

STAFF REPORT	
COMMUNITY DEVELOPMENT DEPARTMENT	

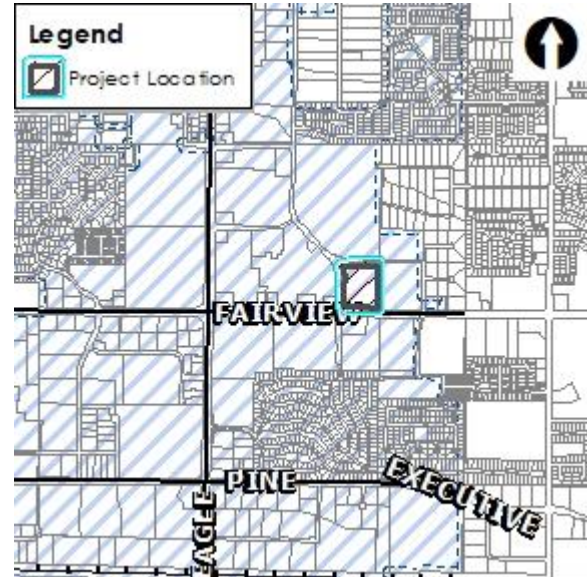
HEARING DATE: February 13, 2024

TO: Mayor & City Council

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

SUBJECT: Kleiner Adjacent Subdivision – PFP ([H-2023-0059](#)) & ALT (A-2024-0009)

LOCATION: 1730 N. Records Way at the northeast corner of N. Records Way and E. Fairview Ave., in the SW 1/4 of Section 4, T.3N., R.1E.



I. PROJECT DESCRIPTION

Combined preliminary and final plat consisting of two (2) building lots on 9.88 acres of land in the C-G zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	9.88 acres
Future Land Use Designation	Mixed Use – Regional (MU-R)
Existing Land Use	Vacant/undeveloped
Proposed Land Use(s)	Multi-family residential
Current Zoning	C-G (General Retail & Service Commercial District)
Proposed Zoning	NA
Lots (# and type; bldg/common)	2 building lots
Phasing plan (# of phases)	2
Number of Residential Units (type of units)	472 multi-family (apartment) units
Density (gross & net)	47.8 units/acre (gross)

Open Space (acres, total [%] / buffer / qualified)	See CUP (H-2022-0008) & ALT (A-2022-0085)
Amenities	See CUP (H-2022-0008)
Physical Features (waterways, hazards, flood plain, hillside)	None
Neighborhood meeting date	10/24/23
History (previous approvals)	AZ-07-012 (Ord. #09-1399, Development Agreement Inst. #109009630); H-2022-0008 , CR-2022-0004 (Records Apartments CUP, ALT – expires on 4/21/2024); A-2022-0085 (ALT); A-2022-0147 (Records Apartments CZC, DES - Expired)

