uses as listed in subsection B of this section.

Staff is unable to determine compliance with the minimum standards until a revised parking exhibit is submitted. The proposed off-street parking complies with and exceeds the minimum standards by 16 spaces; an additional 122 on-street parking spaces are also available (see Section VII.F).

7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

The site amenity plan included in Section VII.D does not depict these items; a revised plan should be submitted with the Certificate of Zoning Compliance application that includes these items.

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

The total baseline land area of all qualified common open space shall equal or exceed 10% of the gross land area for multi-family developments of 5 acres or more. *The proposed development is exempt from this standard because a single-family development is concurrently proposed, which requires compliance with the minimum open space standards in UDC 11-3G-3 (see above analysis in Section V.A).*

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

All multi-family projects over 20 units are required to provide at least one (1) common grassy area of at least 5,000 s.f. in area that's integrated into the site design allowing for general activities by all ages, which may be included in the minimum required open space. The area shall increase proportionately as the number of units increase and shall be commensurate to the size of the development as determined by the decision-making body. *The Applicant proposes one (1) common open space area (Lot 8, Block 4) at the northeast corner of the development consisting of 30,384 s.f. that meets the size requirement but is not integrated into the site design. Although the area is included in the proposed plat, it was developed with and appears to be part of the adjacent commercial development (Paramount Point subdivision). Therefore, Staff recommends a minimum 5,000 square foot common area is proposed that complies with this standard.*

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

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *All multi-family units contain more than 500 square feet (s.f.) of living area.*
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *A total of 38 units contain between 500 and 1,200 s.f. of living area; therefore, a minimum of 9,500 s.f. (or 0.22-acre) of common open space is required.*
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *None of the units contain more than 1,200 s.f. of living area.*

At a minimum, a total of 9,500 s.f. (or 0.22-acre) of qualified outdoor common open space is required to be provided per this standard. This is in addition to the requirements in UDC 11-3G-3C. Overall, a minimum of 2.74-acres of qualified open space is required that complies with the standards in UDC [11-3G-3B](#) and [11-4-3-27C](#). A total of 4.34-acres of qualified open space is depicted on the qualified open space exhibit; however, some of these areas do not qualify as noted in Section V.A above. The open space exhibit should be revised prior to the City Council hearing to only include qualified open space that complies with the aforementioned standards.

Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *The open space exhibit should be revised*

to exclude areas that are not a minimum of 400 s.f. and that don't meet the dimensional width and length standard.

In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. **An exhibit shall be submitted demonstrating compliance with this standard for each phase of development prior to the City Council hearing. If changes are necessary to the phasing plan to comply with this standard, a revised phasing plan should be submitted.**

Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *The street buffer along W. Orchard Park Dr., a collector street, was constructed with the previous subdivision (Linder Village) and does not include a berm; the buffer is included in the common open space calculations. Staff recommends the buffer is allowed to count toward the minimum standards if enhanced landscaping is provided per the standards listed in UDC [11-3G-3B.3](#) as recommended.*

Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with waste station.
 - (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage.
 - b. Open space:
 - (1) Community garden.
 - (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping and a structure for shade.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. Multi-modal amenity standards:
 - (1) Bicycle repair station.

- (2) Park and ride lot.
 - (3) Sheltered transit stop
 - (4) Charging stations for electric vehicles
2. The number of amenities shall depend on the size of multi-family development as follows:
 - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
 - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
 3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

A total of 38 multi-family units are proposed; therefore, a minimum of three (3) site amenities are required, one from each category. Proposed site amenities consist of a swimming pool with changing rooms and restrooms; walking trails/pathways; a community workshop building that will allow for bicycle repair, woodworking, etc.; a dog wash station and related amenities for pet care; a BBQ area with tables and a shade structure; a dedicated open space area around the pool area for fire pits; and another dedicated open space area for bike parking, bench seating, tables, moveable planters and string lights, which exceeds the minimum standards.

E. Landscaping Requirements:

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

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

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

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

Street buffer landscaping is required to be installed with the subdivision plat as noted above in Section V.A.

Landscaping is required to be installed along all pathways in accord with the standards listed in UDC [11-3B-12C](#). The common area lot along the south and east boundaries of the site where a 12-foot wide access

road/multi-use pathway is proposed is encompassed by an irrigation easement that prohibits trees within the easement. **Prior to the City Council hearing, an Alternative Compliance application should be submitted to relocate the trees required in this area to along micro-paths within the development, as proposed; shrubs and other plantings should be provided within this area if allowed by the easement holder in accord with UDC 11-3B-12C.2.**

Landscaping is required in common open space areas in accord with the updated standards listed in UDC 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover. **The Landscape Requirements table on the landscape plan and the Site Amenity Plan should be updated to reflect compliance with the updated standard.**

Fencing: All fencing is required to comply with the standards listed in UDC 11-3A-7. A 5-foot tall fence is proposed around the swimming pool; **the fence is required to comply with the building code requirements for such.**

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

Conceptual building elevations were submitted for the proposed residential structures, included in Section VII.H. A mix of 1-, 2- and 3-story structures are proposed in a variety of construction materials and styles. **To ensure quality of design for an exemplary development, Staff recommends final design of all structures comply with the design standards in the [Architectural Standards Manual](#), unless otherwise approved through a design standard exception.** The Applicant's narrative includes a request for exceptions to design standards #R3.1E and #R3.1F in the Architectural Standards Manual; these exceptions should be included with the Design Review application and are not approved with this application.

A Design Review application is required to be submitted for approval of all structures. A Certificate of Zoning Compliance (CZC) application is required to be submitted for the multi-family structures along with the Design Review application; one (1) CZC may be submitted for the overall multi-family development if desired.

In approving the planned development, the Council may prescribe appropriate conditions, additional conditions, bonds, and safeguards in conformity with this title that:

1. Minimize adverse impact of the use on other property.
2. Control the sequence and timing of the use.
3. Control the duration of the use.
4. Assure that the use and the property in which the use is located is maintained properly.
5. Designate the exact location and nature of the use and the property development.
6. Require the provision for on site or off-site public facilities or services.
7. Require more restrictive standards than those generally required in this title.
8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, which provides services within the city.

Because like uses (i.e. single-family detached homes) are proposed to existing abutting single-family detached homes in Paramount Subdivision and a transition in housing types and density is proposed along with a 35-foot wide linear common open space area as a separation and buffer, Staff is not recommending any additional conditions to minimize any adverse impacts of the use on adjacent properties.

VI. DECISION

A. Staff:

Staff recommends approval of the requested preliminary plat and planned unit development with the conditions noted in Section VIII, per the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on December 1, 2022 and January 5, 2023. At the public hearing on January 5th, the Commission moved to recommend approval of the subject PP and PUD requests.

1. Summary of Commission public hearing:

- a. In favor: Michael Slavin, Tony Tseng
- b. In opposition: None
- c. Commenting: Doug Jones, Chris Eastman, Sally Reynolds, Julie Duran, Shane Nye and Jennifer Card, Lisa Metcalf, Kelly Carpenter, Justin Carpenter
- d. Written testimony: Michael & Linda Arnold, Leah Balecha, Daniel Briggs, Julie Duran, Matt Mueller, Scott Fuller, and Shane & Julia Duty
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Request for denial of the project as currently submitted due to the following reasons: 1) project isn't consistent with the MDR FLUM designation and would be more appropriate in the MHDR designation; 2) the proposed parking isn't sufficient for the proposed development and will result in substantial on-street parking that will contribute to congestion and make traveling through the community difficult; 3) the proposed contemporary modern design of the single-family homes are not harmonious with the design of existing single-family homes in the adjacent Paramount subdivision; 4) on-street parking along Bergman should not be allowed due to the curvature of the street which will not allow two vehicles traveling in opposite directions to easily pass one another if there are cars parked on either side of the road on the curve; and 5) belief that too many residential units are proposed in this area, which will not complement the existing neighborhood and will negatively impact the community's livability.
- b. Increase traffic, density and on-street parking on N. Bergman Ave.

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

- a. Update the parking plan to ensure the project is adequate parked per UDC standards.
- b. Update open space exhibit to ensure the project meets the open space standards.
- c. Code complaint fencing along the south and east boundary of the proposed development.

4. Commission change(s) to Staff recommendation:

- a. The Commission required pedestrian lighting to be installed along the pathway along the south and east perimeter boundaries of the subdivision;
- b. The Commission directed the Applicant to coordinate with ACHD on installing "no parking" signs on the public streets where the "s" or 90-degree curves are located (i.e. N. Bergman Ave., N. Arctic Fox Way & N. Arliss Ave.);
- c. The Commission directed the Applicant to continue working with abutting neighbors on repairing the existing fencing that was damaged during tiling of the North Slough.

