

EXHIBIT B

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



**In the Matter of the Request for Annexation and Preliminary Plat, by Westpark Co. Inc.**

**Case No(s). H-2020-0009**

**For the City Council Hearing Date of: April 28, 2020 (Findings on May 12, 2020)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of 4/28/2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of 4/28/2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of 4/28/2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of 4/28/2020, 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 at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 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 4/28/2020, incorporated by reference. The conditions are concluded to be

reasonable and the applicant shall meet such requirements as a condition of approval of the application.

#### C. Decision and Order

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

1. The applicant's request for Annexation and Preliminary Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of 4/28/2020, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Preliminary Plat Duration

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

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

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

##### Notice of Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period.

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

City Code Title 11(UDC 11-5B-6F).

#### Notice of Development Agreement Duration

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

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

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

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

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **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 4/28/2020.

By action of the City Council at its regular meeting held on the 12th day of May, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED -----


COUNCIL MEMBER JESSICA PERREAULT VOTED AYE

COUNCIL MEMBER LUKE CAVENER VOTED -----

COUNCIL MEMBER JOE BORTON VOTED AYE

COUNCIL MEMBER LIZ STRADER VOTED AYE

MAYOR ROBERT SIMISON VOTED -----  
(TIE BREAKER)

  
\_\_\_\_\_  
Mayor Robert E. Simison

Attest:

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



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

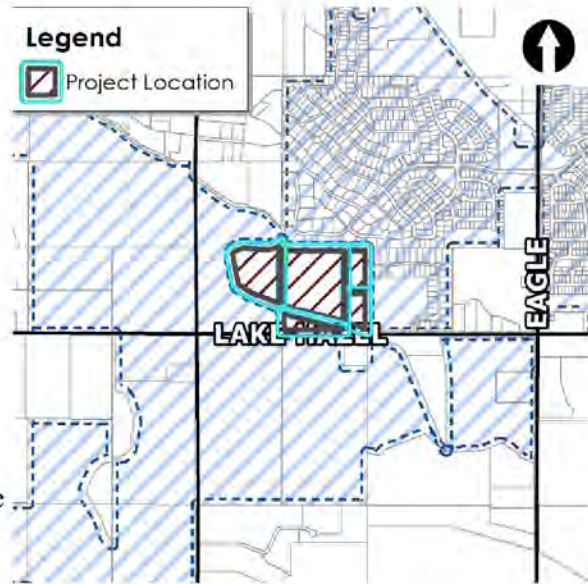
By:  \_\_\_\_\_ Dated: 5-12-2020  
City Clerk's Office



**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 4/28/2020  
 TO: Mayor & City Council  
 FROM: Joe Dodson, Associate Planner  
 208-884-5533  
 Bruce Freckleton, Development Services Manager  
 208-887-2211  
 SUBJECT: H-2020-0009  
 Lavender Heights Subdivision  
 LOCATION: On the north side of Lake Hazel, near the half-mile mark between S. Locust Grove Road and S. Eagle Road. Located in the SW ¼ of Section 32, Township 3N., Range 1E.



**I. PROJECT DESCRIPTION**

Request for annexation & zoning of 55.14 acres of land with R-4, R-8, R-15, and R-40 zoning districts and a preliminary plat consisting of 188 building lots, 24 common lots, and 3 other lots, by Westpark Company Inc.

*NOTE: Staff received a revised preliminary plat, landscape plan, and open space exhibit based on the recommendations by Planning and Zoning Commission. These revisions have resulted in some strike-through/underline changes in the staff report.*

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details	Page
Acreage	55.14 total acres (R-4 – <del>16.6337</del> acres; R-8 – <del>27.82-28.07</del> acres; R-15 – 3.25 acres; R-40 – 7.44 acres)	
Future Land Use Designation	Medium Density Residential and Medium-High Density Residential	
Existing Land Use(s)	Residential, Agricultural, and Commercial.	
Proposed Land Use(s)	Residential	
Lots (# and type; bldg./common)	215 total lots – 187 single-family residential; 1 multi-family; and 27 common lots.	
Phasing Plan (# of phases)	Proposed as four (4) phases.	
Number of Residential Units (type of units)	187 single-family units; 48 multi-family units.	

Description	Details	Page
Density (gross & net)	Gross – 5.86 du/ac.; Net – 3.56 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	335,585 square feet, or 7.7 acres (approximately 14.66% qualified open space) 424,081 square feet, or 9.74 acres (281,431 square feet, or 6.46 acres, of qualified open space; 12.3%)	
Amenities	3 amenities – 10’ multi-use pathway; pool; and additional qualified open space.	
Physical Features (waterways, hazards, flood plain, hillside)	Farr Lateral runs along south and western boundary.	
Neighborhood meeting date; # of attendees:	Oct. 28, 2019 – 9 attendees.	
History (previous approvals)	N/A	

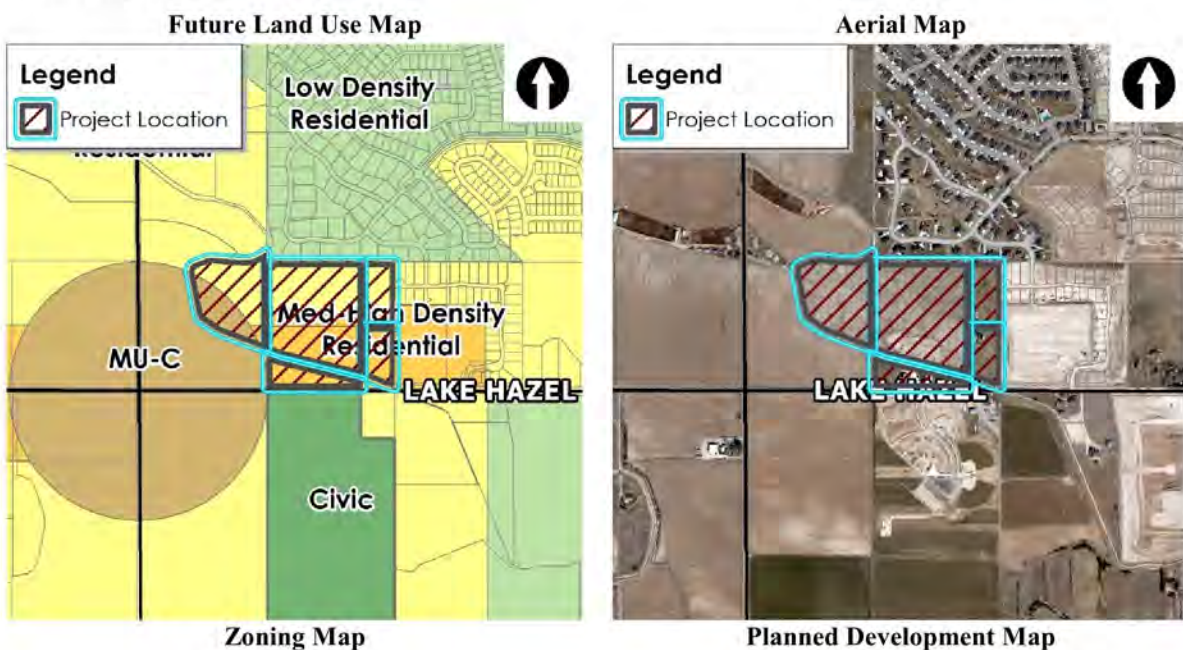
### B. Community Metrics

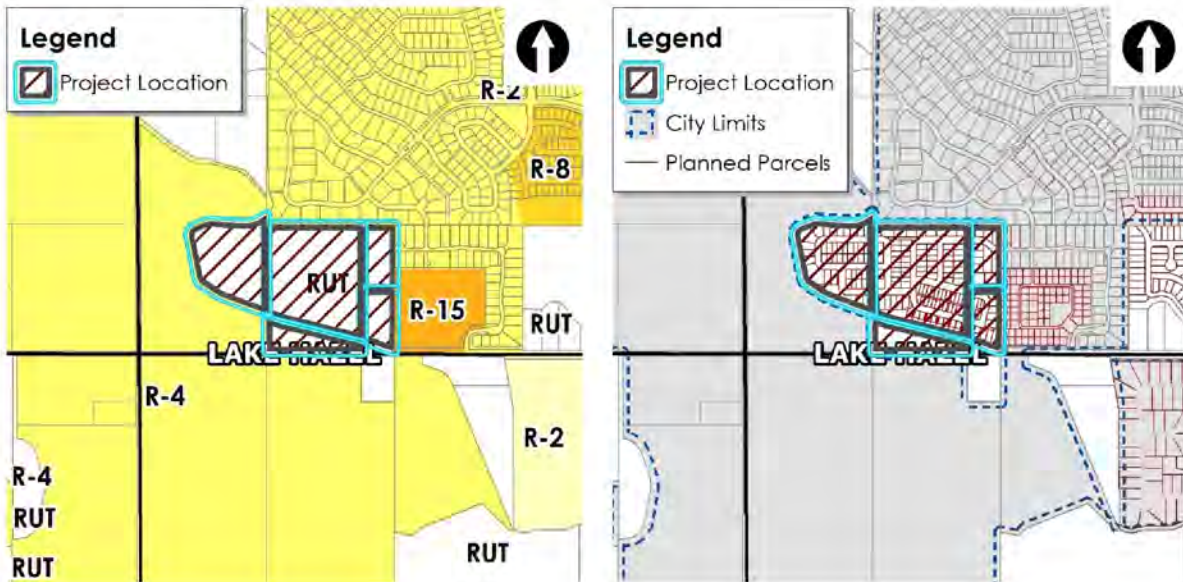
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Draft staff report has been received <u>Yes</u></p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via a new collector roadway (S. Bloomerang Ave.) from an existing arterial (E. Lake Hazel Rd.). An additional access is proposed via extending a public local street from the east (E. Brace Dr.)	
Traffic Level of Service Stub Street/Interconnectivity/Cross Access	Applicant is proposing extending an existing stub street (E. Brace Dr.) into their development but has provided no additional stub streets. See analysis section below for more information.	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	None	
Proposed Road Improvements	Widening to E. Lake Hazel Road to include eastbound turn lane onto new collector roadway (S. Bloomerang Ave.) and a westbound turn lane onto same collector roadway.	
Distance to nearest City Park (+ size)	Discovery Park is across E. Lake Hazel Road.	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> <li>Fire Response Time</li> <li>Resource Reliability</li> <li>Risk Identification</li> <li>Accessibility</li> </ul>	<p>4.1 miles from Fire Station #4</p> <p>7 minutes under ideal conditions (this does not meet Meridian Fire response goal time of 5 minutes).</p> <p>Fire Station #4 reliability is 78%.</p> <p>Risk Factor 2 – residential with hazards (open waterway)</p> <p>Proposed project meets all required access, road widths, and turnarounds.</p>	
Police Service		
	See Agency Comments (Section VIII.D).	
West Ada School District		
<ul style="list-style-type: none"> <li>Distance (elem, ms, hs)</li> <li>Capacity of Schools</li> </ul>	<p>West Ada School District has not provided comments at this time. Siena Elementary – 2.8 miles; Victory Middle School – 4.4 miles; Mountain View High School – 3.6 miles.</p> <p>Siena Elementary – 800 students Victory Middle School – 1000 students</p>	