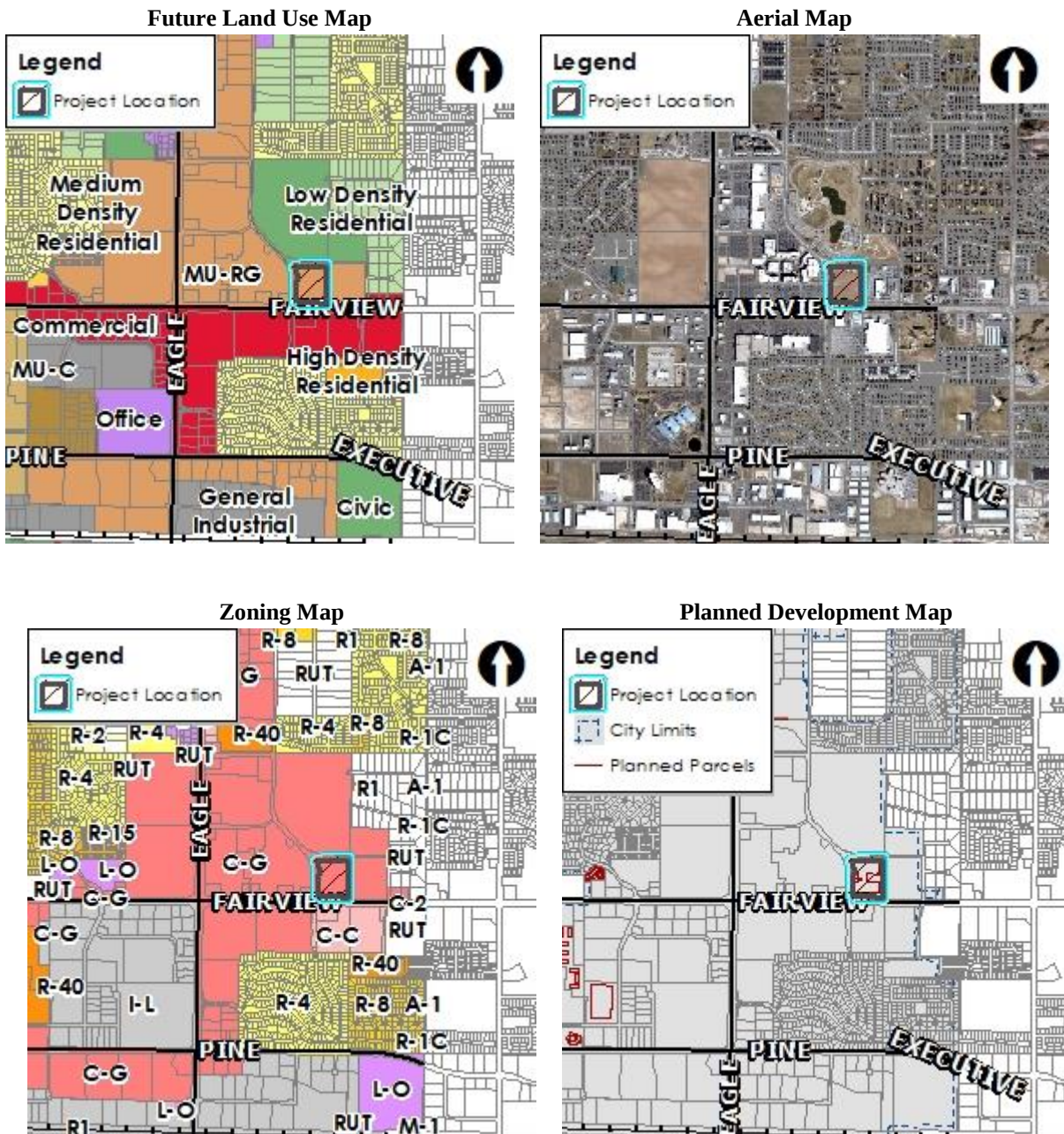
B. Community Metrics

Description	Details																				
Ada County Highway District																					
• Staff report (yes/no)	Yes																				
• Requires ACHD Commission Action (yes/no)	No																				
• TIS (yes/no)	No (not required)																				
• Existing Conditions	Fairview Ave. is improved with 7-travel lanes and no curb, gutter or sidewalk abutting the site. Records Way is improved with 5-travel lanes at Fairview tapering to 2-travel lanes approaching the single lane roundabout at the Records/Elden Gray intersection.																				
• Level of Service	<table><tr><th>Roadway</th><th>Frontage</th><th>Functional Classification</th><th>PM Peak Hour Traffic Count</th><th>PM Peak Hour Level of Service</th></tr><tr><td>Fairview Avenue</td><td>573-feet</td><td>Principal Arterial</td><td>1,591</td><td>Better than "E"</td></tr><tr><td>Records Way</td><td>715-feet</td><td>Collector</td><td>337</td><td>Better than "D"</td></tr><tr><td>Elden Gray Street</td><td>611-feet</td><td>Local</td><td>N/A</td><td>N/A</td></tr></table> * Acceptable level of service for a seven-lane principal arterial is "E" (2,720 VPH). * Acceptable level of service for a two-lane collector is "D" (425 VPH).	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Fairview Avenue	573-feet	Principal Arterial	1,591	Better than "E"	Records Way	715-feet	Collector	337	Better than "D"	Elden Gray Street	611-feet	Local	N/A	N/A
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Records Way	715-feet	Collector	337	Better than "D"																	
Elden Gray Street	611-feet	Local	N/A	N/A																	
• CIP/IFYWP	Fairview Avenue is listed in the CIP to be widened to 7-lanes from Eagle Road (SH-55) to Cloverdale Road between 2036 and 2040.																				

