

EXHIBIT B

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



In the Matter of the Request for Annexation and Zoning of 25.76 acres of Land with a C-G Zoning District; Preliminary Plat Consisting of Two (2) Multi-Family Residential Building Lots and Six (6) Commercial Building Lots on 29.7 Acres of Land; and Conditional Use Permit for a Multi-Family Development Consisting of 396 Units on 15.94 Acres of Land in the Proposed C-G Zoning District for Eagle View Apartments, by Brighton Development, Inc. Case No(s). H-2021-0075

For the City Council Hearing Date of: February 8, 2022 (Findings on February 22, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of February 8, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of February 8, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of February 8, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of February 8, 2022, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of February 8, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's requests for annexation and zoning, preliminary plat and conditional use permit is hereby approved with the requirement of a Development Agreement per the conditions of approval in the Staff Report for the hearing date of February 8, 2022, attached as Exhibit A. **Note: A modification to the zoning was approved with the annexation as follows: 13.76 acres with a C-G zoning district and 12 acres with an R-40 zoning district, instead of all C-G as originally requested.**
2. The applicant's request for City Council review of the Director's decision in regard to the Alternative Compliance request to the private usable open space standard in UDC 11-4-3-27B.3 is hereby approved.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the

requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period.

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

Notice of Development Agreement Duration

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

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

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

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of February 8, 2022

By action of the City Council at its regular meeting held on the 22 day of February, 2022.

COUNCIL PRESIDENT BRAD HOAGLUN VOTED AYE

COUNCIL VICE PRESIDENT JOE BORTON VOTED AYE

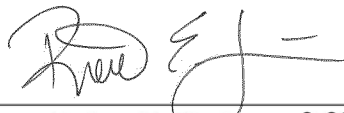
COUNCIL MEMBER JESSICA PERREAULT VOTED AYE

COUNCIL MEMBER LUKE CAVENER VOTED _____

COUNCIL MEMBER TREG BERNT VOTED AYE


COUNCIL MEMBER LIZ STRADER VOTED AYE

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)




Mayor Robert E. Simison 2-22-2022

Attest:



Chris Johnson 2-22-2022
City Clerk



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

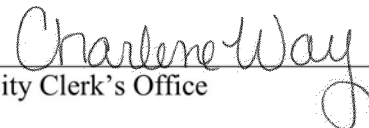
By:  _____ Dated: 2-22-2022
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



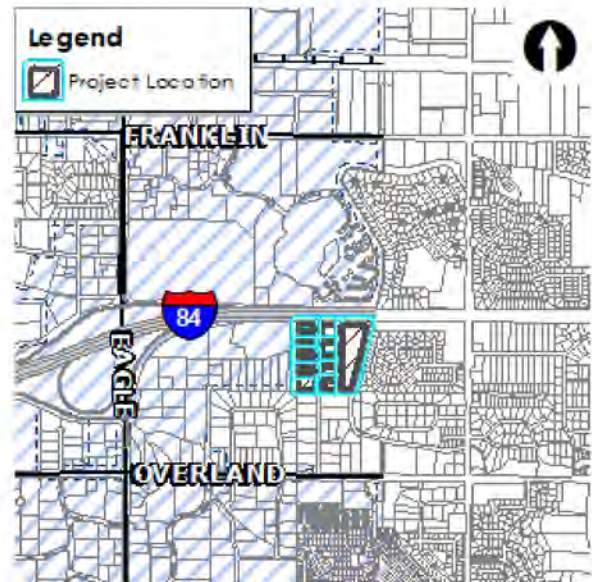
HEARING DATE: February 8, 2022

TO: Mayor & City Council

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

SUBJECT: [H-2021-0075](#); [CR-2022-0001](#)
Rackham East – AZ, PP
Eagle View Apartments – CUP, ALT, CR

LOCATION: South side of I-84, ¼ mile east of S. Eagle Rd., in the south ½ of Section 16, T.3N., R.1E.



I. PROJECT DESCRIPTION

Annexation (AZ) of 25.76 acres of land with a C-G zoning district; Preliminary Plat (PP) consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land; and Conditional Use Permit (CUP) for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

Alternative Compliance is requested to the following UDC standards with the CUP application:

- UDC 11-3A-19B.3, which requires no more than 50% of the total off-street parking area for the site to be located between building facades and abutting streets, to be allowed due the site design which enhances usable site amenities by placing them internal to the development with parking mostly on the periphery of the site;
- UDC Table 11-3C-6, which doesn't include off-street parking standards for studio unit apartments, to allow the parking standards for vertically integrated residential to apply;
- UDC 11-4-3-27B.3, which requires a minimum of 80 square feet of private, usable open space to be provided for each unit, to allow zero (0) for studio units (0% of the standard), 54-60 square feet (s.f.) for 1-bedroom units (67.5%-75% of the standard) and 58-85 s.f. for 2-bedroom units (68%-106% of the standard).

Note: The Applicant filed a request for City Council review of the Director's decision on this matter, see Section V.C, highlighted text, for more information.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	25.76-acres (AZ); 29.7-acres (PP); 15.94-acres (CUP)	
Existing/Proposed Zoning	R1 and RUT in Ada County (existing)/C-G (proposed)	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use(s)	Vacant land (formerly single-family homes)	
Proposed Land Use(s)	Commercial (mixed use) and multi-family apartments	
Lots (# and type; bldg./common)	8 buildable lots (2 multi-family & 6 commercial)/0 common lots	
Phasing Plan (# of phases)	1 phase (plat); 2 phases (CUP)	
Number of Residential Units (type of units)	396 multi-family apartment units	
Physical Features (waterways, hazards, flood plain, hillside)	The Ridenbaugh Canal runs along the east boundary of the site.	
Neighborhood meeting date; # of attendees:	3/3/21 – 6 attendees; and 9/1/21 – 7 attendees	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Pg
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p> <p>A Traffic Impact Study (TIS) was submitted.</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One access is proposed via S. Rolling Hill Dr. from E. Overland Rd. to the south; and two driveways will provide access from the commercial development to the west via S. Silverstone Way from E. Overland Rd. (a signalized intersection exists at Silverstone/Overland)	
Traffic Level of Service	All road segments are projected to meet ACHD's acceptable level of service (LOS) thresholds for a 5-lanes principal arterial road under all conditions, except for during the PM peak hour for the segment of Overland Road between Eagle Road and Silverstone Way and Rolling Hill Drive under the 2023 total traffic conditions.	
Stub Street/Interconnectivity/Cross Access	Two (2) driveways will be extended into the site from the west boundary. S. Rolling Hill Dr. will stub at the southern boundary of the site.	
Existing Road Network	S. Rolling Hill Dr., a local street, extends from the south from Overland Rd. to the north boundary of the site.	
Existing Arterial Sidewalks / Buffers	There are no existing arterial streets on or abutting this site.	
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> The intersection of Overland Road and Eagle Road is scheduled in the CIP to be widened to 7-lanes on the north and south legs, and 8-lanes on the east and west legs, and reconstructed/signalized in the future. The design year is listed as 2025 in the IFYWP and the is listed to be improved between 2031 and 2035 Overland Road is listed in the CIP to be widened to 7-lanes from Eagle Road to Cloverdale Road between 2036 and 2040 and is listed as unfunded. The intersection of Cloverdale Road and Overland Road is listed in the CIP to be widened to 7-lanes on the north and south legs and 8 lanes on the east and west legs and signalized between 2026 and 2030. 	
West Ada School District		



Description	Details			Pg		
		Enrollment	Capacity	Approved prelim plat parcels per attendance area	Approved MF units per attendance area	Miles (Rev. to School)
• Distance (elem, ms, hs)						
• Capacity of Schools	Pepper Ridge Elementary	542	675	313	360	1.6
	Lewis & Clark Middle School	886	1000	774	1331	2.5
• # of Students Enrolled	Centennial High School	1946	1900	443	1358	4.9
	<u>School of Choice Options</u>					
	Christine Donnell-Arts	489	500	N/A	N/A	5.3
	Spalding Elementary - STEM	657	750	N/A	N/A	1.5
• Predicted # of students generated from proposed development	40 +/-					

Police Service

• Distance to Police Station	2.7 miles	
• Police Response Time	Meets response time goals	
• Calls for Service	3,400 (in RD 'M752') – between 10/16/19 and 10/15/21)	
• % of calls for service split by priority	% of P3 CFS 2.9% % of P2 CFS 76.0% % of P1 CFS 19.9% % of P0 CFS 1.3%	
• Accessibility		
• Specialty/resource needs		
• Crimes	185 (RD – M752 – between 10/16/19 and 10/15/21)	
• Crashes	224 (RD – M752 – between 10/16/19 and 10/15/21)	
• Other	MPD can service this area if approved. For more info, see: https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241580&dbid=0&repo=MeridianCity&cr=1	

Wastewater

• Distance to Sewer Services	Directly adjacent	
• Sewer Shed	Five Mile Trunk Shed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	14.25	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/concerns	• Flow is committed • Do not have a sewer stub to the south on Rolling Hill Dr. These properties will be serviced from Overland Rd.	

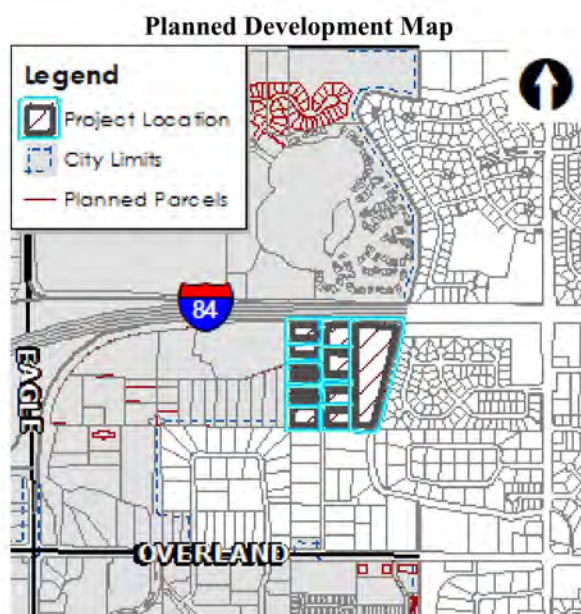
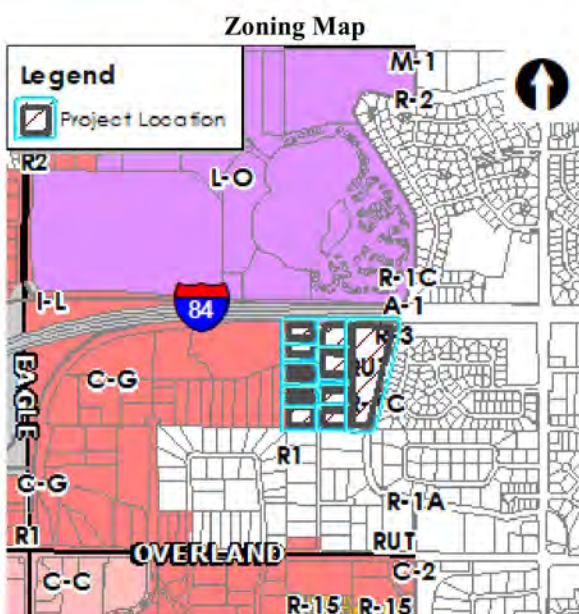
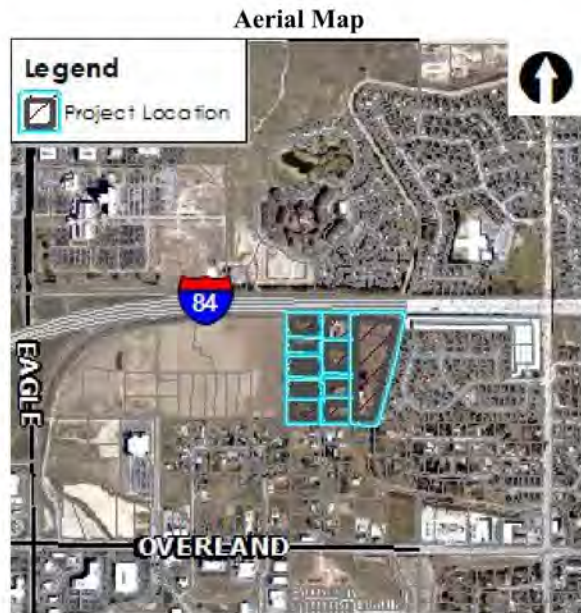
Water

• Distance to Water Services	Directly adjacent	
• Pressure Zone	4	
• Estimated Project Water ERU's	See application	
• Water Quality Concerns	None	
• Project Consistent with Water Master Plan	Yes	



Description	Details	Pg
<ul style="list-style-type: none"> Impacts/Concerns 	The development needs a second connection to water. There are two options to do so; either connect to Overland Rd via S Rolling Hills Dr or connect to the northwest existing 16'' water main.	

C. Project Area Maps



A. Applicant:

Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

B. Owners:

BVA Rolling Hills No. 1, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

C. Representative:

Josh Beach, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	11/16/2021	1/23/2022
Notification mailed to property owners within 300 feet	11/12/2021	1/21/2022
Applicant posted public hearing notice on site	11/22/2021	1/28/2022
Nextdoor posting	11/12/2021	1/21/2022

IV. COMPREHENSIVE PLAN ANALYSIS (*Comprehensive Plan*)

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Mixed Use – Regional (MU-R).

The purpose of the MU-R designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D (pg. 3-17).

The Applicant proposes to develop the site with office (and possibly some secondary retail uses) and multi-family residential uses. The site is located near S. Eagle Rd. and E. Overland Rd., a major arterial intersection, and the Eagle Rd./I-84 interchange. The proposed offices will provide nearby employment opportunities and services for residents in the vicinity. Other commercial uses (offices, entertainment, multi-tenant retail, hotel, etc.) exist to the west in the larger MU-R designated area for a larger mix of uses as desired in MU-R designated areas. Pedestrian walkways are proposed for interconnectivity within the overall area.