5. Outstanding issue(s) for City Council:

- a. None

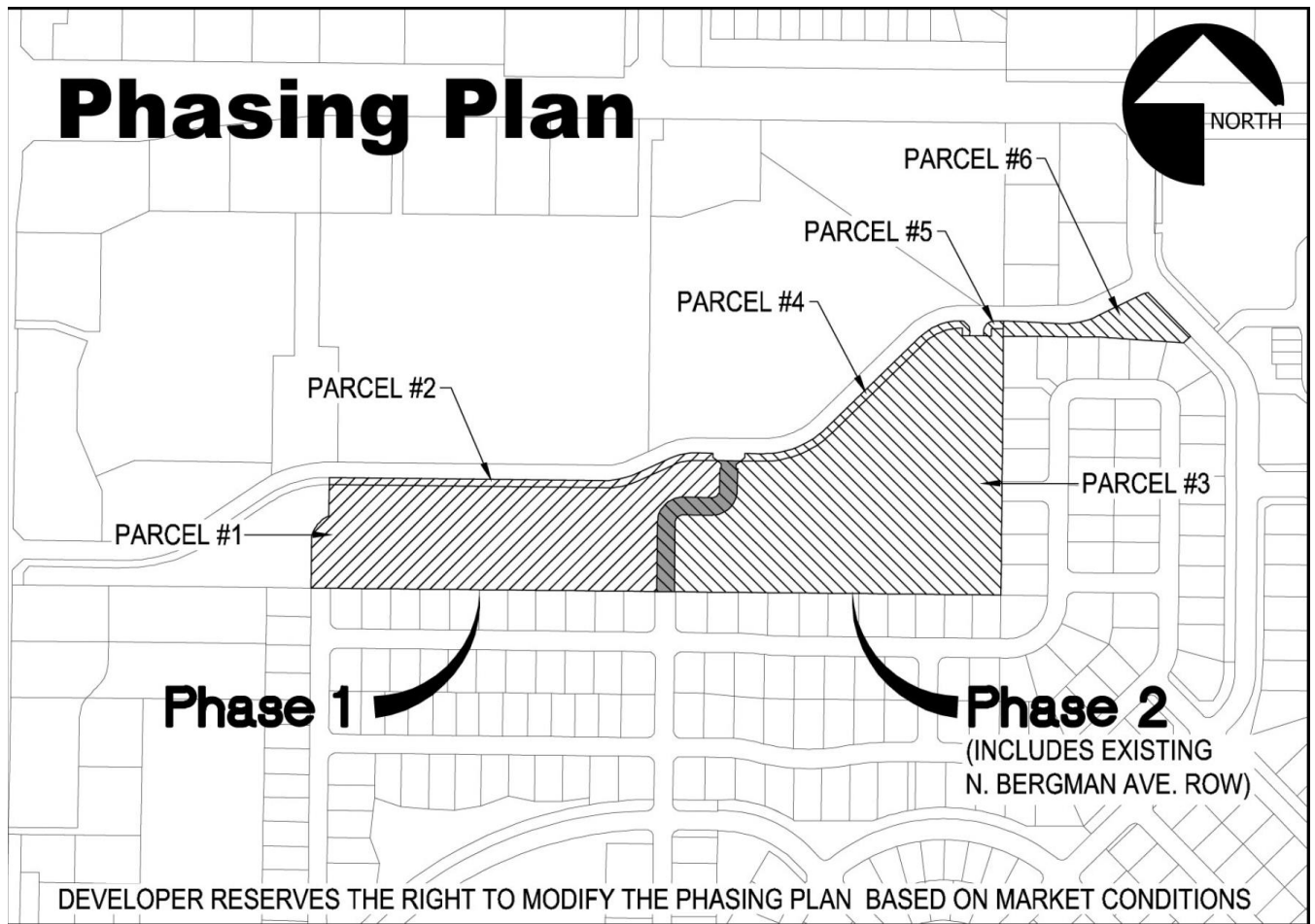
C. The Meridian City Council heard these items on 2/14/23 and 3/21/23. At the public hearing on 3/21/23, the Council moved to approve the subject PUD and PP requests.

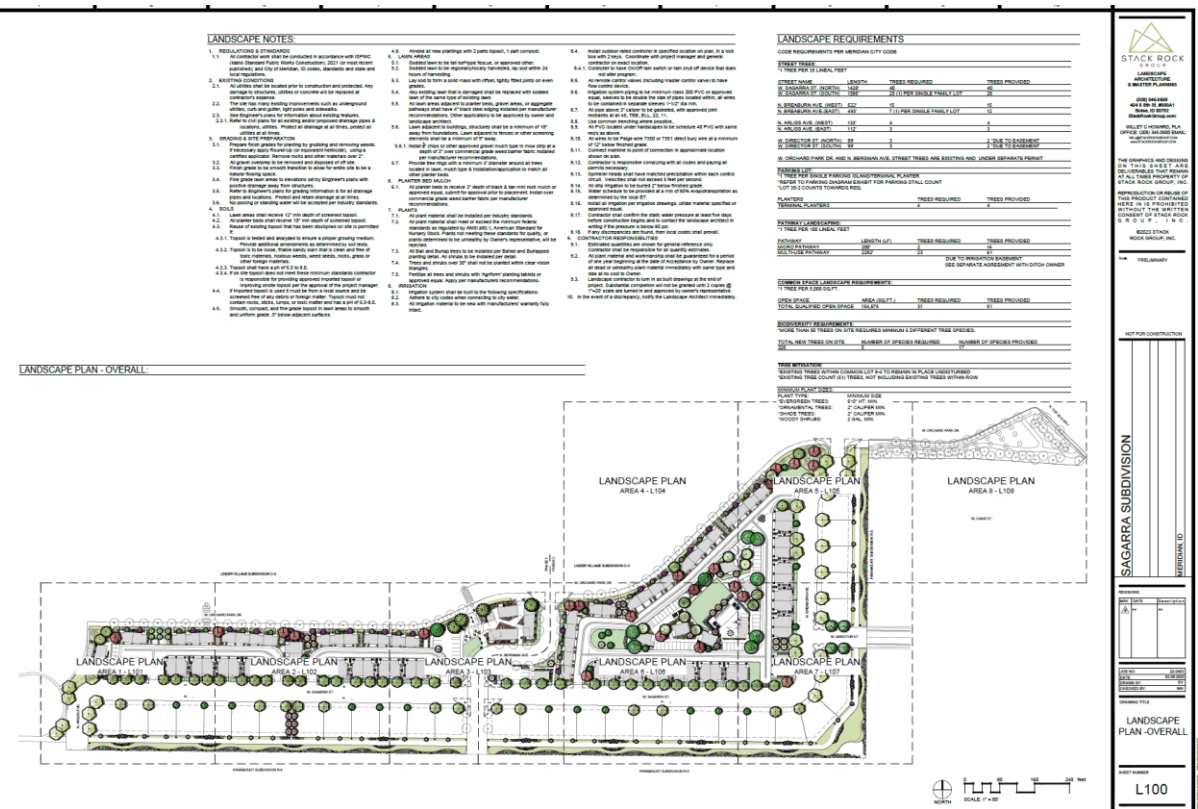
1. Summary of the City Council public hearing:

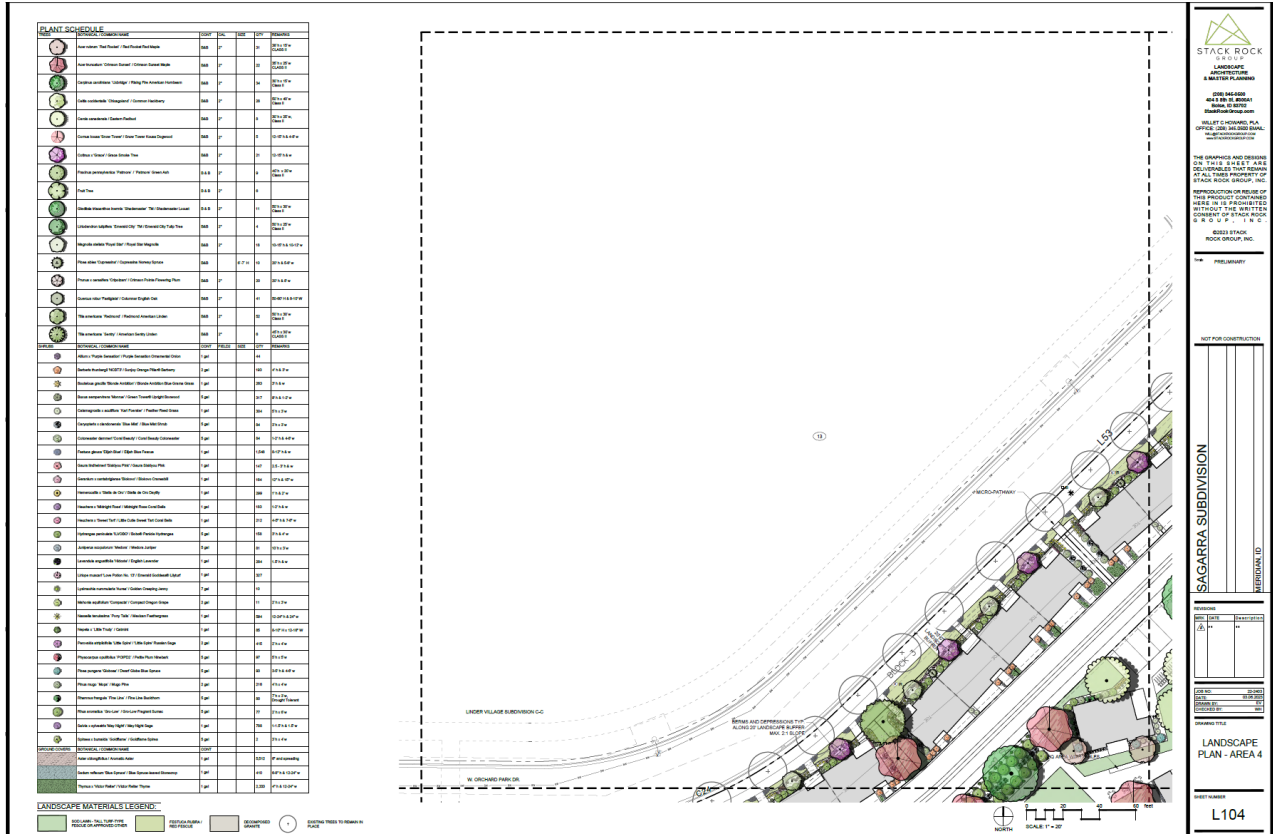
- a. In favor: Michael Slavin, Tony Tseng
- b. In opposition: None
- c. Commenting: Sally Reynolds, Kelly Carpenter, Justin Carpenter, Kris Eastman, Shane Nye, Tony Brownlee, Kelly Carpenter
- d. Written testimony: Lorraine Howe, Jennifer Card, Jennifer Lytle, Sally Reynolds
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
 - a. Preference for a lower density of residential units, reduction in the number of residential lots, reduction in the number of stories of residential units from 3- to 2-stories, not in favor of the proposed reduced setbacks;
 - b. Concern pertaining to the on-street parking on “s” curves, traffic generated from the proposed development and impacts on the abutting Paramount neighborhood and on area school enrollment;
 - c. Proposed buildings don’t fit with the character of the existing homes in the Paramount neighborhood, not in favor of the proposed design;
 - d. Request for on-street parking to be prohibited along Arliss, Bergman and Director;
 - e. Request for development to meeting R-8 standards with no deviations.
- 3. Key issue(s) of discussion by City Council:
 - a. Opinion that the proposed development doesn’t meet the bar of for approval of a PUD for the allowance of reductions to development standards – preference for development that meets the R-8 standards;
 - b. Not in favor of the proposed building designs, on-street parking on the curves, proposed density – opinion that it’s too high for this area, not in favor of the proposed open space;
 - c. Like the uniqueness of the proposed development, including provision of condominiums; concerns about the height of some of the structures and the proximity of the buildings to each other; would like to see adjustments to on-street parking and the development so that it’s not so compact. Would like to see more connected open spaces spread out through the development;
 - d. In favor of removal of the on-street parking on the curves as presented on the revised parking exhibit;
 - e. In favor of the proposed transition in uses and lot sizes;
 - f. Recognition of the constraints associated with development of this site (configuration, irrigation easements, etc.);
 - g. Opinion that the proposed development, as revised, meets the requirements for approval of a PUD.
- 4. City Council change(s) to Commission recommendation:
 - a. Council included Director St. in condition #8 in Section VIII that requires “no parking” signage to be installed.