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One access is proposed via Records Way, a collector street, and two accesses are proposed via the existing shared driveway along the east boundary of the site.
Proposed Road Improvements	No improvements are proposed to Fairview. A dedicated northbound right-turn lane is proposed at the intersection of Records Way & site access A.
Estimated Trip Generation	2,205 trips per day & 184 trips per hour in the PM peak hour.
Fire Service	No comments were received.
Police Service	No comments received

West Ada School District	No comments received
Wastewater	See comments in Section IX.B
Water	See comments in Section IX.B

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

DWT Investments, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	12/18/2023	1/28/2024
Radius notification mailed to property owners within 300 feet	12/15/2023	1/26/2024
Public hearing notice sign posted on site	12/22/2023	2/13/2024
Nextdoor posting	12/11/2023	1/29/2024

V. COMPREHENSIVE PLAN ANALYSIS

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

The purpose of the MU-R designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. For example, an employment center should have supporting retail uses; a retail center should have supporting residential uses as well as supportive neighborhood and community services.

TRANSPORTATION: The Master Street Map (MSM) depicts N. Records Way as a commercial collector street and E. Fairview Ave. as a principal arterial street. East Elden Gray St. is a local street along the northern boundary of the site. Transit services are not available to serve this site.

PROPOSED USE: A multi-family development containing 472 apartment units in one (1) 5-story building with associated parking and landscaping was approved to develop on this site ([H-2022-0008](#)).

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)
City water and sewer services are available and can be extended by the developer with development in accord with UDC 11-3A-21.
- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)
The proposed development will connect to City water and sewer systems; services are required to be

provided to and though this development in accord with current City plans.

- “Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity.” (6.01.02B)

No access is proposed via Fairview Ave., an arterial street. Access is proposed via a shared access driveway along the east boundary of the site and via a right-in/right-out driveway from Records Way, a collector street. A cross-access easement is required to be granted between the proposed lots and to the property to the east for use of the portion of the driveway that lies on this site.

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

Segments of the City’s multi-use pathway system are required along E. Fairview Ave. and along N. Records Way to provide access to Kleiner Park in accord with the Pathways Master Plan.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

This is an infill development; development of this vacant land will result in more efficient provision of public services.

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

Urban sewer and water infrastructure and curb, gutter and sidewalks are required to be provided with development as proposed.

- “Slow the outward progression of the City’s limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

Development of the subject infill property, currently in the City limits, is encouraged over parcels on the fringe of the City. The development of this property will result in better provision of City services.

VI. STAFF ANALYSIS

Note: A Conditional Use Permit (CUP) was previously approved for a 472-unit multi-family development on this site, which will expire on 4/21/2024 as set forth in UDC [11-5B-6F](#). A time extension may be requested if needed. The previously approved Certificate of Zoning Compliance and Design Review application expired on 9/14/2023. The reason for the subdivision request is to create two (2) separate parcels to facilitate construction financing of the project. The overall project should remain under the same ownership.

A. PRELIMINARY PLAT/FINAL PLAT(PFP):

The proposed combined preliminary/final plat (PFP) consists of two (2) commercial building lots on 9.88 acres of land in the C-G zoning district as shown on the preliminary and final plats in Sections VIII.A and B.

One phase of development is proposed for the subdivision. However, two (2) phases of development are proposed for construction of the multi-family development on the proposed lots. **All street buffers and pathways/sidewalks within the buffers are required to be constructed as part of the subdivision improvements and not phased with lot development. If the site develops prior to recordation of the plat, all subdivision improvements should be completed prior to release of the first Certificate of Occupancy for the site.**

Existing Structures/Site Improvements: There are no existing structures on this property.

Dimensional Standards (UDC 11-2): Future development is required to comply with the dimensional standards listed in UDC [Table 11-2B-3](#) for the C-G zoning district.

Access: One (1) right-in/right-out access driveway was approved via N. Records Way, a commercial collector street, along the west boundary of the site ([CR-2022-0004](#)) and two (2) accesses were approved via the shared driveway along the east boundary of the site. No access is proposed or approved via E. Fairview Ave. or E. Elden Gray St.