Description	Details	Page
<ul style="list-style-type: none"> <li># of Students Enrolled</li> </ul>	Mountain View High School – 2400 students Siena Elementary – 970 students (170 over capacity) Victory Middle – 1085 students (85 over capacity) Mountain View – 2237 students (143 under capacity)	
<b>Wastewater</b>		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	N/A	
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	South Black Cat Trunkshed	
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	13.88	
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	YES	
<b>Water</b>		
<ul style="list-style-type: none"> <li>Distance to Water Services</li> </ul>	0'	
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	5	
<ul style="list-style-type: none"> <li>Est. Project Water ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>Water Quality Concerns</li> </ul>	None	
<ul style="list-style-type: none"> <li>Project Consistent w/ Plan</li> </ul>	YES	
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	Each phase must be modeled to ensure fire flow requirements; second water connection may be required at first phase. Existing wells must be decommissioned according to IDWR rules which include employing methods to ensure grout fills the annular space outside of the well casing. Record of abandonment must be provided to the City prior to final plat signature. Applicant to coordinate with Engineering regarding fire flow requirements beyond 1500 gpm.	
COMPASS (Communities in Motion 2040 2.0)	See Agency Comments (Section VIII.F)	

C. Project Area Maps





**III. APPLICANT INFORMATION**

**A. Applicant:**

Westpark Co. Inc – PO Box 344, Meridian, ID 83680

**B. Owner:**

44 Development LLC – PO Box 344, Meridian, ID 83680

**C. Representative:**

Jon Breckon, Breckon Land Design – 6661 N. Glenwood St., Garden City, ID 83714

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	3/13/2020	4/10/2020
Radius notification mailed to properties within 300 feet	3/12/2020	4/8/2020
Site Posting	3/21/2020	4/14/2020
Nextdoor posting	3/12/2020	4/8/2020

**V. STAFF ANALYSIS**

**A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)**

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

Medium-High Density Residential – This designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should



range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

*The annexation area is surrounded by existing City of Meridian zoning with the City's newest park located across the street (Discovery Park). The proposed land use of single-family residential and multi-family residential are consistent with the dwelling types noted in the Future Land Use Map (FLUM) designation definitions. Certain densities are required to be met on this property as there are two distinct FLUM designations on it. The proposed project meets the densities listed above (see Section VII.D). Therefore, Staff finds the density proposed with the preliminary plat and proposed zoning districts are consistent with the Future Land Use Map designations of Medium and Medium-High Density Residential.*

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed variety of housing types in this project will contribute to the variety of residential unit types available to current and future residents.*

“With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities” (2.02.01A). *This new subdivision offers a large extension of the City's multi-use pathways and approximately 7 acres of usable open space that interconnects with proposed sidewalks throughout the development. In addition, the proposed detached sidewalks offer new opportunities for residents to get to Discovery Park; Discovery Park lies across E. Lake Hazel Road, directly south of this project.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *All public utilities are available for this project site due to the existing subdivision to the east, per Public Works comments. Even though this project does reside outside of the Fire Department's 5 minute response time goal, a new fire station is planned nearby which would eliminate this obstacle; it is currently unfunded as of FY 2020. ACHD has both nearby arterial intersections planned for widening and improvement within the next 3*

*years therefore lining up well with the timeline of development for Lavender Heights. West Ada School District has not offered comments on this project; however, West Ada School District provided Staff comments regarding nearby school enrollment and capacity. Their agency comments can be viewed in Section VIII.L and provide the general summary that any new residential development will likely add to the overcrowding experienced at some local schools.*

*“Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices” (3.07.01A). The site design of this project proposes transitional densities throughout. Larger R-4 lots reside around the exterior of the property to better match the existing homes to the north. The applicant is then proposing R-8 lots on the eastern property boundary to match the density of the subdivision directly to the east. The R-8 lots continue an inward trend towards higher density but make up the majority of the site. R-15 zoning and alley loaded single-family homes abut the Farr Lateral and are closest to the future multi-family development. The multi-family development is proposed as R-40 zoning and is closest to the arterial roadway, E. Lake Hazel Rd. Throughout the development, landscaping and pathways buffer zoning densities as well. Overall, Staff finds the site design to be a great example of transitional densities and housing types.*

*“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). The proposed project offers acres of open space and proposes to incorporate a large extension of a 10-foot multi-use pathway system. The pathway will run along the existing Farr Lateral and will help protect it in place while adding to its aesthetics.*

*“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity” (2.02.01D). Parkways, sidewalks, and an extension of the City’s multi-use pathway plan are proposed in this development. The sidewalks will connect this development with the subdivision to the east and the new pathway along the Farr Lateral, with its further extension within the subdivision, will offer future connectivity to the north and west as those sites develop. The sidewalks proposed near E. Lake Hazel Rd. and E. Bloomerang Ave. will also bring better connection to the new Discovery Park for this development and the existing Impressive East Ridge Subdivision directly to the east.*

***Staff finds this development to be generally consistent and in alignment with Comprehensive Plan policies and objectives.***

C. Existing Structures/Site Improvements:

There are a number of existing warehouse structures on this property associated with an existing commercial business. These buildings will be demolished with phase 1 of the development and the existing driveway to Lake Hazel will be closed off with vertical curb and gutter pursuant to ACHD requirements. In addition, there is an existing home further into the property that is proposed to remain and connect to city services with the rest of the development. The existing home is shown as part of Phase 2 on the preliminary phasing plan (Exhibit VII.I.) but staff is recommending a condition to include the existing home with Phase 1 and therefore adjust the phasing plan in accordance.



D. Proposed Use Analysis:

The proposed use is single-family residential with a multi-family residential component that will be later reviewed through a conditional use permit. Single-family detached and attached dwellings are listed as principally permitted uses in the R-4, R-8, and R-15 zoning districts per UDC Table 11-2A-2.

The single-family portion of this project is proposed to be developed in three (3) phases and proposed as three different zoning districts—R-4, R-8, and R-15. The first phase will provide the main access point off of E. Lake Hazel Rd. and the secondary access through the extension of an existing stub street from the east (E. Brace Dr.). Staff is recommending a condition of approval that the secondary access be constructed with the first phase to ensure compliance; this is commensurate with the condition of approval from the Meridian Fire Department (see Section VIII.A1). Staff is also recommending the proposed multi-use pathway be constructed with the first phase of development. The first phase is also proposed to provide the pool and changing rooms for the development as one of the proposed amenities. According to the preliminary plat, all lots appear to meet the required zoning and use requirements, including the proposed multi-family lot.

The multi-family development is proposed to be zoned R-40 and built in its own phase (a fourth phase). The applicant has submitted a conceptual site plan for the multi-family development that abuts E. Lake Hazel Rd. In the R-40 zoning district, multi-family development requires conditional use permit (CUP) approval by the Planning & Zoning Commission. The future development of the multi-family use is being conceptually reviewed in this application and conditioned to obtain a CUP through the required Development Agreement associated with this application. The multi-family development is proposed as six (6) eight-plexes for a total of 48 multi-family units. Each unit is shown as 1,000 square feet and are laid out in one, two, and three bedroom units. Per the specific use standards (UDC 11-4-3-27), a minimum of 12,000 square feet of common open space will be required as part of this multi-family development.

Forty-eight units will require a minimum of three (3) amenities per the specific use standards. The applicant is conceptually proposing three (3) amenities in line with this requirement—a clubhouse, walking paths, and a tot lot. In addition, 94 parking spaces will be required with this conceptual plan. The applicant shows 95 standard stalls, and 4 ADA accessible stalls conceptually meeting the minimum requirements outlined in UDC table 11-3C-6.