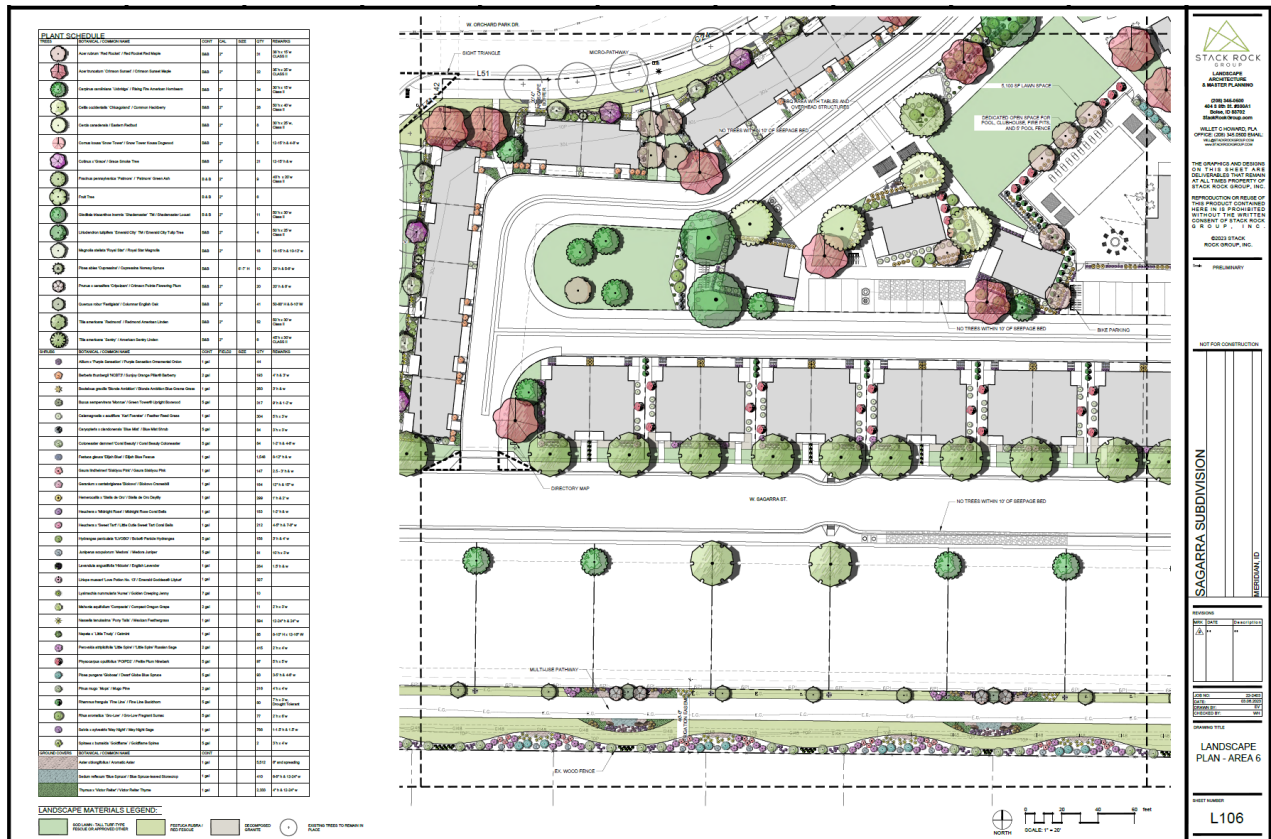
A. Preliminary Plat (dated: ~~9/19/22~~ 3/7/23) & Phasing Plan