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

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”
The proposed development includes office and multi-family residential (i.e. apartments) which will add to the variety of uses planned in the larger MU-R designated area to the west consisting of office, retail, entertainment and hotel uses.
- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”
The proposed multi-family high density development should provide housing options in close proximity to nearby employment uses located along SH-55 and I-84.

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

A conceptual development plan was submitted with the proposed annexation application for the subject property that's located within the MU-R designation. A Development Agreement that ties future development to this plan and the general guidelines for mixed use developments and specifically the MU-R designation is recommended as a provision of annexation.

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

The conceptual development plan depicts a common area between the two office buildings that appears to meet this guideline; more details should be submitted on a site plan submitted for development of these buildings that comply with this guideline.

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

Multi-family residential uses are proposed on the southern portion of the site adjacent to existing rural residential properties as a transition and buffer to commercial office uses on the northern portion of the site. A 25-foot wide landscaped buffer with dense landscaping is also required in the C-G zoning district along the southern boundary of the site to residential uses. Staff also recommends a 6-foot tall sight obscuring fence is constructed along the southern boundary of the site as an added buffer to adjacent rural residential properties.

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

No such uses are specifically proposed in this development – the tenants of the office buildings are unknown at this time; however, St. Luke’s hospital and medical offices are less than a mile away to the northwest of this site.

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

An outdoor gathering area is depicted on the conceptual development plan between the two office buildings on the northern portion of the site. Details should be submitted with development of these buildings that demonstrate compliance with this guideline.

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

The proposed conceptual development plan depicts a plaza/gathering area between the two office buildings on the northern portion of the site. A pedestrian circulation network, which will connect to the larger 90-acre Eagle View/Rackham development to the west, is proposed around the perimeter of the overall development as well as throughout the site that provide pedestrian connections to the multi-family development, office, retail, restaurant and hospitality uses within the development.

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

The proposed development is directly accessible to residents in Rolling Hill Subdivision to the south by vehicle via S. Rolling Hill Dr. There are no pedestrian pathway stubs to this site from the adjacent residential development. S. Rolling Hill Dr. is currently a substandard street and lacks pedestrian facilities; ACHD ~~is requiring~~ may require off-site improvements with this application consisting of a sidewalk along one side of Rolling Hill and possibly pavement widening if access via Rolling Hills isn't restricted to emergency access only.

The Ridenbaugh Canal provides a barrier between the subject property and the residential development to the east; no vehicular or pedestrian connections exist across the canal to this site.

Staff recommends pathway stubs are provided at the southern boundary of the site near the west and east boundaries of the site for future extension upon redevelopment of the properties to the south for pedestrian connectivity with adjacent developments.

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

A 25-foot wide densely landscaped buffer and a driveway is proposed along the southern boundary of the site as a transition and buffer between existing rural residential properties and the proposed high-density multi-family residential development.

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

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

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

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

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

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

The total development area consists of 29.7 acres; the multi-family residential portion consists of 15.94 acres, which is 53% of the site in accord with this guideline. Multi-family apartments are proposed at a gross density of 24.8 units/acre, which falls within the desired density range.

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

A mix of non-residential commercial uses will be provided on 47% of the development area in accord with this guideline. Retail uses are expected to comprise only a small portion of the development.

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

based on the ratios below:

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

This guideline is not applicable as no public/quasi-public uses are proposed in the MU-R designated area on this site.

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 commercial uses should be compatible with existing and future commercial uses to the west and the proposed residential apartments should be compatible with existing residential uses to the south.

- “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 mix of residential and office uses will provide opportunities to live and work in close proximity. The existing and planned office, retail and entertainment uses to the west will provide nearby shopping, work and play opportunities to enhance livability and sustainability.

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

Ancillary retail uses may be provided in the proposed office buildings; no stand-alone retail uses are proposed on the site. However, retail/restaurant uses are anticipated in the multi-tenant building(s) within the development to the west.

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

The conceptual development plan depicts a pathway within the street buffer along I-84. The pedestrian plan included in Section VII.H depicts internal pedestrian walkways throughout

the site for safe and convenient access.

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

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

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

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

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

A 50-foot wide landscaped street buffer is required to be provided along the northern boundary of the site on land that abuts I-84; noise mitigation is not required per UDC 11-3H-4D.

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

Excluding the outparcel (#S1116427890) along the northern boundary of the east portion of the site from the subject annexation and development plan will create a County enclave surrounded by City annexed land, which is not desired. Note: The Applicant is attempting to acquire this parcel.

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

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

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

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

A. Annexation:

The proposed annexation is for 25.76-acres of land with a C-G (General Retail and Service Commercial) zoning district. The proposed use of the property will include multi-family residential apartments and office uses. A multi-family development requires approval of a CUP in the C-G zoning district and is subject to the specific use standards for such listed in UDC [11-4-3-27](#); office uses are principally permitted in the C-G zoning district as are retail uses.

Staff recommended in the pre-application meeting to the Applicant that they request R-40 zoning for the multi-family portion of the development – they did not do so. The proposed use still requires approval of a CUP in the R-40 district; however, the R-40 zoning would more accurately reflect the land uses developed on the site when looking at the City’s zoning map. For this reason, Staff recommends the multi-family portion of the site is zoned R-40 instead of C-G; the remainder of the site should be zoned C-G as requested. With this

change, new legal descriptions and exhibit maps should be submitted prior to the City Council hearing. *Because the R-40 district is less intense than the C-G district, the project does not need to be re-noticed.*

The proposed C-G zoning and recommended R-40 zoning is consistent with the associated MU-R FLUM designation as are the proposed uses.

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

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because this site is part of a larger 90-acre overall development that includes the property to the west, Staff recommends that DA (Inst. #2019-037825 – Rackham) is amended to include this property and the provisions noted in Section VIII.A., To ensure future development is consistent with the Comprehensive Plan and with the development plan proposed with this application, Staff recommends a DA is required with this application, containing the provisions noted in Section VIII.A, as discussed herein.

B. Preliminary Plat:

The proposed plat is a re-subdivision of Lots 18 and 19, Block 1, Rackham Subdivision No. 1 and Lots 8-12, Block 2 and Lots 13-16, Block 1, Rolling Hill Subdivision. The proposed plat consists of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land and is proposed to be developed in one phase. *Note: The Applicant anticipates that many of the commercial lots will be consolidated or realigned at the time of final plat as users determine precise site area requirements.*

Staff recommends the property is subdivided prior to application for any building permits for the site; or, the existing PUDI easements and right-of-way for S. Rolling Hill Dr. may be vacated and a property boundary adjustment application approved to consolidate the existing lots into one (1) parcel. Either method should be done prior to submittal of applications for building permits.

Note: There is a 14-foot wide sliver of land (Parcel #S1116427890) that exists to the north of the eastern portion of Lot 6 and Lots 7 and 8 that is not included in the proposed subdivision (see preliminary plat exhibit in Section VII.B). It appears to previously have been part of the right-of-way (ROW) for I-84 that was sold off as surplus ROW. It was not included as part of the adjacent building lots in the Rolling Hill Subdivision plat in 1968; therefore, Staff determines it to be an original parcel of record as defined in UDC 11-1A-1. As such, the subject property is deemed to be eligible for development without that parcel. However, Staff strongly urges the Applicant pursue obtaining the parcel and include it in this development; otherwise, there will be an undeveloped enclave with County zoning surrounded by City annexed land with no access and likely no maintenance of the property. Ideally, it would be included in the subject annexation and preliminary plat application, which would require re-noticing and a continuance of the hearing – Staff has suggested this to the Applicant but they wish to proceed without it as they continue trying to acquire the property. Since it is not included with this application, the applicant will have to submit a subsequent AZ application to the City for review and approval.

Existing Structures/Site Improvements:

There are no existing structures on this site; the previous homes and accessory structures have been removed.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the C-G and R-40 zoning districts in UDC Tables [11-2B-3](#) and [11-2A-8](#).

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.

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

Access to the site exists via S. Rolling Hill Dr., a local public street that currently extends from E. Overland Rd. to the south and runs through this site to the north boundary; this street will ultimately stub at the south boundary and may be restricted to emergency access only. **The portion of Rolling Hill north of the southern boundary of the site is required to be vacated prior to signature on the final plat.**

Rolling Hills Dr. is not improved to urban standards (i.e. it's narrow, lacks street lights and doesn't have curb, gutter or sidewalk). Two (2) driveway accesses are proposed to be extended from the commercial property to the west for access via S. Silverstone Way from E. Overland Rd. ACHD has requested the Applicant submit an updated analysis to Staff for the intersection of Silverstone Way/Overland Rd. to see if the intersection can handle all of the traffic for this development if Rolling Hill Dr. is restricted to emergency access only. If so, ACHD will not require additional off-site improvements to Rolling Hill Dr. Cross-access/ingress-egress easements should be provided between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC [11-3A-3A.2](#).

Road Improvements: The intersection of Overland Rd. & Eagle Rd. is scheduled in the CIP to be widened to 7-lanes on the north and south legs, and 8-lanes on the east & west legs, and reconstructed/signalized in the future. The design year is listed as 2025 in the IFYWP and is listed to be improved between 2031 and 2035. Overland Rd. is listed in the CIP to be widened to 7-lanes from Eagle Rd. to Cloverdale Rd. between 2036 and 2040 and is listed as unfunded. The intersection of Cloverdale Rd. & Overland Rd. is listed in the CIP to be widened to 7-lanes on the north & south legs and 8-lanes on the east & west legs and signalized between 2026 and 2030.

If Rolling Hill Dr. isn't restricted to emergency access only, ACHD is requiring will likely require the following improvements for Rolling Hill Dr.: restriction to right-in/right-out only; construction of passive traffic calming measures; improvement with 24-feet of pavement, 3-foot wide gravel shoulders and a 6-foot wide concrete sidewalk on one side of the street within existing right-of-way; and construction of a mini roundabout at the terminus. The segment of Rolling Hill Dr. within the site is required to be vacated. See ACHD's staff report in Section VIII.I for more information.

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

There are no pathways depicted on the Pathways Master Plan for this site. **Staff recommends internal pedestrian walkways are provided throughout the site for interconnectivity; where pedestrian walkways cross vehicular use areas they should be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4.**

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

There are no public streets proposed within this site; therefore, sidewalks are not required. Sidewalks are not required along I-84; however, a pathway is proposed within the buffer. **ACHD is requiring a sidewalk to be constructed off-site along one side of S. Rolling Hill Dr. with development of this site.**

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

A 50-foot wide street buffer is required on Lots 3-6 along the north boundary of the site adjacent to I-84 per UDC [Table 11-2B-3](#), landscaped per the standards listed in UDC [11-3B-7C](#). The buffer depicted on the landscape plan complies with this standard. The street buffer is required to be maintained by the property owner or business owners' association per UDC [11-3B-7C.2b](#) and should be depicted on the plat in a common lot or permanent dedicated buffer.

Landscaping is required adjacent to the pathway proposed along the northern boundary of the site in accord with the standards listed in UDC [11-3B-12C](#). **A 5-foot wide landscape strip is required on both sides of the pathway planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover.**

Storm Drainage:

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

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

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

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

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21. **Staff recommends street lights are installed along S. Rolling Hill Dr. in accord with the City's adopted standards, specifications and ordinances in accord with UDC [11-3A-21](#).**

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

The Ridenbaugh Canal is a large open waterway that lies within a 100-foot wide NMID easement (50 feet on each side) along the east boundary of the site. **The Applicant requests approval from City Council of a waiver to UDC 11-3A-6B, which requires canals to be piped when not used as a water amenity or linear open space as defined in UDC 11-1A-1, to leave the canal open due to its large capacity. Council may grant a waiver if it finds that the public purpose requiring such will not be served and public safety can be preserved.** In order to ensure public safety can be preserved if the canal is approved to be left open, the Applicant proposes to construct a 6-foot tall open vision (wrought iron) fence along the eastern boundary of the site at the edge of the irrigation easement.

This project is not within the flood plain.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is not depicted on the landscape plan; however, a 6-foot tall open vision wrought iron fence is proposed along the Ridenbaugh Canal to preserve public safety if Council approves a waiver to allow it to remain open and not be piped.

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

Conceptual building elevations were submitted for the future 5-story office buildings, 4-story multi-family residential buildings, leasing and fitness buildings as shown in Section VII.I. **Final design must comply with the design standards in the Architectural Standards Manual.**

C. **Conditional Use Permit (CUP):**

A CUP is requested for a multi-family development consisting of 396-units in four (4) 4-story buildings on 15.94 acres of land in the proposed C-G zoning district. Unit types consist of 48 studio, 196 1-bedroom and 152 2-bedroom units. The proposed gross density of the development is 24.8 units per acre, which is consistent with that desired in MU-R designated areas. *Note: Staff is recommending R-40 zoning, instead of C-G, for the multi-family residential portion of the development.*

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. *Staff is unable to determine if the buildings depicted on the concept plan meet the minimum setback standard. The site plan submitted with the Certificate of Zoning Compliance application should clearly depict the property lines in order to determine compliance with this standard.*
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.

Alternative Compliance is requested to this standard to allow zero (0) for studio units (0% of the standard), 54-60 square feet (s.f.) for 1-bedroom units (67.5%-75% of the standard) and 58-85 s.f. for 2-bedroom units (68%-106% of the standard). The Applicant’s justification for the request is that the extraordinary site amenities proposed coupled with innovative, new urban design with an emphasis on integrated, internal open space, facilities, form the basis of the request in lieu of the standard. The Director is of the opinion that the requested reduction is too much for this site. As an alternative, the Director approves a 20% reduction (i.e. 64 square feet) for the reasons offered by the Applicant as justification for the reduction.

The Applicant requests City Council review ([CR-2022-0001](#)) of the Director’s decision in this matter as they feel their request is warranted based on, “the extraordinary site amenities that are proposed for the site, the unit type and mix, and the innovative and integrated design of the internal open space.” City Council should make a determination on this request with the subject CUP application. If the action of the Director is upheld, the City Council’s decision should state the reasons for the decision as set forth in UDC [11-5A-7D.1b](#).

4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant should comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *The proposed parking meets and exceeds UDC standards (see parking analysis below).*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

These items should be depicted on the site plan submitted with the Certificate of Zoning Compliance application.