*Staff notes that the multi-family requirements have been conceptually reviewed and is not issuing an approval of the current layout or other proposed improvements, site design, elevations, or open space and amenities.*

E. Specific Use Standards (UDC [11-4-3](#)):

When the Multi-family Development is submitted for Conditional Use Permit, specific use standards outlined in UDC 11-4-3-27 will be administered. **There are no specific use standards for the single-family portion of the proposed project.**



F. Dimensional Standards ([UDC 11-2](#)):

All proposed lots and public streets appear to meet all UDC dimensional standards per the submitted preliminary plat. This includes property sizes, required street frontages, and road widths.

In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). There are three (3) common driveways proposed; such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway.**

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access is proposed via a new collector roadway (S. Bloomerang Ave.) that travels north from E. Lake Hazel Rd. near the quarter-mile mark on said road. This collector roadway will provide access to the property directly east. A secondary access point is proposed via the extension of an existing stub street from the east (E. Brace Dr.) in Impressive East Ridge Subdivision. The proposed multi-family development shows a driveway to E. Lake Hazel Rd. as well. This additional driveway to the arterial roadway would not be approved by the City. In addition, multi-family residences are built to commercial building code and will be required to be sprinklered. Therefore, Staff finds a secondary access point into the multi-family development is not needed. S. Bloomerang Ave., a collector roadway, is the only proposed and approved direct access via E. Lake Hazel Road. **At the time of CUP submittal for the multi-family development, the additional driveway to E. Lake Hazel Rd. shall be removed from the plans. A note should be placed on the face of the final plat prohibiting direct lot access to E. Lake Hazel Rd.**

According to the ACHD Master Street Map, there is a planned commercial collector roadway where S. Bloomerang Ave. is proposed. On the MSM however, the collector runs along the south side of the Farr Lateral and then out to Locust Grove Road. The intent of this collector roadway is to provide a connection point for properties in this vicinity so motorists do not have to go out to an arterial and around. Therefore, Staff believes the applicant should provide a connection from S. Bloomerang Ave. to the west for the future development of the collector roadway and the property to the west; the applicant shall obtain approval of the location of this curb cut with ACHD and the City of Meridian. This roadway does not need to be constructed as a collector roadway, but rather a local street providing interconnectivity that meets the intent of the MSM designation. The applicant should work with ACHD on the proper location for this future connection.

H. Parking ([UDC 11-3C](#)):

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. The multi-family



development is conceptually shown with 95 spaces, meeting the minimum UDC standards based on the number of bedrooms and size of the units. No parking plan was submitted with the application.

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

A 10-foot wide multi-use pathway is proposed along the Farr Lateral and western and northern property boundaries in accord with the Meridian Pathways Master Plan. In addition, the applicant is extending the multi-use pathway from the Farr Lateral north and through the development to connect with the proposed 10-foot multi-use pathway located on the south side of the Farr Lateral that runs along the northernmost property boundary. The applicant is proposing the 10-foot multi-use pathway be located with a 14-foot wide public pedestrian easement. Much of the pathway is proposed to be located within a 20-foot wide common lot as well.

The multi-use pathway has other pedestrian connections via 5-foot detached sidewalks within parkways that run throughout the development. *If pathways loop through common driveways, Staff recommends signage is provided to notify pedestrians that the common driveways serve a dual purpose (i.e. driveway/pathway) and are part of the pathway loop.*

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

Detached sidewalks are proposed along all internal local streets as part of parkways, in accord with the standards listed in UDC 11-3A-17.

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

Eight-foot wide parkways are proposed adjacent to all local streets and are required to be constructed in accord with the standards listed in UDC 11-3A-17.

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

A 25-foot wide street buffer is required adjacent to E. Lake Hazel Rd., an arterial street, landscaped per the standards listed in [UDC 11-3B-7C](#). A 25-foot wide common lot is depicted on the plat; this common lot also houses the pressure irrigation pump station and widens beyond the required 25 feet towards the east end of the property where it adjoins the proposed multi-use pathway and the Farr Lateral. The correct number of trees appear to be shown on the submitted landscape plans (see Section VII.F)

Parkways are required to be landscaped in accord with the standards listed in [UDC 11-3B-7C](#). **The total lineal feet of parkways and required number of trees based should be included in the Landscape Calculations table on the final plat landscape plan to demonstrate compliance with UDC standards.**

Landscaping is required along all pathways (including micro-pathways) in accord with the standards listed in [UDC 11-3B-12C](#). The total lineal feet of pathways with the required and proposed number of trees are included in the Landscape Calculations table.

Common open space is required to be landscaped in accord with the standards listed in [UDC 11-3G-3E](#). The total square footage of common open space are included in the Landscape Calculations/Requirements table along with the required number of trees to demonstrate compliance with UDC standards.



M. Qualified Open Space ([UDC 11-3G](#)):

A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required. Based on the proposed plat of 55.14 acres, a minimum of 5.5 acres of common open space should be provided.

~~The applicant is proposing 7.7 acres of open space (or 14.66%)~~ The applicant is proposing 9.74 acres of open space (or 18.5%), of which 6.46 acres (or 12.3%) is qualifying open space consisting of a 10-foot multi-use pathway, common lots with open space areas, parkways along all proposed local streets, the inclusion of the Farr Lateral as open space, and half of the arterial street buffer to E. Lake Hazel Rd. Most of this open space is qualified open space The applicant reevaluated their open space exhibit and included all open space in their overall calculations while noting which area is qualifying; due to ACHD seepage beds throughout the development, the Applicant chose not to include any of the parkways in their qualifying open space calculation. Even without these parkway areas, the proposed open space in this development and exceeds UDC minimum standards (see Exhibit VII.F).

*Staff notes that the open space calculation includes area that is not common open space, i.e. the pool and pool deck. **This area is not open space but instead is part of an amenity; this area should be removed from the open space calculations and revised calculations provided prior to City Council.***

*The open space shown with the multi-family development appears to meet the specific use standards. A more cohesive and complete review will occur with the future Conditional Use Permit application required for multi-family development in the R-40 zoning district. **Staff recommends the applicant ensure the open space within the multi-family development meets the specific use standards requirements and the minimum 10% open space requirement in UDC 11-3G-3.***

N. Qualified Site Amenities ([UDC 11-3G](#)):

Based on the area of the proposed plat (55.14 acres), a minimum of three (3) qualified site amenities are required to be provided per the standards listed in [UDC 11-3G-3C](#).

The applicant proposes three (3) qualified amenities to include: a 10-foot multi-use pathway; a community pool; and additional qualified open space of at least 20,000 square feet. These proposed amenities meet the minimum UDC standards.

*The three (3) proposed amenities in the multi-family development conceptually meet the required specific use standards for multi-family development. **When the multi-family portion is submitted for CUP approval, the applicant should ensure there is an amenity from each of the required sections in UDC 11-4-3-27.D.***

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

The Farr Lateral runs along the boundary of this development starting at its southeast corner, continues along its southern and western boundary, and then bends north along its northern property boundary. The applicant is proposing to protect this waterway in place and add a 10-foot multi-use pathway outside of its easement to help create the waterway as a usable amenity for this community and others.



P. Fencing (*UDC 11-3A-6, 11-3A-7*):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is proposed as shown on the landscape plan and meets UDC standards as proposed.

Q. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

The Applicant has submitted sample elevations of the single-family homes and the future multi-family component of this project (see Section VII.I).

The single-family homes are depicted as mostly single-story structures with a variety of finish materials with stone, stucco, and lap-siding combinations. Some homes depict extra-large spaces for at-home RV storage and others with a second-story that appears to show a bonus room. The alley loaded single-family homes also depict combinations of stone, stucco, and lap-siding. All single-family homes appear to meet the design and architectural standards.

The multi-family elevations depict a variety of finish materials and modulation. The rear elevations of the proposed multi-family buildings abut an arterial roadway (E. Lake Hazel Rd.) and will need to have additional modulation with the overall building footprints to break up the façade along the arterial and meet the required Architectural Standards; submit elevations that comply with City standards with the CUP application.

## VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and approval of the requested preliminary plat with the conditions noted in Section VIII.A per the findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on April 2, 2020. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Preliminary Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Breckon, Applicant Representative
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: Bill Parsons; Andrea Pogue; and Bill Nary.

2. Key issue(s) of public testimony:

- a. None

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

- a. Fire response times and timing of future fire station build.
- b. Location of open space relative to proposed homes in the northeast.
- c. Enrollment and capacity of nearby schools; potential of future school sites nearby.

- d. Phasing of existing home connecting to City services; Commission decided to modify Staff's condition of approval and allow the home to connect to city services in line with the proposed phasing plan.
  - 4. Commission change(s) to Staff recommendation:
    - a. Modify condition of approval VIII.A8 to allow existing home to connect to city services in line with the proposed phasing plan.
    - b. Add condition to Development Agreement requiring language be placed into all sales information regarding the future multi-family development that will be a part of this project site.
  - 5. Outstanding issue(s) for City Council:
    - a. Council waiver to allow the Farr Lateral to remain as an open waterway. If Council supports the waiver for the canal to remain open, staff recommends Council include a new condition of approval allowing the Farr Lateral to remain open in accord with UDC 11-3A-6.
- C. The Meridian City Council heard these items on April 28, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.
- 1. Summary of the City Council public hearing:
    - a. In favor: Jon Breckon, Applicant Representative; Hethe Clark, Applicant Representative.
    - b. In opposition: Annette Alonso, Southern Rim Coalition
    - c. Commenting: Annette Alonso, Southern Rim Coalition
    - d. Written testimony: Annette Alonso – discussed pathway connectivity.
    - e. Staff presenting application: Joseph Dodson
    - f. Other Staff commenting on application: Bill Parsons; Bill Nary.
  - 2. Key issue(s) of public testimony:
    - a. Location of services in relation to this proposed subdivision;
    - b. Location of open space next to Farr Lateral and access to Discovery Park across Lake Hazel;
    - c. School enrollment concerns with the addition of this subdivision and others recently approved by City Council;
  - 3. Key issue(s) of discussion by City Council:
    - a. School capacities, enrollment, and future school sites; unknown picture of school district capacity as a whole.
    - b. Phasing of construction in regards to the multi-use pathway and overall pedestrian connectivity to the new Discovery Park located across the street from this development and other development.
  - 4. City Council change(s) to Commission recommendation:
    - a. Require the proposed multi-use pathway to be constructed in Phase I of development except for that area of pathway proposed within the multi-family development, phase 4.
    - b. Require that the street frontage improvements along Lake Hazel are to be completed with Phase 1 development.
    - c. The waiver to keep the Farr Lateral open was approved by City Council.

