

DEVELOPMENT AGREEMENT

- PARTIES:**
1. **City of Meridian**
 2. **Endurance Holdings, LLC, Owner**
 3. **Viper Investments, LLC, Owner**
 4. **Challenger Development Inc., an Idaho Corporation, Developer**

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this _____ day of _____, 2022, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY, whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642, and **Endurance Holdings, LLC**, whose address is 1977 E. Overland Road, Meridian, Idaho 83642, hereinafter called OWNER; and **Viper Investments, LLC**, whose address is 1977 E. Overland Road, Meridian, Idaho 83642, hereinafter called OWNER; and **Challenger Development Inc., an Idaho Corporation**, whose address is 1977 E. Overland Road, Meridian, Idaho 83642, hereinafter called DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner/Developer is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit “A”, which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owner/Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“UDC”), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner/Developer has submitted an application for annexation and zoning of approximately 40.49 acres of land with a request for the C-C (2.95 acres) zoning district, R-8 (13.38 acres) zoning district, and R-15 (24.17 acres) zoning district on the property as shown in Exhibit “A” under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearings before Planning and Zoning Commission and the Meridian City Council as to how the Property will be developed and what improvements will be made; and

- 1.6 **WHEREAS**, the record of the proceedings for requested rezoning held before Planning and Zoning Commission and the City Council includes responses of government subdivisions providing services within the City of Meridian planning jurisdiction and includes further testimony and comment; and
- 1.7 **WHEREAS**, on the 9th day of August, 2022, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.9 **WHEREAS**, Owner/Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designations are in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

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

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

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

- 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
- 3.2 **OWNER/DEVELOPER:** means and refers to **Endurance Holdings, LLC**, whose address is 1977 E. Overland Road, Meridian, Idaho 83642, hereinafter called OWNER; **Viper Investments, LLC**, whose address is 1977 E. Overland Road, Meridian, Idaho 83642, hereinafter called OWNER; and **Challenger Development Inc., an Idaho Corporation**, whose address is 1977 E. Overland

Road, Meridian, Idaho 83642 hereinafter called DEVELOPER, the party that owns and/or is developing said Property and shall include any subsequent owners(s)/developer(s) of the Property.

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

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

- 4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.
- 4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

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

- 5.1. Owner/Developer shall develop the Property in accordance with the following special conditions:
- a. Future development of this site shall be substantially consistent with the approved plat, phasing plan, concept plan, landscape plan, open space exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
 - b. Future development shall be generally consistent with the proposed phasing plan, specifically that no more than 30 homes shall be constructed prior to both the Hillsdale Avenue and the Amity Road accesses being constructed.
 - c. With the first phase of development, the Applicant shall construct a dedicated westbound and eastbound turn lane on E. Amity Road at the S. Amorita Avenue entrance (as labeled on the preliminary plat) and construct an interim signal at the E. Amity Road and S. Hillsdale Avenue intersection, per the ACHD staff report and the Traffic Impact Study.
 - d. The Applicant shall construct a Rapid Rectangular Flashing Beacon (RRFB) crossing at the S. Hillsdale Avenue and E. Hill Park Street intersection when the sidewalk gap located at 5175 S. Hillsdale Avenue (Parcel R3530800300) is constructed.
 - e. Per the submitted and revised preliminary plat, Lot 58, Block 1 shall be reserved for a future daycare facility and Lots 17, 59, & 60, Block 1 shall be reserved for future commercial uses.
 - f. All future pedestrian crossings within the subdivision that traverse a driving surface shall be constructed with brick, pavers, stamped concrete, colored concrete or similar to clearly delineate the driving surface from the pedestrian facilities, per UDC 11-3A-19B.4b.

- g. No building permits shall be submitted until the final plat for the associated phase is recorded.
- h. The required landscape street buffers and detached pedestrian facilities shall be constructed and vegetated with the first phase of development along E. Amity Road and S. Hillsdale Avenue, including a 10-foot wide sidewalk along the Hillsdale frontage as required by City Council.
- i. The Applicant shall pipe and reroute the Cunningham Lateral segment present on this property and comply with the standards in UDC 11-3A-6, per the submitted preliminary plat and concept plan.
- j. Multi-family residential is not approved with these applications, and a future Conditional Use Permit is required per the use table in UDC 11-2A-2 for the R-15 zoning district.
- k. All open space and amenities throughout the development shall be shared by all portions of the development; the future Conditional Use Permit application shall show continued compliance with all open space and amenity requirements for the development as a whole.
- l. The elevations/facades of 2-story structures that face E. Amity Road, an entryway corridor, and S. Hillsdale Avenue Street, a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

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

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

- 7.1 **Acts of Default.** In the event Owner/Developer, or Owner/Developer's heirs, successors, assigns, or subsequent owners of the Property or any other person acquiring an interest in the Property, fail to faithfully comply with all of the terms and conditions included in this Agreement in connection with the Property, this Agreement may be terminated by the City upon compliance with the requirements of the Zoning Ordinance.
- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.

7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice from City as described in Section 7.2, City shall, upon satisfaction of the notice and hearing procedures set forth in Idaho Code section 67-6511A, have the right, but not a duty, to de-annex all or a portion of the Property, reverse the zoning designations described herein, and terminate City services to the de-annexed Property, including water service and/or sewer service. Further, City shall have the right to file an action at law or in equity to enforce the provisions of this Agreement. Because the covenants, agreements, conditions, and obligations contained herein are unique to the Property and integral to City's decision to annex and/or re-zone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserves all rights to contest whether a default has occurred.

7.4 **Choice of Law and Venue.** This Agreement and the rights of the parties hereto shall be governed by and construed in accordance with the laws of the State of Idaho, including all matters of construction, validity, performance, and enforcement. Any action brought by any party hereto shall be brought within Ada County, Idaho.

7.5 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.

7.6 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

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

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

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

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

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

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

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

CITY:	with copy to:
City Clerk	City Attorney
City of Meridian	City of Meridian
33 E. Broadway Ave.	33 E. Broadway Avenue
Meridian, Idaho 8362	Meridian, Idaho 83642

OWNER:
Endurance Holdings, LLC
1977 E. Overland Road
Meridian, Idaho 83642

OWNER:
Viper Investments, LLC
1977 E. Overland Road
Meridian, Idaho 83642

DEVELOPER:
Challenger Development Inc.
1977 E. Overland Road
Meridian, Idaho 83642

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

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

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

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

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

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

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

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

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

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

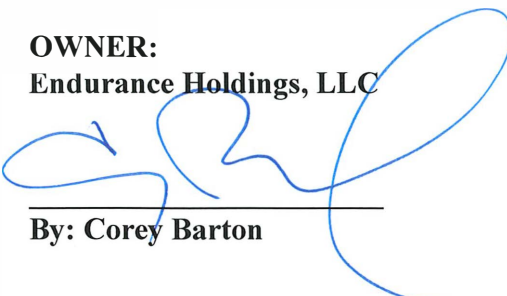
[end of text; acknowledgements, signatures and Exhibits A and B follow]

ACKNOWLEDGMENTS

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

OWNER:

Endurance Holdings, LLC


By: **Corey Barton**

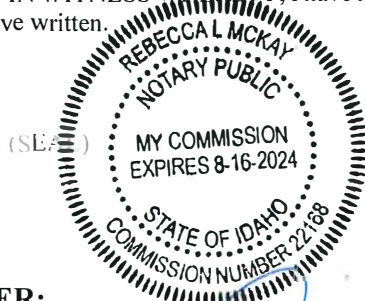
STATE OF IDAHO)

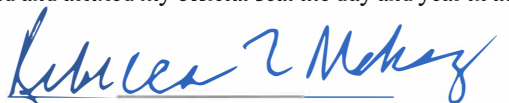
: ss:

County of Ada)

On this 22nd day of September, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **Corey Barton**, known or identified to me to be the Member of **Endurance Holdings, LLC**, and the person who signed above and acknowledged to me that he executed the same on behalf of said Company.

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




Notary Public
My Commission Expires: 8-16-2024

OWNER:

Viper Investments, LLC


By: **Corey Barton**

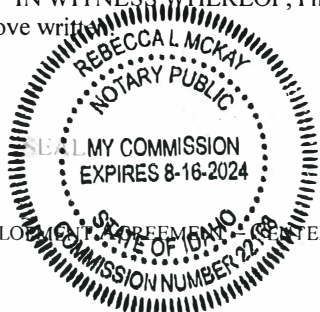
STATE OF IDAHO)

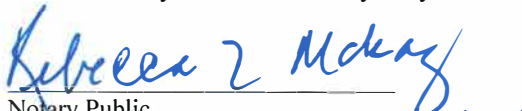
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County of Ada)

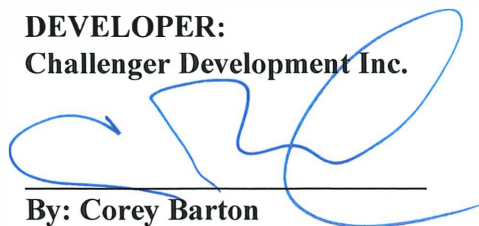
On this 22nd day of September, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **Corey Barton**, known or identified to me to be the Member of **Viper Investments, LLC**, and the person who signed above and acknowledged to me that he executed the same on behalf of said Company.

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




Notary Public
My Commission Expires: 8-16-2024

DEVELOPER:
Challenger Development Inc.


By: Corey Barton

STATE OF IDAHO)

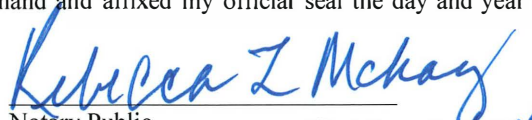
: ss:

County of Ada)

On this 22nd day of September, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **Corey Barton**, known or identified to me to be the President of **Challenger Development Inc.**, and the person who signed above and acknowledged to me that he executed the same on behalf of said Company.

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




Notary Public
My Commission Expires: 8-16-2024

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)

: ss

County of Ada)

On this _____ day of _____, 2022, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

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

(SEAL)

Notary Public for Idaho
Commission expires: _____

EXHIBIT A

Legal Description Centerville Subdivision – Annexation

A parcel being the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 1330.22 feet to a point marking the northeast corner of said NW ¼ of the NE ¼;

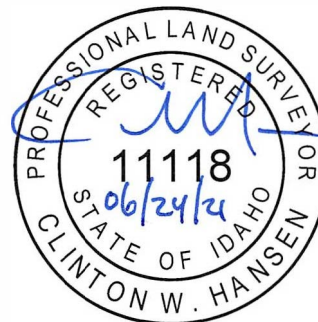
Thence along the easterly boundary of said NW ¼ of the NE ¼ S 0°22'10" W a distance of 1324.15 feet to a point marking the southeast corner of said NW ¼ of the NE ¼;

Thence along the southerly boundary of said NW ¼ of the NE ¼ N 89°27'31" W a distance of 1329.05 feet to a point marking the southwest corner of said NW ¼ of the NE ¼;

Thence along the westerly boundary of said NW ¼ of the NE ¼ N 0°19'12" E a distance of 1329.10 feet to the **POINT OF BEGINNING**.

This parcel contains 40.49 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
June 24, 2021



Legal Description
Centerville Subdivision – C-C, R15 and R8 Rezone

Parcels being portions of Lots 1 and 2 of Block 1 of Garoutte Acres Subdivision as shown in Book 60 of Plats on Pages 5900 through 5901, records of Ada County, Idaho, and the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

C-C REZONE

BEGINNING at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the NW ¼ of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 188.72 feet to a point;

Thence leaving said northerly boundary S 0°19'12" W a distance of 175.85 feet to a point;

Thence S 17°25'38" E a distance of 29.40 feet to a point;

Thence S 0°19'12" W a distance of 271.47 feet to a point;

Thence S 9°00'00" W a distance of 146.91 feet to a point;

Thence S 0°19'12" W a distance of 50.72 feet to a point;

Thence N 89°40'48" W a distance of 175.50 feet to a point on the westerly boundary of said NW ¼ of the NE ¼;

Thence along said westerly boundary N 0°19'12" E a distance of 672.70 feet to the **POINT OF BEGINNING**.

This parcel contains 2.95 acres and is subject to any easements existing or in use.

R-15 REZONE

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the NW ¼ of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 188.72 feet to the **POINT OF BEGINNING**;

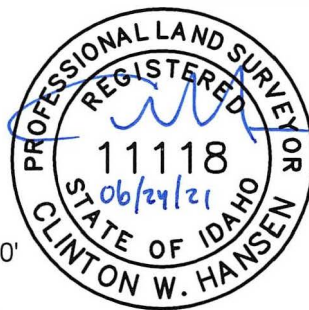
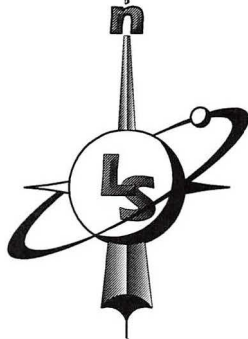
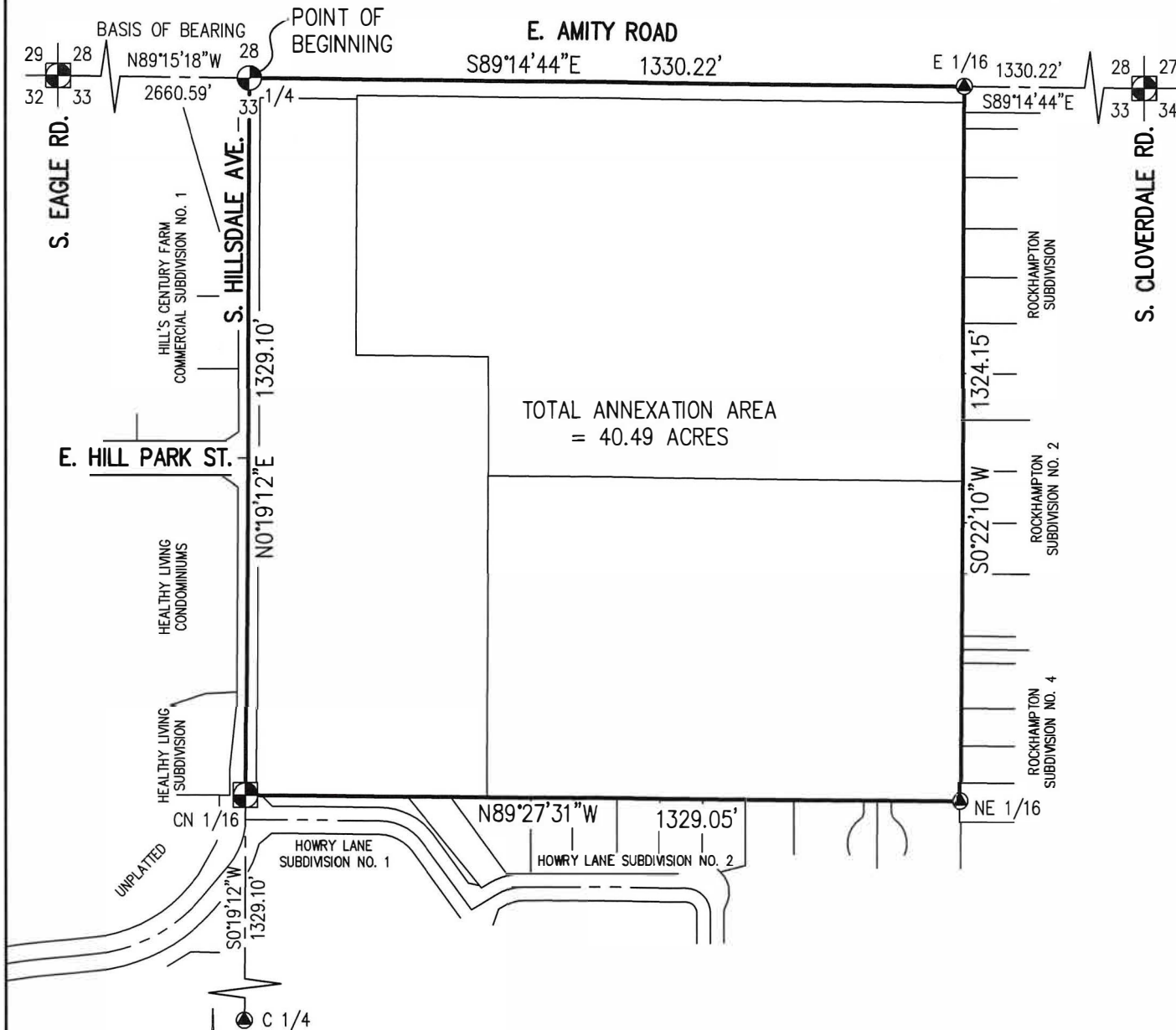
Thence continuing along said northerly boundary S 89°14'44" E a distance of 681.60 feet to a point;