C. Common Open Space Design Requirements:

1. A minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *All units contain more than 500 square feet of living area.*
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *All 396 units contain between 500 and 1,200 square feet of living area.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *None of the units exceed 1,200 square feet of living area.*

At a minimum, a total of 99,000 s.f. (or 2.27 acres) of outdoor common open space is required to be provided in the proposed development. A total of 3.49 acres is proposed consisting of street/driveway buffers, area around leasing building, landscaped areas in parking lot and amenity areas, in excess of the minimum requirement as shown on the exhibit in Section VII.G.

2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *All of the common open space areas depicted on the open space exhibit in Section VII.G meet this requirement.*
3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *This project is proposed to develop in two phases. The first phase will consist of the west two buildings along with their associated garages and carports, the west courtyard amenities, the leasing office and the fitness building. The second phase will consist of the*

east two residential buildings along with their associated garages and carports, and the east courtyard amenities (see phasing plan in Section VII.E).

4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *None of the common open space areas are located adjacent to a collector or arterial street.*
- D. Site Development Amenities:
1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - b. Open space:
 - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
 - (2) Community garden.
 - (3) Ponds or water features.
 - (4) Plaza.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 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)

Based on 396-units, a minimum of 5 amenities are required but the decision-making body is authorized to consider additional similar amenities if they believe the proposed amenities aren't adequate for the size of the development.

Amenities are proposed from each of the three categories in excess of the minimum standards (see list and exhibit in Section VII.G). Amenities include several outdoor sport courts/games (snook ball, cornhole boards, bocce ball, ping pong table, volleyball), open grassy areas at least 50' x 100' in size, walking trails, a swimming pool, a clubhouse with a fitness facility, kitchen and lounge, shade structures with seating and outdoor seating around a fire table.

E. Landscaping Requirements:

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

The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping on all elevations facing the private drives in accord with these standards.

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

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

Street buffer landscaping is required to be provided with the subdivision improvements as noted above in Section V.B.

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

A minimum 25-foot wide buffer to residential uses is required with development along the southern boundary of the site per UDC Table 11-2B-3, landscaped per the standards in UDC 11-3B-9C, which requires a mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover. **The buffer depicted on the landscape plan needs to be widened and additional landscaping depicted in accord with these standards.**

Parking: Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). The UDC standards applicable to this application do not include minimum parking standards for studio units; the code has since been updated (on 10/5/21) to require one (1) space per studio unit. The Applicant has requested alternative compliance to allow the parking standards for vertically integrated residential to apply. Because one (1) space is

required for vertically integrated residential uses, which is the same as the current code for studio units, the Director finds this request acceptable and grants the request.

Based on 48 studio, 196 1-bedroom units and 152 2-bedroom units, a minimum of ~~570~~ 646 off-street spaces are required with ~~396~~ 348 of those being in a covered carport or garage. Off-street parking is required for the clubhouse as set forth in UDC 11-3C-6B.1 for non-residential uses. Based on 6,952 square feet, a minimum of 14 spaces are required to be provided. Overall, a *minimum* of ~~584~~ 660 standard parking spaces are required.

A total of ~~651~~ 651 off-street spaces are proposed on-site with ~~391~~ 398 of those being covered in garages (88 90)/carports (303 308); another 20 on-street spaces are proposed on the updated site plan along the future private street along the north boundary – these spaces can serve as guest parking but do not count toward the “off-street” parking requirement, ~~which includes compact spaces; compact stalls are discouraged but may be used for parking above the number of required parking spaces.~~ **Additional parking (5 spaces) should be provided to meet the minimum standards; the site/landscape plan submitted with the Certificate of Zoning Compliance application should be revised to reflect compliance.** *Note: The calculations on the landscape plan state 651 spaces are proposed, which differs from that on the site plan.*

Bicycle parking is required per the standards listed in UDC [11-3C-6G](#) and should comply with the standards listed in UDC [11-3C-5C](#). **Based on 651 spaces, a minimum of 26 spaces are required. Bike racks should be provided in central locations for each building.**

Alternative Compliance (ALT) is also requested to UDC 11-3A-19B.3, which requires no more than 50% of the total off-street parking area for the site to be located between building facades and abutting streets, to be allowed due the site design which enhances usable site amenities by placing them internal to the development with parking mostly on the periphery of the site. Because the parking areas on the east and west sides of the site are screened by garages and there is only one drive aisle with parking on each side on the north and south sides of the site and internal parking between the structures, leaving less than 50% of the off-street parking visible from the abutting street/driveway. Staff is of the opinion the site design complies with UDC standards without approval of ALT.

Fencing: No fencing is depicted on the landscape plan for this development. A 6-foot tall open vision wrought iron fence is proposed along the Ridenbaugh canal to preserve public safety if Council approves a waiver to allow the canal to remain open and not be piped.

As an added buffer to the two adjacent rural residential properties to the south in Rolling Hill Subdivision, Staff recommends a 6-foot tall sight obscuring fence or wall is constructed along the southern boundary of the site.

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

Conceptual building elevations were submitted for the proposed 4-story multi-family residential buildings, leasing and fitness buildings as shown in Section VII.I. Final design must comply with the design standards in the Architectural Standards Manual. **A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.**

VI. DECISION

A. Staff:

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

- B. The Meridian Planning & Zoning Commission heard these items on December 2, 2021 and January 6, 2022. At the public hearing on January 6th, the Commission moved to recommend approval of the subject AZ, PP and CUP requests.
1. Summary of Commission public hearing:
 - a. In favor: Jon Wardle, Brighton Corp. (Applicant's Representative); Geoffrey Wardle
 - b. In opposition: None
 - c. Commenting: Alicia Eastman, Mike Blowers, Amy Wattles, Chris Majorca, Lynette Adsitt, Matt Adsitt, Chris Maiocca, Pam Haynes
 - d. Written testimony: Pam Haynes
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Bill Parsons
 2. Key issue(s) of public testimony:
 - a. Concern pertaining to high volume of traffic this project will generate on S. Rolling Hill Dr. (commercial traffic through a residential neighborhood) – request for bollards to be installed at the terminus of Rolling Hill Dr. at the southern boundary of this site that would block off traffic but that would provide emergency access to the site;
 - b. Concern pertaining to construction traffic using S. Rolling Hill Dr. to access the site;
 - c. Against proposed development due to loss of current lifestyle (livestock and effects to them from noise and traffic);
 - d. The Applicant committed to limiting construction traffic via S. Rolling Hill Dr. and making Silverstone Way the primary access;
 - e. Concern pertaining to location of wells along Rolling Hill Dr. and impact on such if improvements to Rolling Hill Dr. are required.
 3. Key issue(s) of discussion by Commission:
 - a. Concern pertaining to generation of traffic from this development on S. Rolling Hill Dr. and lack of urban improvements on Rolling Hill Dr.; possibility of restricting public access for the site via S. Rolling Hill Dr. for the development;
 - b. Desire for the sliver of land along the northern boundary of the site (Parcel #S1116427890) to be included in the annexation and preliminary plat boundary so as not to create an enclave surrounded by City annexed land and an access easement to be provided to that property for maintenance purposes;
 - c. Need for additional off-street parking to be provided on the site in accord with UDC standards and possibility of a shared parking agreement with the adjacent property to the north as an alternative to on-site parking;
 4. Commission change(s) to Staff recommendation:
 - a. Include a condition for construction traffic for the proposed development to access the site from the west via Silverstone Way rather than from S. Rolling Hill Dr. as committed to by the Applicant (see condition #VIII.A.1h);
 - b. Requirement for the Applicant to submit a copy of the purchase agreement for the out-parcel at the north boundary in lieu of granting an access easement to that property (see condition #VIII.A.2a).
 5. Outstanding issue(s) for City Council:
 - a. The Commission requested the study of the Overland/Silverstone intersection with respect to sole access to the site from Silverstone be completed and reviewed by ACHD prior to the City Council hearing. This was completed and reviewed by ACHD with the following findings: The analysis and original study show that the intersection will operate exceeding level of service thresholds with & without the additional traffic from this development. ACHD is supportive of restricting Rolling Hill Dr. to emergency access only with this development since this intersection mainly serves the Rackham/ICCU development, this development is part of the overall Rackham

development area and the applicant understands the impacts of this additional traffic. Currently, there is not enough existing right-of-way at Silverstone Way/Overland Road intersection for additional improvements.

- b. The Applicant requests a new DA is required with the proposed annexation rather than an amendment to the existing DA as recommended initially – Staff is amenable to this request.
 - c. The Applicant submitted a request for City Council review of the Director’s decision on the request for alternative compliance to the private usable open space standards listed in UDC 11-4-3-27B.3.
 - d. A waiver to UDC 11-3A-6B is requested to allow the Ridenbaugh Canal along the east boundary of the site to remain open and not be piped. A 6-foot tall open vision wrought iron fence is proposed along the canal to preserve public safety.
- C. The Meridian City Council heard these items on February 8, 2022. At the public hearing, the Council moved to approve the subject AZ, PP, CUP and CR requests.
1. Summary of the City Council public hearing:
 - a. In favor: Jon Wardle, Brighton Corp. (Applicant’s Representative)
 - b. In opposition: None
 - c. Commenting: Michael Blowers, Amy Wattles, Pam Haynes
 - d. Written testimony: Chris Maiocca, Michael Blowers
 - e. Staff presenting application: Caleb Hood
 - f. Other Staff commenting on application: None
 2. Key issue(s) of public testimony:
 - a. Request for Rolling Hill Dr. to be used as an emergency access only for the development;
 - b. Ongoing issues with construction traffic using Rolling Hill Dr.;
 - c. Concern with where the cul-de-sac planned at the end of Rolling Hill Dr. will be placed and doesn’t want traffic turning around in her driveway (Pam Haynes);
 - d. Applicant committed to closing Rolling Hill Dr. access to the site as soon as possible.
 3. Key issue(s) of discussion by City Council:
 - a. The Applicant’s request for City Council review of the Director’s decision in regard to the private usable open space required by UDC 11-4-3-27B.3;
 - b. Adequacy of transition in uses between proposed development and existing rural residential uses;
 - c. Annexation of the out-parcel into the City once it’s acquired by the developer and setting a time limit of one (1) year in which it should be annexed;
 - d. Annexation of the multi-family portion of the development with R-40 rather than C-G zoning as recommended by Staff and agreed upon by the Applicant;
 - e. Integration of uses and pedestrian connectivity within the development and the great expanse of parking between the multi-family and office uses;
 - f. Long-term planning in regard to emergency access only to the site via Rolling Hill Dr. and when/if it would be re-opened for public access if properties to the south begin redeveloping;
 - g. Concern pertaining to the high volume of traffic on Silverstone that will be generated from this development and traffic backing up at the signal if it’s the only access for the site;
 - h. Concern if Rolling Hill Dr. is closed for public access to the site, how it will get re-opened at some point in the future;
 - i. Shortage of on-site parking for the multi-family development; availability of overflow parking in the office-portion of the development;

- i. Desire for a parking garage to be provided within the commercial portion of the development;
- k. Impact of proposed development on area schools – Council not very concerned.
- 4. City Council change(s) to Commission recommendation:
 - a. The Council approved a waiver to allow the Ridenbaugh canal to remain open & not be piped with construction of a 6' tall open vision wrought iron fence along the canal to preserve public safety;
 - b. The Council approved the Applicant's request for City Council review of the Director's decision pertaining to the private usable open space to allow the amount originally requested;
 - c. At Staff's request, Council required the Applicant to enter into a new DA for the project rather than amend the existing DA as originally required;
 - d. Council required a DA provision requiring the out-parcel sliver of land along the northern boundary of the site to be annexed within one (1) year of recordation of the DA (the western C-G zoned portion of the multi-family development should be rezoned to R-40 at the same time);
 - e. Council required Rolling Hill Dr. to be used as emergency access only for the site and be closed for public access to the site as committed to and presented;
 - f. Council approved the proposed parking without requiring additional spaces to be provided.

VII. EXHIBITS

A. Annexation Legal Description & Exhibit Map



February 8, 2022
Project No. 20-219

Exhibit A
Legal Description for Annexation
Eagle View Landing

A parcel of land being Lots 13 through 16, Block 1, Lots 8 through 12, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho) and unplatted land situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a brass cap marking the South 1/4 corner of said Section 16, thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 227.22 feet to a 5/8-inch rebar on the southerly right-of-way line of Interstate 84 and being the POINT OF BEGINNING.

