

# EXHIBIT A

## STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



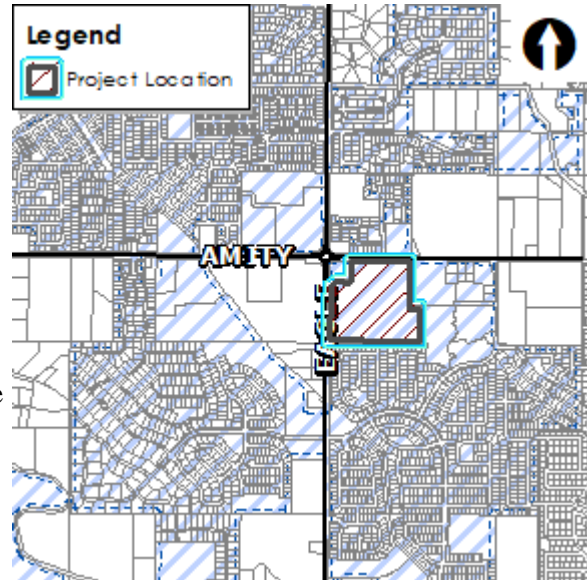
HEARING DATE: 7/28/2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0080  
Hill's Century Farm North - MDA

LOCATION: South of E. Amity Rd. & east of S. Eagle Rd., in the NW ¼ of Section 33, Township 3N., Range 1E.



### I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (Inst. #2020-059662 – provision #5.1g) to allow building permits for the commercial portion of the development to be issued prior to subdivision of the property.

### II. SUMMARY OF REPORT

A. Applicant:

Kody Daffer, Brighton Development – 2929 W. Navigator Rd., ID 83642

B. Owner:

Martin L. Hill – 3675 E. Amity Rd., Meridian, ID 83642

C. Representative:

Kody Daffer, Brighton Development – 2929 W. Navigator Rd., ID 83642

### III. STAFF ANALYSIS

The Applicant proposes to amend provision #5.1g in the existing Development Agreement (DA) (Inst. #2020-059662), to allow for building permits to be issued in the commercial portion of the development prior to subdivision of the property as currently required.

The existing provision reads, “The annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill’s Century Farm North community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

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The Applicant proposes the following change: “The residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of commercial uses, including but not limited to the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill’s Century Farm North self-service storage facility and the community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

Because commercial property is not typically required to be subdivided prior to issuance of building permits, Staff recommends the existing provision is stricken and alternate language is provided instead that would simplify the requirements for subdivision of the property, which Staff believes meets the Applicant’s intended purpose, as follows: “The R-8 and R-15 zoned residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the community center complex on Lot 101 as shown on the revised conceptual development plan dated October 30, 2019; building permit(s) for the community center complex may be issued prior to subdivision of the property. Subdivision of the C-N and C-C zoned commercial portions of the annexation area is not required prior to issuance of building permits.”

### IV. DECISION

#### A. Staff:

Staff recommends approval of a modification to the DA as recommended by Staff in Section V.

#### B. The Meridian City Council heard these items on July 28, 2020. At the public hearing, the Council moved to approve the subject MDA request.

##### 1. Summary of the City Council public hearing:

- a. In favor: Mike Wardle, Brighton Corporation
- b. In opposition: None
- c. Commenting: James Phillips
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

##### 2. Key issue(s) of public testimony:

- a. Request for mixed use development to occur on this site consistent with the MU-N FLUM designation to provided needed services in this area.

##### 3. Key issue(s) of discussion by City Council:

- a. None

##### 4. City Council change(s) to Commission recommendation:

- a. None

### V. EXHIBITS

#### A. Development Agreement Provision #5.1g:

##### **Existing:**

“The annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill’s Century Farm North community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

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### **Applicant's Proposed Change:**

“The residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of commercial uses, including but not limited to the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill's Century Farm North self-service storage facility and the community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

### **Staff's Recommended Change:**

~~“The annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill's Century Farm North community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”~~

“The R-8 and R-15 zoned residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the community center complex on Lot 101 as shown on the revised conceptual development plan dated October 30, 2019; building permit(s) for the community center complex may be issued prior to subdivision of the property. Subdivision of the C-N and C-C zoned commercial portions of the annexation area is not required prior to issuance of building permits.”