Thence leaving said boundary S 0°47'14" W a distance of 174.00 feet to a point;

Thence S 6°25'57" E a distance of 47.37 feet to a point;

CENTERVILLE SUBDIVISION - ANNEXATION EXHIBIT

THE NW 1/4 OF THE NE 1/4 OF SECTION 33, T3N, R1E, BM, ADA COUNTY, IDAHO



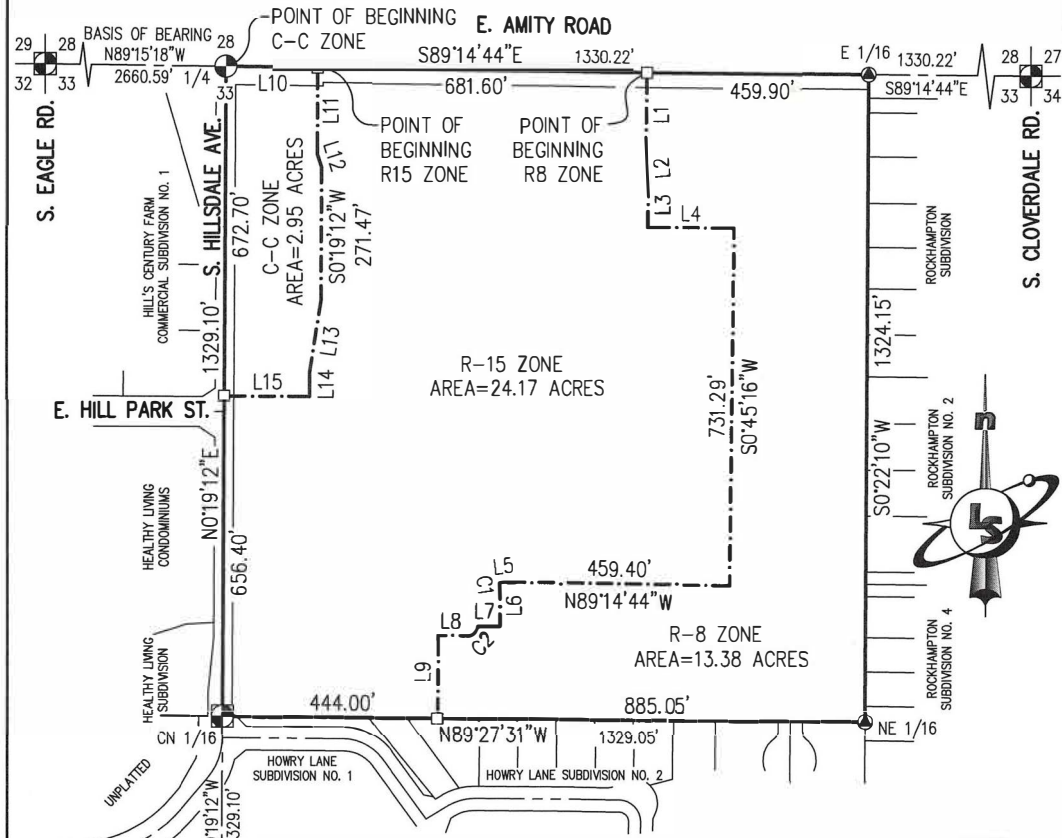
LandSolutions
Land Surveying and Consulting

231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

JOB NO. 20-16

CENTERVILLE SUBDIVISION - REZONE EXHIBIT

THE NW 1/4 OF THE NE 1/4 OF SECTION 33, T3N, R1E, BM, ADA COUNTY, IDAHO



LINE TABLE			CURVE TABLE						
LINE #	LENGTH	DIRECTION	CURVE #	LENGTH	RADIUS	DELTA	BEARING	CHORD	
L1	174.00'	S0°47'14"W	C1	7.71'	347.00'	1°16'25"	S7°38'12"E	7.71'	
L2	47.37'	S6°25'57"E	C2	31.42'	20.00'	90°00'00"	S45°45'16"W	28.28'	
L3	95.00'	S0°45'16"W							
L4	179.00'	S89°14'44"E							
L5	16.72'	S81°43'35"W							
L6	79.75'	S0°08'44"W							
L7	47.00'	N89°14'44"W							
L8	60.13'	N89°14'44"W							
L9	170.12'	S0°45'16"W							

LINE TABLE (CONT.)					
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L10	188.72'	S89°14'44"E	L13	146.91'	S9°00'00"W
L11	175.85'	S0°19'12"W	L14	50.72'	S0°19'12"W
L12	29.40'	S17°25'38"E	L15	175.50'	N89°40'48"W



LandSolutions
Land Surveying and Consulting
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 2882040 (208) 2882557 fax
www.landsolutions.biz
JOB NO. 20-16

EXHIBIT B

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



In the Matter of the Request for Annexation & Zoning of 40.49 acres of land from RUT to the C-C (2.95 acres), R-8 (13.38 acres) and R-15 (24.17 acres) zoning districts and a Preliminary Plat consisting of 249 total lots (124 single-family residential lots, 79 townhome lots, 4 multi-family lots, 4 commercial lots, 34 common lots, and 4 other lots) on 38.95 acres of land, by Becky McKay, Engineering Solutions.

Case No(s). H-2021-0046

For the City Council Hearing Date of: July 19, 2022 (Findings on August 9, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 19, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 19, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 19, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 19, 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 July 19, 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 request for Annexation and Zoning and Preliminary Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of July 19, 2022, 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. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of July 19, 2022.

By action of the City Council at its regular meeting held on the 9th day of August, 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 AYE

COUNCIL MEMBER TREG BERNT VOTED AYE

COUNCIL MEMBER LIZ STRADER VOTED AYE

MAYOR ROBERT E. SIMISON VOTED _____
(TIE BREAKER)



Mayor Robert E. Simison 8-9-2022
By Brad Hoaglund, Council President

Attest:

Chris Johnson 8-9-2022
City Clerk

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

By:  _____ Dated: 8-9-2022
City Clerk's Office

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



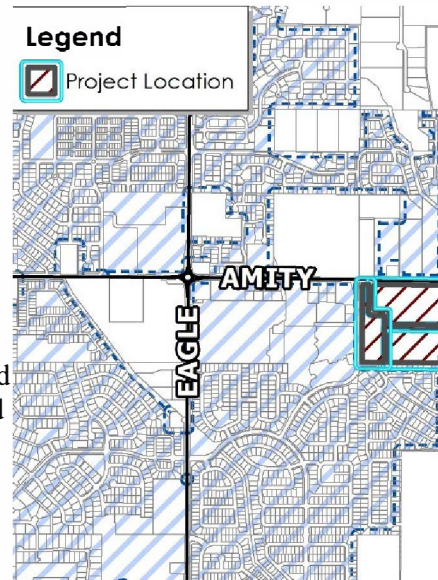
HEARING DATE: 11/16/2021, 1/4/2022, & 7/19/2022

TO: Mayor & City Council

FROM: Joe Dodson, Associate Planner
208-884-5533

SUBJECT: H-2021-0046
Centerville Subdivision

LOCATION: The site is located at 4111 E. Amity Road (including the outparcel to the south) and 5200 S. Hillsdale Avenue, at the southeast corner of S. Hillsdale and E. Amity, in the NW ¼ of the NE ¼ of Section 33, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Annexation & Zoning of 40.49 acres of land from RUT to the C-C (2.95 acres), R-8 (13.358 acres) and R-15 (27.14 24.17 acres) zoning districts with a concept plan showing 159 single-family units and 168 multi-family units and a preliminary plat consisting of 190 total lots (124 single-family residential lots, 35 townhome lots, 2 multi-family lots, 1 commercial lot, 1 clubhouse house, and 27 common lots) 219 single-family units and 16 multi-family units and a preliminary plat consisting of 249 total lots (124 single-family residential lots, 79 townhome lots, 4 multi-family lots, 4 commercial lots, 34 common lots, and 4 other lots) on 38.95 acres of land.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	40.49 acres (R-8 – 13.35 acres; R-15 – 27.14 <u>acres</u> ; C-C – 2.95 acres)	
Future Land Use Designation	Medium Density Residential & Mixed Use Neighborhood	
Existing Land Use(s)	County residential and vacant land	
Proposed Land Use(s)	Detached single-family residential; townhome residential; future multi-family residential; and a Daycare.	
Lots (# and type; bldg./common)	<u>190 total lots — 124 single-family residential lots, 35 townhome lots, 2 multi-family lots, 1 commercial lot, 1 clubhouse house, and 27 common lots</u> <u>249 total lots (124 single-family residential lots, 79 townhome lots, 4 multi-family lots, 4 commercial lots, 34 common lots, and 4 other lots)</u>	
Phasing Plan (# of phases)	Proposed as four (4) phases	

Description	Details	Page
Number of Residential Units (type of units)	327 <u>219</u> total units – 159 single family; 168 apartment units (not technically a part of this application; 124 single-family residential units, 79 townhome units, and 16 multi-family units (future CUP application is needed required for the MF)	
Density (gross & net)	Gross (overall) – 8.39 <u>6.01</u> du/ac. (327 <u>219</u> units/38.95 acre plat); Net – 12.54 du/ae. (per submitted plans, excludes: ROW, shared drives, daycare lot, and common area)	
Open Space (acres, total [%]/buffer/qualified)	5.64 acres of qualified open space OVERALL (approximately 14.48%). Further analysis below in Section V.J.	
Amenities	At least four (4) <u>five (5)</u> qualifying amenities (does not include future multi-family amenities) – Open space in excess of the requirements, picnic area with benches and shade structure, children’s play <u>structure, clubhouse and pool</u> , and public art.	
Physical Features (waterways, hazards, flood plain, hillside)	Cunningham Lateral bisects the southwest corner of the property – no floodplain on property.	
Neighborhood meeting date; # of attendees:	June 3, 2020; June 16, 2021 – 23 attendees	
History (previous approvals)	No previous application history with City of Meridian	

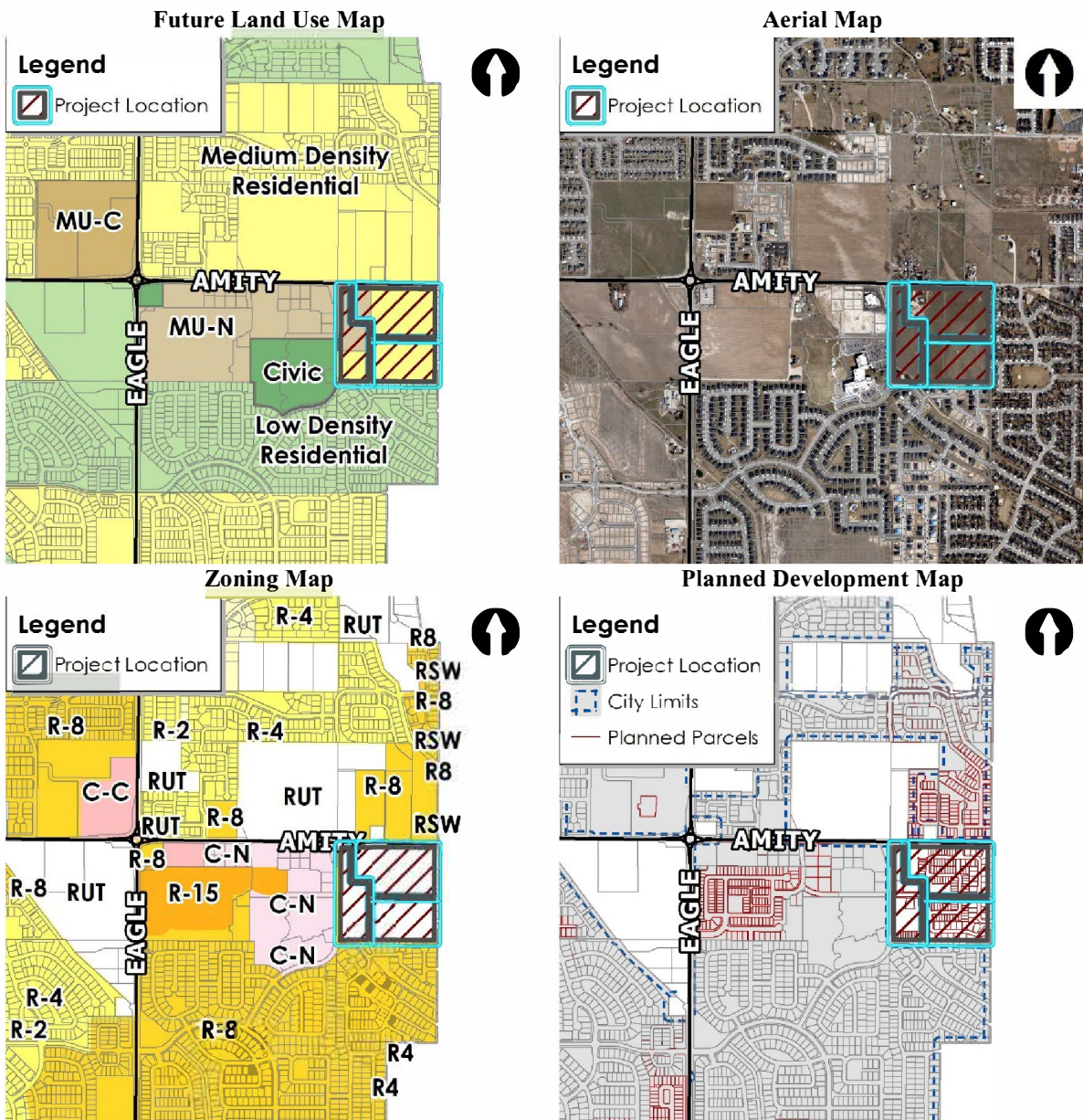
B. Community Metrics

Description	Details	Page
Ada County Highway District		
Staff report (yes/no)	Yes	
Requires ACHD Commission Action (yes/no)	No	
Traffic Impact Study (yes/no)	Yes (review ACHD Staff Report for specifics; Staff analysis is below in Section V.C)	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Two new accesses are proposed via new local street connections – One to E. Amity along the north boundary and one to S. Hillsdale along the west boundary. Other access is proposed via two stub street extensions.	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to extend two stub street connections – W. Macumbo St. from the east (Rockhampton Subdivision of Boise) and, S. Bleachfield Ave. from the south boundary (Howry Lane Subdivision).	
Traffic Level of Service	Amity Road (between site and Eagle) – Better than “E” (1,474/1,540 VPH) Amity Road (between site and Cloverdale) – Better than “E” (182/425 VPH) - Both segments of road are shown as level “F” when proposed project is added into existing traffic counts.	
Existing Road Network	Amity Road and S. Hillsdale are existing. All internal roads proposed would be new development.	
Existing Arterial Sidewalks / Buffers	No sidewalks or buffers along Amity Road frontage nor Hillsdale Avenue frontage (collector street)	