Thence leaving said westerly line and following said southerly right-of-way line, S89°34'32"E a distance of 672.76 feet;

Thence leaving said southerly right-of-way line, S00°00'07"E a distance of 14.37 feet;

Thence S89°15'23"E a distance of 478.72 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 of Plats at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;

Thence following said westerly boundary and said centerline the following two (2) courses:

1. S12°52'54"W a distance of 489.50 feet;
2. S14°05'22"W a distance of 627.49 feet to a 5/8-inch rebar on the southerly line of said Northwest 1/4 of the Southeast 1/4;

Thence leaving said westerly boundary and said centerline and following said southerly line, N89°14'19"W a distance of 887.95 feet to the Southwest corner of said Northwest 1/4 of the Southeast 1/4 (Center-South 1/16 corner);

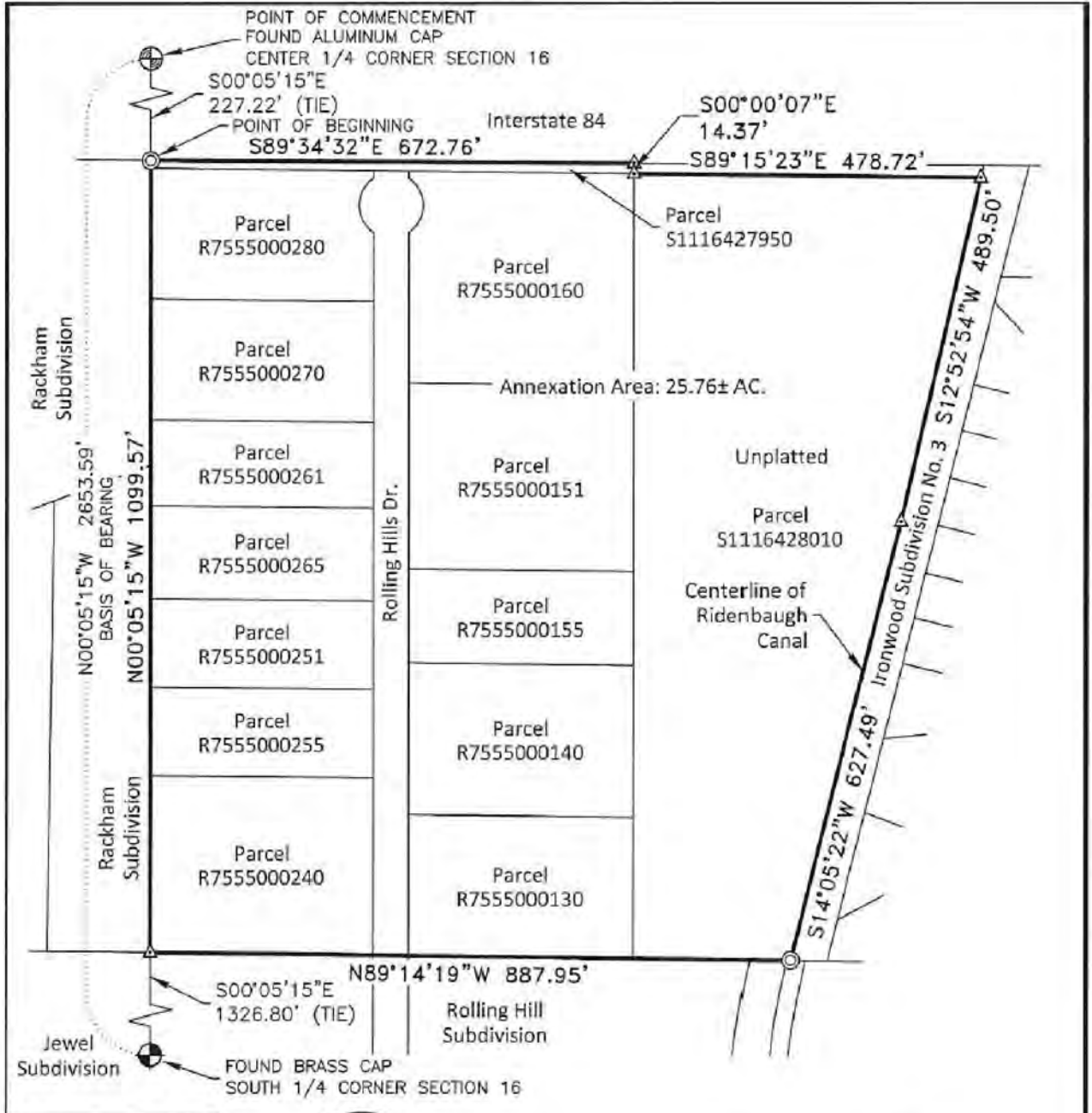
Thence leaving said southerly line and following the westerly line of said Northwest 1/4 of the Southeast 1/4, N00°05'15"W a distance of 1099.57 feet to the POINT OF BEGINNING.

Said parcel contains a total of 25.76 acres, more or less.

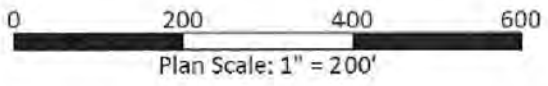
Attached hereto is Exhibit B and by this reference is made a part hereof.



5725 North Discovery Way • Boise, Idaho 83713 • 208.639.6939 • kmengllp.com



km
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5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmenglp.com



DATE:	February 2022
PROJECT:	20-219
SHEET:	1 OF 1

**Exhibit B - Annexation
Eagle View Landing**

Lots 13-16, Block 1, Lots 8-12, Block 2 and unplatted land in a portion of the NW 1/4 of the SE 1/4 of Sec. 16, T3N., R1E., B.M., Ada County, Idaho



February 8, 2022
Project No. 20-219

Exhibit A
Legal Description for Rezone to C-G
Eagle View Landing

A parcel of land being Lot 16, a portion of Lot 15, Block 1, Lots 11 through 12, a portion of Lot 10, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho) and unplatted land situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a brass cap marking the South 1/4 corner of said Section 16, thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 227.22 feet to a 5/8-inch rebar on the southerly right-of-way line of Interstate 84 and being the **POINT OF BEGINNING**.

Thence leaving said westerly line and following said southerly right-of-way line, S89°34'32"E a distance of 672.76 feet;

Thence leaving said southerly right-of-way line, S00°00'07"E a distance of 14.37 feet;

Thence S89°15'23"E a distance of 478.72 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 of Plats at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;

Thence following said westerly boundary and said centerline the following two (2) courses:

1. S12°52'54"W a distance of 489.50 feet;
2. S14°05'22"W a distance of 62.66 feet;

Thence leaving said westerly boundary and said centerline, N89°54'38"W a distance of 619.66 feet;

Thence N89°52'56"W a distance of 239.55 feet;

Thence 153.33 feet along the arc of a curve to the right, said curve having a radius of 339.50 feet, a delta angle of 25°52'36", a chord bearing of N75°27'32"W and a chord distance of 152.03 feet;

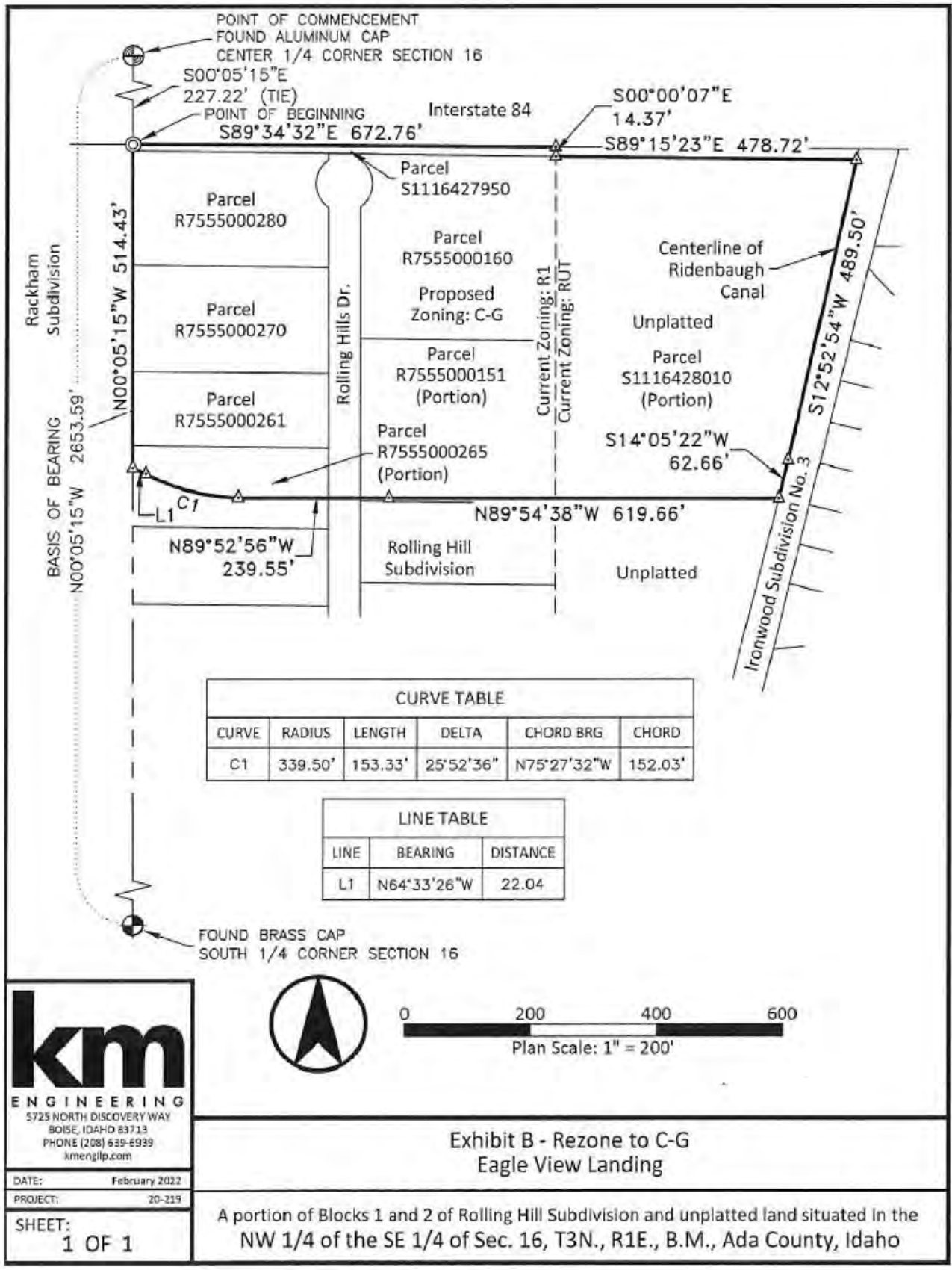
Thence N64°33'26"W a distance of 22.04 feet to the westerly line of said Northwest 1/4 of the Southeast 1/4;

Thence following said westerly line, N00°05'15"W a distance of 514.43 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 13.76 acres, more or less.

Attached hereto is Exhibit B and by this reference is made a part hereof.





km
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5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
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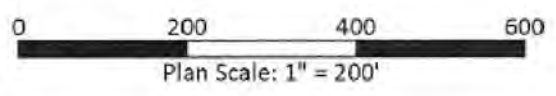


Exhibit B - Rezone to C-G
Eagle View Landing

DATE: February 2022
PROJECT: 20-219
SHEET: 1 OF 1

A portion of Blocks 1 and 2 of Rolling Hill Subdivision and unplatted land situated in the NW 1/4 of the SE 1/4 of Sec. 16, T3N., R1E., B.M., Ada County, Idaho



February 14, 2022
Project No. 20-219A

Exhibit A
Legal Description for Rezone to R-40
Eagle View Apartments

A parcel of land being Lots 13 through 14, a portion of Lot 15, Block 1, Lots 8 through 9, a portion of Lot 10, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho), and unplatted land all situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

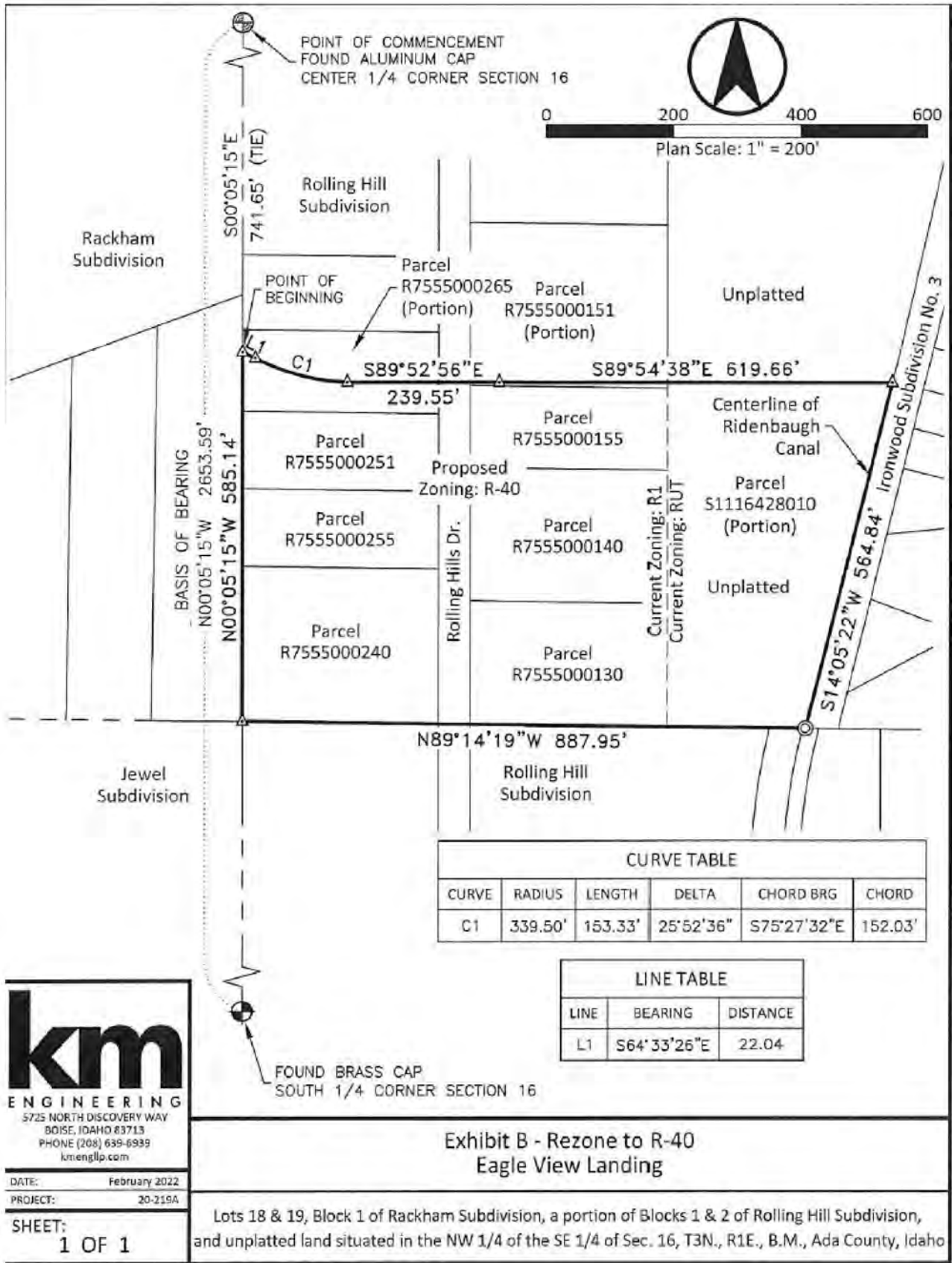
Commencing at an aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a brass cap marking the South 1/4 corner of said Section 16; thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 741.65 feet to the **POINT OF BEGINNING**.