## VII. EXHIBITS

### A. Annexation Legal Descriptions and Exhibit Maps

Legal Description  
City of Meridian Annexation  
Lavender Heights Subdivision

A parcel of land located in the SW ¼ of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an Aluminum cap monument marking the southwest corner of said Section 32, from which an Aluminum cap monument marking the northwest corner of the SW ¼ of said section bears N 0°32'17" W a distance of 2700.11 feet;

Thence S 89°57'01" E along the southerly boundary of said SW ¼ a distance of 1331.91 feet to a 5/8 inch iron pin monument marking the southwest corner of the SE ¼ of said SW ¼ and the **POINT OF BEGINNING**;

Thence N 0°09'52" W along the westerly boundary of said SE ¼ of the SW ¼ a distance of 431.20 feet to the southeasterly corner of that parcel shown as the "John Freeman" parcel on Record of Survey No. 7783, records of Ada County, Idaho;

Thence along the southerly, westerly and northerly boundary of said parcel the following courses and distances:

Thence N 69°55'45" W a distance of 503.30 feet to a point;

Thence N 58°00'31" W a distance of 219.85 feet to a point of curvature;

Thence a distance of 114.95 feet along the arc of a 140.00 foot radius curve right, said curve having a central angle of 47°02'41" and a long chord bearing N 34°29'08" W a distance of 111.75 feet to a point of tangency;

Thence N 10°57'45" W a distance of 410.17 feet to a point of curvature;

Thence a distance of 155.37 feet along the arc of a 110.00 foot radius curve right, said curve having a central angle of 80°55'32" and a long chord bearing N 29°30'30" E a distance of 142.77 feet to a point of tangency;

Thence N 69°57'44" E a distance of 128.97 feet to a point;

Thence N 83°47'06" E a distance of 26.72 feet to a point;

Thence S 86°47'31" E a distance of 362.95 feet to a point of curvature;

Thence a distance of 122.47 feet along the arc of a 220.00 foot radius curve left, said curve having a central angle of 31°53'39" and a long chord bearing N 77°15'42" E a distance of 120.89 feet to a point of tangency;

Thence N 61°18'54" E a distance of 91.61 feet to a point of curvature;



Lavender Heights Annexation  
Job No. 17-55  
Page 1 of 2



Thence a distance of 22.57 feet along the arc of a 144.67 foot radius curve left, said curve having a central angle of 8°56'24" and a long chord bearing N 56°50'40" E a distance of 22.55 feet to a point on the east boundary of the NW ¼ of the SW ¼ of said Section 32, also being the westerly boundary of Blackrock Subdivision No. 1, as filed for record in Book 96 of Plats at Pages 12003 through 12008, records of Ada County, Idaho;

Thence along said boundary S 0°08'26" E a distance of 101.67 feet to the northwest corner of the SE ¼ of the SW ¼ of said Section 32, said point also being the northwesterly corner of the "Clayton Properties LLC" parcel shown on said Record of Survey No. 7783, and the southwesterly corner of said Blackrock Subdivision No. 1;

Thence leaving said "John Freeman" parcel boundary, and along the northerly boundary of said SE ¼ of the SW ¼, being partially along the northerly boundary of said "Clayton Properties LLC" parcel, also being the southerly boundary of said Blackrock Subdivision No. 1 S 89°49'51" E a distance of 1340.54 feet to the northeasterly corner of said SE ¼ of the SW ¼;

Thence along the easterly boundary of said SE ¼ of the SW ¼ S 0°12'02" W a distance of 1344.18 feet to the southeasterly corner of the SW ¼ of said Section 32;

Thence along the southerly boundary of said SW ¼ N 89°58'24" W a distance of 1331.96 feet to the **POINT OF BEGINNING**.

This parcel contains 55.14 acres, more or less, and is subject to any easements existing or in use.

Clinton W. Hansen, PLS  
Land Solutions, PC  
November 25, 2019



Lavender Heights Annexation  
Job No. 17-55  
Page 2 of 2

Legal Description  
R-4 Zone  
**Lavender Heights Subdivision**

A parcel of land located in the SW ¼ of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an Aluminum cap monument marking the southwest corner of said Section 32, from which an Aluminum cap monument marking the northwest corner of the SW ¼ of said section bears N 0°32'17" W a distance of 2700.11 feet;

Thence S 89°57'01" E along the southerly boundary of said SW ¼ a distance of 1331.91 feet to a 5/8 inch iron pin monument marking the southwest corner of the SE ¼ of said SW ¼;

Thence N 0°09'52" W along the westerly boundary of said SE ¼ of the SW ¼ a distance of 431.20 feet to a point;

Thence N 69°55'45" W a distance of 262.71 feet to the **POINT OF BEGINNING**;

Thence continuing N 69°55'45" W a distance of 240.59 feet to a point;

Thence N 58°00'31" W a distance of 219.85 feet to a point of curvature;

Thence a distance of 114.95 feet along the arc of a 140.00 foot radius curve right, said curve having a central angle of 47°02'41" and a long chord bearing N 34°29'08" W a distance of 111.75 feet to a point of tangency;

Thence N 10°57'45" W a distance of 410.17 feet to a point of curvature;

Thence a distance of 155.37 feet along the arc of a 110.00 foot radius curve right, said curve having a central angle of 80°55'32" and a long chord bearing N 29°30'30" E a distance of 142.77 feet to a point of tangency;

Thence N 69°57'44" E a distance of 128.97 feet to a point;

Thence N 83°47'06" E a distance of 26.72 feet to a point;

Thence S 86°47'31" E a distance of 362.95 feet to a point of curvature;

Thence a distance of 122.47 feet along the arc of a 220.00 foot radius curve left, said curve having a central angle of 31°53'39" and a long chord bearing N 77°15'42" E a distance of 120.89 feet to a point of tangency;

Thence N 61°18'54" E a distance of 91.61 feet to a point of curvature;

Thence a distance of 22.57 feet along the arc of a 144.67 foot radius curve left, said curve having a central angle of 8°56'24" and a long chord bearing N 56°50'40" E a distance of 22.55 feet to a point on the east boundary of the NW ¼ of the SW ¼ of said Section 32, also being the



Lavender Heights Subdivision  
Revised R-4 Zone  
Job No. 17-55  
Page 1 of 3



westerly boundary of Blackrock Subdivision No. 1 as shown in Book 96 of Plats at Pages 12003 through 12008, records of Ada County, Idaho;

Thence along said boundary S 0°08'26" E a distance of 101.67 feet to the northwest corner of the SE ¼ of the SW ¼ of said Section 32, said point also being the southwesterly corner of said Blackrock Subdivision No. 1;

Thence along the northerly boundary of said SE ¼ of the SW ¼, also being the southerly boundary of said Blackrock Subdivision No. 1 S 89°49'51" E a distance of 1340.54 feet to the northeasterly corner of said SE ¼ of the SW ¼;

Thence along the easterly boundary of said SE ¼ of the SW ¼ S 0°12'02" W a distance of 707.92 feet to a point;

Thence leaving said boundary N 89°47'24" W a distance of 141.89 feet to a point;

Thence S 0°12'02" W a distance of 23.62 feet to a point;

Thence S 39°56'09" W a distance of 31.50 feet to a point on a curve;

Thence a distance of 26.69 feet along the arc of a 60.00 foot radius non-tangent curve left, said curve having a central angle of 25°29'17" and a long chord bearing N 62°48'29" W a distance of 26.47 feet to a point of tangency;

Thence N 75°33'08" W a distance of 198.99 feet to a point;

Thence N 14°26'52" E a distance of 109.38 feet to a point of curvature;

Thence a distance of 24.92 feet along the arc of a 100.00 foot radius curve left, said curve having a central angle of 14°16'43" and a long chord bearing N 7°18'30" E a distance of 24.86 feet to a point of tangency;

Thence N 0°10'09" E a distance of 412.38 feet to a point;

Thence N 89°49'51" W a distance of 502.79 feet to a point of curvature;

Thence a distance of 29.79 feet along the arc of a 60.00 foot radius curve left, said curve having a central angle of 28°23'02" and a long chord bearing S 75°58'38" W a distance of 29.42 feet to a point;

Thence N 28°12'53" W a distance of 31.50 feet to a point;

Thence N 89°49'51" W a distance of 296.01 feet to a point;

Thence S 28°33'11" W a distance of 31.50 feet to a point on a curve;

Thence a distance of 29.72 feet along the arc of a 60.00 foot radius non-tangent curve left, said curve having a central angle of 28°23'02" and a long chord bearing N 75°38'20" W a distance of 29.42 feet to a point of tangency;



Thence N 89°49'51" W a distance of 613.00 feet to a point of curvature;

Thence a distance of 94.25 feet along the arc of a 60.00 foot radius curve left, said curve having a central angle of 90°00'00" and a long chord bearing S 45°10'09" W a distance of 84.85 feet to a point of tangency;

Thence S 0°10'09" W a distance of 163.00 feet to a point of curvature;

Thence a distance of 94.25 feet along the arc of a 60.00 foot radius curve left, said curve having a central angle of 90°00'00" and a long chord bearing S 44°49'51" E a distance of 84.85 feet to a point of tangency;

Thence S 89°49'51" E a distance of 186.00 feet to a point;

Thence S 0°10'09" W a distance 209.50 feet to a point of curvature;

Thence a distance of 94.25 feet along the arc of a 60.00 foot radius curve left, said curve having a central angle of 90°00'00" and a long chord bearing S 44°49'51" E a distance of 84.85 feet to a point of tangency;

Thence S 89°49'51" E a distance of 18.64 feet to a point;

Thence S 0°09'52" E a distance of 122.87 feet to the **POINT OF BEGINNING**.