Description	Details	Page
Proposed Road Improvements	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): - Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road in 2021-2022. - Cloverdale Road is schedule in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road in 2025. - The intersection of Eagle Road and Amity Road is scheduled in the IFYWP to be reconstructed as a multi-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 4-lanes east, and 4-lanes on the west leg and is currently under construction. - The intersection of Cloverdale Road and Amity Road is scheduled in the IFYWP to be reconstructed as a multi-lane roundabout with 4-lanes on the north leg, 4-lanes on the south leg, 4-lanes on the north leg, 2-lanes on the east leg and 2-lanes on the west leg in 2025. - Amity Road is listed in the CIP to be widened to 3-lanes from Eagle Road to Cloverdale Road between 2036 and 2040.	
Fire Service		
Distance to Fire Station	Approx. 2.9 mile from Fire Station #4 (Boise Station 14 is 2.7 miles away)	
Fire Response Time	This project <i>does not</i> fall within the Meridian Fire response time goal of 5 minutes. If Station 7 is approved, response times will improve.	
Resource Reliability	Fire Station #4 reliability is 78% (below goal of 80%).	
Risk Identification	Risk Factor 2 – residential with hazards (multi-family and waterway)	
Accessibility	Proposed project meets all required access, road widths, and turnarounds. Proposed phasing plan shall be adhered to; any changes in the phasing shall be approved by the Fire Department. Applicant shall have strict adherence to proposed phasing plan.	
Police Service		
Distance to Station	Approximately 5.6 miles from Meridian Police Department	
Response Time	Approximately 4.5-minute response time to an emergency.	
Call Data	Between 7/1/2019- 6/30/2021, the Meridian Police Department responded to 900 calls for service within a mile of the proposed development. The crime count on the calls for service was 71. See attached documents for details. Between 7/1/2019- 6/30/2021, the Meridian Police Department responded to 25 crashes within a mile of the proposed development. See attached documents for details.	
Additional Concerns	None	
West Ada School District		
Estimated Additional School Aged Children	123 estimated children at full build out (.7 per SF dwelling, .1 per MF dwelling)	
Distance (elem, ms, hs)	0.2 miles to Hillsdale Elementary 1.7 miles to Lake Hazel Middle School 5. miles to Mountain View High School	
Capacity of Schools	Hillsdale Elementary – 700 students Lake Hazel Middle School – 1,000 students Mountain View High School – 2,175 students	
# of Students Enrolled	Hillsdale Elementary – 626 students Lake Hazel Middle School – 1,029 students Mountain View High School – 2,457 students	
School of Choice Options	- Christine Donnell Elementary (Arts) – 2.8 miles away (505 enrolled w/capacity of 500) - Spalding Elementary (STEM) – 4.3 miles away (677 enrolled w/capacity of 750)	
Wastewater		

Description	Details	Page
• Distance to Sewer Services	NA	
• Sewer Shed	South Black Cat Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	14.17	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	• Additional 15,709 gpd committed to model. • Ensure no permanent structures (including but not limited to trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easements.	
Water		
• Distance to Services	0'	
• Pressure Zone	4	
• Estimated Project Water ERU's	See application	
• Water Quality Concerns	None	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	• Ensure no permanent structures (including but not limited to trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.	
COMPASS – Communities in Motion 2040 2.0 Review		
Housing w/in 1 mile	3,190	
Jobs w/in 1 mile	670	
• Ratio	0.2 – Indicates an employment need (ratio between 1-1.5 is considered healthy ratio)	
Farmland Consumed?	Yes	
Nearest Bus Stop	2.6 miles	
Nearest Public School	0.1 miles	
Nearest Public Park	0.1 miles	
Nearest Grocery Store	2.4 miles (an Albertson's grocery store is under construction within 0.75 miles)	
Recommendations	See agency comment section for link to full file.	
Distance to nearest City Park (+ size)	¼ mile to Hillsdale Park and YMCA (9.54 acres in size) directly west of the project.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Shari Stiles, Engineering Solutions – 1029 N. Rosario Street, Suite 100, Meridian, ID 83642

B. Owner:

Corey Barton, Endurance Holdings, LLC – 1977 E. Overland Road, Meridian, ID 83642

C. Representative:

Becky McKay, Engineering Solutions – 1029 N. Rosario Street, Suite 100, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/23/2021	10/31/2021 <u>7/3/2022</u>
Radius notification mailed to properties within 500 feet	7/20/2021	10/28/2021 <u>6/30/2022</u>
Site Posting	8/1/2021	11/5/2021 <u>7/11/2022</u>
Nextdoor posting	7/20/2021	10/28/2021 <u>6/30/2022</u>

V. STAFF ANALYSIS

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

The subject project area contains two future land use designations, Mixed-use Neighborhood (MU-N) and Medium Density Residential (MDR), with the MDR designation taking up a larger area of the project, approximately 80% of the project area.

Mixed-Use Neighborhood (MU-N) – The purpose of this designation is to assign areas where neighborhood-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to avoid predominantly single-use developments by incorporating a variety of uses. Land uses in these areas should be primarily residential with supporting non-residential services. Non-residential uses in these areas tend to be smaller scale and provide goods or services that people typically do not travel far for (approximately one mile) and need regularly. Employment opportunities for those living in the neighborhood are encouraged. Connectivity and access between the non-residential and residential land uses is particularly critical in MU-N areas. Tree-lined, narrow streets are encouraged.

Medium Density Residential (MDR) – 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.

The subject property has two future land use designations on the property, as noted directly above. The majority of the site is designated Medium Density Residential (approximately 31 acres to 8 acres of MU-N) which calls for a different type of lot size and density than the Howry Lane Subdivision directly to the south which is designated as low density residential (LDR).

The subject project is comprised of three county parcels located at the southeast corner of E. Amity and S. Hillsdale, directly east of Hillsdale Elementary and the South Meridian YMCA. The relatively small area of MU-N on this site is part of a larger mixed-use area further to the west that encompasses approximately 70 acres. Approximately half of this mixed-use area is approved for residential development (Hills Century Farms North) with the remaining area being comprised of commercial zoning that includes self-storage, an urgent care, medical/dental offices, assisted living facility and some vacant commercial lots. Therefore, the applicant has not proposed to incorporate additional neighborhood serving uses and meet all of the comprehensive plan policies for this designation. Instead, the Applicant is proposing a mixed-use residential project more in line with the MDR designation.

However, the proposed and approved commercial uses in this mixed-use area to the west have not been neighborhood serving uses and instead more community serving uses have been constructed; uses intended to be utilized by the nearby neighborhoods AND areas further away. The Applicant is including a lot along S. Hillsdale Ave. within the requested R-15 zoning district

to be a future daycare facility that is consistent with neighborhood serving uses envisioned by the comprehensive plan for this area. Staff is unaware of future uses in the undeveloped commercial lots along Amity that are part of the adjacent project however, additional neighborhood and community serving uses may develop in the area. In addition, Staff does not find it feasible to anticipate future residents of this development to walk to the new Albertson's grocery store being constructed at the northwest corner of the Eagle/Amity intersection which is approximately $\frac{3}{4}$ of a mile to the west because it will require three arterial street crossings with the new roundabout design. However, a grocery store within a mile of the proposed development is still a benefit to this development and this area of the community. Additional school capacity is anticipated by the school district who owns the 40 acres directly northwest of the proposed development.

Staff does have concerns with the lack of neighborhood serving uses in this area. Staff believes replacing two of the multi-family buildings at the southeast corner of Hillsdale and Hill Park with a multi-tenant commercial building may include neighborhood commercial users like a restaurant, salon, convenience store, or other retail businesses. Therefore, Commission and Council should determine if more commercial is desired for the development.

In addition to the preferred uses and some site design elements of the project, the future land use designations also determine the allowed gross density. **The existence of two designations within the project determine how the calculation of density can occur for this project. Overall, the Applicant is proposing an overall gross density of 8.4 du/ac which, when rounded down per the comprehensive plan allowances, is at the maximum allowed density of the MDR designation (3-8 du/ac). In addition, it should be noted that this density includes 168 multi-family units that are not a part of the current application requests and will require future Conditional Use Permit (CUP) approval from the City.** Staff has analyzed the density of this project with the inclusion of the multi-family units as that is the intended use and intensity of the site.

The MU-N designation allows residential uses at a gross density range of 6-12 du/ac and each designation's "boundary" can be used throughout the project because future land use designations are not parcel specific. The Applicant has proposed transitional lot sizes and density within this project along the perimeter to match the lot sizes of existing development to the east and south. Smaller lot sizes are proposed towards the interior of the project culminating in the multi-family lots (highest density) along the west boundary and at the very northwest corner of the development.

On the submitted preliminary plat, the Applicant has provided three (3) gross density calculations for the project based on overall area and the two requested zoning designations and their areas, the R-8 & R-15 zoning districts—all three calculations fall within the allowable ranges for the MDR and the MU-N designation. If you were to take only the multi-family area, the gross density is approximately 20 units to the acre. Because of the transitional density proposed in the project, Staff is taking the overall gross density calculation and analyzing it against the MDR density range (3-8 du/ac), the more restrictive density range of the two applicable future land use designations.

As noted above, the overall gross density proposed lies near the absolute maximum allowed (8.4 du/ac can be rounded down to 8 du/ac per the comprehensive plan) for the future land use designation of MDR. For this simple fact, Staff recommends a reduction in the maximum number of multi-family units allowed with a future CUP to bring the overall density below the 8 du/ac without needing to utilize the allowable rounding. Staff has calculated that this would require a loss of 16 multi-family units throughout the site. However, in addition to the general density discussion for the proposed development, Staff finds it pertinent to discuss the Community Planning Association of Southwest Idaho (COMPASS) data provided to the City for this development. In that document COMPASS has noted an approximate job to housing ratio within

one (1) mile of the project site of 0.2 which indicates a need for more employment in this area (a healthy ratio, according to COMPASS, is in the 1.0 – 1.5 ratio). Two factors play heavily into this calculation—the number of housing units and the amount and type of commercial uses in the area. Staff has already discussed concern with the amount of neighborhood serving commercial in the immediate area of the project site but neighborhood character, traffic, and overall density also play roles in the amount and design of the future multi-family component of this project.

Mixed-use designations call for multi-family residential to be nearby commercial development and arterial streets but with the proposed gross density, existing character of the surrounding areas, and E. Amity operating at a LOS E (worsening with the proposed development with no plan to expand until 2036), Staff finds that limiting a majority of the multi-family units to two-story structures instead of three-stories is prudent planning and would bring the overall density of the project down to a level that is more serviceable by existing transportation facilities, emergency services, and schools. Please see comments from applicable agencies and departments in regards to these points. Staff has included a DA provision in Section VIII.A1 to limit the heights of all of the apartment units to two-stories except for the two 24-plex buildings in the second row of the multi-family area, per these discussion points. If Commission and Council determine additional neighborhood serving uses should be incorporated into this development, this will also impact the number of multi-family units that can be constructed on the site. At a minimum, this would be a reduction of 40 multi-family units bringing the overall gross density of the Centerville Subdivision to 7.37 du/ac. It will reduce the number of cars on the road, the number of children in our overcrowded schools, and more appropriately match the heights of homes proposed in this development, detached or otherwise. If it is found by Commission and Council that additional neighborhood serving uses should be added and a further reduction in residential units is warranted, it would provide better transition from Hillsdale Avenue and help the project be more consistent with the Comprehensive Plan.

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. A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.

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

As discussed above, the proposed project includes an area that is designated as Mixed-Use Neighborhood. Because this project has a relatively small area of this larger mixed-use area Staff does not find it necessary to discuss the project in accord with each mixed-use policy. However, some policies are still applicable and have been included below. 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). *Centerville Subdivision proposes different housing types and lot sizes within the project to include single-family detached, alley-loaded townhomes, front-loaded townhomes, and multi-family units (future Conditional Use Permit submittal). The Applicant is proposing the detached single-family with varying lot sizes that get smaller towards the interior of the site. Staff finds the proposed housing diversity would offer new housing types in the immediate area as a majority of the area is comprised of standard detached single-family lots.*

“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*

*proposed site design incorporates transitional densities and lot sizes from the existing residential development to the south and east (Rockhampton Subdivision of Boise). The Applicant has matched the property lines of the properties directly abutting the east and south boundaries to ensure compatible lot and home sizes to those existing homes. The lot sizes decrease and the density increases towards the interior of the site culminating in an area of multi-family residential along S. Hillsdale Avenue and a commercial lot for a future daycare facility. **Staff finds the proposed project is compatible with surrounding residential development because of the transitional densities proposed.***

S. Hillsdale Avenue, a collector street, abuts the site along the west boundary with E. Amity Road, an arterial street, abutting the northern boundary. The Applicant's choice to place the highest density residential and the commercial lot along these corridors is a best design practice. Furthermore, as discussed above, other commercial uses are constructed or planned on the west side of Hillsdale in addition to a community park, a YMCA, and the Hillsdale Elementary School. Staff finds the inclusion of multi-family residential nearest to the commercial uses but separated by the required landscape buffer and a collector street creates a compatible project with all surrounding uses.

"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 network abutting the site to the east and north, per Public Works comments. Subsequently, all public utilities will be extended at the Applicant's expense in order to connect to the existing services within the right-of-way.

Currently, this project is not within the Fire Department's response time goal of five (5) minutes. Per Meridian Fire comments, construction of Station 7 next to Discovery Park would help in response times for this area. Currently, a majority of the residential development to the south and southwest are also outside of the response time goal.

*West Ada School District has offered comments on this project and estimates 123 additional school aged children from this development. Hillsdale Elementary abuts the subject site directly to the west. In addition, there are schools of choice in this area and are noted in the community metrics section in Section II above. **The Applicant has discussed with ACHD and the school district to incorporate a new dedicated crossing at E. Hill Park Street and S. Hillsdale to help elementary aged children and parents walk to the school and the YMCA.***

The adjacent roadways will be impacted by this development, as discussed above and in the Access section in this report. Therefore, Staff has recommended lesser density and more commercial to improve the walkability of this area of the City.

See Section VII.F for access and transportation analysis, including Traffic Impact Study summary and analysis.