Thence leaving said westerly line, S64°33'26"E a distance of 22.04 feet;
Thence 153.33 feet along the arc of a circular curve to the left, said curve having a radius of 339.50 feet, a delta angle of 25°52'36", a chord bearing of S75°27'32"E, and a chord distance of 152.03 feet;
Thence S89°52'56"E a distance of 239.55 feet;
Thence S89°54'38"E a distance of 619.66 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;
Thence following said westerly boundary and said centerline, S14°05'22"W a distance of 564.84 feet to a found 5/8-inch rebar on the southerly line of said Northwest 1/4 of the Southeast 1/4;
Thence leaving said westerly line and said centerline and following said southerly line, N89°14'19"W a distance of 887.95 feet to the Southwest corner of said Northwest 1/4 of the Southeast 1/4 (Center-South 1/16 corner);
Thence leaving said southerly line and following the westerly line of said Northwest 1/4 of the Southeast 1/4, N00°05'15"W a distance of 585.14 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 12.00 acres, more or less.



Item #11.



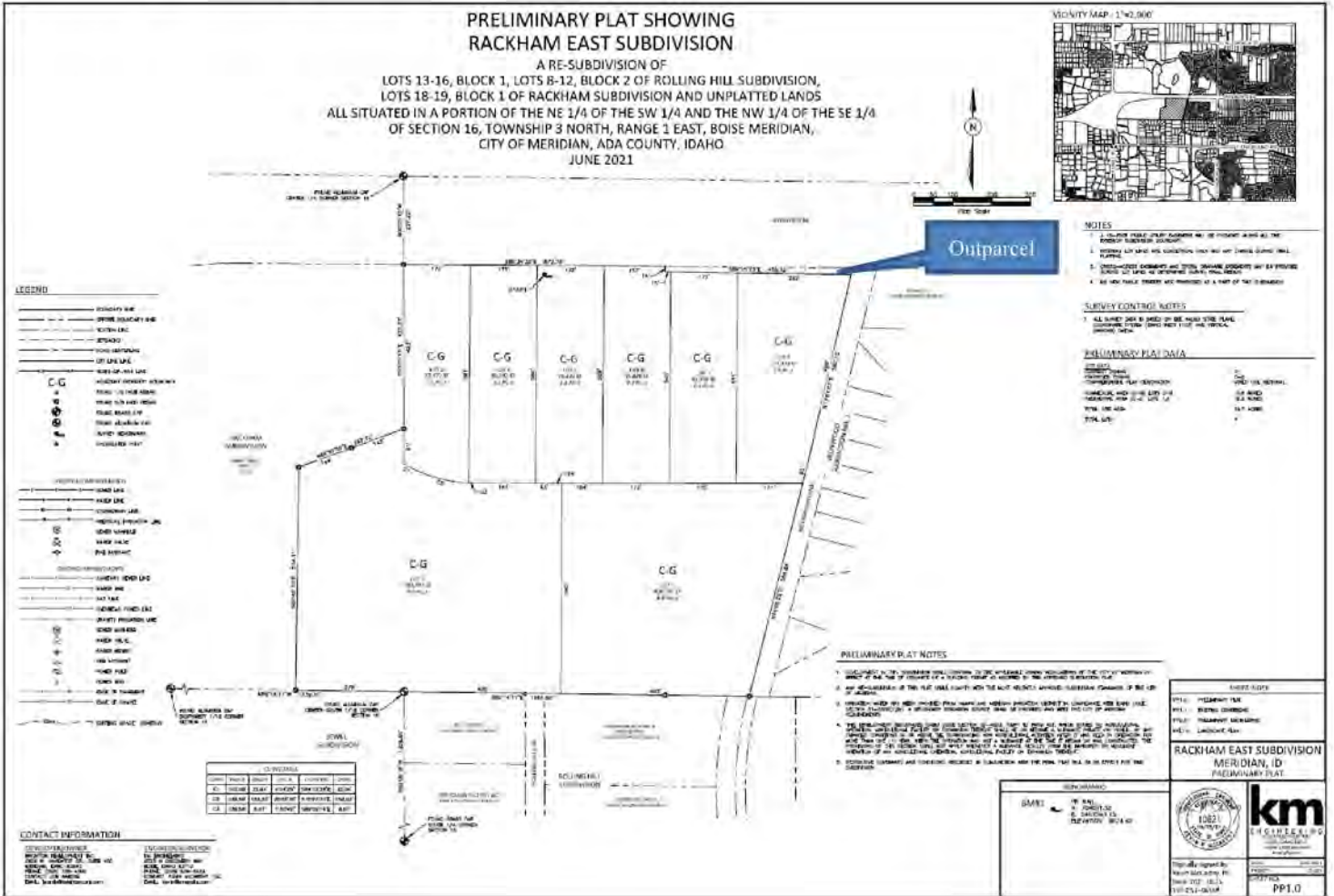
km
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kmengllp.com

DATE: February 2022
PROJECT: 20-219A
SHEET: 1 OF 1

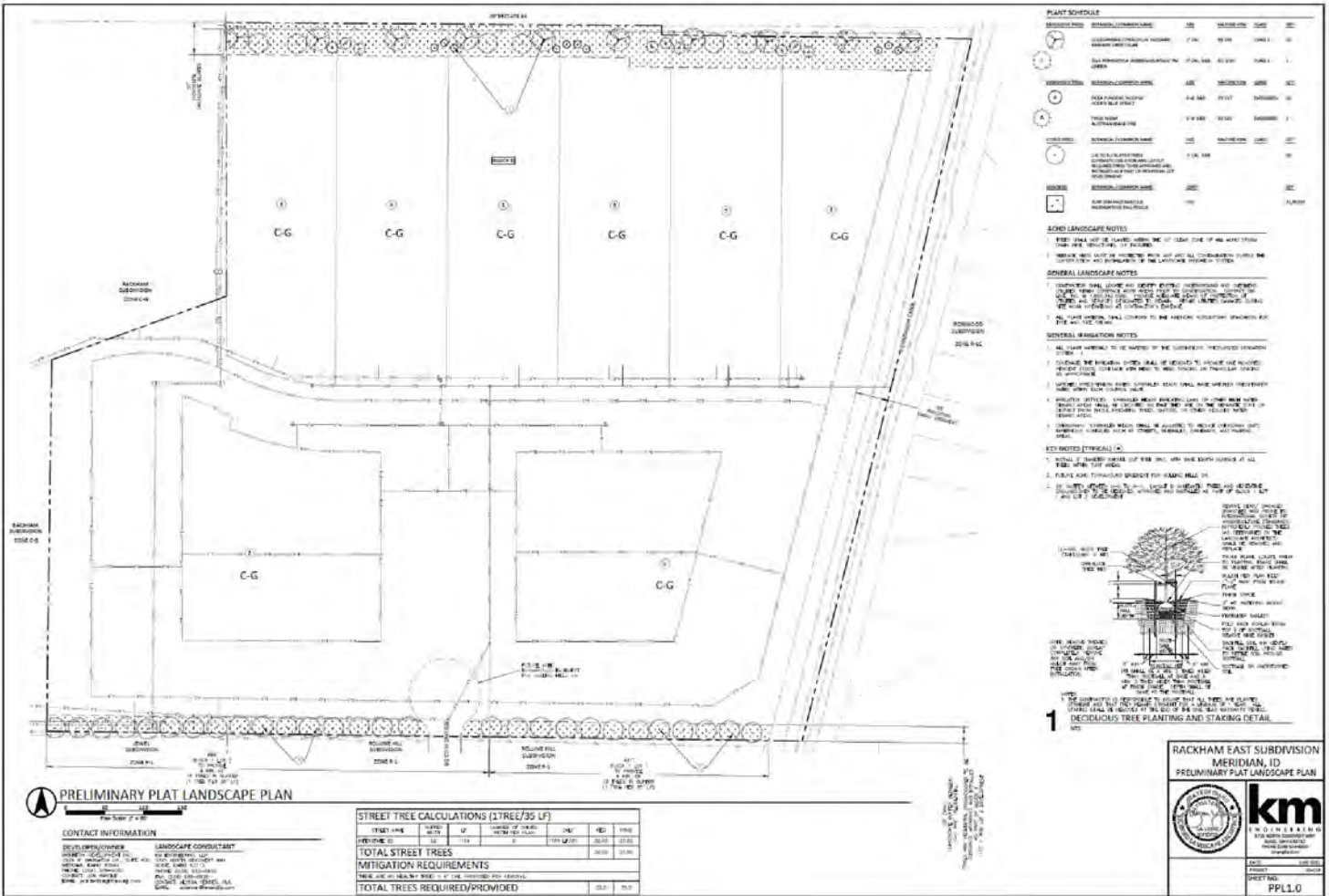
**Exhibit B - Rezone to R-40
Eagle View Landing**

Lots 18 & 19, Block 1 of Rackham Subdivision, a portion of Blocks 1 & 2 of Rolling Hill Subdivision, and unplatted land situated in the NW 1/4 of the SE 1/4 of Sec. 16, T3N., R1E., B.M., Ada County, Idaho

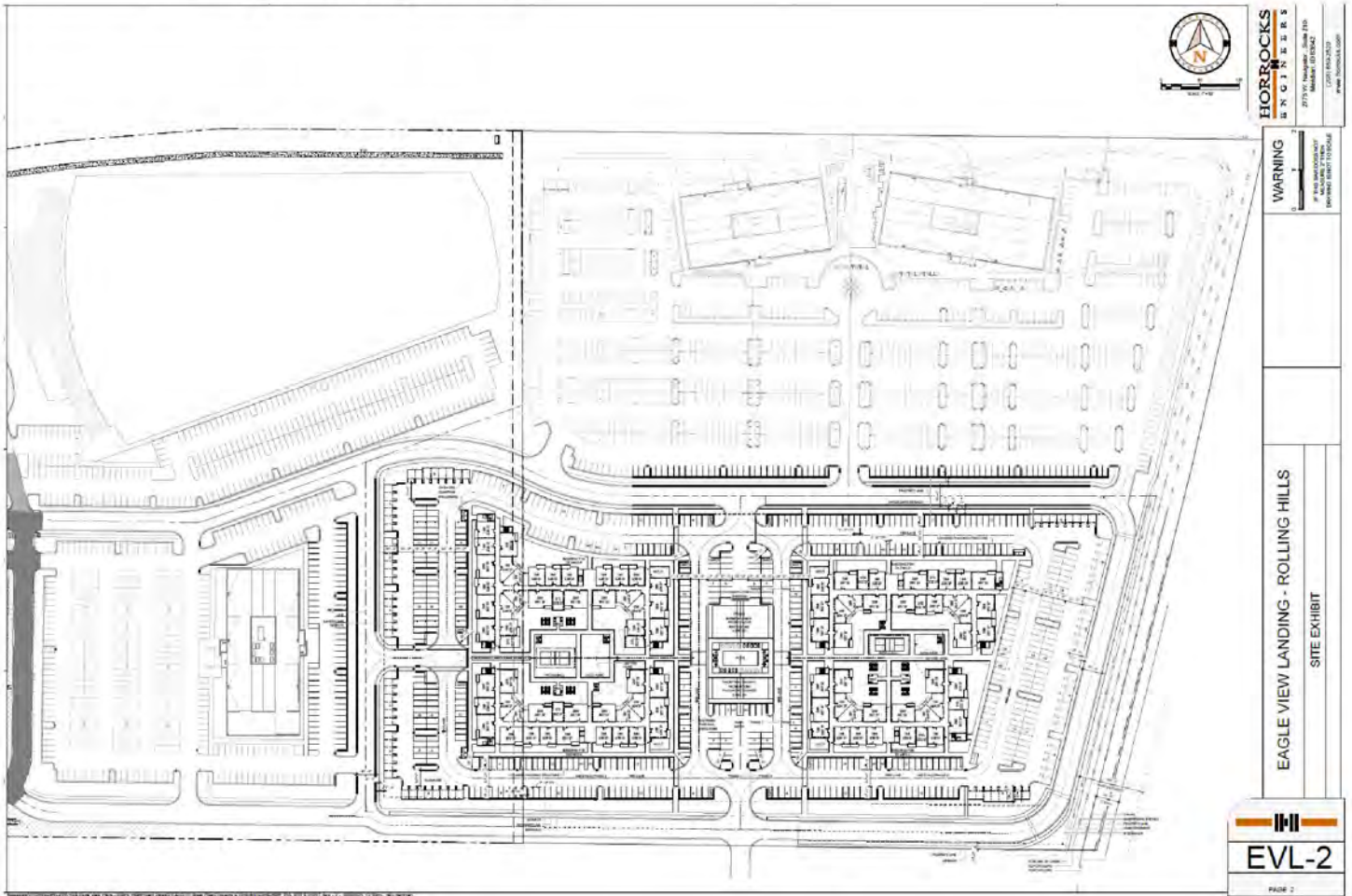
B. Preliminary Plat (date: 10/25/2021)