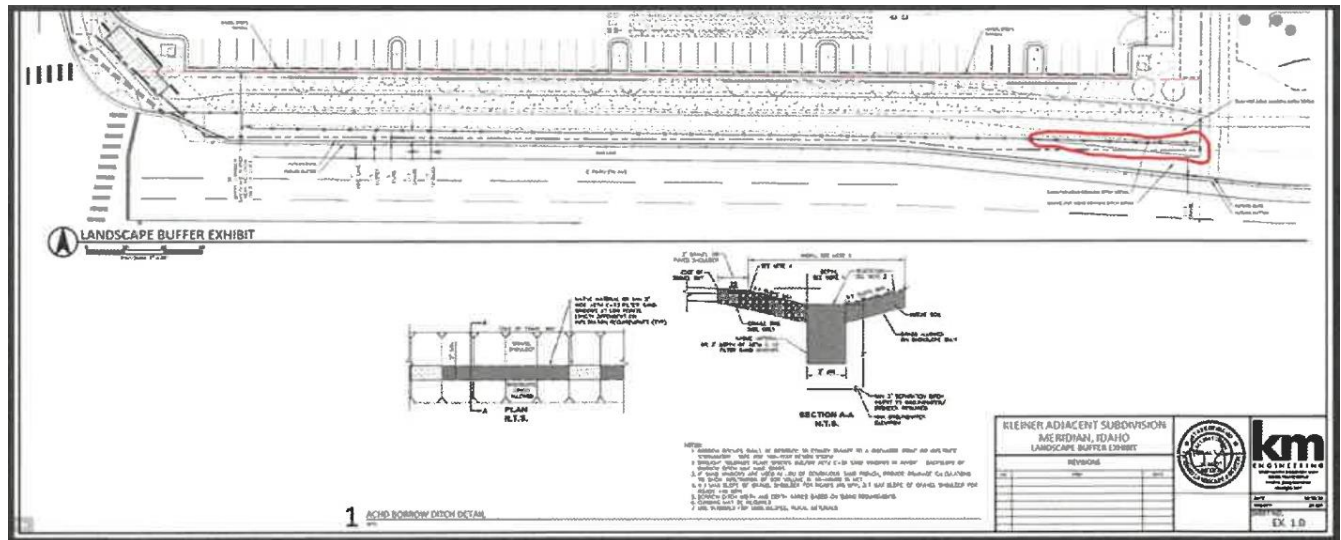
A cross-access easement is required to be granted to the abutting property to the east (CarMax Parcel #S1104438755) for use of the portion of the shared driveway that lies on this site. A recorded copy of the easement should be submitted with the final plat for City Engineer signature or prior to issuance of the first Certificate of Occupancy for the site, whichever occurs first. A blanket cross-access easement should also be granted between both of the proposed lots via a note on the plat.

Traffic Impact Study (TIS): ACHD deems the estimated trips from this development is less than what was estimated previously for this parcel with the 2- to 3-story office and residential land uses conceptually proposed with the TIS for The Village at Meridian in 2011. For this reason, only a turn lane analysis was required. Based on this analysis, a northbound dedicated right turn lane on Records Way is recommended at the site access; no additional turn lanes are recommended at the access on Elden Gray Street. ACHD is supportive of the access provided a turn lane is constructed as recommended.

Landscaping (UDC 11-3B): The UDC ([Table 11-2B-3](#)) requires a minimum 35-foot wide street buffer along E. Fairview Ave., a principal arterial street and entryway corridor; a 20-foot wide buffer along N. Records Way, a commercial collector street; and a 10-foot wide buffer along E. Elden Gray St., a local street. Where bumpers overhang onto perimeter landscape buffers in parking areas, the parking stall dimensions may be reduced 2 feet in length if 2 feet is added to the width of the landscaped area planted in groundcover; otherwise, wheel stops should be provided to prevent vehicle overhang.