"Preserve, protect, and provide open space for recreation, conservation, and aesthetics" (4.05.01F). The proposed project offers open space that exceeds the minimum requirements in the unified development code (UDC) and includes a large centralized open space area that is slightly under 2 acres in size and is easily accessible via pedestrian connections from anywhere in the project. In addition, the entire development will share the open space and amenities which add to the walkability and usability of the open space within this development. The proposed centralized open space and pedestrian connectivity to it is an example of what the comprehensive plan and our development code currently aims to deliver to Meridian residents.

"Require pedestrian access connectors in all new development to link subdivisions together and to promote neighborhood connectivity as part of a community pathway system." (6.01.01H). The Applicant is proposing to extend the two streets stubbed to this property which includes extending

the attached sidewalks into this development. Around the perimeter and throughout this development, pedestrian facilities are proposed that would be needed additions to the sidewalk network in this area of development for both Meridian and Boise. In addition, the Applicant is proposing to work with ACHD to construct a dedicated crossing at Hill Park Street and Hillsdale so there is an additional safe route to Hillsdale Elementary on the west side of the adjacent collector street.

“Support the inclusion of small-scale neighborhood commercial areas within planned residential developments as part of the development plan, where appropriate.” (3.06.02A). With the inclusion of the Mixed-Use Neighborhood future land use designation on this property, the Applicant has decided to propose one commercial lot with this project; the subject lot is shown as a future daycare facility. No other commercial uses are proposed for the development. Further analysis is above in the previous section including a recommendation that the development lose units and include more neighborhood serving uses.

Mixed Use Policies:

*“Community-serving facilities such as hospitals, clinics, churches, schools, parks, **daycares**, civic buildings, or public safety facilities are expected in larger mixed use developments.” The Applicant is proposing one commercial building lot that is to be reserved for a future daycare facility. Staff appreciates its inclusion into the project.*

“Residential uses should comprise a minimum of 40% of the development area at gross densities ranging from 6 to 12 units/acre.” The MU-N designation on this site is part of a larger mixed use area further the west and includes approximately 70 acres overall. Based on rough calculations and including the proposed future multi-family component of this project, this MU-N area will be comprised of approximately 58% residential development, exceeding the minimum amount of 40% noted in this policy.

“Three specific design elements should be incorporated into a mixed use development: a) street connectivity, b) open space, and c) pathways.” Although no multi-use pathways are required with this development due to one already in existence on the west side of S. Hillsdale Avenue and none being shown on the Master Pathways Plan adjacent to the development area, the Applicant is proposing to construct a multi-use pathway segment along the Amity frontage. Furthermore, the subject development is proposed with sidewalks and micro-pathways throughout the project that connect open space, amenities, the commercial lot, and the perimeter pedestrian facilities. All of these facts make the open space and pedestrian connectivity component of the project compliant with this policy.

Staff finds this development to be generally consistent with the Comprehensive Plan.

C. Access (UDC 11-3A-3):

Main access to the project is proposed via two new local street connections – one to S. Hillsdale Avenue (collector street) and one to E. Amity Road (arterial street). In addition, the Applicant is extending two local stub streets into the site – one from the east (W. Macumbo Street) and one from the south (S. Bleachfield Avenue).

The two local street connections are both located near the southeast corner of the project but do not directly connect. Originally, they did connect more directly but at the first neighborhood meeting concerns were raised about cut-through traffic. So, the Applicant revised the road layout to replace that street connection with a pedestrian connection. The Access from Amity Road aligns with an approved access to the Shelbourne South Subdivision located on the north side of Amity and has been approved by ACHD (further analysis is below in the Traffic Impact Study section). The Hillsdale Avenue access aligns with E. Hill Park Street on the west side of the

collector street and is proposed to provide the main accesses to the future multi-family residential and the daycare facility. Upon review by ACHD, the successive driveways proposed on the Hill Park Street extension did not meet district offset policies for full accesses. So, the Applicant added a 10-foot wide landscaped median 75 feet into the site to restrict the first two driveways to right-in/right-out only accesses. ACHD approved this revision, as seen on the revised preliminary plat. Staff supports this change in the traffic patterns to help assist with ingress and egress for the multi-family area of the site. This does not affect the overall traffic patterns for the site.

Per the submitted plat and concept plan, the multi-family area of the site is separated by one of the main entrances to the site, E. Hill Park Street. This segregation of areas includes the Clubhouse and Pool being on the opposite side of Hill Park Street from the highest number of multi-family units. Although the Applicant is showing striping across this public road to help delineate the pedestrian walkway, Staff does not find this offers enough traffic calming for this anticipated high-trafficked pedestrian crossing. Therefore, Staff is recommending a condition of approval to add an approved traffic calming measure at the pedestrian crossing shown on the east side of the clubhouse lot traversing E. Hill Park Street.

Traffic Impact Study Analysis:

The proposed project proposes more than 100 units and therefore requires a Traffic Impact Study (TIS). The Applicant's traffic impact study has been analyzed by ACHD and specific conditions of approval are outlined in their staff report (see exhibit VIII.I). Despite ACHD analyzing and discussing the TIS in their own report, Staff finds it necessary to highlight the main points of discussion and road improvement requirements, specifically those related to the main access points for the project.

According to the TIS, the proposed development is estimated to generate 2,599 additional vehicle trips per day and 266 additional trips per hour in the PM peak hour. Both the TIS and ACHD recommend multiple improvements to the adjacent public roadways with the first phase of development for Centerville Subdivision due to the level of service on Amity Road reaching level "F" once 60 additional PM peak hour vehicle trips are generated, which equates to the first phase of development. Below are the required improvements that Staff is also including as DA provisions:

Summary of Improvements Required by ACHD

Intersection	Improvement	Threshold
Hillsdale Avenue/Amity Road	Interim Signal	60 PM peak hour trips
Amity Road/Amorita Avenue	Dedicated eastbound right-turn lane and westbound left-turn lane	With first phase of development

Amity Road is scheduled to be widened to a 3-lane arterial between 2036 and 2040 and the TIS recommends placing this corridor as a high-priority corridor to move the road widening project up in the ACHD CIP. In the interim, the turn lane improvements will be required with the first phase of development to help mitigate traffic concerns and provide safer traffic movement at the Amity Road project entrance.

The Hillsdale Avenue/Amity Road intersection is shown on the Master Street Map to be reconstructed with a single-lane roundabout in the future but there is currently not enough right-of-way to require its construction at this time. Instead, the TIS and ACHD require an interim signal be installed at this intersection. Staff anticipates the improvements required by ACHD should help traffic flow and provide safer access to and from the proposed development.

In addition to vehicular improvements to the adjacent public roadways, safe pedestrian access to Hillsdale Elementary to the west is discussed within the TIS and was of great concern by adjacent residents. In response, ACHD recommends installing a Rapid Rectangular Flashing Beacon (RRFB) crossing at either the Rockhampton/Hillsdale intersection south of this project or at the Hill Park/Hillsdale intersection. The Applicant and West Ada staff have discussed this and the Applicant has proposed to construct this dedicated crossing at the Hill Park/Hillsdale intersection because there is an existing crossing just south of the Rockhampton/Hillsdale intersection. This would offer an additional safe crossing for current and future residents to access the public facilities on the west side of S. Hillsdale Avenue.

As additional residential density is added to this area, the mitigation methods utilized by the Applicant becomes increasingly important. In addition, expected road improvements and right-of-way requirements are important analysis factors in determining if a project should be annexed and approved for development. Therefore, Staff does have concern over the estimated increase of traffic from this development to this area with Amity Road in its current two-lane configuration. However, the required mitigation improvements may help disperse the added traffic from this development, according to the TIS and ACHD. As noted above, this factors into staff's recommendation to limit the future multi-family residential to 128 units (a loss of 40 units) and reduce the overall density by one (1) unit per acre to 7.34 du/acre.

D. Existing Structures/Site Improvements:

The subject development consists of 3 parcels and originally contained two homes with associated accessory buildings. The home located along Amity Road is still on the property and the property is currently being used for agricultural production—it will be removed prior to development of the property. The manufactured home in the southwest corner of the site was removed in 2021. No other site improvements are currently known.

E. Proposed Use Analysis:

The Applicant is proposing multiple uses and different types of residential uses within this development—daycare facility, detached single-family, front-loaded townhomes, alley-loaded townhomes, and multi-family residential. In addition, a clubhouse with a pool is shown on the preliminary plat and is intended to be used by entire development, not just the future multi-family. Multi-family residential is a conditional use in the R-15 zoning district per UDC Table 11-2A-2 and is not a part of the application requests at this time—the Applicant will be required to submit a future CUP application if the Annexation and Zoning and Preliminary Plat requests are approved and conceptually include the multi-family residential use as proposed. All other proposed residential uses are principally permitted uses in the R-8 and R-15 zoning districts. Townhome single-family residential requires Design Review so Staff will analyze the proposed elevations in more detail with that future application.

The Applicant has provided a phasing plan notating the project is to be constructed in four (4) phases and shows a majority of the single-family portion of the site to be developed in the first two phases and includes the accesses to Amity and Hillsdale Ave. and the large central open space in the first phase of development. The phasing plan shows the extension of the existing stub streets into the site and the remaining detached single-family occurring with the second phase of development. A majority of the multi-family is proposed with phase 3 and would also include the daycare facility. Lastly, the proposed clubhouse and pool, the remaining multi-family, and the only front-loaded townhomes (at the very southwest corner of the site) is proposed with the fourth and final phase of development and is located in the southwest quadrant of the project.

As discussed in the comprehensive plan analysis sections above, Staff finds the proposed uses and the proposed transitional densities/lot sizes offer appropriate and adequate transition from the

existing neighborhoods. With Staff's recommended revisions to the multi-family building heights, Staff finds the proposed development would not only be compatible with the surrounding neighborhoods but also enhance the existing character of this area.

Specifically, all of the detached single-family lots proposed along the south and east boundaries are nearly identical in size and almost align with the existing lot lines of the adjacent residential developments. The Applicant has proposed these homes and those directly across the new local street to be within the R-8 zoning district which matches the zoning to the south (Boise zoning is different than Meridian's but the R-8 zoning is comparable to that zoning of the Boise subdivision to the east). The remaining area of the site is proposed with the R-15 zoning district and the next band of building lots proposed are smaller in lot size as they move closer to the centralized open space and are still detached single-family building lots. West of the centralized open space and acting as a transitional housing type between the detached component of the project and the multi-family component is a block of alley-loaded townhomes that are multiple three-plex buildings. These homes have their front doors facing to the east towards a new local street and utilize the easternmost drive aisle of the multi-family development for vehicular access to a tuck under garage. This allows a parkway with street trees to be incorporated into the streetscape of this street (shown as S. Stockport Way) and offers both a more attractive streetscape and a different housing type for this development. In addition, Staff finds it is a practical and appropriate transitional housing type between traditional detached single-family and the proposed multi-family along Hillsdale Ave.

The Applicant is also reserving a building lot for a future daycare facility at the northeast corner of the Hill Park Street and Hillsdale Avenue intersection. This use is permitted by right in the requested R-15 zoning district so there is no need to propose any commercial zoning to include this use. To help ensure this use is constructed, Staff is including a DA provision that Lot 30, Block 1, per the submitted pre-plat, is reserved for a future daycare facility only. Staff notes that the inclusion of this commercial use is precisely what this area calls for and needs as more residential homes are constructed and because it is located so close to an elementary school. Because of these facts, Staff is recommending that this lot be platted with Phase 1 development instead of with Phase 3 as currently shown on the proposed phasing plan. Staff understands the daycare use is currently in high demand throughout the City so including its platting with Phase 1 is logical. This does not require that it is constructed with Phase 1 but it gives the Applicant more opportunity to construct it earlier in the process than with Phase 3 (likely years after Phase 1) as currently proposed.

With Staff's recommended revisions noted throughout the staff report, Staff finds the proposed uses within this development match and enhance the existing neighborhood and commercial character of the immediate area.

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

The proposed building lots appear to meet all UDC dimensional standards for the requested R-8 and R-15 zoning districts in lot size, lot frontage, and proposed uses.

All subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3).

The Applicant has proposed two common driveways as part of the detached single-family portion of the site (Lot 28, Block 3 & Lot 11, Block 5). Code has recently been revised to limit the number of units taking access from a common drive to four (4) total units, with no more than three (3) being allowed on one side of the drive. The submitted preliminary plat shows three (3) units taking access from each common drive.

Staff finds the proposed project complies with the subdivision design and improvement standards.

G. 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 and multi-family dwellings based on the number of bedrooms per unit.

The single-family portion of the site (townhomes and detached) must comply with these standards and will be confirmed at the time of building permit submittal. Note: all local streets are proposed as 33-foot wide street sections which allow for on-street parking where no driveways or mailboxes exist. On-street parking cannot count for the number of off-street parking spaces required for detached single-family residential.

The Applicant has provided data regarding the future multi-family portion of the site on the submitted preliminary plat and shows 28 parking spaces in excess of code requirements based on the original request of 168 units (358 total spaces proposed; 330 minimum required). It is not clear if this parking includes the spaces required for the clubhouse which has been required to include parking at the standard nonresidential ratio of one space for every 500 square feet of gross floor area. The Applicant is showing dedicated parking for the daycare facility but the size of the building is not yet known so Staff will ensure adequate parking is included for that use with a future Certificate of Zoning Compliance application.

A future CUP application will verify the minimum number of parking spaces required for the multi-family development based on the number of bedrooms per unit and the required guest parking (1 space for every 10 units) that should be in effect at the time of CUP submittal. Furthermore, with Staff's recommended reduction in multi-family units, parking should not be an issue for the multi-family area.

The Applicant did not submit a separate parking plan for review.

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

5-foot wide attached sidewalks are proposed along all of the proposed local streets serving the detached single-family homes. 5-foot wide detached sidewalks with parkways are proposed adjacent to S. Stockport Way (the dividing street between the detached and townhome products), along E. Hill Park Street (the entrance to the site from Hillsdale Ave.), throughout the future multi-family development, and along both Hillsdale Ave. and Amity Road. The proposed sidewalks meet the standards listed in UDC 11-3A-17.

The sidewalks in this development create connections throughout the project including to and from the multi-use pathway segment along Amity Road to the large open space area in the center of the development. All open space areas also appear to be directly adjacent to sidewalks and include micro-paths which add to the pedestrian accessibility of the development and surrounding neighborhoods. Specifically, this development would add additional and safe routes to Hillsdale Elementary by extending existing pedestrian facilities from the adjacent subdivisions.

In addition, the Applicant has worked with ACHD and West Ada School District to include construction of a dedicated Rapid Flashing Beacon (RRFB) crossing from this development to the west. This crossing is proposed at the intersection of E. Hill Park and S. Hillsdale and would provide an additional safe crossing for children from all areas east of Hillsdale Ave./Stockenham Way to get to and from school, the YMCA, and the public park safely.

Therefore, Staff supports the sidewalk and overall pedestrian facilities for this development.

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

A 35-foot wide street buffer is required adjacent to E. Amity Road, an arterial street and entryway corridor, landscaped per the standards listed in UDC 11-3B-7C. At least a 35-foot wide common

lot is depicted along Amity Road on the revised preliminary plat and the submitted landscape plans appear to show landscaping in excess of code requirements.