This parcel contains 16.37 acres, more or less.

Clinton W. Hansen, PLS  
Land Solutions, PC  
Revised May 1, 2020



Lavender Heights Subdivision  
Revised R-4 Zone  
Job No. 17-55  
Page 3 of 3



Thence S 89°49'51" E a distance of 296.01 feet to a point;

Thence S 28°12'53" E a distance of 31.50 feet to a point on a curve;

Thence a distance of 29.79 feet along the arc of a 60.00 foot radius non-tangent curve right, said curve having a central angle of 28°23'02" and a long chord bearing N 75°58'38" E a distance of 29.42 feet to a point of tangency;

Thence S 89°49'51" E a distance of 502.79 feet to a point;

Thence S 0°10'09" W a distance of 412.38 feet to a point of curvature;

Thence a distance of 24.92 feet along the arc of a 100.00 foot radius curve right, said curve having a central angle of 14°16'43" and a long chord bearing S 7°18'30" W a distance of 24.86 feet to a point of tangency;

Thence S 14°26'52" W a distance of 109.38 feet to a point;

Thence S 75°33'08" E a distance of 198.99 feet to a point of curvature;

Thence a distance of 26.69 feet along the arc of a 60.00 foot radius curve right, said curve having a central angle of 25°29'17" and a long chord bearing S 62°48'29" E a distance of 26.47 feet to a point;

Thence N 39°56'09" E a distance of 31.50 feet to a point;

Thence N 0°12'02" E a distance of 23.62 feet to a point;

Thence S 89°47'24" E a distance of 141.89 feet to a point on the easterly boundary of said SE ¼ of the SW ¼;

Thence along said easterly boundary S 0°12'02" W a distance of 563.26 feet to a point;

Thence leaving said boundary N 89°58'24" W a distance of 103.29 feet to a point;

Thence N 67°56'23" W a distance of 156.05 feet to a point;

Thence N 14°26'52" E a distance of 150.51 feet to a point;

Thence N 15°05'05" W a distance of 51.58 feet to a point on a curve;

Thence a distance of 30.93 feet along the arc of a 60.00 foot radius non-tangent curve right, said curve having a central angle of 29°31'57" and a long chord bearing S 89°40'54" W a distance of 30.59 feet to a point of tangency;

Thence N 75°33'08" W a distance of 598.93 feet to a point of curvature;



Lavender Heights Subdivision  
Revised R-8 Zone  
Job No. 17-55  
Page 2 of 3

Thence a distance of 81.16 feet along the arc of a 100.00 foot radius curve right, said curve having a central angle of 46°30'00" and a long chord bearing N 52°18'08" W a distance of 78.95 feet to a point;

Thence S 49°44'18" W a distance of 92.66 feet to a point;

Thence S 14°26'52" W a distance of 137.03 feet to a point;

Thence N 75°33'08" W a distance of 176.02 feet to a point;

Thence N 70°56'08" W a distance of 170.63 feet to the **POINT OF BEGINNING**.

This parcel contains 28.07 acres, more or less.

Clinton W. Hansen, PLS  
Land Solutions, PC  
Revised May 1, 2020



Lavender Heights Subdivision  
Revised R-8 Zone  
Job No. 17-55  
Page 3 of 3



Legal Description  
R-15 Zone  
**Lavender Heights Subdivision**

A parcel of land located in the SW ¼ of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an Aluminum cap monument marking the southwest corner of said Section 32, from which an Aluminum cap monument marking the northwest corner of the SW ¼ of said section bears N 0°32'17" W a distance of 2700.11 feet;

Thence S 89°57'01" E along the southerly boundary of said SW ¼ a distance of 1331.91 feet to a 5/8 inch iron pin monument marking the southwest corner of the SE ¼ of said SW ¼;

Thence N 0°09'52" W along the westerly boundary of said SE ¼ of the SW ¼ a distance of 431.20 feet;

Thence S 70°56'08" E a distance of 170.63 feet to a point;

Thence S 75°33'08" E a distance of 176.02 feet to the **POINT OF BEGINNING**;

Thence N 14°26'52" E a distance of 137.03 feet to a point;

Thence N 49°44'18" E a distance of 92.66 feet to a point on a curve;

Thence a distance of 81.16 feet along the arc of a 100.00 foot radius non-tangent curve left, said curve having a central angle of 46°30'00" and a long chord bearing S 52°18'08" E a distance of 78.95 feet to a point of tangency;

Thence S 75°33'08" E a distance of 598.93 feet to a point of curvature;

Thence a distance of 30.93 feet along the arc of a 60.00 foot radius curve left, said curve having a central angle of 29°31'57" and a long chord bearing N 89°40'54" E a distance of 30.59 feet to a point;

Thence S 15°05'05" E a distance of 51.58 feet to a point;

Thence S 14°26'52" W a distance of 150.51 feet to a point;

Thence N 67°56'23" W a distance of 46.03 feet to a point;

Thence N 75°33'08" W a distance of 734.37 feet to the **POINT OF BEGINNING**.

This parcel contains 3.25 acres, more or less.

Clinton W. Hansen, PLS  
Land Solutions, PC  
November 25, 2019



Lavender Heights Subdivision  
R-15 Zone  
Job No. 17-55  
Page 1 of 1

Legal Description  
R-40 Zone  
Lavender Heights Subdivision

A parcel of land located in the SE ¼ of the SW ¼ of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an Aluminum cap monument marking the southwest corner of said Section 32, from which an Aluminum cap monument marking the northwest corner of the SW ¼ of said section bears N 0°32'17" W a distance of 2700.11 feet;

Thence S 89°57'01" E along the southerly boundary of said SW ¼ a distance of 1331.91 feet to a 5/8 inch iron pin monument marking the southwest corner of the SE ¼ of said SW ¼, the **POINT OF BEGINNING**;

Thence N 0°09'52" W along the westerly boundary of said SE ¼ of the SW ¼ a distance of 431.20 feet to a point;

Thence leaving said boundary S 70°56'08" E a distance of 170.63 feet to a point;

Thence S 75°33'08" E a distance of 910.39 feet to a point;

Thence S 67°56'23" E a distance of 202.08 feet to a point;

Thence S 89°58'24" E a distance of 103.29 feet to a point on the easterly boundary of said SE ¼ of the SW ¼;

Thence along said boundary S 0°12'02" W a distance of 73.00 feet to the southeast corner of said SE ¼ of the SW ¼;

Thence along the southerly boundary of said SE ¼ of the SW ¼ N 89°58'24" W a distance of 1331.96 feet to the **POINT OF BEGINNING**.

This parcel contains 7.44 acres, more or less.