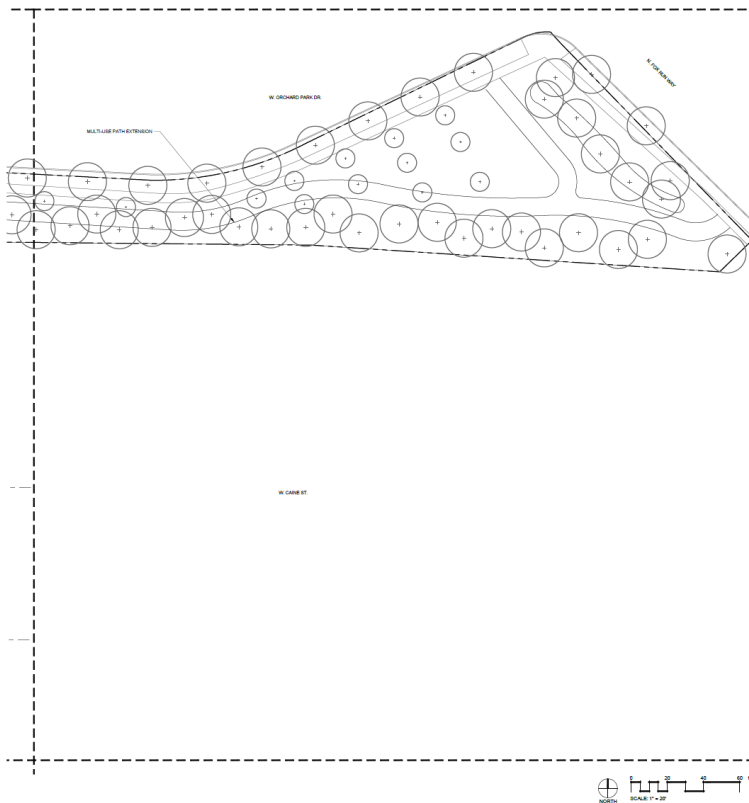








PLANT SCHEDULE						
	PLANT	DATE	TIME	LOCATION	REMARKS	
 	1	Plant: Pink Flower	10/10/2023	08:00 AM	Planting Area A	
	2	Plant: Green Plant	10/10/2023	09:00 AM	Planting Area B	
	3	Plant: Yellow Flower	10/10/2023	10:00 AM	Planting Area C	
	4	Plant: Green Plant	10/10/2023	11:00 AM	Planting Area D	
	5	Plant: Pink Flower	10/10/2023	12:00 PM	Planting Area E	
	6	Plant: Green Plant	10/10/2023	01:00 PM	Planting Area F	
	7	Plant: Yellow Flower	10/10/2023	02:00 PM	Planting Area G	
	8	Plant: Green Plant	10/10/2023	03:00 PM	Planting Area H	
	9	Plant: Pink Flower	10/10/2023	04:00 PM	Planting Area I	
	10	Plant: Green Plant	10/10/2023	05:00 PM	Planting Area J	
	11	Plant: Yellow Flower	10/10/2023	06:00 PM	Planting Area K	
	12	Plant: Green Plant	10/10/2023	07:00 PM	Planting Area L	
	13	Plant: Pink Flower	10/10/2023	08:00 PM	Planting Area M	
	14	Plant: Green Plant	10/10/2023	09:00 PM	Planting Area N	
	15	Plant: Yellow Flower	10/10/2023	10:00 PM	Planting Area O	
	16	Plant: Green Plant	10/10/2023	11:00 PM	Planting Area P	
	17	Plant: Pink Flower	10/10/2023	12:00 PM	Planting Area Q	
	18	Plant: Green Plant	10/10/2023	01:00 PM	Planting Area R	
	19	Plant: Yellow Flower	10/10/2023	02:00 PM	Planting Area S	
	20	Plant: Green Plant	10/10/2023	03:00 PM	Planting Area T	
 	21	Plant: Pink Flower	10/10/2023	04:00 PM	Planting Area U	
	22	Plant: Green Plant	10/10/2023	05:00 PM	Planting Area V	
	23	Plant: Yellow Flower	10/10/2023	06:00 PM	Planting Area W	
	24	Plant: Green Plant	10/10/2023	07:00 PM	Planting Area X	
	25	Plant: Pink Flower	10/10/2023	08:00 PM	Planting Area Y	
	26	Plant: Green Plant	10/10/2023	09:00 PM	Planting Area Z	
	27	Plant: Yellow Flower	10/10/2023	10:00 PM	Planting Area AA	
	28	Plant: Green Plant	10/10/2023	11:00 PM	Planting Area AB	
	29	Plant: Pink Flower	10/10/2023	12:00 PM	Planting Area AC	
	30	Plant: Green Plant	10/10/2023	01:00 PM	Planting Area AD	
	31	Plant: Yellow Flower	10/10/2023	02:00 PM	Planting Area AE	
	32	Plant: Green Plant	10/10/2023	03:00 PM	Planting Area AF	
	33	Plant: Pink Flower	10/10/2023	04:00 PM	Planting Area AG	
	34	Plant: Green Plant	10/10/2023	05:00 PM	Planting Area AH	
	35	Plant: Yellow Flower	10/10/2023	06:00 PM	Planting Area AI	
	36	Plant: Green Plant	10/10/2023	07:00 PM	Planting Area AJ	
	37	Plant: Pink Flower	10/10/2023	08:00 PM	Planting Area AK	
	38	Plant: Green Plant	10/10/2023	09:00 PM	Planting Area AL	
	39	Plant: Yellow Flower	10/10/2023	10:00 PM	Planting Area AM	
	40	Plant: Green Plant	10/10/2023	11:00 PM	Planting Area AN	
 	41	Plant: Pink Flower	10/10/2023	12:00 PM	Planting Area AO	
	42	Plant: Green Plant	10/10/2023	01:00 PM	Planting Area AP	
	43	Plant: Yellow Flower	10/10/2023	02:00 PM	Planting Area AQ	
	44	Plant: Green Plant	10/10/2023	03:00 PM	Planting Area AR	
	45	Plant: Pink Flower	10/10/2023	04:00 PM	Planting Area AS	
	46	Plant: Green Plant	10/10/2023	05:00 PM	Planting Area AT	
	47	Plant: Yellow Flower	10/10/2023	06:00 PM	Planting Area AU	
	48	Plant: Green Plant	10/10/2023	07:00 PM	Planting Area AV	
	49	Plant: Pink Flower	10/10/2023	08:00 PM	Planting Area AW	
	50	Plant: Green Plant	10/10/2023	09:00 PM	Planting Area AX	
 	51	Plant: Pink Flower	10/10/2023	10:00 AM	Planting Area AY	
	52	Plant: Green Plant	10/10/2023	11:00 AM	Planting Area AZ	
	53	Plant: Yellow Flower	10/10/2023	12:00 PM	Planting Area BA	
	54	Plant: Green Plant	10/10/2023	01:00 PM	Planting Area BB	
	55	Plant: Pink Flower	10/10/2023	02:00 PM	Planting Area BC	
	56	Plant: Green Plant	10/10/2023	03:00 PM	Planting Area BD	
	57	Plant: Yellow Flower	10/10/2023	04:00 PM	Planting Area BE	
	58	Plant: Green Plant	10/10/2023	05:00 PM	Planting Area BF	
	59	Plant: Pink Flower	10/10/2023	06:00 PM	Planting Area BG	
	60	Plant: Green Plant	10/10/2023	07:00 PM	Planting Area BH	





STACK ROCK
LANDSCAPE
ARCHITECTURE
& MASTER PLANNING

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SAGARRA SUBDIVISION

SHEET NO. 1

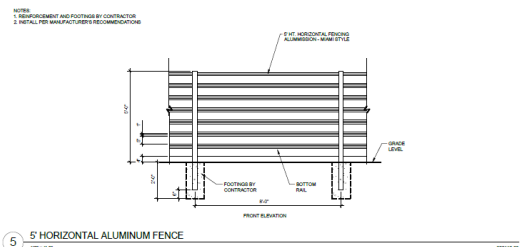
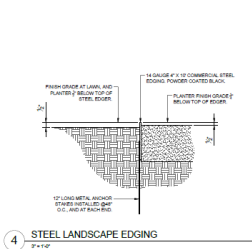
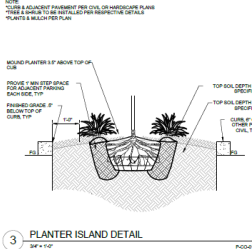
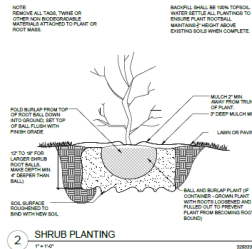
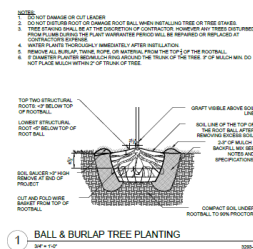
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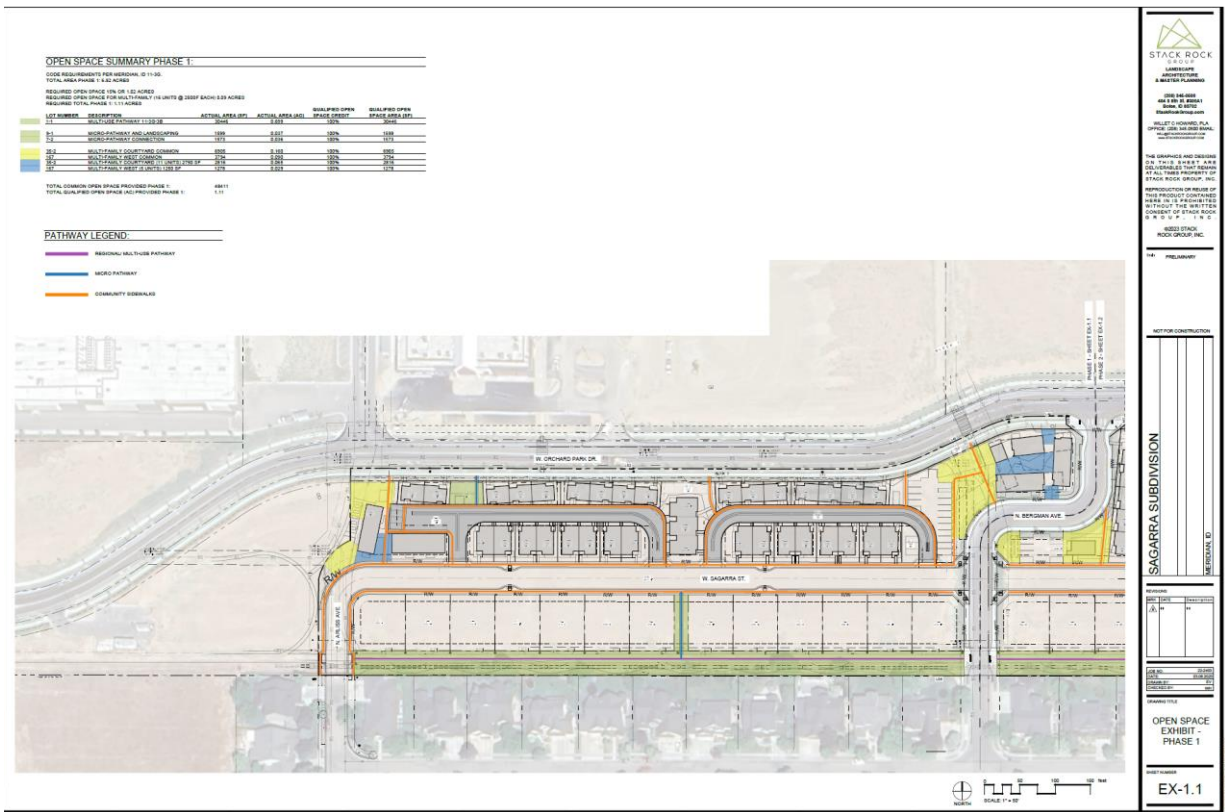
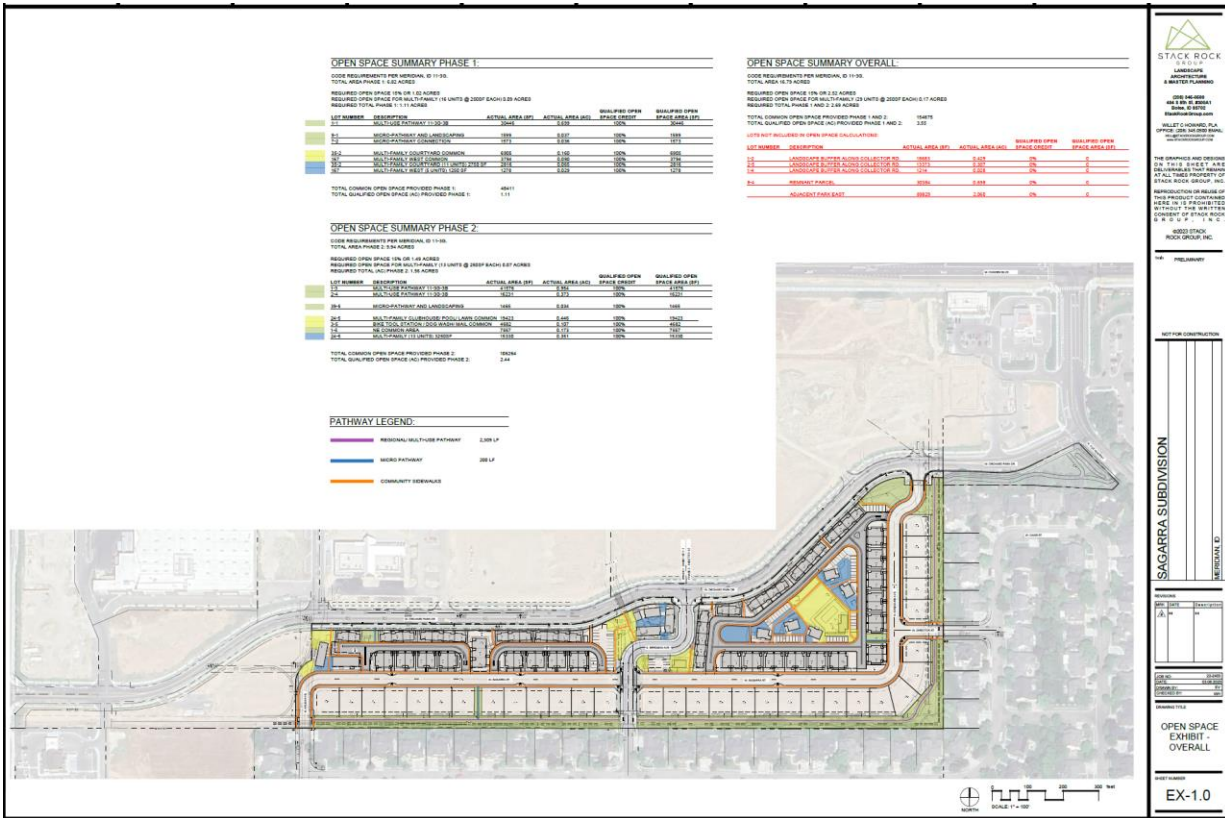
PROJECT TITLE