A 20-foot wide landscape buffer is required adjacent to S. Hillsdale Avenue, a collector street—the revised plat and landscape plans also show compliance with this requirement. The submitted landscape plans appear to show the correct amount of landscaping per the UDC standards for the landscape buffers.

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 *all* pathways with the required and proposed number of trees are not included in the Landscape Calculations table on the submitted landscape plans. This should be corrected prior to Final Plat submittal. However, the correct number of trees appear to be shown on the submitted plans. *The Applicant has proposed a micro-path in the southeast corner of the site to connect two blocks and the correct number of trees is shown on the landscape plans but there are no trees shown adjacent to the pathway to offer any shade. The pathway segment is slight over 100' which requires only one tree adjacent so the Applicant should move one tree from a portion of this common lot and place it next to the pathway to comply with UDC 11-3B-12C.*

*The Cunningham Lateral currently bisects the very southwest corner of the project site so the Applicant is proposing to pipe and reroute this lateral placing it along the southern and eastern property boundaries in this area of the site. To help this area be more than simply a wide swath of grass, the Applicant is proposing a gravel path over the lateral that circumvents the front-loaded townhomes and connects from S. Hillsdale to one of the internal streets. **Because of the irrigation easement associated with the lateral, no trees are allowed within its easement which presents an issue since the Applicant's open space exhibit shows this area as qualifying open space. In order to qualify as open space, the Applicant is required to landscape this area per code. With the encumbrance of the irrigation easement, the Applicant should submit for Alternative Compliance with the first Final Plat application to propose how the existing landscape plan meets or exceeds code requirements or propose an alternative that meets these standards.***

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 and the required number of trees to demonstrate compliance with UDC standards is included in the Landscape Calculations table and meets UDC requirements.

J. Qualified Open Space (*UDC 11-3G*):

Despite multi-family residential being the focus of a *future* CUP application the open space exhibit submitted by the Applicant is intending to show compliance with the standards for both the standard 11-3G-3 and the multi-family specific use standards in UDC 11-4-3-27. A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required for the overall development, including the multi-family portion of the project. Based on the proposed plat of 38.95 acres, a minimum of 3.9 acres of qualified common open space should be provided to satisfy the requirements of 11-3G-3. In addition, because there is a multi-family development within a residential zoning district, the common open space standards listed within the specific use standards, UDC 11-4-3-27, also apply. Based on the requested number of multi-family units of 168, the minimum amount of open space required to satisfy the specific use standards is 0.96 acres of common open space. However, with Staff's recommended cap of 128 multi-family units, the minimum amount required would be 32,000 square feet, or approximately 0.74 acres.

Combined, the required amount of minimum qualifying open space that should be provided is 4.86 acres, without Staff's revisions in place. This is reduced to 4.64 acres if Staff's

recommendations are approved. The Applicant's open space exhibit shows a total of 5.64 acres (approximately 14.5%) of qualifying open space but it is unclear exactly how much of this area is for each code section. Regardless, the total amount exceeds the minimum required and it is clear per the open space exhibit and the landscape plans that the minimum 10% open space is met with this preliminary plat (see Exhibit VII.C). The future CUP application for the multi-family development will be required to show that the open space requirements in the specific use standards are met. The qualified open space consists of the required street buffers, the large centralized open space lot, and other smaller open space areas throughout the site that include additional pedestrian connectivity through the site. These areas exceed the minimum UDC requirements.

K. Qualified Site Amenities (*UDC 11-3G*):

Based on the area of the proposed plat (38.95 acres), a minimum of two (2) qualified site amenities are required to be provided per the standards listed in [UDC 11-3G-3C](#). The future CUP application and Commission meeting will determine the number of amenities required per UDC 11-4-3-27 for the multi-family portion of the site because it is proposed with over 100 units.

The applicant proposes at least four (4) qualifying amenities to satisfy 11-3G-3 requirements; open space in excess of the requirements, picnic area with benches and shade structure, children's play structure, and public art. The Applicant is showing a clubhouse with a pool and tot-lot in the southwest area of the site and another tot-lot area in the northwest area of the site. These are located within the multi-family area of the development but all open space and amenities would be shared by everyone in the development. With the future CUP application, the Applicant will be required to show the amenities proposed throughout the entire site are enough to satisfy the specific use standards for multi-family development; additional amenities above what are being shown on the concept plan may be required.

L. 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 submitted landscape plans and appears to meet UDC requirements.

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

The applicant has submitted conceptual renderings of the housing types proposed with this project. Attached single-family homes (townhomes) and multi-family structures require Administrative Design Review (DES) approval prior to building permit submittal and will be handled with those future application submittals.

The conceptual renderings submitted for all building types show multiple finish materials, roof profiles, home sizes, and color concepts. Based on the submitted renderings, Staff does not anticipate major issues or changes with future design review applications. Staff will ensure compliance with the ASM for both the townhome and multi-family residential when those applications are submitted.

N. Waterways (*UDC 11-3A-6*):

A segment of the Cunningham Lateral crosses the southwest corner of the subject project site. The Applicant is proposing to pipe and reroute this relatively small segment of the lateral and place it along the south and west boundaries of the site to provide more usable area for the development. Fencing and landscaping have been analyzed in other sections of the report that include analysis on the open space proposed over the new lateral easement area.

The Applicant's proposal has been analyzed against UDC 11-3A-6 and Staff finds the proposal to pipe this segment of the Cunningham Lateral is compliant with code.

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 application per the conditions of approval in Section VIII and the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on August 12, 2021 and October 21, 2021. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning and Preliminary Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Becky McKay, Applicant Representative.**
- b. In opposition: Please see public record [here](#).**
- c. Commenting: Becky McKay;**
- d. Written testimony: A number of written testimonies were submitted, a vast majority of which were against the project. Please see the public record for these records – [testimony](#).**
- e. Staff presenting application: Joseph Dodson, Associate Planner**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. Allocation of density and lot sizes throughout the site relative to existing residential in the area;**
- b. Desire to have more commercial and less high-density apartments within the project;**
- c. Overall concerns with additional residents in this area and the impact to the roadways and neighborhood elementary school, Hillsdale Elementary;**
- d. Discussions on how Staff measures and analyzes density of projects when multiple future land uses are present within a project site;**
- e. Desire to reduce density further than Applicant proposed with the revised layout and removal of garden-style apartments;**

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

- a. Density of project and inclusion of apartment units in this area of the City;**
- b. Amount of commercial originally proposed and analyzed by Staff and how it meets the**
- c. Mixed-use Neighborhood future land use designation;**
- d. Ingress and egress for the project site relative to required road improvements to Hillsdale and Amit and subsequent timeline of required road improvements;**
- e. Desire to have more commercial and less multi-family consistent with public testimony at both hearings;**
- f. Support of revised layout that includes more attached single-family, commercial, and a new multi-family use (three 4-plex buildings);**
- g. Amount and availability of parking for the areas surrounding the townhomes and increased commercial lots;**

4. Commission change(s) to Staff recommendation:

- a. Commission did not make any additional changes to the Staff report beyond those noted within the Staff Memo dated October 15, 2021 – subsequently, Section VII and Section VIII of this document have been revised to include the revised plans and recommended revisions to the conditions of approval noted in the memo.**

5. Outstanding issue(s) for City Council:

- a. None**
-

C. The Meridian City Council heard these items on November 16, 2021, January 4, 2022, & on July 19, 2022. At the July 19, 2022 public hearing, the Council moved to approve the subject Annexation and Zoning and Preliminary Plat requests.

1. Summary of the City Council public hearing:

- a. In favor: Becky McKay, Applicant Representative.
- b. In opposition: See public records linked below.
- c. Commenting: Becky McKay; Numerous members of the public, please see the meeting minutes here for each Council meeting—[11/16/2021](#), [1/4/2022](#), and [7/19/2022](#).
- d. Written testimony: See public record [here](#).
- e. Staff presenting application: Joseph Dodson, Associate Planner.
- f. Other Staff commenting on application: Bill Nary, City Attorney; Kristy Inselman, ACHD Representative;

2. Key issue(s) of public testimony:

- a. Consideration of future land use designations and how the City handles dual designations on the same property in terms of area, density, and required uses;
- b. Concerns with traffic study data implemented within the TIS and the anticipated traffic impact of proposed development;
- c. School capacity and overcrowding throughout south Meridian, specifically with Hillsdale Elementary;
- d. Desire for less density and a site design more consistent with the existing neighborhoods to the south and east;
- e. School funding and the impacts the state legislature decisions have on projects in Meridian;
- f. Safety issues surrounding streets adjacent to development and to and from elementary school;
- g. Location of the proposed RRFB crossing;
- h. Sidewalk gap on west side of Hillsdale;
- i. Desire for a general moratorium on development in Meridian;

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

- a. Revisions made by the Applicant to remove apartments and reduce the overall density by removing 108 units;
 - b. Future land use designations and their ability to utilized within sites when more than one exists within the same project area;
 - c. Can Council require more commercial within the project area regardless of the area of the future land use designations;
 - d. Phasing of project and reasoning for placement of commercial, specifically the proposed flex space buildings;
 - e. Location of project in relation to the nearby elementary school (Hillsdale) and arterial streets and capacity of nearby schools (main reason for two continuances of project);
 - f. Differences between West Ada report and information provided by board of trustee, ramifications thereof;
 - g. Location of the proposed RRFB crossing;
 - h. Timeline of adjacent roadway improvements including those required to be constructed by the Applicant;
 - i. Sidewalk gap on west side of Hillsdale that is in lifetime trust, timing of such redevelopment and potential of Applicant to construct this segment of sidewalk;
 - j. Number of units approved south of the interstate and their anticipated future impact to the schools and transportation network for informational purposes only;
-

4. City Council change(s) to Commission recommendation:
- a. Require sidewalk along Hillsdale to be 10 feet wide instead of 5-foot;
 - b. Work with ACHD to install traffic calming along Hillsdale at appropriate locations;
 - c. Revise the provision concerning the timing of the RRFB installation at Hillsdale/E. Hill Park Street once sidewalk in front of the YMCA outparcel is constructed and not before;
-

VII. EXHIBITS

A. Annexation and Zoning Legal Descriptions and Exhibit Maps

Legal Description Centerville Subdivision – Annexation

A parcel being the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 1330.22 feet to a point marking the northeast corner of said NW ¼ of the NE ¼;

Thence along the easterly boundary of said NW ¼ of the NE ¼ S 0°22'10" W a distance of 1324.15 feet to a point marking the southeast corner of said NW ¼ of the NE ¼;

Thence along the southerly boundary of said NW ¼ of the NE ¼ N 89°27'31" W a distance of 1329.05 feet to a point marking the southwest corner of said NW ¼ of the NE ¼;

Thence along the westerly boundary of said NW ¼ of the NE ¼ N 0°19'12" E a distance of 1329.10 feet to the **POINT OF BEGINNING**.

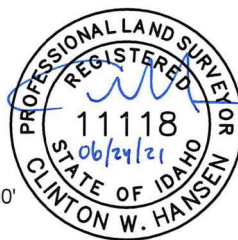
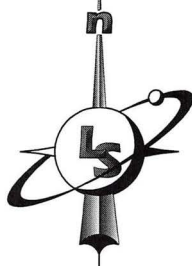
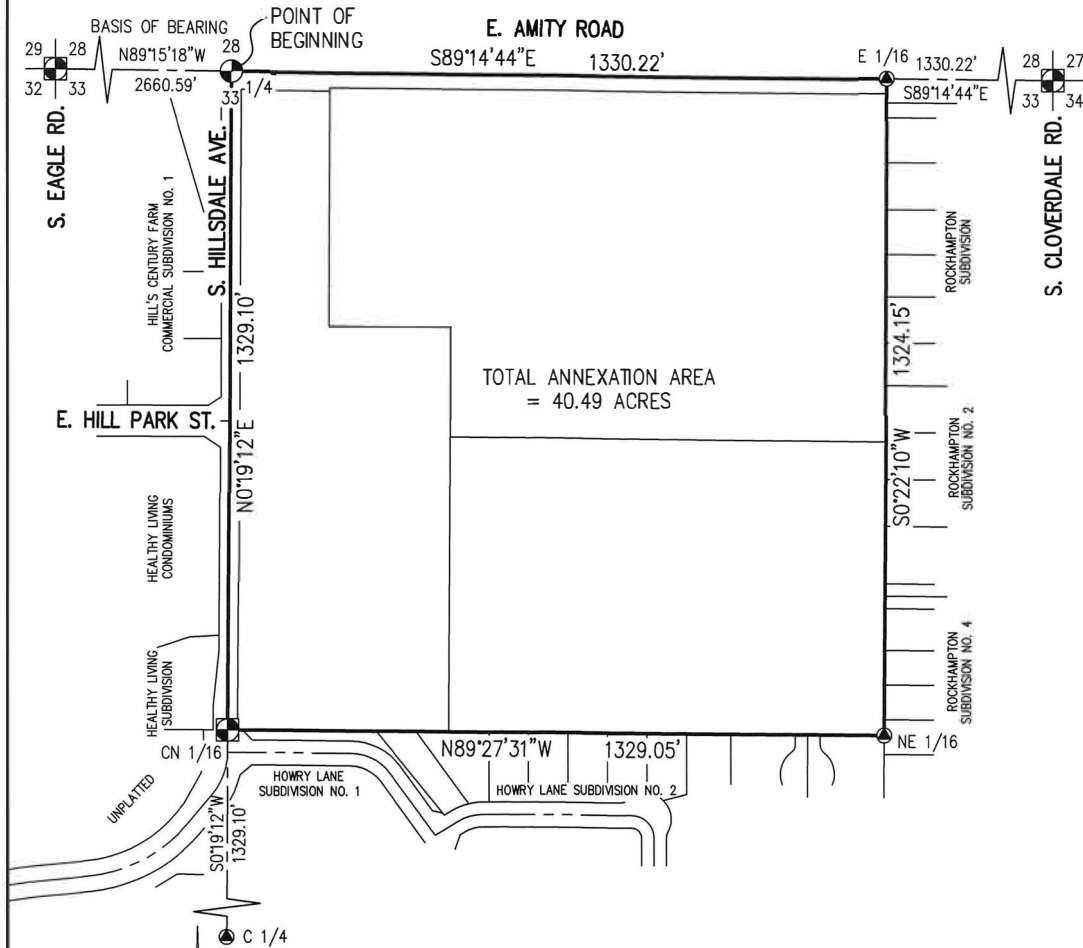
This parcel contains 40.49 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
June 24, 2021