Clinton W. Hansen, PLS  
Land Solutions, PC  
December 3, 2019

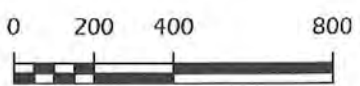
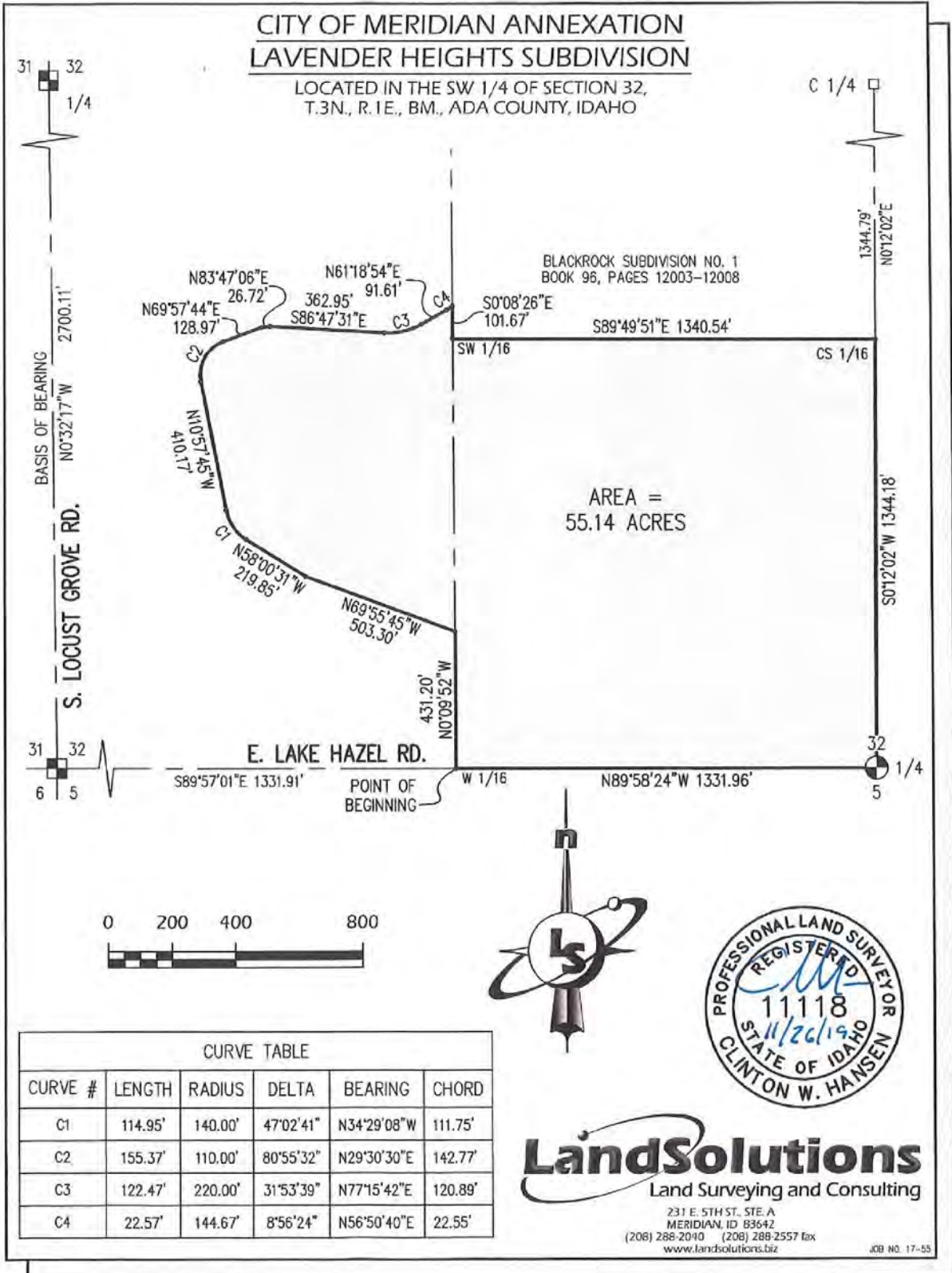


Lavender Heights Subdivision  
R-40 Zone  
Job No. 17-55  
Page 1 of 1



**CITY OF MERIDIAN ANNEXATION  
LAVENDER HEIGHTS SUBDIVISION**

LOCATED IN THE SW 1/4 OF SECTION 32,  
T.3N., R.1E., BM., ADA COUNTY, IDAHO



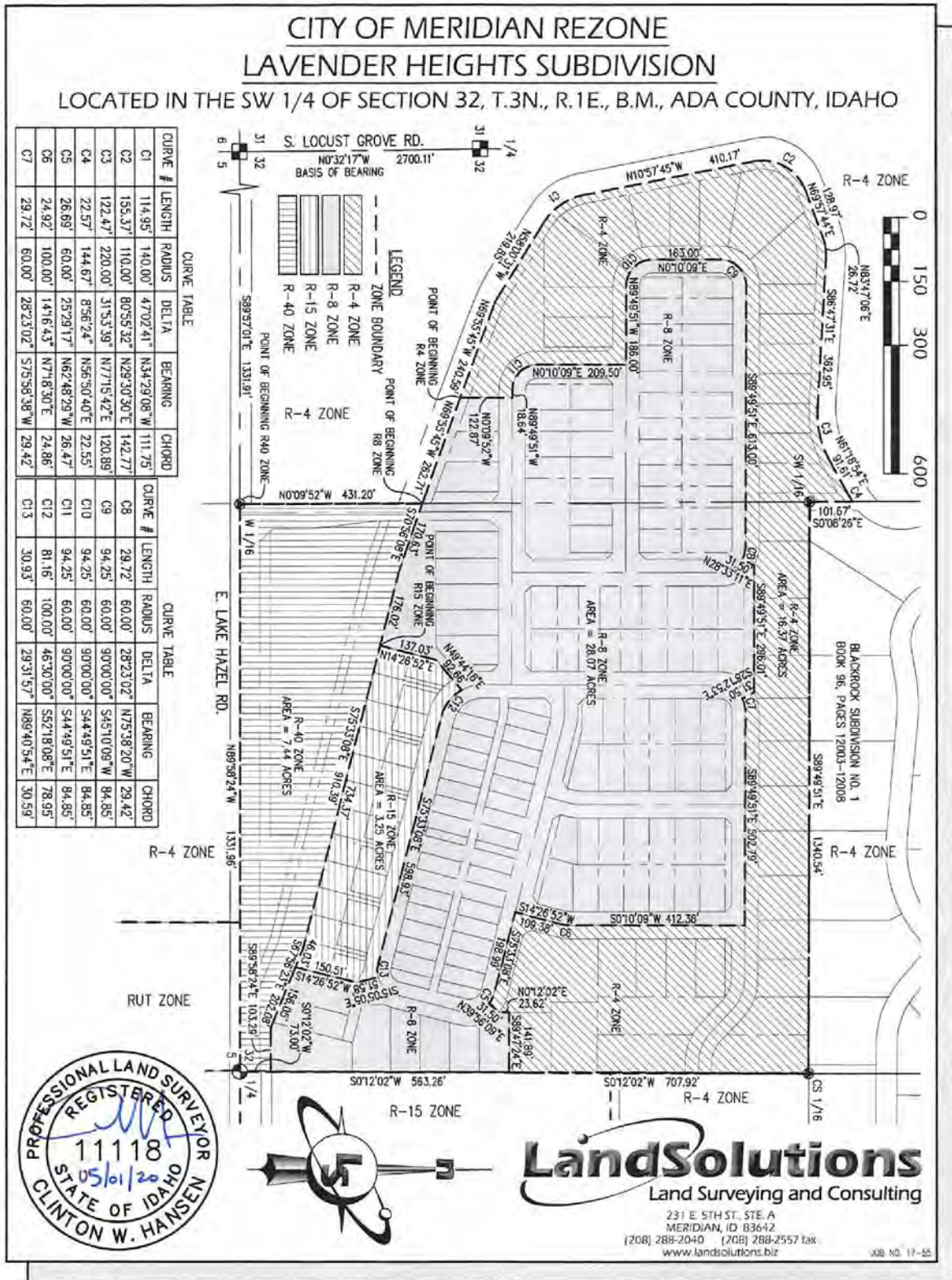
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	114.95'	140.00'	47°02'41"	N34°29'08"W	111.75'
C2	155.37'	110.00'	80°55'32"	N29°30'30"E	142.77'
C3	122.47'	220.00'	31°53'39"	N77°15'42"E	120.89'
C4	22.57'	144.67'	8°56'24"	N56°50'40"E	22.55'