A reduced buffer width of 16 feet was previously approved through alternative compliance [A-2022-0085](#) along a 145-foot long section adjacent to the right-turn lane along N. Records Way. An additional 2-feet should be added to the width of the buffer along Fairview totaling 37-feet if wheel stops aren't provided in abutting parking spaces (wheel stops are now proposed). **ALL of the buffer area must be vegetated in accord with the standards listed in UDC [11-3B-7C.3](#) – the gravel shoulder (or any other unlandscaped areas) may not be counted toward the minimum width of the buffer; the plans should be revised accordingly. If a hardship exists, a reduced buffer width may be requested through an alternative compliance application as set forth in UDC 11-3B-7C.1c. The buffer width along Elden Gray includes an additional 2-feet for vehicle overhang as required.**

A request for alternative compliance was submitted to UDC 11-3B-7C.3 and 11-3B-7C.5a for the street buffer improvements along Fairview Ave. Per the UDC, landscaping is required within the entire 35' wide street buffer; and the compacted gravel along the street should be a maximum of 10' in width. The plan in Section VIII.E depicts a 35' wide buffer measured from the back of the future curb to the parking lot, which accounts for the future road widening; however, only about 28-31' of the buffer is proposed to be landscaped at this time. A compacted gravel shoulder greater than 10' is proposed on a 90' long section near the eastern boundary of the site along Fairview as required by ACHD (circled in red on the drawing below). The reason for the requests is that ACHD is requiring a rural road section, which includes a gravel edge and sand window, within the street buffer. With the future improvements to Fairview, this area will be landscaped in accord with UDC standards. Alternative compliance is necessary because ACHD is requiring a design that conflicts with UDC standards and compliance isn't feasible.



Street buffers should be depicted on the plat in common lots or dedicated buffer easements, maintained by the property owner or business owner's association, as set forth in UDC [11-3B-7C.2a](#). The buffers should be measured from the back of curb per UDC 11-3B-7C.1a(2).

Internal parking lot landscaping is required to comply with the standards listed in UDC [11-3B-8C](#) and will be reviewed for compliance with these standards with the Certificate of Zoning Compliance and provided with lot development.

There are no existing trees on the site that require mitigation.

Sidewalks (11-3A-17): The UDC (11-3A-17) requires minimum 5-foot wide detached sidewalks along all collector and arterial streets; and attached sidewalks (or detached) along local streets. Because the Pathways Master Plan (PMP) depicts pathways along Fairview Ave. and Records Way, a 10-foot wide sidewalk is proposed in those areas instead; a detached sidewalk is proposed along Eldon Gray St.; and an attached sidewalk is proposed along the driveway along the east boundary of the site.

The minimum width of parkways planted with Class II trees is 8-feet; the planter width may be reduced to 6-feet if there are root barriers that meet the standards in UDC [11-3A-17E](#). The plat/landscape plans shall be revised accordingly to demonstrate compliance.

Pathways: The Pathways Master Plan depicts 10-foot wide multi-use pathways along E. Fairview Ave. and N. Records Way providing a pedestrian connection to Kleiner City Park; pathways are proposed in accord with the Plan. **A 14-foot wide public pedestrian easement is required to be submitted to the Planning Division prior to submittal of the final plat for City Engineer signature or concurrent with the Certificate of Zoning Compliance application, whichever occurs first. If the pathway is partially located within the public right-of-way, provide sufficient easement width beyond that boundary to cover the 10' sidewalk plus 2' shoulder.**

Parking: Off-street parking is provided on the site and will be reviewed for consistency with the standards listed in UDC [Table 11-3C-6](#) with the Certificate of Zoning Compliance application. **A blanket cross-parking easement should be granted between both of the proposed lots via a note on the plat.**

Open Space & Amenities: All common areas and site amenities will be shared between the two (2) lots; a note should be included on the final plat accordingly.

Fencing: Any fencing constructed on the site should comply with the standards listed in UDC 11-3A-7. A decorative fence barrier is depicted on the landscape plan along E. Fairview Ave. and N. Records Way.

Waterways: Any existing open waterways on the site are required to be piped or otherwise covered as set forth in UDC [11-3A-6B.3](#).

Utilities (UDC [11-3A-21](#)): Connection to City water and sewer services is required in accord with UDC 11-3A-21. **Utility easements should be noted on the final plat that benefit both of the proposed lots.**

Street lighting is required to be installed along E. Fairview Ave. in accord with the City's adopted standards, specifications and ordinances.