CENTERVILLE SUBDIVISION - ANNEXATION EXHIBIT

THE NW 1/4 OF THE NE 1/4 OF SECTION 33, T3N, R1E, BM, ADA COUNTY, IDAHO



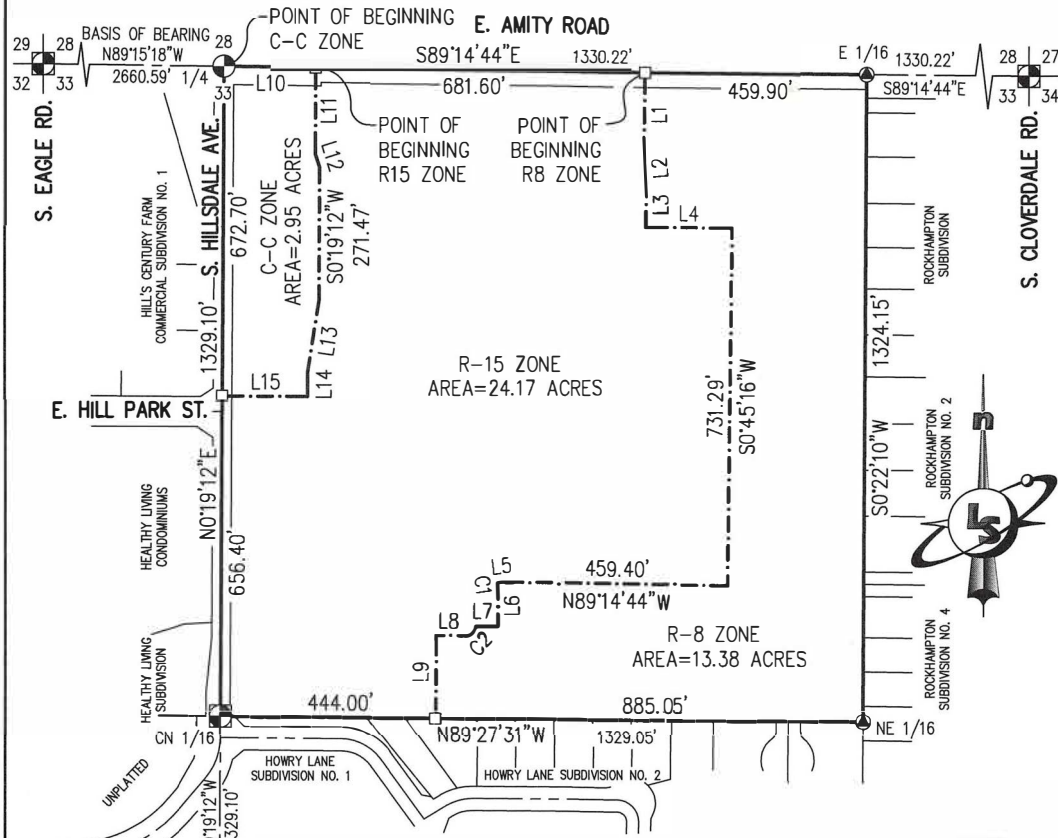
LandSolutions
Land Surveying and Consulting

231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

JOB NO. 20-16

CENTERVILLE SUBDIVISION - REZONE EXHIBIT

THE NW ¼ OF THE NE ¼ OF SECTION 33, T3N, R1E, BM, ADA COUNTY, IDAHO



LINE TABLE			CURVE TABLE						
LINE #	LENGTH	DIRECTION	CURVE #	LENGTH	RADIUS	DELTA	BEARING	CHORD	
L1	174.00'	S0°47'14"W	C1	7.71'	347.00'	1°16'25"	S7°38'12"E	7.71'	
L2	47.37'	S6°25'57"E	C2	31.42'	20.00'	90°00'00"	S45°45'16"W	28.28'	
L3	95.00'	S0°45'16"W	LINE TABLE (CONT.)						
L4	179.00'	S89°14'44"E	LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	
L5	16.72'	S81°43'35"W	L10	188.72'	S89°14'44"E	L13	146.91'	S9°00'00"W	
L6	79.75'	S0°08'44"W	L11	175.85'	S0°19'12"W	L14	50.72'	S0°19'12"W	
L7	47.00'	N89°14'44"W	L12	29.40'	S17°25'38"E	L15	175.50'	N89°40'48"W	
L8	60.13'	N89°14'44"W							
L9	170.12'	S0°45'16"W							



LandSolutions
Land Surveying and Consulting

231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 2882040 (208) 2882557 fax
www.landsolutions.biz

JOB NO. 20-16

Legal Description
Centerville Subdivision – C-C, R15 and R8 Rezone

Parcels being portions of Lots 1 and 2 of Block 1 of Garoutte Acres Subdivision as shown in Book 60 of Plats on Pages 5900 through 5901, records of Ada County, Idaho, and the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

C-C REZONE

BEGINNING at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the NW ¼ of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 188.72 feet to a point;

Thence leaving said northerly boundary S 0°19'12" W a distance of 175.85 feet to a point;

Thence S 17°25'38" E a distance of 29.40 feet to a point;

Thence S 0°19'12" W a distance of 271.47 feet to a point;

Thence S 9°00'00" W a distance of 146.91 feet to a point;

Thence S 0°19'12" W a distance of 50.72 feet to a point;

Thence N 89°40'48" W a distance of 175.50 feet to a point on the westerly boundary of said NW ¼ of the NE ¼;

Thence along said westerly boundary N 0°19'12" E a distance of 672.70 feet to the **POINT OF BEGINNING**.

This parcel contains 2.95 acres and is subject to any easements existing or in use.

R-15 REZONE

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the NW ¼ of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 188.72 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly boundary S 89°14'44" E a distance of 681.60 feet to a point;

Thence leaving said boundary S 0°47'14" W a distance of 174.00 feet to a point;

Thence S 6°25'57" E a distance of 47.37 feet to a point;

Thence S 0°45'16" W a distance of 95.00 feet to a point;

Thence S 89°14'44" E a distance of 179.00 feet to a point;

Thence S 0°45'16" W a distance of 731.29 feet to a point;

Thence N 89°14'44" W a distance of 459.40 feet to a point;

Thence S 81°43'35" W a distance of 16.72 feet to a point;

Thence a distance of 7.71 feet along the arc of a 347.00 foot radius non-tangent curve right, said curve having a central angle of 1°16'25" and a long chord bearing S 7°38'12" E a distance of 7.71 feet to a point;

Thence S 0°08'44" W a distance of 79.75 feet to a point;

Thence N 89°14'44" W a distance of 47.00 feet to a point;

Thence a distance of 31.42 feet along the arc of a 20.00 foot radius non-tangent curve right, said curve having a central angle of 90°00'00" and a long chord bearing S 45°45'16" W a distance of 28.28 feet to a point of tangency;

Thence N 89°14'44" W a distance of 60.13 feet to a point;

Thence S 0°45'16" W a distance of 170.12 feet to a point on the southerly boundary of said NW ¼ of the NE ¼;

Thence along said southerly boundary N 89°27'31" W a distance of 444.00 feet to a point marking the southwest corner of said NW ¼ of the NE ¼;

Thence along the westerly boundary of said NW ¼ of the NE ¼ N 0°19'12" E a distance of 656.40 feet to a point;

Thence leaving said boundary S 89°40'48" E a distance of 175.50 feet to a point;

Thence N 0°19'12" E a distance of 50.72 feet to a point;

Thence N 9°00'00" E a distance of 146.91 feet to a point;

Thence N 0°19'12" E a distance of 271.47 feet to a point;

Thence N 17°25'38" W a distance of 29.40 feet to a point;

Thence N 0°19'12" E a distance of 175.85 feet to the **POINT OF BEGINNING**.

This parcel contains 24.17 acres and is subject to any easements existing or in use.

R-8 REZONE

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the NW ¼ of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 870.32 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly boundary S 89°14'44" E a distance of 459.90 feet to a point marking the northeast corner of said NW ¼ of the NE ¼;

Thence along the easterly boundary of said NW ¼ of the NE ¼ S 0°22'10" W a distance of 1324.15 feet to a point marking the southeast corner of said NW ¼ of the NE ¼;

Thence along the southerly boundary of said NW ¼ of the NE ¼ N 89°27'31" W a distance of 885.05 feet to a point;

Thence leaving said southerly boundary N 0°45'16" E a distance of 170.12 feet to a point;

Thence S 89°14'44" E a distance of 60.13 feet to a point of curvature;

Thence a distance of 31.42 feet along the arc of a 20.00 foot radius curve left, said curve having a central angle of 90°00'00" and a long chord bearing N 45°45'16" E a distance of 28.28 feet to a point;

Thence S 89°14'44" E a distance of 47.00 feet to a point;

Thence N 0°08'44" E a distance of 79.75 feet to a point;

Thence a distance of 7.71 feet along the arc of a 347.00 foot radius curve left, said curve having a central angle of 1°16'25" and a long chord bearing N 7°38'12" W a distance of 7.71 feet to a point;

Thence N 81°43'35" E a distance of 16.72 feet to a point;

Thence S 89°14'44" E a distance of 459.40 feet to a point;

Thence N 0°45'16" E a distance of 731.29 feet to a point;

Thence N 89°14'44" W a distance of 179.00 feet to a point;

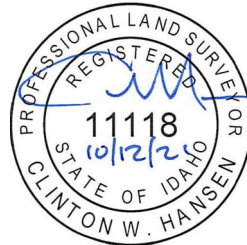
Thence N 0°45'16" E a distance of 95.00 feet to a point;

Thence N 6°25'57" W a distance of 47.37 feet to a point;

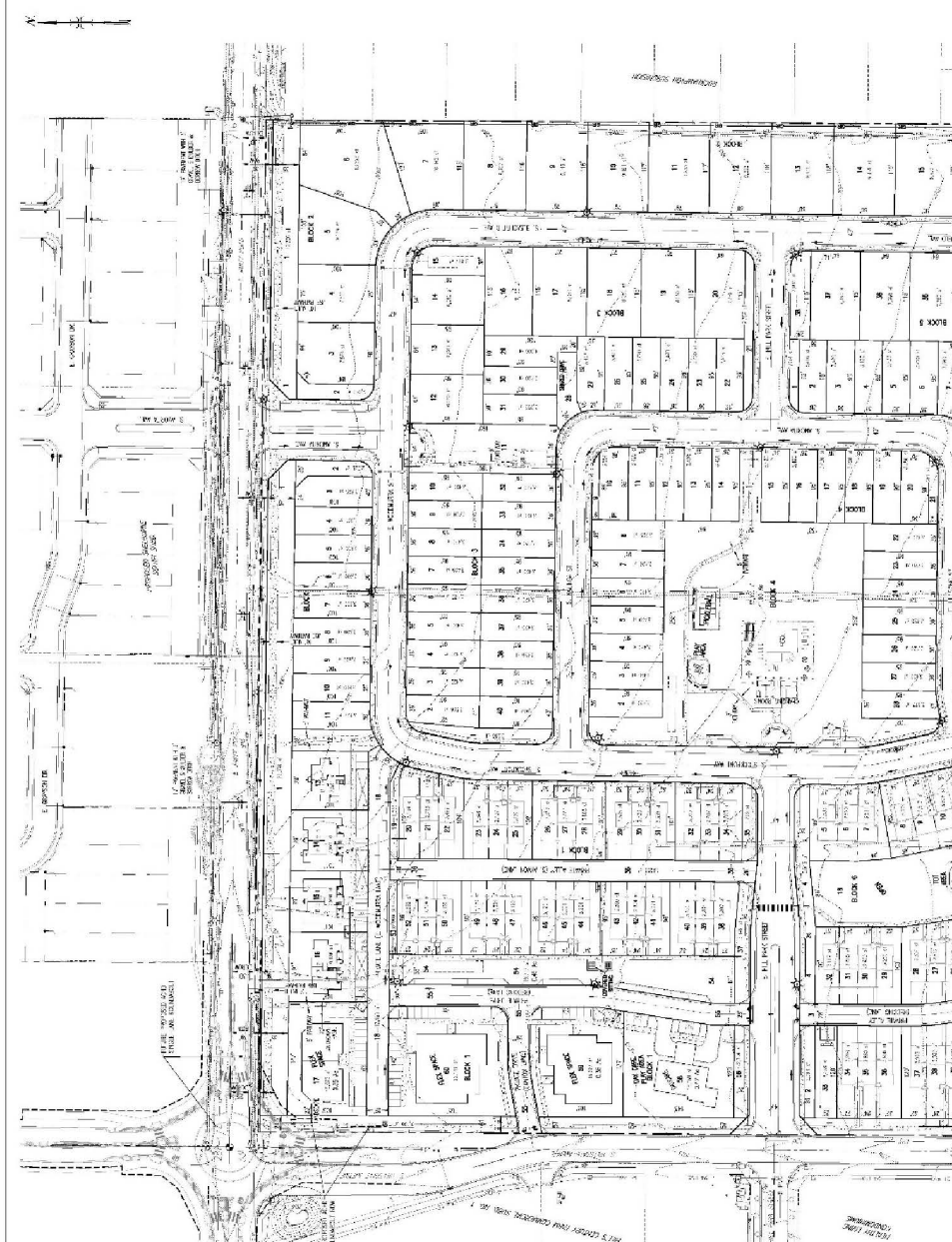
Thence N 0°47'14" E a distance of 174.00 feet to the **POINT OF BEGINNING**.

This parcel contains 13.38 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
Revised October 12, 2021



Centerville Subdivision
Job No. 20-16
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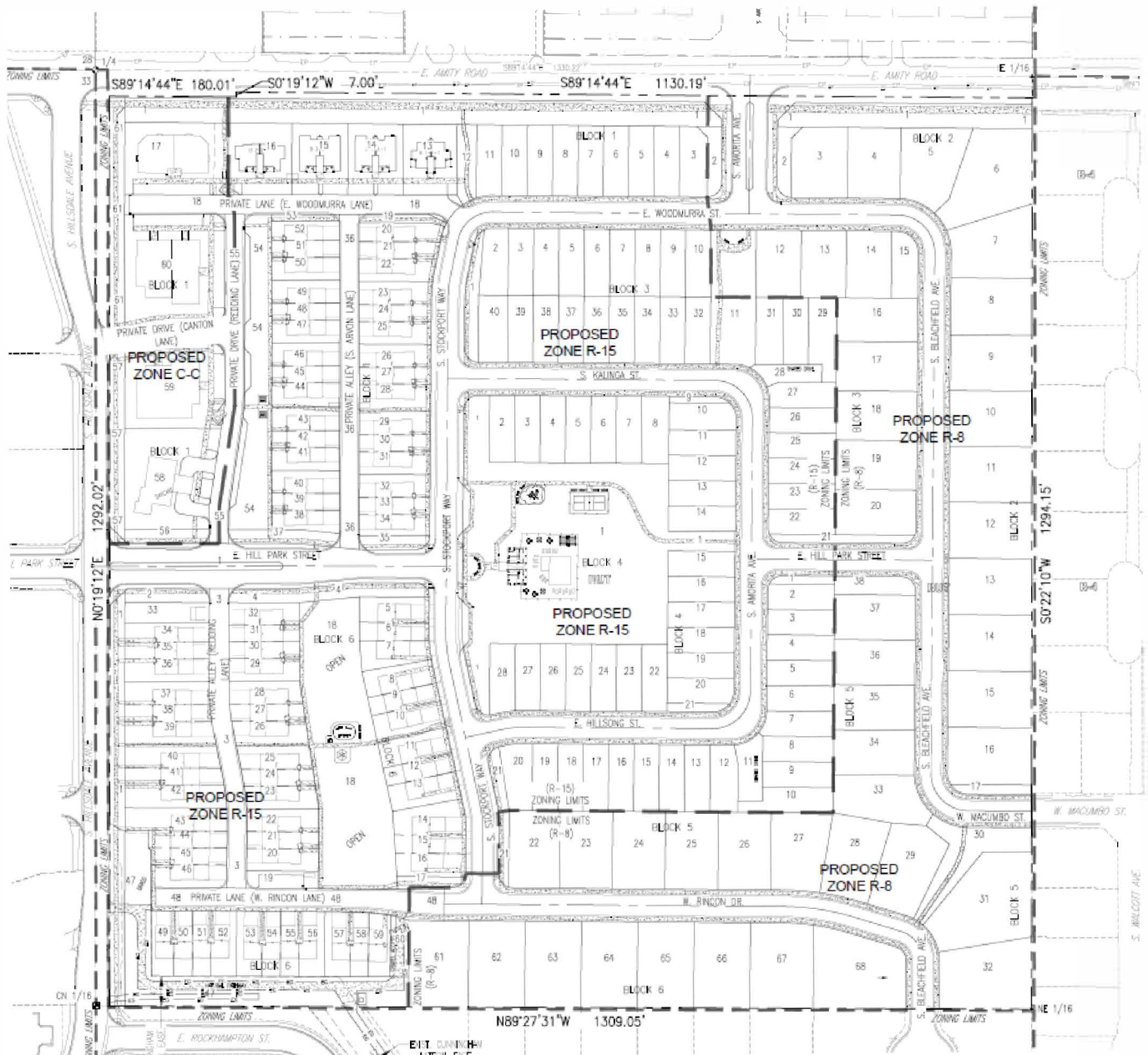