LANDSCAPE
PLAN - AREA A

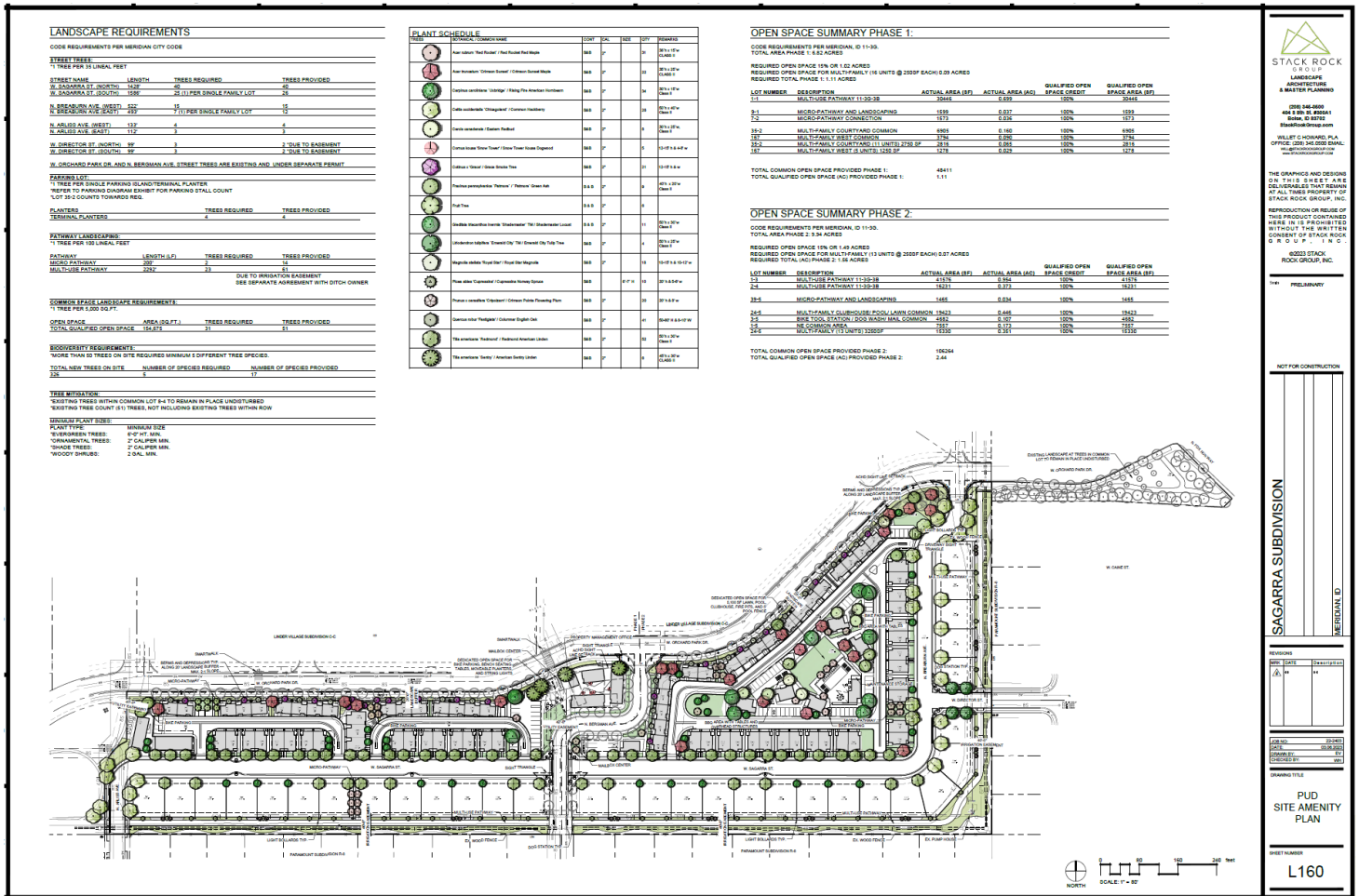
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D. Site Amenity Exhibit - Revised (dated: 3/6/23)



SETBACK DIAGRAM



Comparison Table (Required vs. Proposed/Approved):

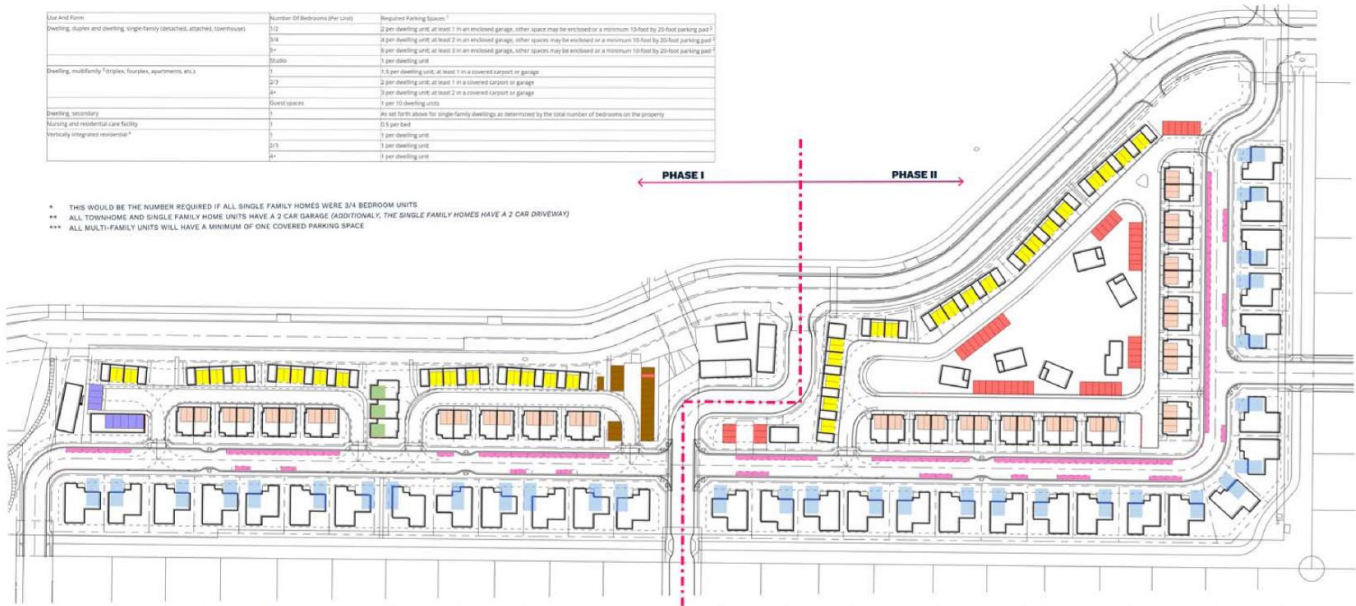
	R-8 Minimum Dimensional Standards (per UDC Table 11-2A-6)	Ribbon Townhomes (green)	2-pk Townhomes (SFR attached) (blue)	Middle Three Townhomes (purple)	Boulder Flats (MFR) (red)	Courtyard Condos (pink)	Single-family homes (detached) (orange)
Front (local street setback to living area)	10'	0' min.	10'	8'6"	5' min.	2'	10'
Garage (local street setback)	20'	0' min.	0' min.	4' min.	NA	NA	20'
Side (interior)	5'	5'	5'	NA	5'	5'	5'
Street Side (local street setback to living area)	10'	10'	0' min.	10' min.	5' min.	7'	10'
Rear	12'	0' min.	0' min.	4' min.	5' min.	10'	10'
Lot Size	4,000 s.f.	1,070 min.	1,690 min.	1,532 min.	51,453	11,796	4,661