**LandSolutions**  
Land Surveying and Consulting

231 E. 5TH ST., STE. A  
MERIDIAN, ID 83642  
(208) 288-2010 (208) 288-2557 fax  
www.landsolutions.biz

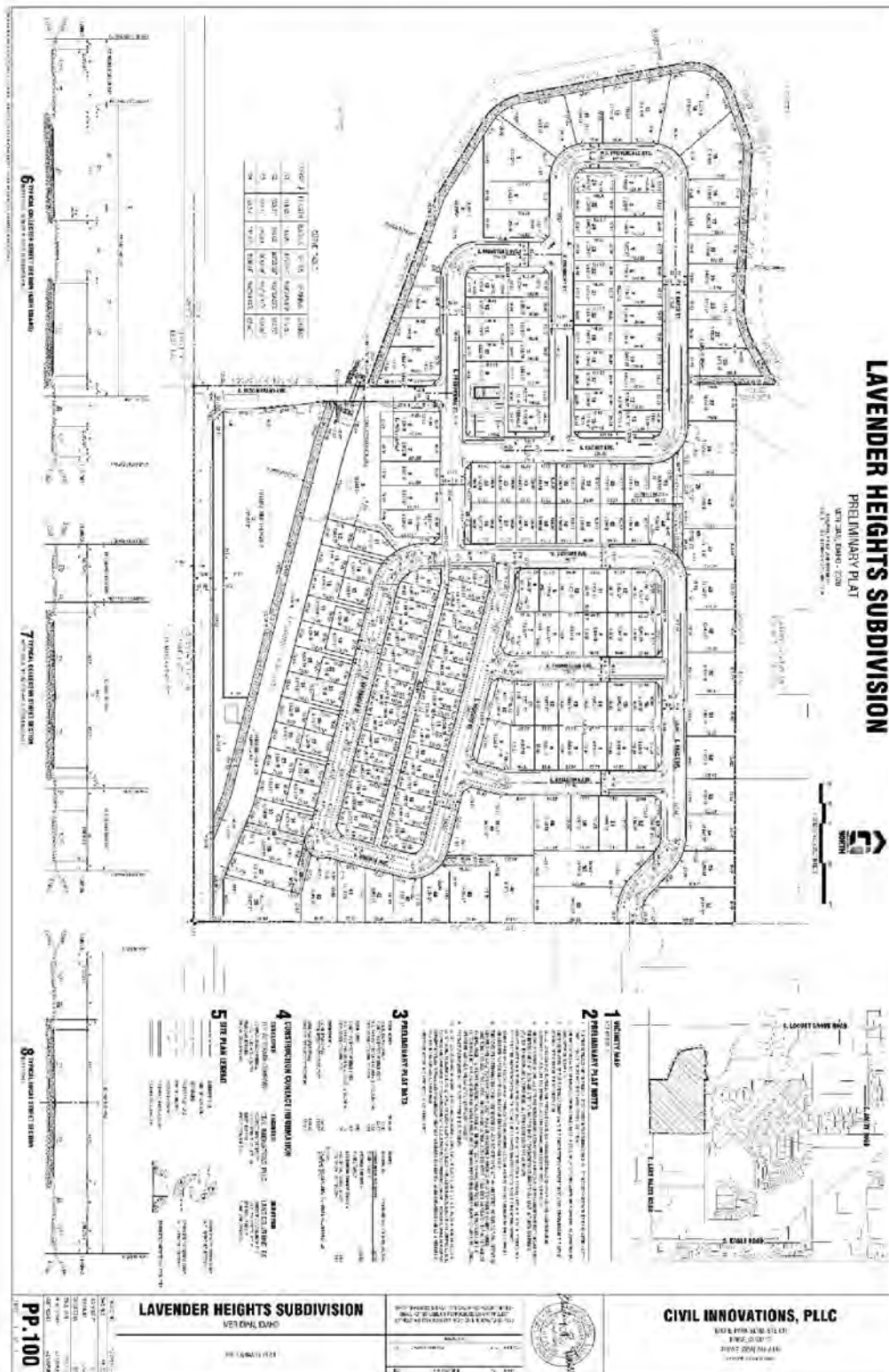
JOB NO. 17-55

B. Proposed Zoning Designations (date: 12/3/2019 05/01/2020)

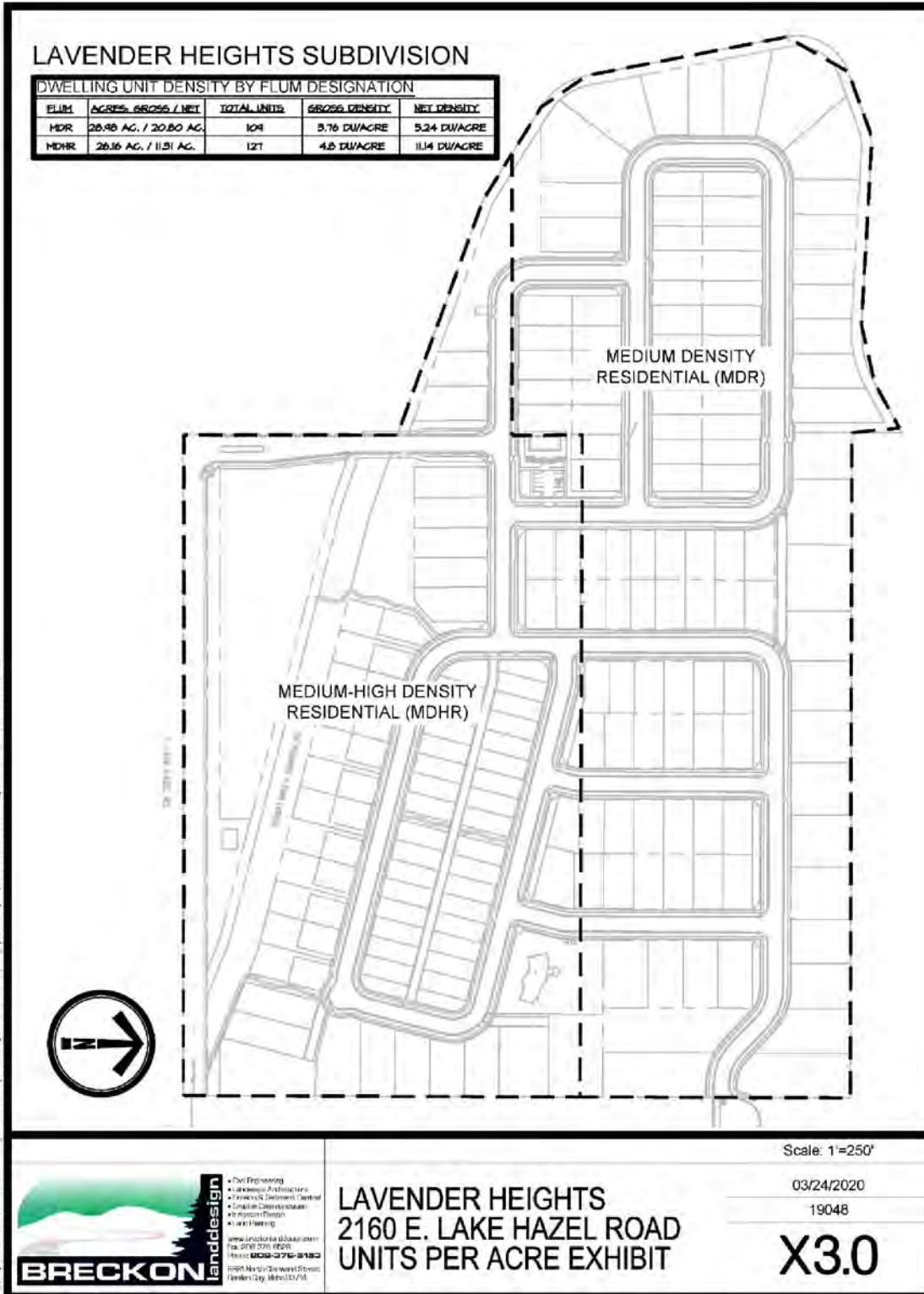




C. Preliminary Plat (date: 1/23/2020) (date: 4/17/2020)

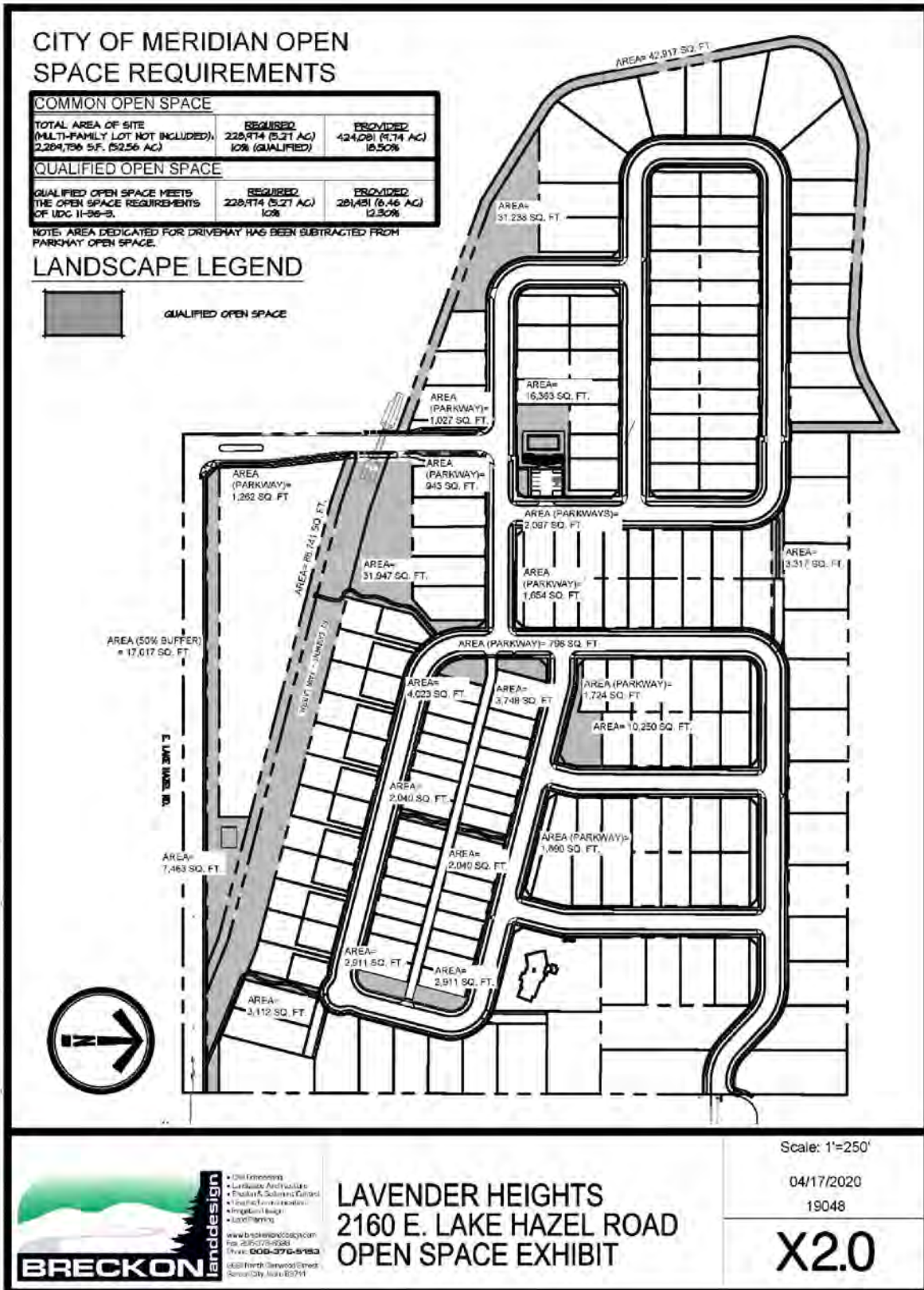


D. FLUM Density Exhibit





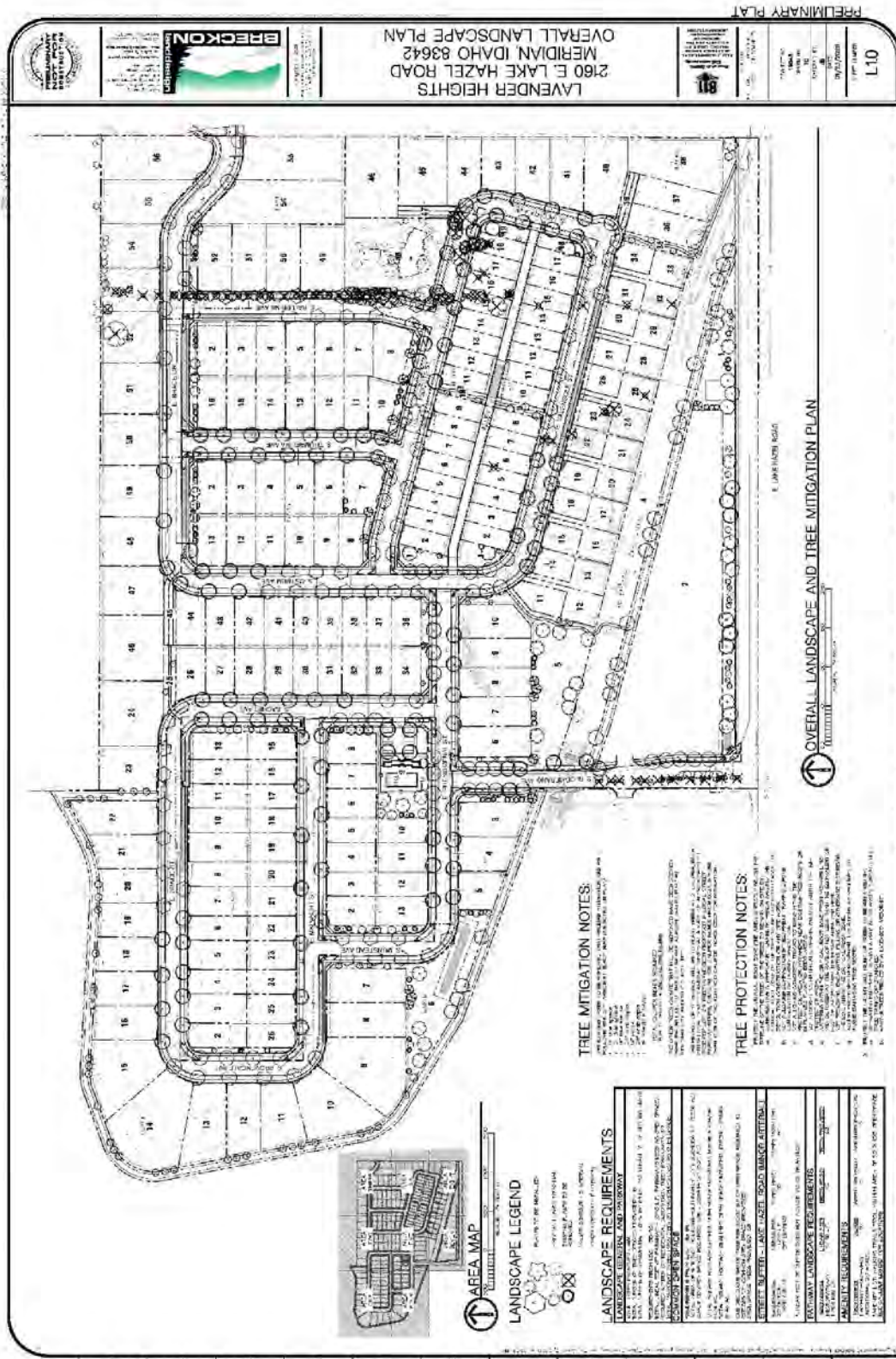
E. Open Space Exhibit (date: 3/24/2020) (date: 4/17/2020)



• Civil Engineering  
 • Landscape Architecture  
 • Planning & Solutions Consulting  
 • Site Planning & Design  
 • Land Use Planning  
 www.breckonlandscape.com  
 Fax: 208-773-9288  
 P.O. Box 3795, Boise, ID 83721  
 1855 North Central Street  
 Meridian, Idaho 83411

LAVENDER HEIGHTS  
2160 E. LAKE HAZEL ROAD  
OPEN SPACE EXHIBIT

F. Landscape Plan (date: 1/23/2020)-(date: 4/20/2020)







LAVENDER HEIGHTS  
 2160 E. LAKE HAZEL ROAD  
 MERIDIAN, IDAHO 83842  
 SCALE: 1"=40'-0"







H. Phasing Plan





I. Conceptual Building Elevations











## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VII and the provisions contained herein.
  - b. The 10-foot multi-use pathway shall be constructed with Phase 1 of the development, except for that area located in the proposed future multi-family development along the southern edge of the Farr Lateral, shown as Phase 4.
  - c. The required secondary access via extension of E. Brace Dr. shall be constructed with Phase 1 of the development.
  - d. Direct lot access to Lake Hazel Road shall be prohibited.
  - e. No more than 54 and no less than 36 units shall be allowed on the R-40 zoned property. Detailed Conditional Use Permit approval is required prior to any development on the R-40 zoned area.
  - f. With the sale of all future homes in the Lavender Heights Subdivision, all sales information shall have language regarding the future multi-family project that will be a part of this development.
  - g. Per City Council waiver, the Farr Lateral waterway shall remain open in accord with the standards in UDC 11-3A-6.
  - h. The required street frontage improvements (sidewalk and landscaping) along E. Lake Hazel Road shall be constructed with Phase 1 of the development.
2. The preliminary plat included in Section VII.C, dated ~~01/23/2020~~ 04/17/2020, shall be revised as follows prior to submittal of the final plat application:
    - a. Add to the plat, a proposed curb-cut for the future roadway to the west from S. Bloomerang Ave.
    - b. For phases adjacent to E. Lake Hazel Road, add a note prohibiting direct lot access via E. Lake Hazel Road.

***Submit a revised plan (and electronic copy) to the Planning Division at least 10 days prior to the City Council hearing.***
  3. The landscape plan included in Section VII.F, dated ~~01/23/2020~~ 04/20/2020, shall be revised as follows prior to submittal of the final plat application:



- a. The Landscape Calculations/Requirements table shall include the following: 1) the total linear feet of parkways and the required number of residential subdivision trees per UDC 11-3B-7C; 2) the total square footage of common open space and required number of trees per UDC 11-3G-3E.
  - b. Change proposed fencing symbol to more clearly reflect the type of fencing proposed (i.e. a different symbol for each type of fencing); all fencing shall comply with the standards listed in UDC 11-3A-7.
4. ~~The Open Space Exhibit shall be corrected to remove impermeable surface area on Lot 9, Block 3.~~
  4. Future development shall be consistent with the minimum dimensional standards listed in [UDC Table 11-2A-6](#) for all proposed zoning districts.
  5. Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit.
  6. **An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).**