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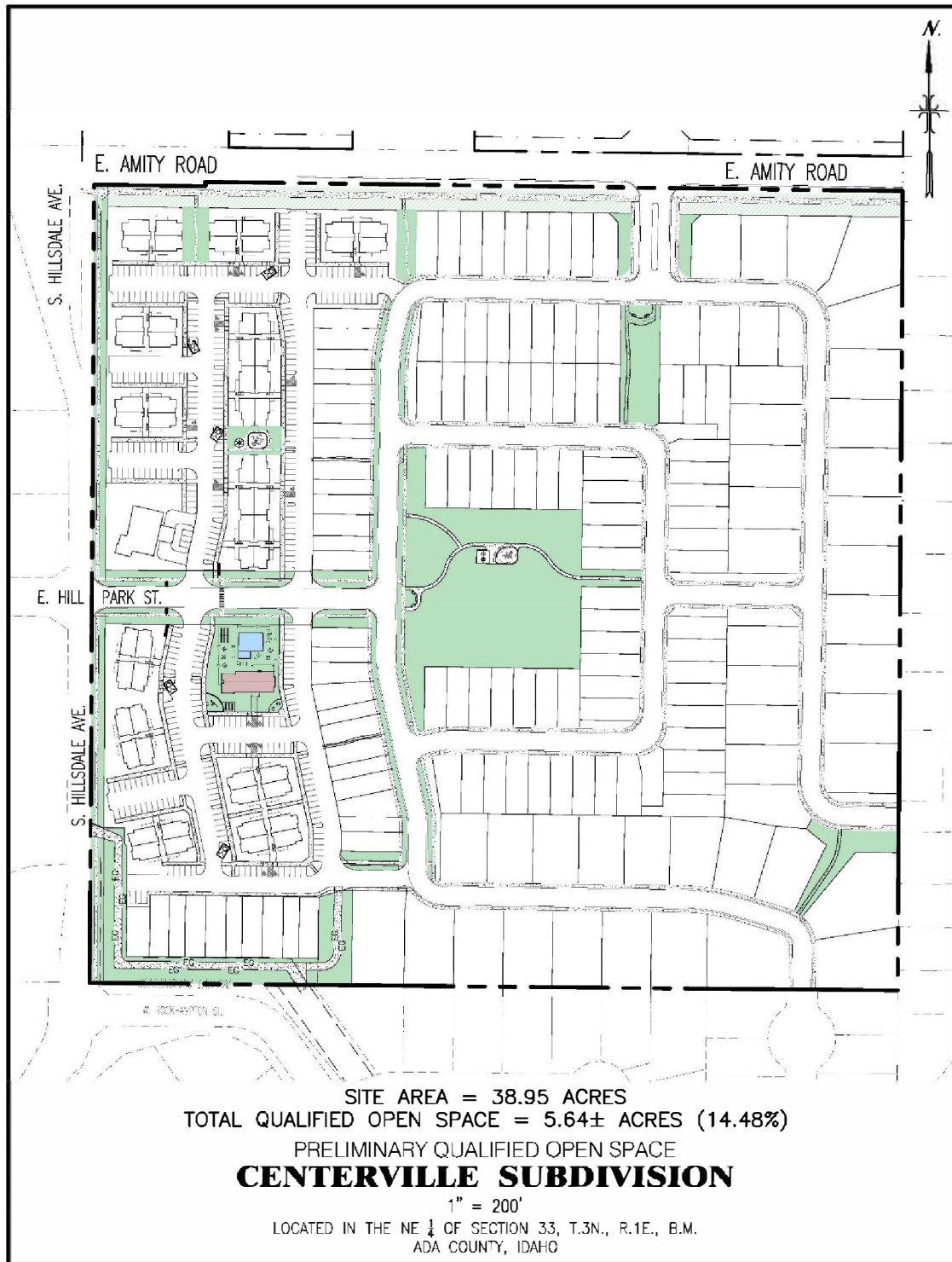
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FOUR-FLUX PARKING	30 SPACES
FOUR-FLUX (16 CONCRETE)	
COMMON/FILE SPACE PARKING	42 SPACES
DISPOSE PARKING	7 SPACES
PARALLEL PARKING	12 SPACES
GUEST PARKING	8 SPACES
POOL FACILITY PARALLEL PARKING	4 SPACES

OWNER OF RECORD CHRYSLER FINANCIAL GROUP, LLC 14000 E. CHRYSLER DRIVE TOLSON, ILL. 60140	DEVELOPER CHRYSLER FINANCIAL GROUP, LLC 14000 E. CHRYSLER DRIVE TOLSON, ILL. 60140	PLANNER/CONTACT CHRYSLER FINANCIAL GROUP, LLC 14000 E. CHRYSLER DRIVE TOLSON, ILL. 60140	ENGINEERING SOLUTIONS 1000 N. WILSON AVENUE, SUITE 200 CHICAGO, ILL. 60642 TEL: (312) 464-1111 FAX: (312) 464-1112 WWW.ESOLUTIONS.COM	CENTERVILLE SUBDIVISION 1000 N. WILSON AVENUE, SUITE 200 CHICAGO, ILL. 60642 TEL: (312) 464-1111 FAX: (312) 464-1112 WWW.ESOLUTIONS.COM	DATE 11/06/01 SHEET 2 OF 4 PRE-2
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C. Open Space Exhibit (NOT APPROVED – needs to be revised to match layout revisions)



D. Landscape Plans (date: ~~6/07/2021~~ 10/15/2021)



LANDSCAPE CALCULATIONS

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
E. ANITY RD.	42'	1210' / 39' =	35 TREES	48 TREES
S. HILLDALE AVE.	21'	1245' / 35' =	36 TREES	34 TREES
COMMON AREA		22515' / 8100' =	28 TREES	25 TREES
RESIDENTIAL STREET TREES				132 TREES

TOTAL NUMBER OF TREES: 99 TREES * 471 TREES

* EXTRA TREES PROVIDED ABOVE THOSE REQUIRED FOR MITIGATION (IF REQUIRED):
512 TREES (2" CAL) = 744 CAL INCHES

DEVELOPMENT DATA

TOTAL AREA	30.25 ACRES	COMMON AREA	5.20 ACRES (14.8%)
RESIDENTIAL LOTS	124	EXISTING ZONING	R1T
TOWNHOME LOTS	7	PROPOSED ZONING	R-D, R-15, & C-C
FOUR-FLEX LOTS	4		
DAYCARE LOT	1		
POOL FACILITY/AMENITY LOT	1		
COMMERCIAL/FLEX SPACE LOT	3		
PRIVATE ALLEY/DRIVE/ LANE LOT	4		
COMMON LOTS	33		
TOTAL LOTS	244		



MERIDIAN, IDAHO

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NOTES

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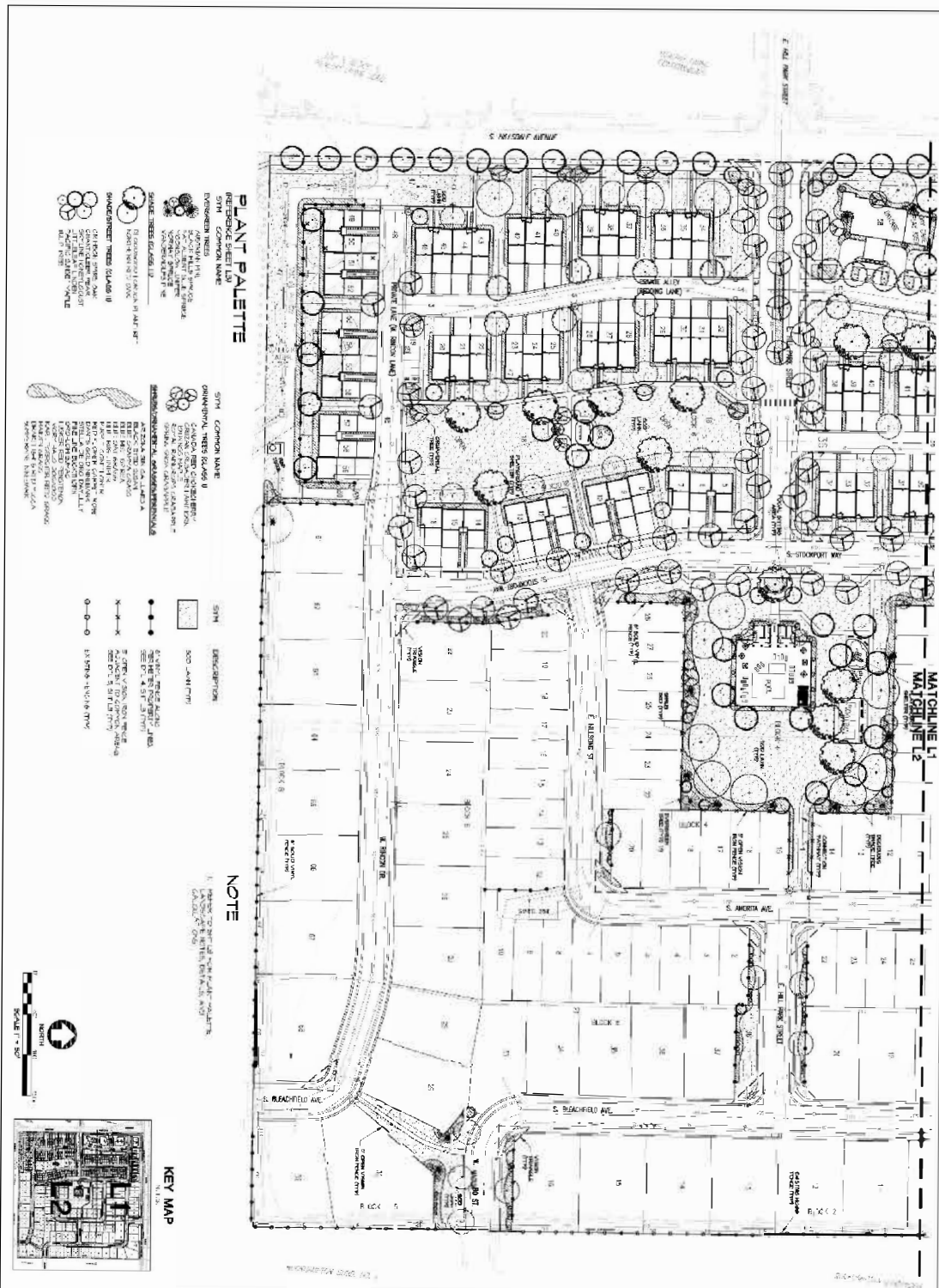
PLANNER/CONTACT	DEVELOPER	OWNER
TERRY ADAMS BUILDING SOUTHERN, LLP 8, 1000A MC SHANE BLVD. SUITE 200 FORT WORTH, TX 76104 (817) 335-3664	CHALMERS DEVELOPMENT CO. 1917 E. CHAMBERS ROAD SUITE 100 FORT WORTH, TX 76104 (817) 335-3664	WELT INVESTMENTS, L.P. 1101 E. CHAMBERS ROAD SUITE 100 FORT WORTH, TX 76104 (817) 335-3664


JENSEN & JENSEN
 ASSOCIATES
 4411 Maple / Jackson Park
 1000 1st Avenue, Suite 100
 St. Paul, MN 55108
 Tel: 612-221-1100



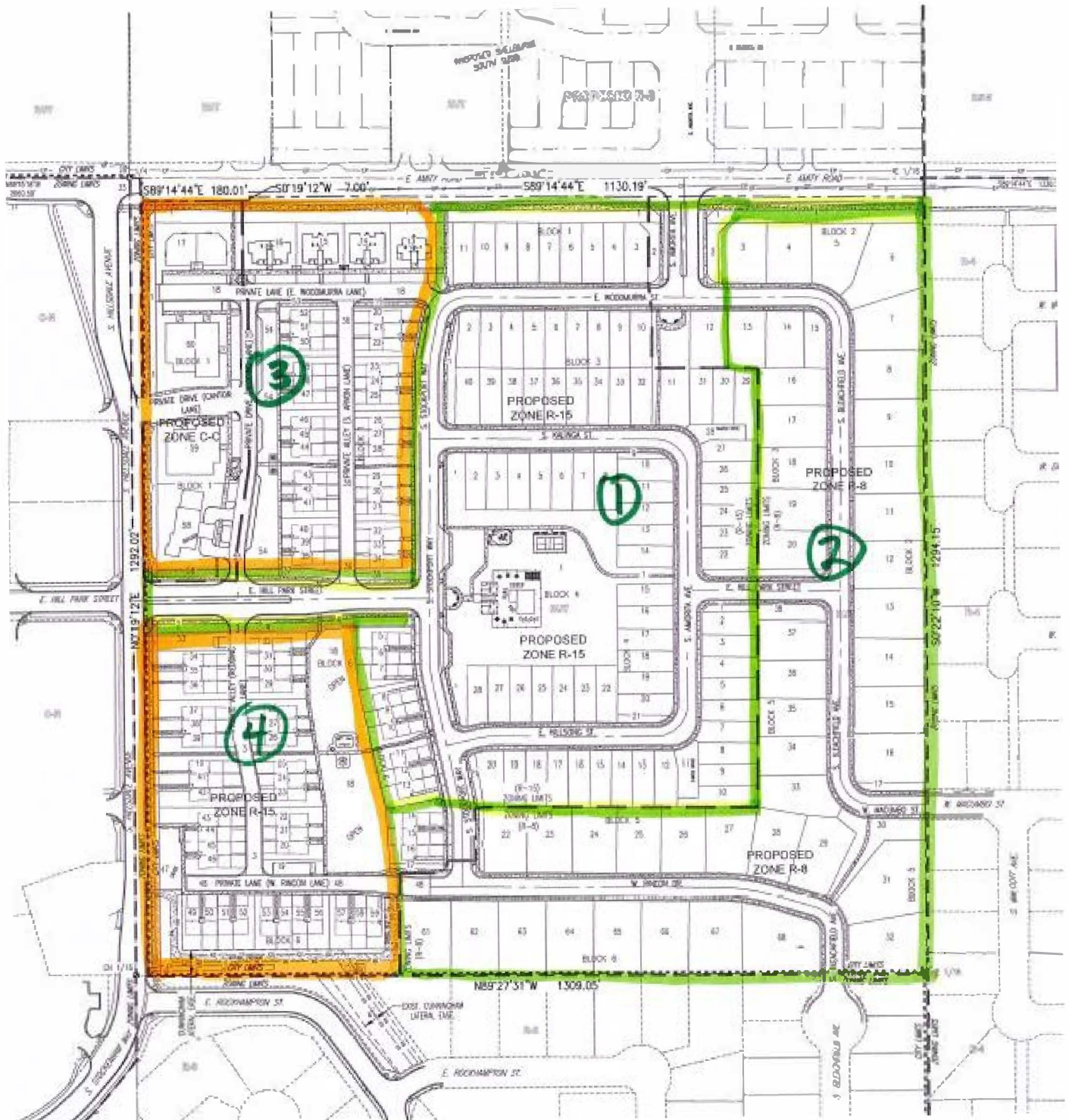
OCTOBER 15, 2021


 SCALE 1" = 80'