C. Landscape Plan – Preliminary Plat (date: 10/15/2021)




D. Conceptual Development Plan



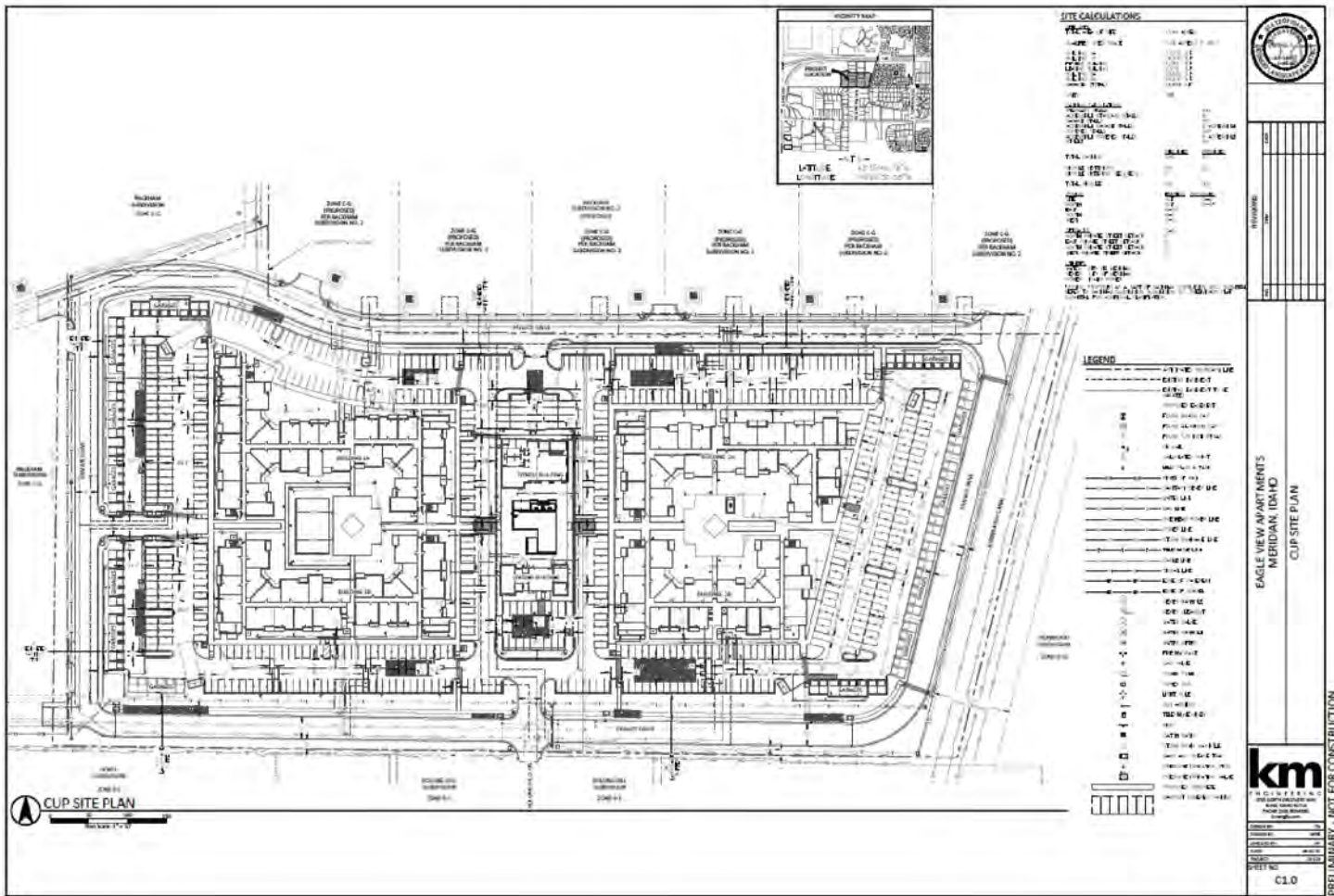
HORROCKS
ENGINEERS
2775 W. WASHINGTON ST.
MILWAUKEE, WI 53227
TEL: 414.224.2322
WWW.HORROCKS.COM

WARNING
THIS PLAN IS PRELIMINARY.
IT IS SUBJECT TO CHANGE.
DO NOT CONSTRUCT.

EAGLE VIEW LANDING - ROLLING HILLS
SITE EXHIBIT

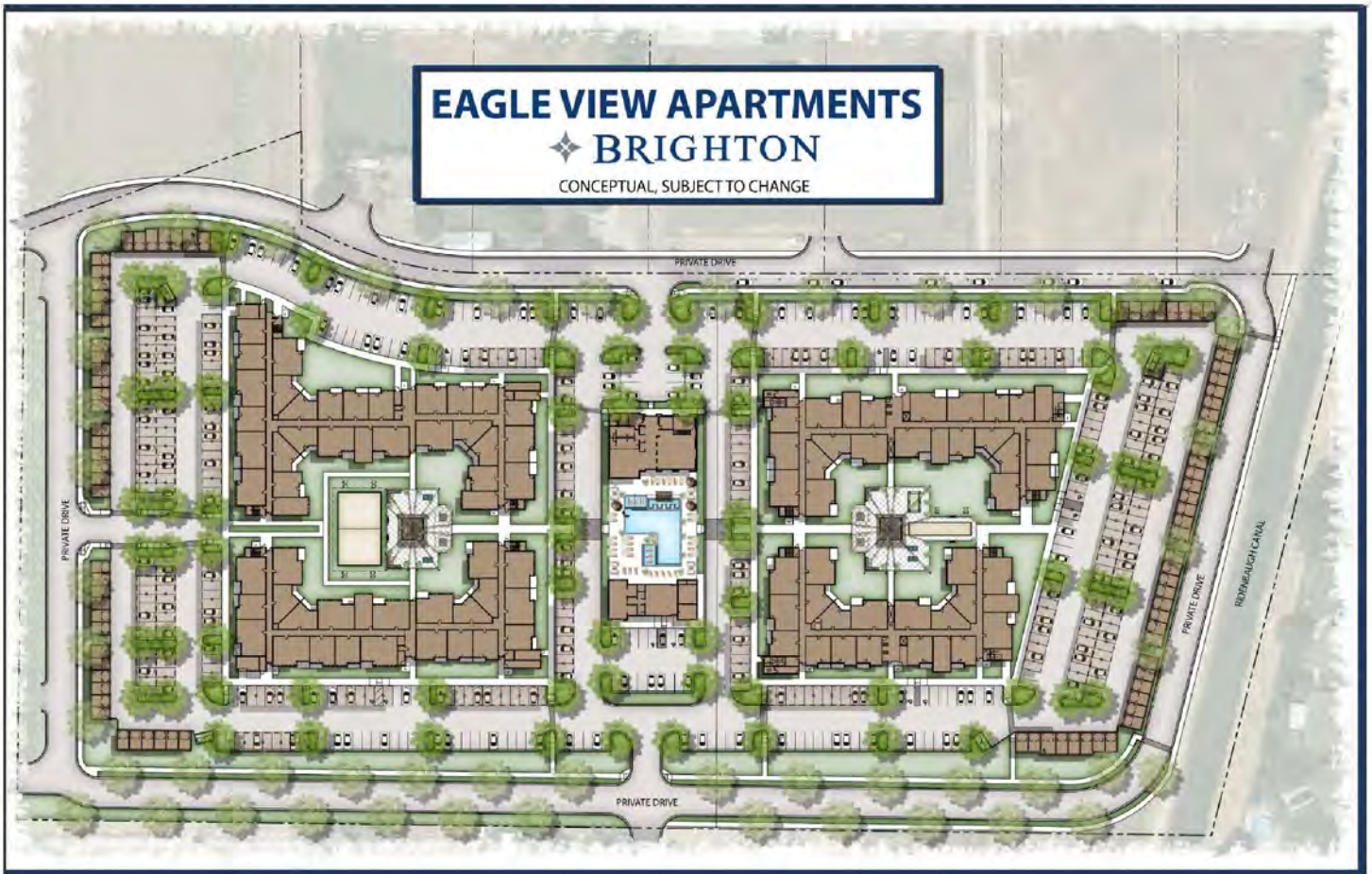
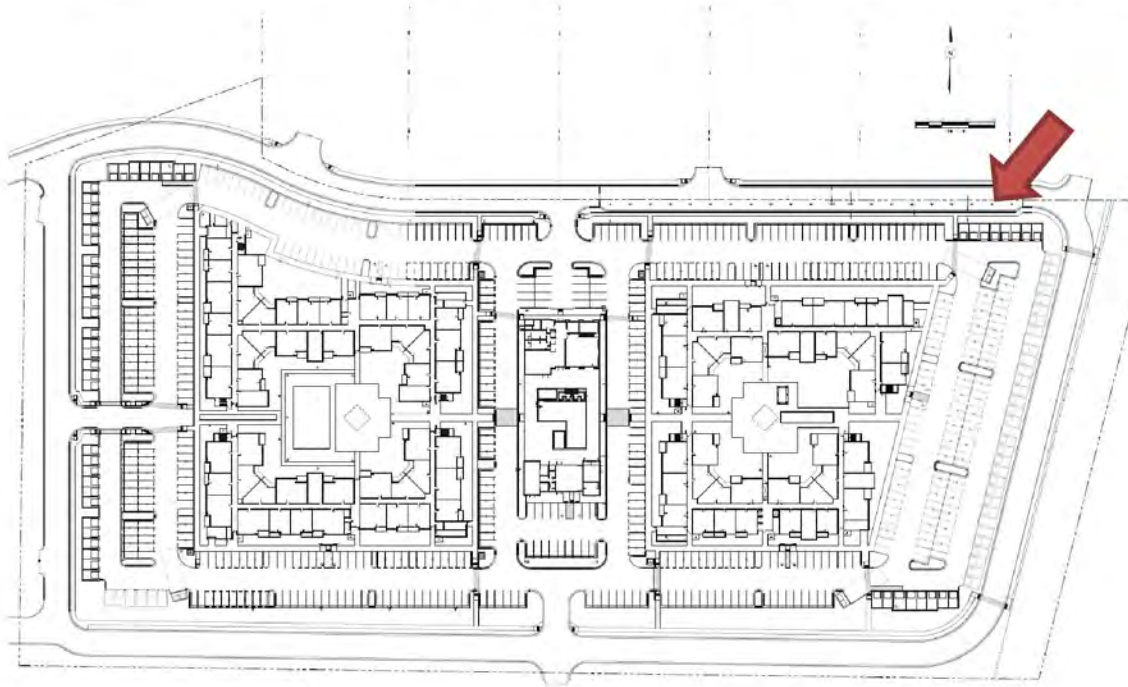