  7. Where pathways loop through common driveways, signage shall be provided to notify pedestrians that the common driveways serve a dual purpose (i.e. driveway/pathway) and are part of the pathway loop.
  8. The existing home that is to remain shall be required to connect to City of Meridian city services with Phase ~~4~~<sup>2</sup> of the development, consistent with the proposed phasing plan. *Therefore, a revised phasing plan shall be submitted to the Planning Department at least 10 days prior to the City Council Hearing reflecting this requirement.*

## B. PUBLIC WORKS

### 1. Site Specific Conditions of Approval

- 1.1 Each phase of this development must be modeled to ensure fire flow requirements can be met. A second water main connection may be required at first phase.
- 1.2 Existing wells must be decommissioned according to IDWR rules which include employing methods to ensure grout fills the annular space outside of the well casing. Record of abandonment must be provided to the City prior to final plat signature.
- 1.3 Applicant to coordinate with Public Works Engineering regarding fire flow requirements beyond 1500 gpm.
- 1.4 No sewer mainlines in common drives, only sewer services (reminder that a maximum of three services are allowed into a manhole, with a minimum 30-degrees of angle separation).
- 1.5 Sanitary sewer and water service lines extending through storm water seepage beds should be avoided.

### 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 existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 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](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=186665&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184598&dbid=0&repo=MeridianCity>

**E. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185184&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184930&dbid=0&repo=MeridianCity>

**G. BOISE PROJECT BOARD OF CONTROL**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184482&dbid=0&repo=MeridianCity>

**H. NAMPA & MERIDIAN IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184914&dbid=0&repo=MeridianCity>

**I. CENTRAL DISTRICT HEALTH DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184498&dbid=0&repo=MeridianCity>

**J. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184482&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185203&dbid=0&repo=MeridianCity>

**L. WEST ADA SCHOOL DISTRICT (WASD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185278&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 Commission finds the proposed zoning map amendment to R-4, R-8, R-15, and R-40 and subsequent development is consistent with the Comprehensive Plan, if all conditions of approval are complied with.*



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

*The City Council finds the proposed zoning map amendment will allow for the development of single-family detached and attached homes, as well as multi-family; all of which will contribute to the range of housing opportunities available within the City consistent with the Comprehensive Plan and the purpose statement of the residential districts.*

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 per the Analysis in Section V.*

B. Preliminary Plat Findings:

**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, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)*

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

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

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

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

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

*The City Council finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII 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 and approves of the overall project.*

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.*