F. Parking Diagram - Revised (date: 3/6/23)

TABLE 11.25.9
REQUIRED PARKING SPACES FOR RESIDENTIAL USE

Use and Form	Number Of Bedrooms (Per Unit)	Required Parking Spaces ¹
Dwelling, duplex and dwelling, single-family detached, attached, townhouse	1/2	2 per dwelling unit, at least 1 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
	3/4	4 per dwelling unit at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
	2	6 per dwelling unit at least 3 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad ²
Dwelling, multifamily (triplex, fourplex, apartments, etc.)	Studio	1 per dwelling unit
	1	1.5 per dwelling unit, at least 1 in a covered carport or garage
	2	2 per dwelling unit at least 1 in a covered carport or garage
	3+	3 per dwelling unit at least 2 in a covered carport or garage
Dwelling, secondary	Guest spaces	7 per 10 dwelling units
Nursing and residential care facility	1	as set forth above for single-family dwellings as determined by the total number of bed-rooms on the property
Vertically integrated residential ³	1	0.5 per bed
	2	1 per dwelling unit
	3	2 per dwelling unit
	4+	3 per dwelling unit

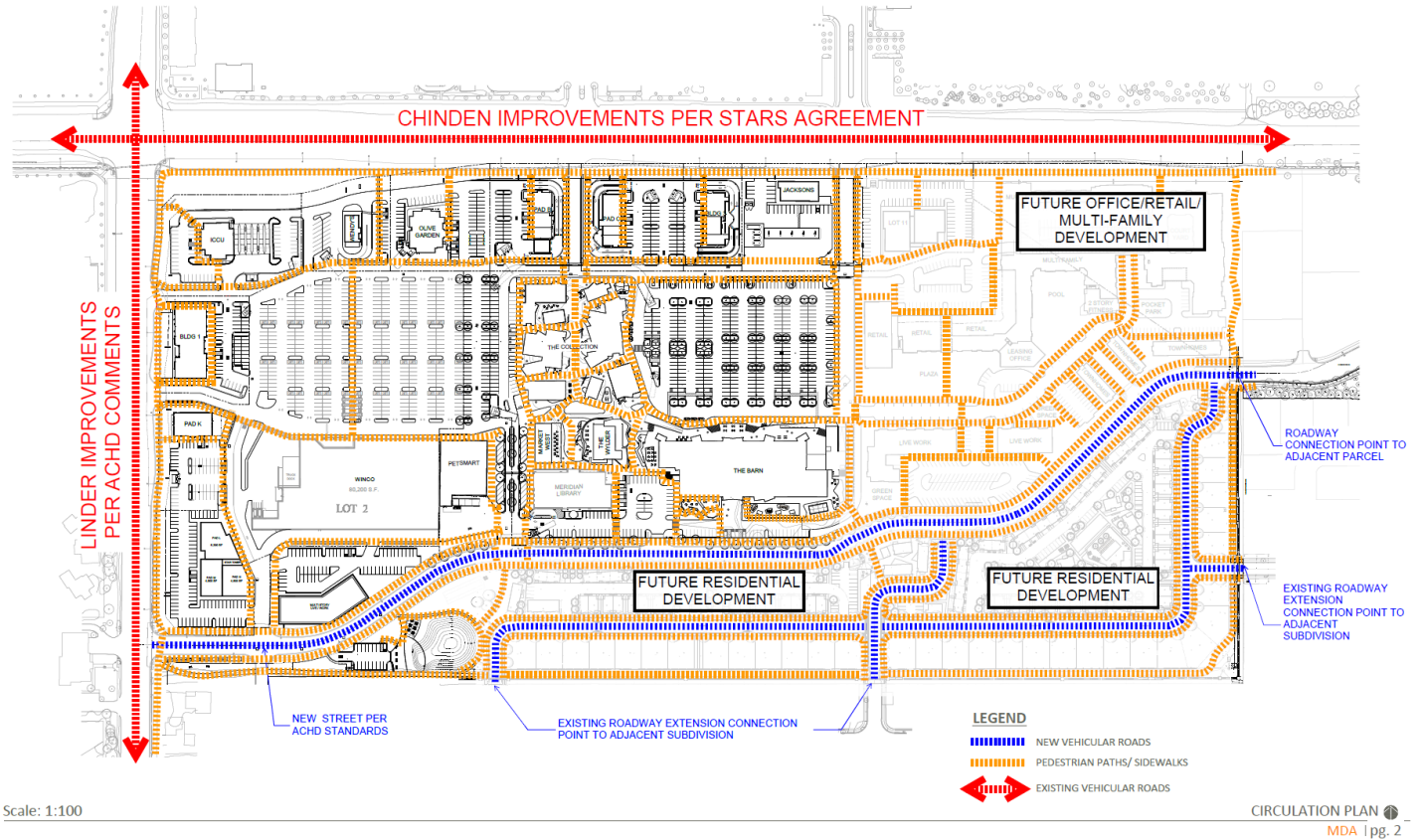
* THIS WOULD BE THE NUMBER REQUIRED IF ALL SINGLE FAMILY HOMES WERE 3/4 BEDROOM UNITS
 ** ALL TOWNHOME AND SINGLE FAMILY HOME UNITS HAVE A 2 CAR GARAGE (ADDITIONAL); THE SINGLE FAMILY HOMES HAVE A 2 CAR DRIVEWAY
 *** ALL MULTI-FAMILY UNITS WILL HAVE A MINIMUM OF ONE COVERED PARKING SPACE



Sagarra | Parking Analysis

Unit Designation	Bed Count	Req'd Parking Factor	Guest Parking Factor	Covered Parking Factor	Phase I (Count)	Phase II (Count)	Total DUs	DU x Factor Required	Guest Required	Total Required	Total Provided On-Site	Total Req'd Covered in Carport or Garage	Total Provided Covered in Carport or Garage	Extra Spaces
Two Pack Townhomes	2	2	0.0	1.0	16	24	40	80	0.0	80	80	40	80	40
Ribbon Townhomes	2	2	0.0	1.0	16	19	35	70	0.0	70	70	35	70	35
Middle Three Townhomes	2	2	0.0	1.0	3	0	3	6	0.0	6	6	3	6	3
Multifamily - Headwater	1	1.5	0.1	1.0	3	0	3	5	0.3	5	5	3	3	0
Multifamily - Headwater	2	2	0.1	1.0	2	0	2	4	0.2	4	4	2	2	0
Multifamily - Courtyard	1	1.5	0.1	1.0	6	0	6	9	0.6	10	10	6	6	0
Multifamily - Courtyard	2	2	0.1	1.0	5	0	5	10	0.5	11	11	5	5	0
Multifamily - Boulder Flats	2	2	0.1	1.0	0	13	13	26	1.3	27	51	13	13	0
SFR (Garage Spaces)	2/3/4	4	0.0	1.0	13	19	32	128	0.0	128	128	32	64	32
Total					35	43	139	338	2.9	340	365	139	249	110
Total Provided - On Site											365			
Total Required											340			
On Street					24	52					76			
Total Available Parking											441			

G. Vehicular & Pedestrian Circulation Plan



H. Conceptual Building Elevations



Existing Single Family Residential SCALE: N.T.S.



New Single Family Residential SCALE: N.T.S.

Revised:



Concept Elevations for Single Family Homes



Building "A" Concept:



Building “B” Concept:



Building “C” Concept:



Building “D” Concept:



Building “E” Concept:



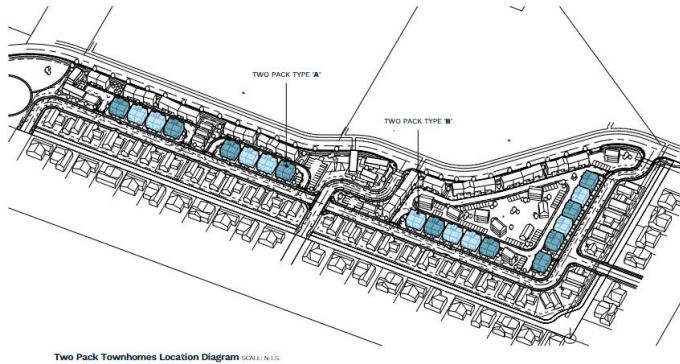
Building “F” Concept:



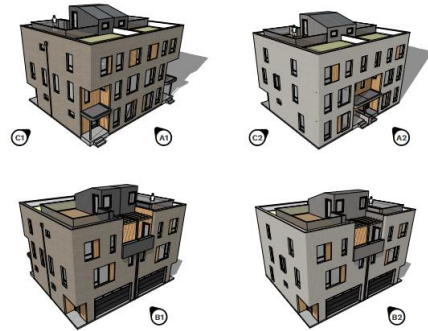
Building “G” Concept:



Building "H" Concept:



Two Pack Townhomes Location Diagram SCALE: N.T.S.



Type 'A' - Two Pack Townhomes SCALE: N.T.S.

Type 'B' - Two Pack Townhomes SCALE: N.T.S.