EVL-2
PAGE 2

E. Site Plan – Conditional Use Permit (dated: 6/3/21 1/6/22) & Phasing Plan

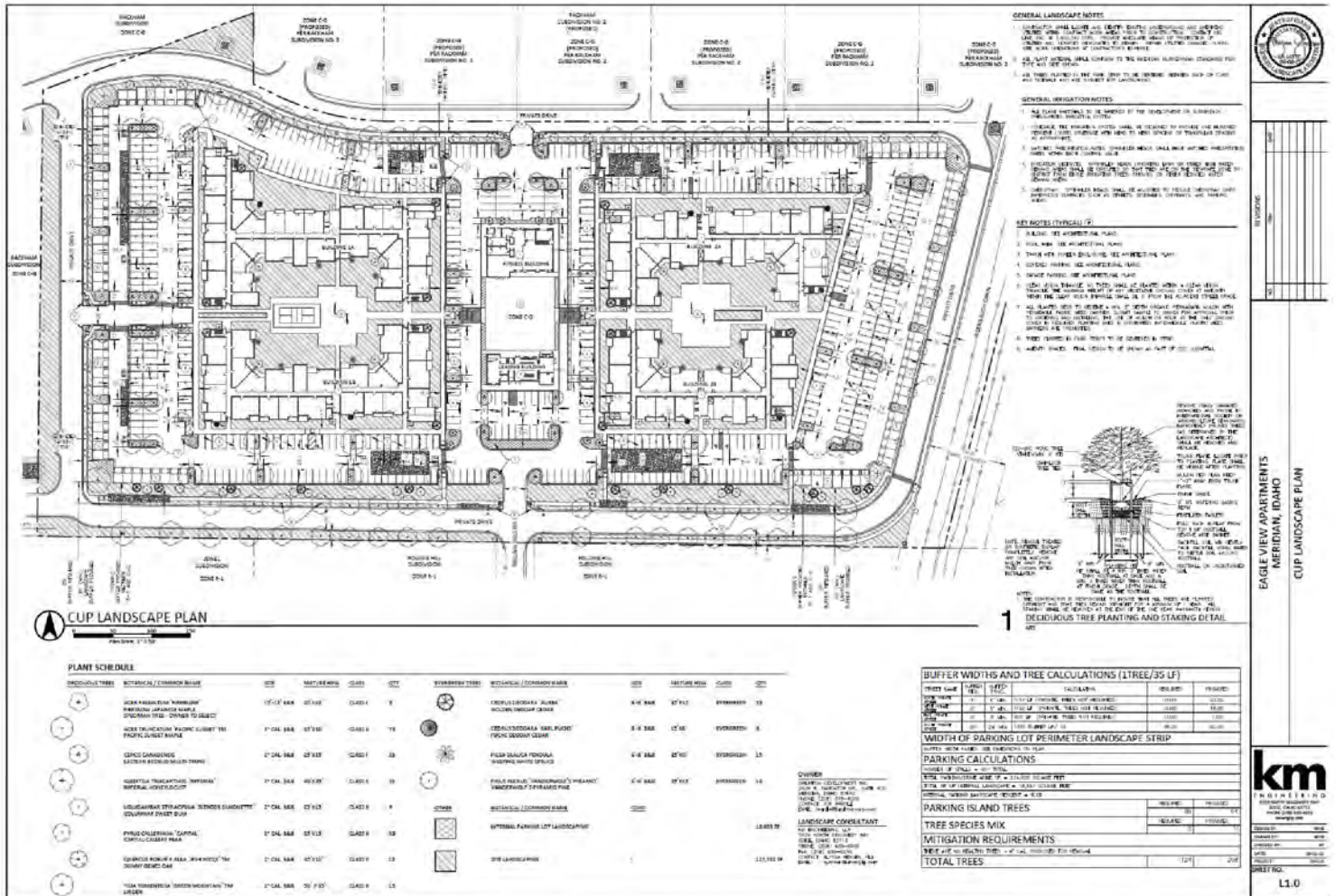




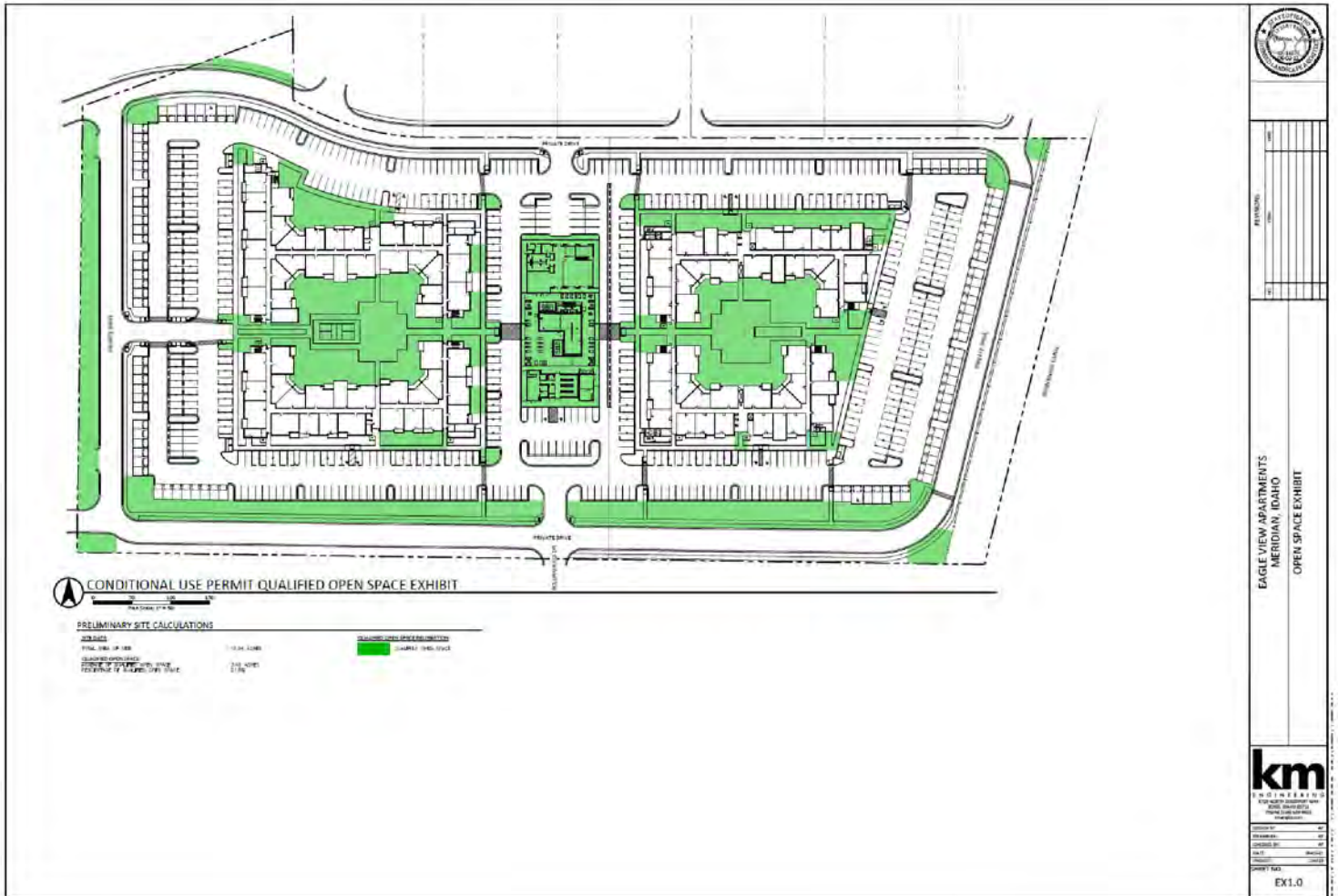
Updated Site Plan with on-drive aisle parking (1/3/22): (20 extra parallel parking spaces)



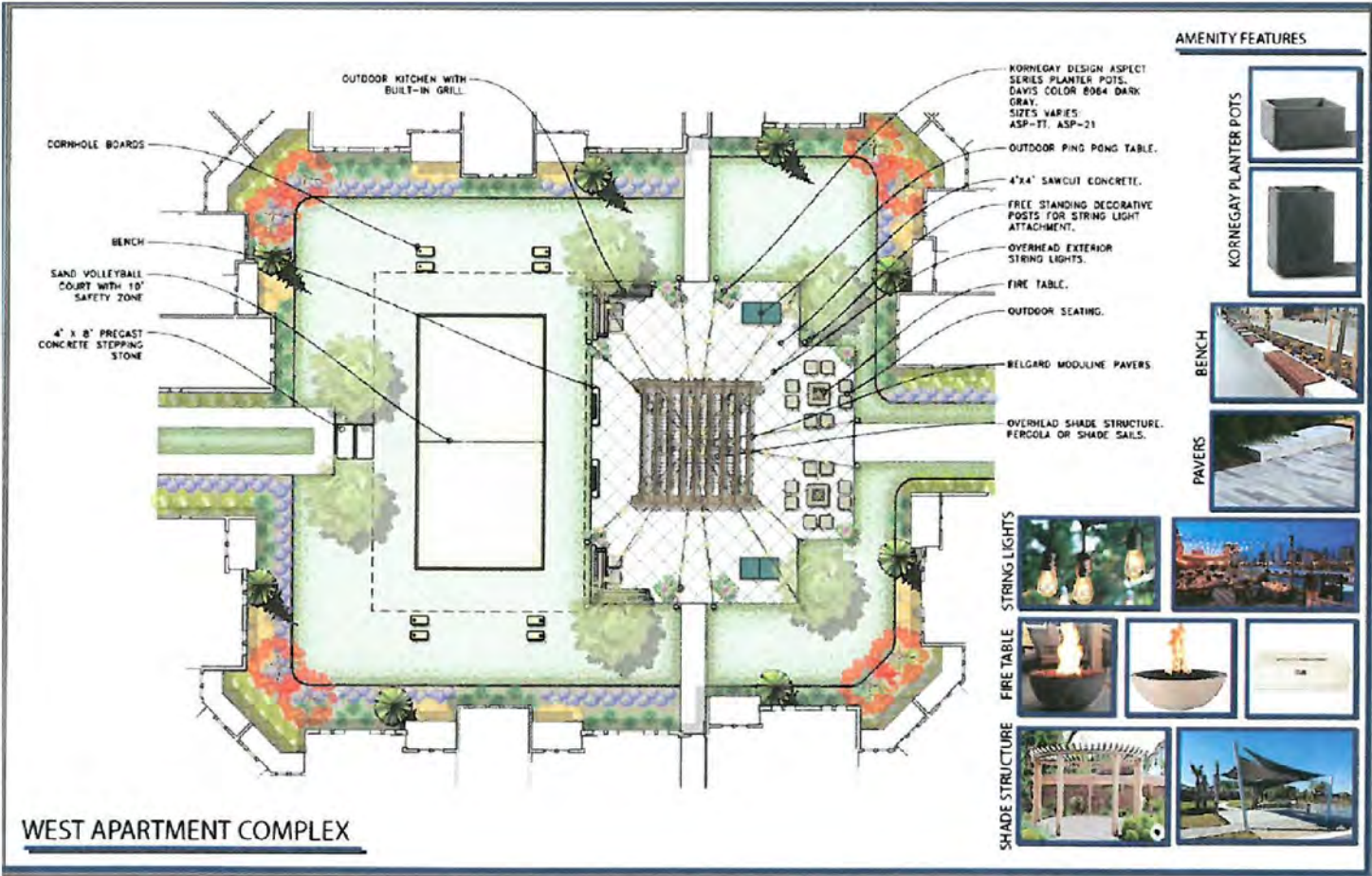
F. Landscape Plan – Conditional Use Permit (dated: 6/3/21)

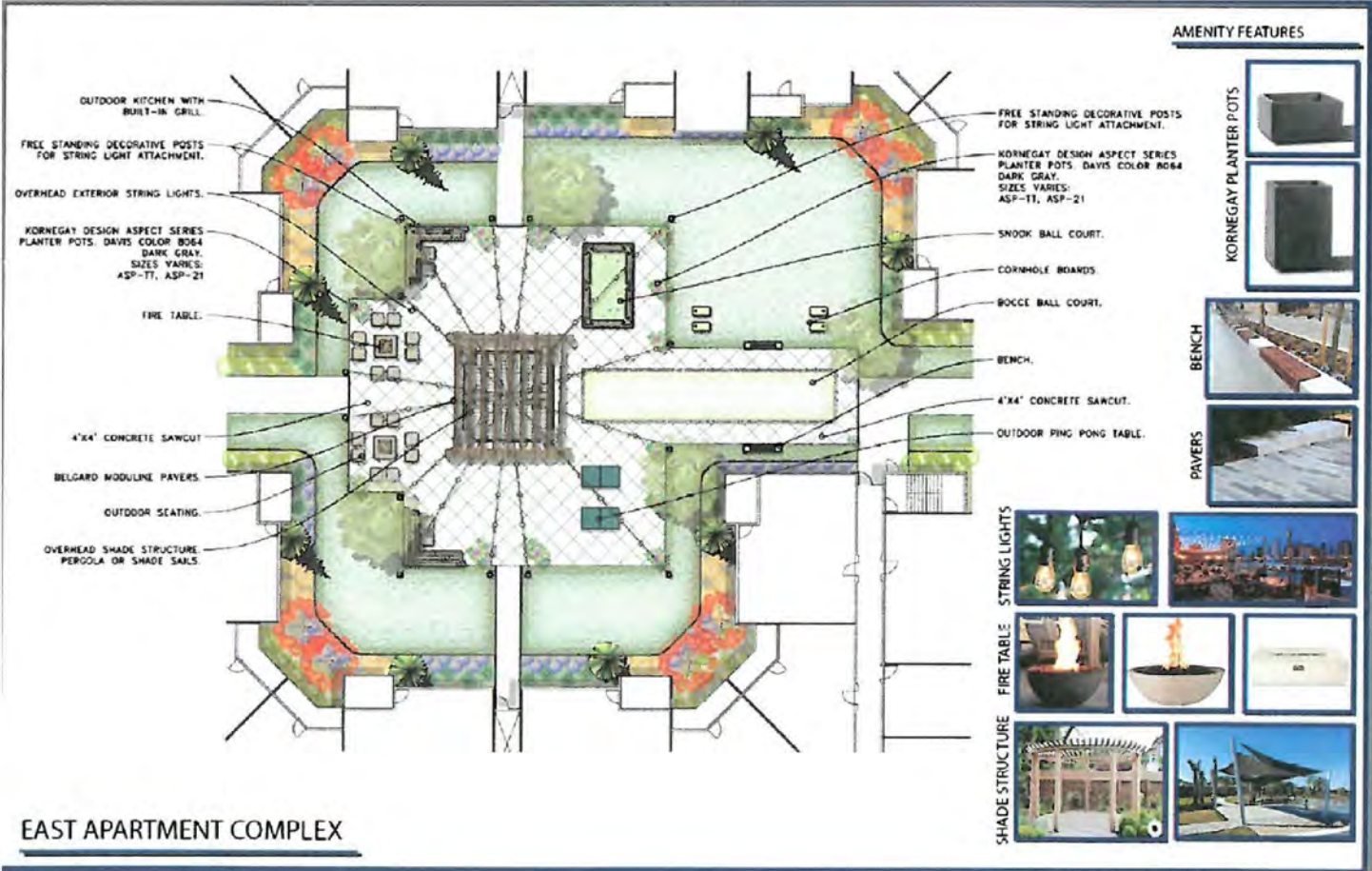


G. Open Space Exhibit for Multi-Family Development (dated: 6/3/21) & Amenities



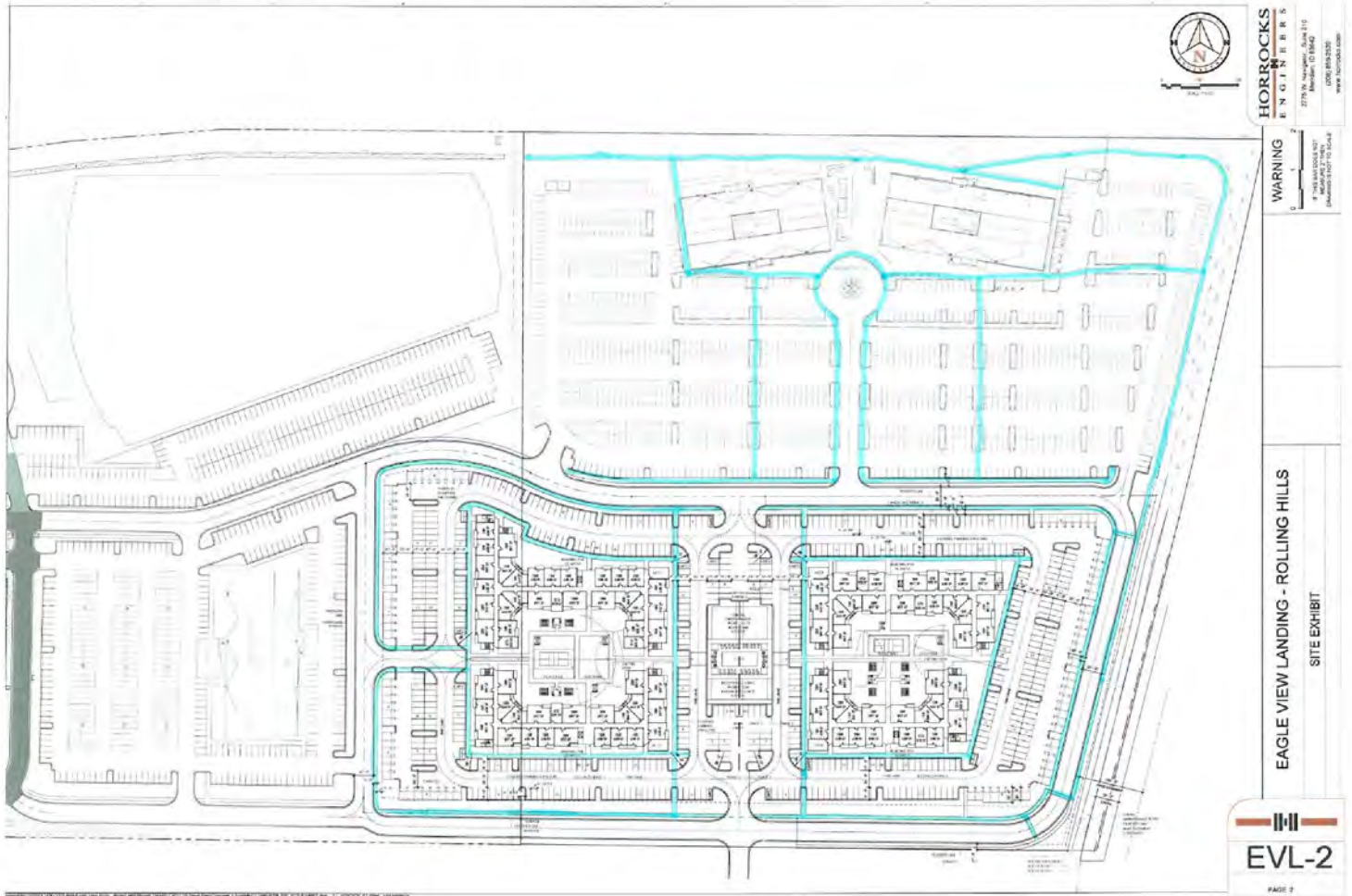
- Amenities
 - Central Core Amenities
 - 24-hour resident lounge
 - Warming kitchen
 - Entertainment area
 - Game area
 - 24-hour fitness center featuring Rogue equipment
 - Locker Rooms with showers
 - Zoom conference room(s)
 - Wi-fi throughout all amenity areas
 - Resort style pool & year-round spa
 - Pool-side patio and grilling area
 - Outdoor pool lounge
 - Amazon parcel system
 - Dwelo Smart Home Technology
 - West Courtyard (*see page 10 for exhibit*)
 - Shade structure
 - Outdoor Kitchen with BBQ Grill
 - Benches
 - Outdoor seating surrounding a Fire Table
 - Festoon lighting
 - Cornhole
 - Outdoor Ping Pong Table
 - Sand Volleyball
 - East Courtyard (*see page 10 for exhibit*)
 - Shade Structure
 - Outdoor Kitchen with BBQ Grill
 - Benches
 - Outdoor seating surrounding a Fire Table
 - String Lights
 - Cornhole
 - Outdoor Ping Pong Table
 - Snook Ball Court
 - Bocce Ball Court





Item #11.