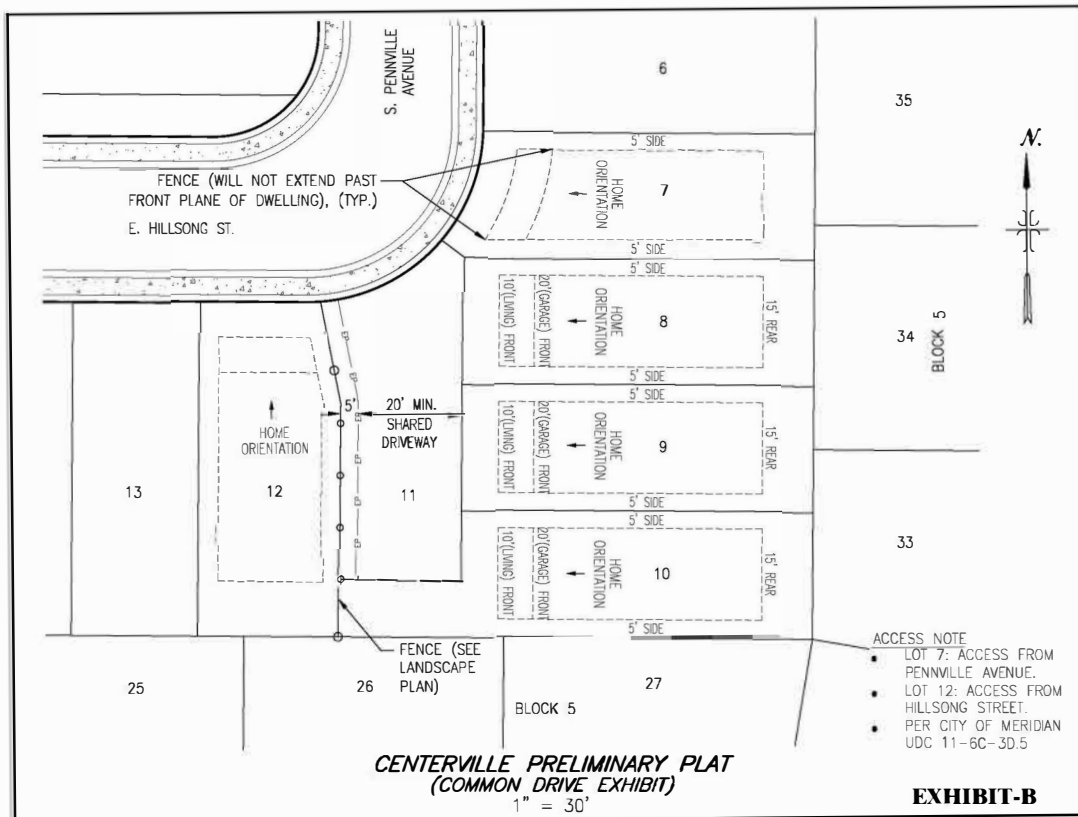
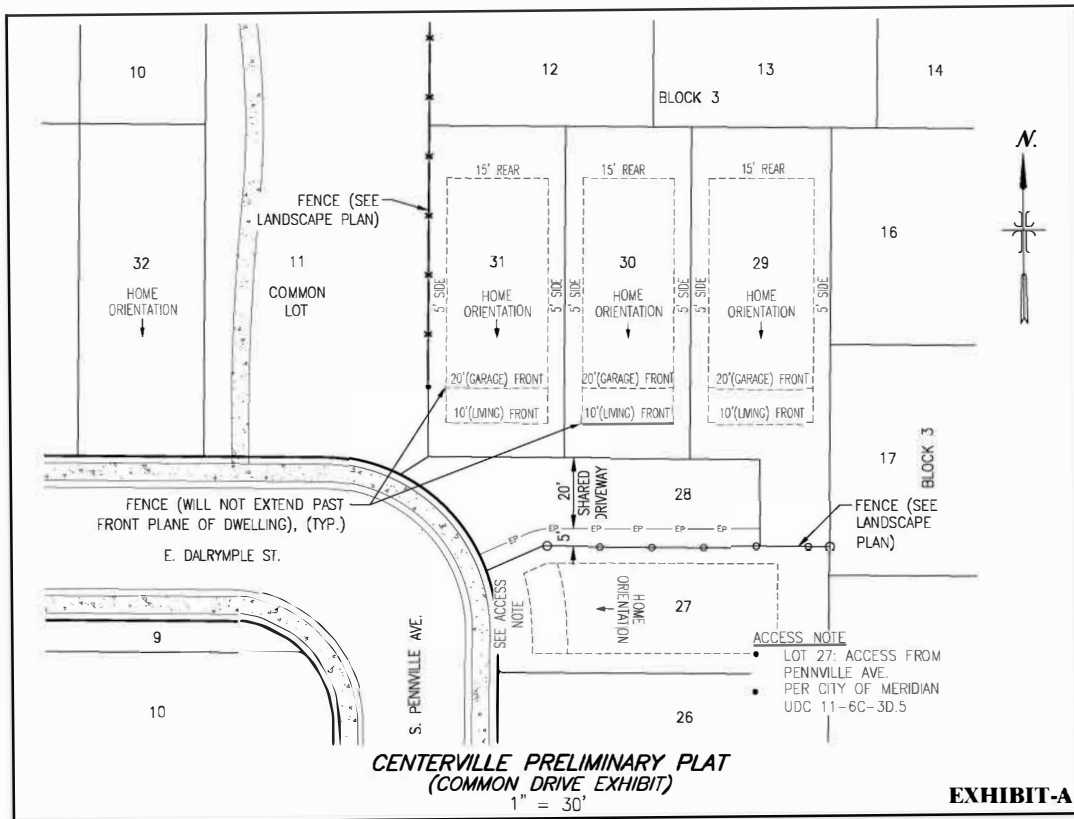


JENSEN BELTS ASSOCIATES 324 Main Street Meridian, Idaho 83450 Phone: (208) 267-7733 Fax: (208) 267-7733 www.jensenbelts.com	CENTERVILLE SUBDIVISION MERIDIAN, ID PRELIMINARY PLAT LANDSCAPE PLAN	Scale: 1" = 50' North Arrow Key Map
	Sheet Number: L2 Project: Centerville Subdivision Client: Meridian City Design: 2024 Drawn: 2024 Check: 2024	Scale: 1" = 50' North Arrow Key Map

E. Proposed Phasing Plan



F. Common Drive Exhibits



G. Conceptual Building Elevations



CENTERVILLE
SINGLE FAMILY ON 50' WIDE LOTS



CENTERVILLE
SINGLE FAMILY ON 36' WIDE LOTS



CENTERVILLE

3-UNIT TOWNHOME TYPE 1



CENTERVILLE

3-UNIT TOWNHOME TYPE 2



CENTERVILLE

3-UNIT TOWNHOME TYPE 3



CENTERVILLE

FRONT LOAD TOWNHOME



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 substantially consistent with the approved plat, phasing plan, concept plan, landscape plan, open space exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
 - b. Future development shall be generally consistent with the proposed phasing plan, specifically that no more than 30 homes shall be constructed prior to both the Hillsdale Avenue and the Amity Road accesses being constructed.
 - c. With the first phase of development, the Applicant shall construct a dedicated westbound and eastbound turn lane on E. Amity Road at the S. Amorita Avenue entrance (as labeled on the preliminary plat) and construct an interim signal at the E. Amity Road and S. Hillsdale Avenue intersection, per the ACHD staff report and the Traffic Impact Study.
 - d. ~~With the first phase of development,~~ the Applicant shall construct a Rapid Rectangular Flashing Beacon (RRFB) crossing at the S. Hillsdale Avenue and E. Hill Park Street intersection when the sidewalk gap located at 5175 S. Hillsdale Avenue (Parcel R3530800300) is constructed.
 - e. Per the submitted and revised preliminary plat, Lot ~~3058~~, Block 1 shall be reserved for a future daycare facility and Lots 17, 59, & 60, Block 1 shall be reserved for future commercial uses.
 - f. All future pedestrian crossings within the subdivision that traverse a driving surface ~~future multi-family residential area of the site~~ shall be constructed with brick, pavers, stamped concrete, colored concrete or similar to clearly delineate the driving surface from the pedestrian facilities, per UDC 11-3A-19B.4b.
 - g. No building permits shall be submitted until the final plat for the associated phase is recorded.
 - h. The required landscape street buffers and detached pedestrian facilities shall be constructed and vegetated with the first phase of development along E. Amity Road and S. Hillsdale Avenue, including a 10-foot wide sidewalk along the Hillsdale frontage as required by City Council.
 - i. The Applicant shall pipe and reroute the Cunningham Lateral segment present on this property and comply with the standards in UDC 11-3A-6, per the submitted preliminary plat and concept plan.
 - j. ~~The future multi-family development shall be constructed with no more than 128 units with all 12-plex buildings being no more than two stories in height.~~
-

- k. Multi-family residential is not approved with these applications and a future Conditional Use Permit is required per the use table in UDC 11-2A-2 for the R-15 zoning district.
 - l. All open space and amenities throughout the development shall be shared by ~~the single-family and multi-family~~ all portions of the development; the future Conditional Use Permit application shall show continued compliance with all open space and amenity requirements for the development as a whole.
 - m. The elevations/facades of 2-story structures that face E. Amity Road, an entryway corridor, and S. Hillsdale Avenue Street, a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.
 - n. Prior to the City Council hearing, the Applicant shall submit a Private Street application and pay the applicable fee for the proposed private streets in the west half of the site for access to the townhome units and commercial building lots.
 - 2. With the first final plat submittal, submit documentation from ACHD that the Applicant and ACHD have worked to install appropriate traffic calming along Hillsdale Avenue and S. Stockenham Way.
 - 3. The preliminary plat included in Section VII.B, dated ~~July 30, 2021~~ October 8, 2021, is approved as submitted. ~~shall be revised as follows with the first Final Plat submittal:~~
 - a. ~~Provide traffic calming on E. Hill Park Street where a pedestrian crossing is shown between the south and north multi-family building lots (Lot 13, Block 4 & Lot 18, Block 6). Coordinate with Meridian Fire and ACHD as applicable.~~
 - 4. The landscape plan included in Section VII.D, dated ~~June 7, 2021~~ October 15, 2021, is approved as submitted. ~~shall be revised as follows at least ten (10) days prior to the City Council hearing:~~
 - a. ~~Revise the landscape plans to match the revised preliminary plat;~~
 - b. ~~Per UDC 11-3B-12C, place at least one tree along the micro-path located on Lot 30, Block 5, as labeled on the revised preliminary plat.~~
 - 5. The Applicant shall apply for Alternative Compliance with the first Final Plat submittal to propose an adequate alternative for the required pathway landscape requirements for the proposed gravel path over the Cunningham Lateral in the southwest corner of the site, in accord with UDC 11-5B-5.
 - 6. An exhibit shall be submitted with the applicable final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveways (shown as Lot 28, Block 3 & Lot 11, Block 5); 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. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6, UDC Table 11-2A-7, UDC Table 11-2B-3 and those listed in the specific use standards for the future multi-family development, UDC 11-4-3-27.
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8. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit and for the proposed nonresidential uses at the applicable ratio.
9. The Applicant shall comply with all ACHD conditions of approval.
10. The Applicant shall obtain Administrative Design Review approval for the townhomes with submittal of the first final plat phase which contains this use.
11. The Applicant shall obtain Administrative Design Review and Certificate of Zoning Compliance approval for each commercial building consistent with UDC requirements prior to building permit submittal for each building.
12. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit a public access easement for the multi-use pathway segment along Fivemile Creek to the Planning Division for approval by City Council and subsequent recordation. The easement shall be a minimum of 14' in width (10' pathway and 2' shoulder on each side).
13. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
14. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
15. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
16. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
17. Prior to building permit submittal for any structure in each phase, the Applicant shall record the associated final plat for that phase.
18. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit public access easements for any multi-use pathway proposed with the development to the Planning Division for approval by City Council and subsequent recordation.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 All water and sewer mains, fire hydrants, and water meters must either be located in public right of way or be covered by a minimum 20-foot-wide utility easement, or 30-foot-wide minimum combined water and sewer easement. Easements shall be centered on the main, with a minimum of 10 foot on each side of the main. Easements shall have no encroachments of permanent structures including but not limited to buildings, carports, trash enclosures, trees, shrubs, fences, etc.
- 1.2 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation agreement is required for the streetlights on Pine Avenue and Ten Mile Road. Contact the Meridian Transportation and Utility Coordinator for additional information.

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
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provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
 - 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
 - 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (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.
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- 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. These 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.
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C. FIRE DEPARTMENT (MFD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=234511&dbid=0&repo=MeridianCity&cr=1>

D. POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=232736&dbid=0&repo=MeridianCity>

E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=234049&dbid=0&repo=MeridianCity>

F. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=233030&dbid=0&repo=MeridianCity>

G. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=233224&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=267302&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=234509&dbid=0&repo=MeridianCity>

J. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=234532&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;**

City Council finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-8, R-15, and C-C zoning districts and subsequent development is consistent with the Comprehensive Plan, if all conditions of approval are met.

- 2. The map amendment complies with the regulations outlined for the proposed districts, specifically the purpose statement;**
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City Council finds the proposed zoning map amendment and request for different types of residential dwelling types will contribute to the range of housing opportunities available within the City and within this area. City Council finds the proposed development is generally consistent with the purpose statement of the residential districts included as part of the application.

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

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**

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.**

Because of the proposed addition of differing dwelling types, neighborhood serving commercial uses, and the general site design, City Council finds the annexation is in the best interest of the City.

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;**

City Council finds that the proposed plat, with Staff's recommendations and the Applicant's revisions, 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;**

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, 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;**

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,

Staff 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 has approved the proposed internal road layout and has required road improvements adjacent to the site. So, City Council finds, if all recommended conditions of approval are met, the proposed development meets this finding.

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

City Council is unaware of any significant natural, scenic, or historic features on the subject sites and therefore finds the development meets this finding.