A1 FRONT ELEVATION



A2 FRONT ELEVATION



B1 BACK ELEVATION



C1 SIDE ELEVATION



B2 BACK ELEVATION



C2 SIDE ELEVATION

Two Pack Townhome Type A - Concept Elevations SCALE: 1/8" = 1'-0"

Two Pack Townhome Type B - Concept Elevations SCALE: 1/8" = 1'-0"

Two Pack Townhomes

2 BED UNIT SQUARE FOOTAGE:
LIVING: 47' 10" x 10' 0"
KITCHEN: 47' 10" x 10' 0"
GARAGE: 47' 10" x 10' 0"

NUMBER OF UNITS:
PHASE I: 16 UNITS
PHASE II: 22 UNITS

pivot north

PLANNED UNIT DEVELOPMENT
MIDLAND, TX

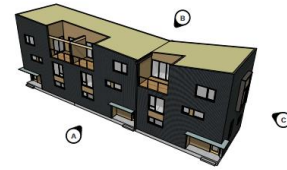
SAGARRA / RESIDENTIAL

TWO PACK TOWNHOMES
MIDLAND, TX

04



Ribbon Townhomes Location Diagram SCALE: 1/8" = 1'-0"



NOTES:
1. EXISTING AND PROPOSED ROADS CONSIDERATIONS FOR DESIGN
2. TOWNHOMES TO BE BUILT ON THE EXISTING 100' WIDE, 100' DEEP AND
3. ONE 100' WIDE (BANK) TOWNHOMES



A FRONT ELEVATION



B BACK ELEVATION



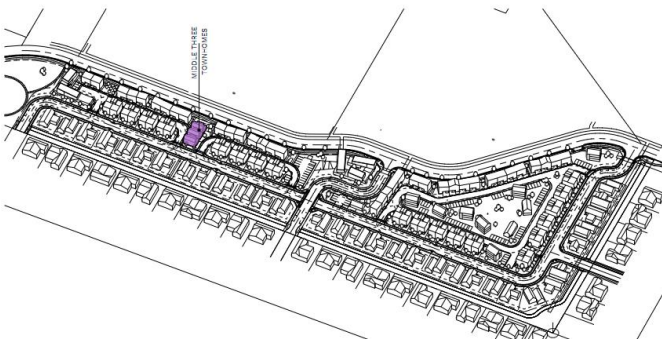
C SIDE ELEVATION

Ribbon Townhome - Concept Elevations SCALE: 1/8" = 1'-0"

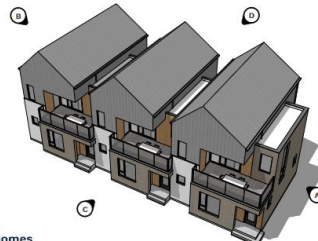
Ribbon Townhomes

3 BED UNIT SQUARE FOOTAGE:
LIVING: 1450 SF
BEDS: 700 SF
GARAGE: 500 SF

NUMBER OF UNITS:
PHASE I: 10 UNITS
PHASE II: 10 UNITS



Middle Three Townhomes Location Diagram SCALE: 1/8" = 1'-0"



Middle Three Townhomes

3 BED UNIT SQUARE FOOTAGE:
LIVING: 1275 SF
BEDS: 700 SF
GARAGE: 500 SF

NUMBER OF UNITS:
PHASE I: 3 UNITS
PHASE II: 0 UNITS



A NORTH ELEVATION



C EAST ELEVATION



B SOUTH ELEVATION

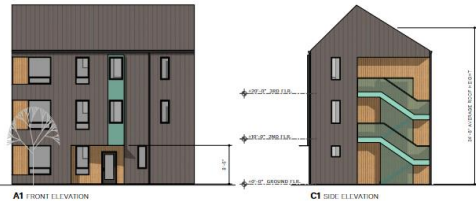


D WEST ELEVATION

Middle Three Townhome - Concept Elevations SCALE: 1/8" = 1'-0"



Multi-Family / Boulder Flats Location Diagram SCALE: N.T.S.



A1 FRONT ELEVATION

C1 SIDE ELEVATION



B1 BACK ELEVATION

D1 SIDE ELEVATION

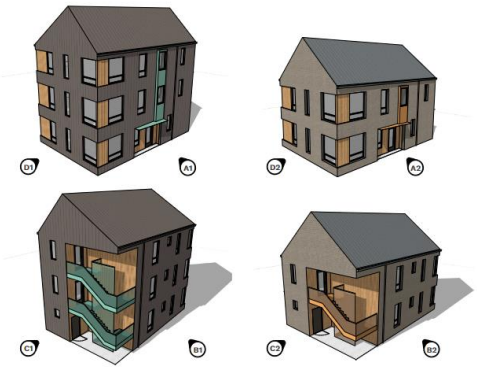
Boulder Flats Building Type A - Concept Elevations SCALE: 1/8" = 1'-0"

Boulder Flats

3 BED UNIT SQUARE FOOTAGE:
LIVING: ~47, 800 SF
BEDROOMS: ~47, 800 SF (BUNKED FLR ONLY)

NUMBER OF UNITS:
PHASE I: 0 UNITS
PHASE II: 22 UNITS

THERE ARE (2) DESIGN COLORS PROPOSED FOR THE TYPE A BUILDING: ZINC GREY (SHOWN) AND A DULP RED



Type 'A' - Boulder Flats SCALE: N.T.S.

Type 'B' - Boulder Flats SCALE: N.T.S.



A2 FRONT ELEVATION

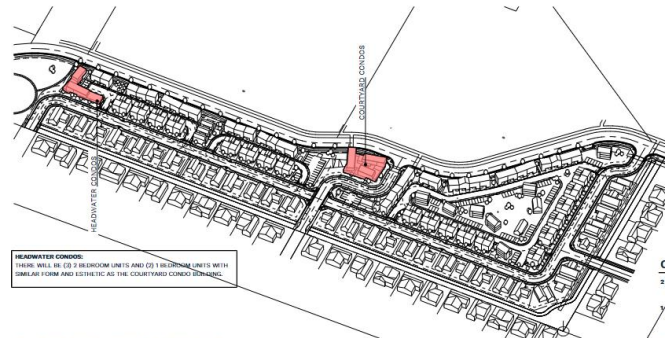
C2 SIDE ELEVATION



B2 BACK ELEVATION

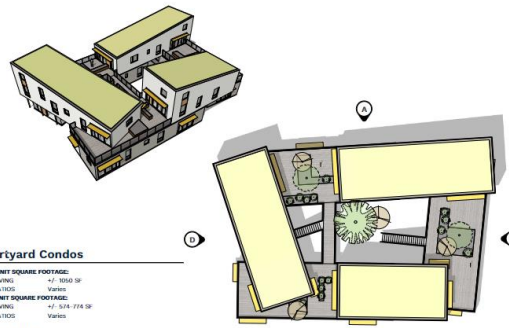
D2 SIDE ELEVATION

Boulder Flats Building Type B - Concept Elevations SCALE: 1/8" = 1'-0"



HEADWATER CONDOS:
THERE WILL BE (2) 3 BEDROOM UNITS AND (2) 1 IN-COURT UNIT WITH SIMILAR FORM AND ESTHETIC AS THE COURTYARD CONDO (SHOWN).

Multi-Family / Phase I Condo Building Locations SCALE: N.T.S.



Courtyard Condos

3 BED UNIT SQUARE FOOTAGE:
LIVING: ~47, 800 SF
BEDROOMS: ~47, 800 SF (BUNKED FLR ONLY)

NUMBER OF UNITS:
PHASE I: 3 (2) 3 BEDROOM UNITS
PHASE II: 6 (1) 3 BEDROOM UNITS (2 WITH LOFT SPACE)
TOTAL: 9

PHASE I: 0 UNITS

Courtyard Condos - Roof Plan SCALE: 1/8" = 1'-0"



A NORTH ELEVATION

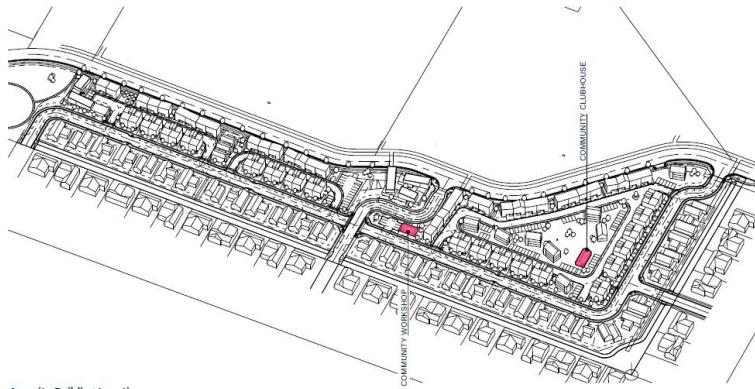
B SOUTH ELEVATION

Courtyard Condos - Concept Elevations SCALE: 1/8" = 1'-0"



C EAST ELEVATION

D WEST ELEVATION



Amenity Building Locations SCALE: N.T.S.



Community Workshop SCALE: N.T.S.

Community Clubhouse SCALE: N.T.S.