H. Pedestrian Circulation Plan



I. Conceptual Building Elevations (dated: 5/31/2021)



1)



2)



EAGLE VIEW LANDING - BUILDING - P1A
3D VIEW A10 455 (06/01/21)
3000 W. 10th Street, Suite 100, Denver, CO 80202



1)



2)



EAGLE VIEW LANDING - BUILDING - P1A
3D VIEW A10 455 (06/01/21)
3000 W. 10th Street, Suite 100, Denver, CO 80202

Item #11.



1) Elevations



2) Elevations



EAGLE VIEW LANDING - BUILDING - P18
3D VIEWS AND RENDERINGS

1811 Lake City - 12 Exchange Plaza 3rd Floor, CA 94015 | 800.533.1344 | Email: 800.533.1344@3drenderings.com | 3D Renderings: 3DRENDERINGS.COM



1) Elevations



2) Elevations



EAGLE VIEW LANDING - BUILDING - P18
3D VIEWS AND RENDERINGS

1811 Lake City - 12 Exchange Plaza 3rd Floor, CA 94015 | 800.533.1344 | Email: 800.533.1344@3drenderings.com | 3D Renderings: 3DRENDERINGS.COM

1811 Lake City

Item #11.



1 | NORTH EAST CORNER



2 | NORTH WEST CORNER



3 | SOUTH EAST CORNER



4 | SOUTH WEST CORNER

EAGLE VIEW LANDING - FITNESS BUILDING
 3D VIEWS AND RENDERINGS
 Salt Lake City 32 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Suite 300 N. Main Street Suite 140 | 801.437.0252 | 206.424.7470 | info@dbdesign.com

02.21.2021



4 | NORTH VIEW



2 | SOUTH WEST CORNER



1 | NORTH EAST CORNER



3 | WEST ELEVATION

EAGLE VIEW LANDING LEASING BUILDING
 3D VIEWS AND RENDERINGS
 Salt Lake City 32 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Suite 300 N. Main Street Suite 140 | 801.437.0252 | 206.424.7470 | info@dbdesign.com

02.21.2021



VIII. CITY/AGENCY COMMENTS & CONDITIONS

Staff recommends the multi-family portion of the site is zoned R-40 instead of C-G; the remainder of the site should be zoned C-G as requested. With this change, updated legal descriptions and exhibit maps shall be submitted prior to the City Council hearing. *Note: The existing C-G zoned area that was annexed with Rackham Subdivision that is the western portion of the multi-family development should be rezoned to R-40 when the out-parcel is obtained and annexed into the City.*

A. PLANNING DIVISION

- 1. ~~An amendment to the existing Development Agreement (DA) (Inst. #2019-037825 H 2019-0005) for the Rackham development is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, an amended DA shall be entered into between the City of Meridian and the property owner(s) at the time of annexation ordinance adoption, and the developer.~~

~~An application for such shall be submitted to the City, preferably so that it can go to Council concurrently with the subject applications; a development plan for the overall area should be submitted with the application that is consistent with the MU-R FLUM designation.~~ Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The ~~amended~~ DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. ~~The specific provisions for the amended DA pertaining to this site will be determined at the time of submittal of the application; the following provisions may be included:~~ The DA shall, at minimum, incorporate the following provisions:

- a. Development of the subject property shall be generally consistent with the preliminary plat, landscape plan, phasing plan, conceptual development plan, pedestrian circulation plan and conceptual building elevations submitted with the application contained herein.
- b. The two (2) office buildings proposed on the northern portion of the site shall be arranged to create some form of common, usable gathering area, such as a plaza or green space in accord with the mixed-use guidelines in the *Comprehensive Plan* (see pg. 3-13).
- c. Provide a pedestrian pathway within the street buffer along I-84 as depicted on the conceptual development plan with landscaping along the pathway as set forth in UDC 11-3B-12C. Also provide internal pedestrian walkways throughout the site for interconnectivity; where pedestrian walkways cross vehicular use areas they shall be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4.
- d. All future structures constructed on this site shall comply with the design standards in the Architectural Standards Manual.
- e. ~~The final plat shall be recorded prior to issuance of building permits for any structures on this site; or, the existing PUDI easements and right-of-way for S. Rolling Hill Dr. shall be vacated and a property boundary adjustment application approved to consolidate the existing lots into one (1) parcel prior to submittal of any building permit applications for the site.~~
- f. Compliance with the specific use standards listed in UDC 11-4-3-27: Multi-Family Development, is required.

- g. Provide off-site improvements for S. Rolling Hill Dr. consistent with Ada County Highway District's requirements, including but not limited to, pavement widening to 24-foot where needed, 3-foot wide gravel shoulders and 6-foot wide sidewalk on one side of the street. If off-site improvements are required to Rolling Hill Dr. by ACHD, the Applicant shall comply with those requirements. Streetlights shall also be installed along S. Rolling Hill Dr. in accord with the City's adopted standards, specifications and ordinances in accord with UDC 11-3A-21 if ACHD requires off-site improvements to S. Rolling Hill Dr. Access for the project shall be provided via S. Silverstone Way from E. Overland Rd.; emergency only access shall be provided via Rolling Hill Dr. *Note: With review of future projects to the south, Rolling Hill Dr. may be opened back up for public access to this site as determined by the City and ACHD.*
- h. Construction traffic for the proposed development shall access the site from the west via Silverstone Way rather than from S. Rolling Hill Dr. as committed to by the Applicant.
- i. The out-parcel (Parcel #S1116427890) along the northern boundary of the site shall be annexed into the City within one (1) year of recordation of the Development Agreement; the western C-G zoned portion of the multi-family development shall be rezoned to R-40 at the same time.

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. Include a note granting cross-access/ingress-egress easements between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) and to the north (Parcel #S1116427890) via a note on the final plat or a separate recorded easement in accord with UDC 11-3A-3A.2. In lieu of granting an access easement to Parcel #S1116427890, the Applicant shall submit a copy of the purchase agreement or warranty deed in their name for the out-parcel.
 - b. Depict the street buffer along I-84 on Lots 3-6 in a common lot or a permanent dedicated buffer, maintained by the property owner or business owners' association per UDC 11-3B-7C.2b.
3. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict a pathway within the street buffer along I-84 as shown on the CUP landscape plan with landscaping in accord with the standards listed in UDC 11-3B-12C. *A 5-foot wide landscape strip is required on both sides of the pathway planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover.*
 - b. Depict a 6-foot tall wrought iron fence along the east boundary of the site adjacent to the Ridenbaugh Canal outside of the NMID's irrigation easement.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2B-3 for the C-G zoning district and 11-2A-8 for the R-40 zoning district.
5. All waterways on this site shall be piped as set forth in UDC 11-3A-6B unless otherwise waived by City Council. *The Applicant requests approval of a waiver from City Council to leave the Ridenbaugh Canal open – Council approved the request to leave the Ridenbaugh Canal open.*
6. ~~Cross-access/ingress-egress easements shall be provided between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on~~

~~the final plat or a separate recorded easement in accord with UDC 11-3A-3A.2. Included in condition #2a above.~~

7. The right-of-way for the portion of S. Rolling Hill Dr. north of the southern boundary of the site shall be vacated prior to signature on the final plat.
8. ~~The property shall be subdivided prior to issuance of any building permits for the site. *Not necessary to include as a plat condition as it's included as a DA provision above in Section VIII.A.1e.*~~

Conditional Use Permit:

9. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development is required.
10. The site/landscape plans included in Section VII shall be revised as follows:
 - a. ~~Depict a minimum 25-foot wide buffer to residential uses along the southern boundary of the site as set forth in UDC Table [11-2B-3](#), landscaped per the standards listed in UDC [11-3B-9C](#). *A mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover is required within the buffer, which shall be installed at the time of lot development. Not required with R-40 zoning.*~~
 - b. Depict all property lines in order to demonstrate compliance with the minimum setback requirements listed in UDC Table ~~11-2B-3~~ [11-2A-8](#) and [11-4-3-27B.1](#).
 - c. 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](#).
 - d. 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](#).
 - e. Depict a 6-foot tall sight obscuring fence or wall along the southern boundary of the site as an added buffer to the rural residential properties to the south in Rolling Hill Subdivision.
 - f. Depict landscaping along all elevations that face the private drives in accord with the standards listed in UDC [11-4-3-27E](#).
 - g. Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.*
 - h. Depict pathway stubs at the southern boundary of the site near the west and east boundaries of the site for future extension upon redevelopment of the properties to the south for pedestrian connectivity with adjacent developments.
 - i. Depict a minimum of 26 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 shall be provided in central locations for each building.
 - j. ~~Compact parking stalls are discouraged but may be used for parking above the number of required parking spaces per UDC [11-3C-5A.6](#).~~ Based on the number of bedrooms per unit

and square footage of the clubhouse proposed, a minimum of 660 standard off-street parking spaces are required with 348 of those being in a covered carport or garage. If these numbers/square footage change, parking may be adjusted accordingly to comply with applicable UDC standards. Parking standard alternatives are listed in UDC 11-3C-7. City Council approved the proposed parking as-is with no additional parking required.

- k. Minimum 7-foot wide sidewalks shall be provided where parking abuts sidewalks if wheel stops aren't proposed to prevent vehicle overhang in accord with UDC 11-3C-5B4; if 7-foot sidewalks are proposed, the length of the stall may be reduced to 17 feet.
- 11. The Director City Council approved the Applicant's request for Alternative Compliance to the private usable open space standards in UDC 11-4-3-27.B.3 with a modification to the request to allow a maximum reduction of 20% (i.e. 64 square feet) to the standard to allow zero (0) for studio units, 54-60 square feet (s.f.) for 1-bedroom units and 58-85 s.f. for 2-bedroom units.
- 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. A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Instead of running parallel 6'' and 8'' water main, change the layout to a single 8'' water main, connect the hydrant, then install a jurisdictional valve to the fire service line.
- 1.2 Do not have a sewer stub to the south on S Rolling Hills Dr. These properties will be served from Overland Rd.
- 1.3 Ensure no permanent structures are within any City easements including but not limited to buildings, car ports, trash enclosures, trees, shrubs, fences, light poles, infiltration trenches, etc.

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 than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.

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

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

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241985&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241580&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242184&dbid=0&repo=MeridianCity>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243206&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244287&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244309&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240968&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250050&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

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

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

The City Council finds the proposed map amendment will allow for the development of a mix of office and multi-family residential uses which will assist in providing for the service needs of area residents consistent with the purpose statement of the commercial districts in accord with the Comprehensive Plan.

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

The City Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

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

The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

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

B. Preliminary Plat:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The City Council finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 and C-G district (see Analysis, Section V for more information).

- 2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

The City Council finds that the proposed use is consistent with the future land use map designation of MU-R and is allowed as a conditional use in UDC Table 11-2B-2 in the C-G zoning district.

- 3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The City Council finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.

- 4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The City Council finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area.

- 5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The City Council finds that essential public services are available to this property and that the use will be adequately served by these facilities.

D. Alternative Compliance (UDC 11-5B-5):

In order to grant approval of an alternative compliance application, the Director shall determine the following:

The Applicant requested City Council review of the Director's decision on the request for Alternative Compliance to UDC 11-4-3-27B.3. City Council approved the Applicant's request as originally proposed.

- 1. Strict adherence or application of the requirements is not feasible; OR

The Director finds UDC Table 11-3C-6 does not include parking requirements for studio units; therefore, this finding does not apply.

The ~~Director~~ City Council finds strict adherence or application of the requirements in UDC 11-4-3-27B.3 is feasible but to comply, the number of units may need to be reduced or other changes made to the development plan.

- 2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative compliance of providing parking for studio units consist with the standards for vertically integrated residential units, which is also consistent

with current updated standards for studio units, provides an equal means for meeting the requirement.

The ~~Director~~ City Council finds the proposed alternative compliance to the private usable open space standards in UDC 11-4-3-27B.3 for each unit ~~unacceptable~~ but does find a reduction of 20% ~~acceptable~~ due to the extraordinary site amenities proposed along with the innovative, new urban design with an emphasis on integrated, internal open space and facilities proposed.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means of compliance to UDC Table 11-3C-6 will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties. The City Council finds ~~and the Director's alternative approval to the Applicant's proposal for alternative compliance to 11-4-3-27B.3~~ will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.