A1 NORTH ELEVATION



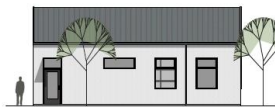
C1 EAST ELEVATION



A2 NORTH ELEVATION



C2 EAST ELEVATION



B1 SOUTH ELEVATION



D1 WEST ELEVATION



B2 SOUTH ELEVATION



D2 WEST ELEVATION

Community Workshop - Concept Elevations SCALE: 1/8" = 1'-0"

Community Clubhouse - Concept Elevations SCALE: 1/8" = 1'-0"

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Preliminary Plat:

1. The final plat shall include the following revisions:
 - a. Graphically depict zero (0) lot lines on internal lot lines where single-family attached and townhome structures are proposed (i.e. where structures will span across lot lines).
 - b. Depict traffic calming measures to slow traffic on Bergman Ave. and W. Bacall St. as allowed by ACHD and the Fire Dept. in accord with the Development Agreement.
 - c. Graphically depict public use easements for the micro-paths that cross private/townhome building lots.
2. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict landscaping along all pathways as set forth in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative groundcover is required.*
 - b. Depict additional/enhanced landscaping within the 20-foot wide street buffer along W. Orchard Park Dr. in accord with the updated standards in UDC [11-3B-7C.3](#) and [11-3G-3B.3](#).
 - c. Update the Landscape Requirements table to reflect compliance with the updated common open space standards in 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover; shrubs and other plantings shall be depicted on the plan as required.
3. Future development shall comply with the minimum dimensional standards for the R-8 zoning district listed in UDC [Table 11-2A-6](#) *except* as approved with the Planned Unit Development (see table in Section VII.E for reduced standards approved with the PUD).
4. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#), unless otherwise waived by City Council.
5. A private street application shall be submitted with the final plat application for the proposed private streets within the development. All private streets shall comply with the standards listed in UDC [11-3F-4](#).
6. Approval of a preliminary plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat. In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if signed by the city engineer within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval. Upon written request and filing by the applicant prior to the termination of the period in accord with subsections (A) and (B) of this section, the director may authorize a single extension of time to obtain the city engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC [11-6B-2](#)).
7. Pedestrian lighting shall be installed along the pathway along the south and east perimeter boundaries of the subdivision.

8. The Applicant shall coordinate with ACHD on installing “no parking” signs on the public streets where the “s” or 90-degree curves are located (i.e. N. Bergman Ave., N. Arctic Fox Way & N. Arliss Ave.) as well as on Director St.
9. The Applicant shall continue working with abutting neighbors on repairing the existing fencing that was damaged during tiling of the North Slough.

Conditional Use Permit/Planned Unit Development:

10. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development and the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district is required, unless otherwise approved through the Planned Unit Development (see deviations to setbacks approved in the comparison table in Section VII.E).
11. The site/landscape plans included in Section VII shall be revised as follows:
 - a. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC [11-4-3-27B.2](#).
 - b. Depict the location of the property management office; maintenance storage area; central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access; and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC [11-4-3-27B.7](#).
 - c. Depict landscaping along all the foundation of all street facing elevations in accord with the standards listed in UDC [11-4-3-27E](#).
 - d. Depict shrubs and other plantings adjacent to the pathway along the south and east boundaries of the site in accord with UDC [11-3B-12C](#) as allowed by the Irrigation District within their easement.
 - e. Update the Landscape Requirements table to reflect compliance with the updated common open space standards in 11-3G-5B.3, which requires a minimum of one deciduous shade tree for every 5,000 square feet of area with a variety of trees, shrubs, lawn or other vegetative groundcover; shrubs and other plantings shall be depicted on the plan as required.
 - f. Depict a minimum 5,000 square foot common grassy area integrated into the site design that allows for general activities by all ages that complies with the standard listed in UDC [11-4-3-27C.3](#).
 - g. Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.*
 - h. Provide bicycle parking spaces per the standards listed in UDC 11-3C-6G; bicycle parking facilities shall comply with the standards listed in UDC [11-3C-5C](#). Bike racks should be provided in central locations for each multi-family building and the amenity buildings.
 - i. Provide off-street parking spaces for the development in accord with the standards listed in UDC [Table 11-3C-6](#) and [11-3C-6B.1](#) per the analysis in Section VI.
 - j. At a minimum, depict site amenities consistent with those proposed with the subject application.
 - k. Minimum 7-foot wide sidewalks shall be provided where parking abuts sidewalks if wheel stops aren't proposed to prevent vehicle overhang in accord with UDC 11-3C-5B4; if 7-foot sidewalks are proposed, the length of the stall may be reduced to 17 feet.
 - l. A detail shall be included of the fencing proposed around the swimming pool that complies with building code requirements for such.

12. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area as set forth in UDC 11-4-3-27B.5.
13. All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC [11-4-3-27F](#). **A recorded copy of the document shall be submitted prior to issuance of the first Certificate of Occupancy for the development.**
14. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units in accord with UDC [11-4-3-27C.6](#).
15. A minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit per UDC [11-7-4B](#). This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.
16. The Applicant shall coordinate with ACHD on the location and design of the proposed crosswalks across W. Orchard Park Dr.
17. If some of the multi-family units are proposed to be condominiumized, a short plat shall be submitted where all buildings are constructed or have received building permits for construction as set forth in UDC [11-6B-5](#).
18. Future development shall comply with the vehicular and pedestrian circulation plan in Section VII.G.
19. A Design Review application shall be submitted for *all* structures within the development to ensure quality of design for an exemplary development. All structures shall comply with the design standards in the [Architectural Standards Manual](#) unless otherwise approved through a design standard exception.
20. A Certificate of Zoning Compliance (CZC) application shall be submitted for the multi-family structures concurrent with the Design Review application; one (1) CZC may be submitted for the overall multi-family development if desired.
21. A conditional use permit/planned unit development, 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/planned unit developments that also require platting, the final plat must be signed by the city engineer within this two-year period. Upon written request and filing by the applicant prior to the termination of the period in accord with subsection (F)(1) of this section, the director may authorize a single extension of time to commence the use not to exceed one (1) two-year period. Additional time extensions up to two (2) years as determined and approved by the commission may be granted. With all extensions, the director or commission may require the conditional use comply with the current provisions of this chapter (UDC [11-5B-6F](#)).

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 No permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are to be built within the utility easement. See "WW Comments - Sagarra" for details.
- 1.2 Must provide access path per City requirements to existing manhole located on western end of site (Sheet CE.1) and existing sewer just south of Orchard Park Dr. (left side of Sheet CE.2).

- 1.3 SSMH-4E is outside the easement. Easement needs to be 20' and extend 10' beyond the manhole. Also need access path up to manhole per City requirements.
- 1.4 Do not have sewer services pass through infiltration trenches. This comment was made during the preapplication meeting also. There are a few areas that this is occurring. Ensure that this is corrected in future submittals. See "WW Comments - Sagarra" for details.
- 1.5 Sewer services must be installed at 90 degrees to a sewer main or connected to a manhole. See "WW Comments - Sagarra" for details.
- 1.6 Provide 10' separation between sewer main and infiltration trench.
- 1.7 To and through required to parcel R5262501200.
- 1.8 Flow is committed.
- 1.9 There is a gap in the water line along road 4. This needs to connect.
- 1.10 Have callout to remove blow-off valves.
- 1.11 Add valve on existing water line in Bergman Ave for a total of 3 valves on the crossing.
- 1.12 Add valve on existing water line in Road-1 for a total of 2 valves at the tee.
- 1.13 See Change Marks on "Public Utility Plan" pdf for additional details.
- 1.14 Streetlight plan will be required at time of development.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (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 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.17 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.20 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277043&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277044&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278542&dbid=0&repo=MeridianCity>

F. SETTLER'S IRRIGATION DISTRICT (SID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277091&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278840&dbid=0&repo=MeridianCity>

H. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282445&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276873&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat:

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

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

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

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

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

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

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

The City Council finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)

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

The City Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

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

B. Planned Unit Development (UDC 11-7-5)

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 a planned development request, the council shall make the following findings:

- A. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.

The City Council finds the proposed development demonstrates an exceptional high quality in site design through the provision of cohesive development linked together by common open space areas with pedestrian pathways and quality site amenities. Vehicular and pedestrian connectivity is provided to adjacent neighborhoods to the south and east and to the commercial development to the north. A high quality of building design will be ensured through the design review process consistent with the conceptual elevations provided.

- B. The planned unit development preserves the significant natural, scenic and/or historic features.

The City Council is unaware of any significant natural, scenic and/or historic features that exist on this site. If any such features do exist, they should be preserved.

- C. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.

The City Council finds the proposed arrangement of uses and structures within the development provides a good transition (i.e. "feathering" of uses and density) between existing single-family detached homes along the southern and eastern property boundaries and existing and future commercial uses to the north and does not cause damage, hazard or nuisance to persons or property in

the vicinity. The linear common open space along the south and east property boundaries also assists in providing a separation and buffer between existing residential and proposed residential uses.

- D. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.

The City Council finds the proposed internal vehicular and pedestrian circulation system will provide a safe and efficient flow of vehicles, bicyclists and pedestrians without an undue burden on existing transportation in the surrounding area and provides good connectivity between the existing and proposed developments.

- E. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.

The City Council finds the proposed open space areas and site amenities are accessible to all residents via proposed pathways for pedestrians and bicyclists.

- F. The proposal complies with the density and use standards requirements in accord with chapter 2, "district regulations", of this title.

The City Council finds the proposal complies with the desired density in the Comprehensive Plan for MDR & MU-C designated developments and with the use standards for the R-8 zoning district listed in Chapter 2 of the UDC.

- G. The amenities provided are appropriate in number and scale to the proposed development.

The City Council finds the proposed amenities exceed the minimum UDC standards and are appropriate for the number of units and scale of the proposed development.

- H. The planned unit development is in conformance with the comprehensive plan.

The City Council finds the proposed PUD is in conformance with the Comprehensive Plan per the analysis in Section IV and is consistent with the purpose statement for Planned Unit Developments in UDC 11-7-1 and the standards for such in UDC 11-7-4.