Pressurized Irrigation System (UDC [11-3A-15](#)): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

Storm Drainage (UDC [11-3A-18](#)): An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. A [Geotechnical Investigation report](#) was submitted with this application. **Drainage easements should be noted on the final plat that benefit both of the proposed lots.**

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

Conceptual building elevations were approved with the conditional use permit for the proposed 5-story structure as shown in Section VIII.D. **Final design is required to comply with the design standards in the Architectural Standards Manual. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of building permit applications.**

VII. DECISION

A. Staff:

Staff recommends approval of the proposed combined preliminary and final plat (PFP) per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard this item on January 4, 2024. At the public hearing, the Commission moved to recommend approval of the subject PFP request.

1. Summary of Commission public hearing:

- a. In favor: Jon Wardle, Brighton Corp. (Applicant)
- b. In opposition: None
- c. Commenting: Larry Van Over, Scott Dykstra, Sean Thompson
- d. Written testimony: Josh Beach, Brighton Corp. (Applicant) – in agreement with staff report conditions.
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Concern pertaining to traffic congestion generated from the development.

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

- a. Phasing of the project.
- b. Construction traffic impacts.
- c. Pedestrian access to The Village.

4. Commission change(s) to Staff recommendation:

- a. None

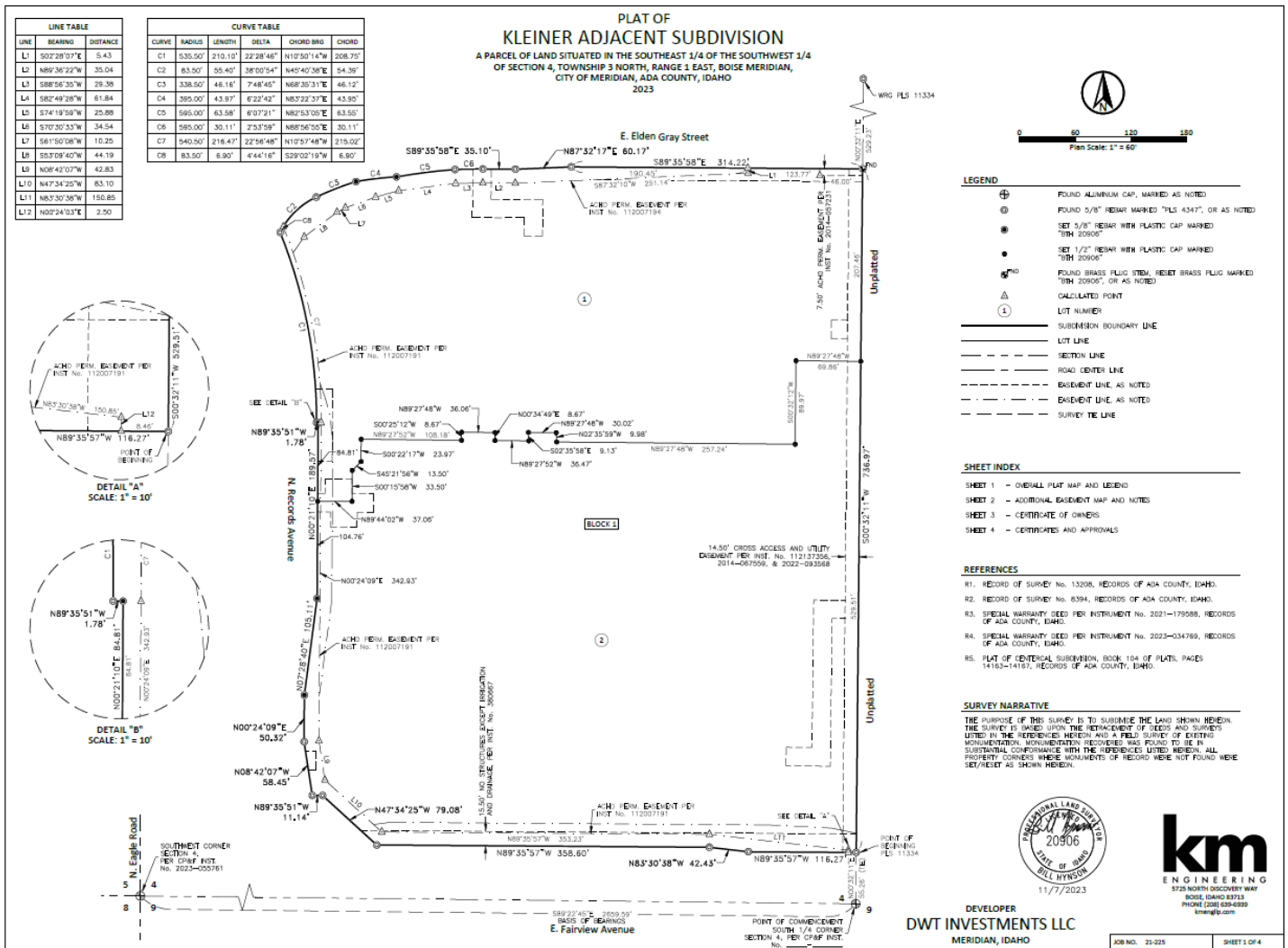
5. Outstanding issue(s) for City Council:

- a. The Applicant requests Council approval of alternative compliance to the street buffer landscape standards noted on pg. 6.

A. Preliminary Plat (dated: 12/1/23)



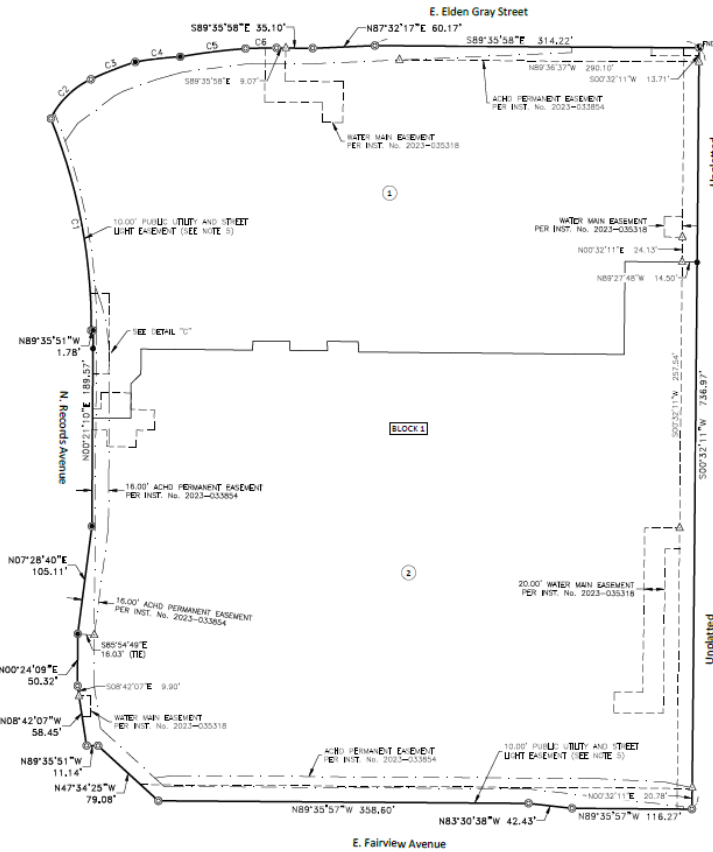
B. Final Plat (dated: 11/7/23)



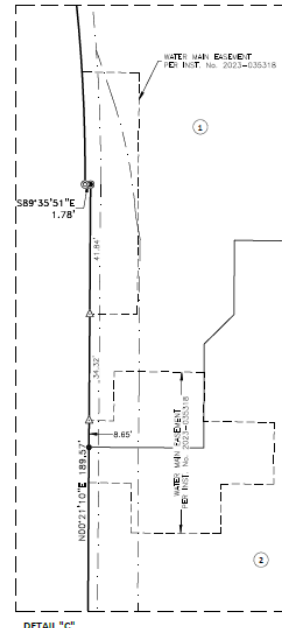
PLAT OF KLEINER ADJACENT SUBDIVISION



0 60 120 180
Plan Scale: 1" = 60'



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEG.	CHORD END
C1	535.50'	210.10'	22°28'40"	N10°50'14"W	208.79'
C2	83.50'	55.40'	36°00'54"	N49°40'38"E	54.39'
C3	338.50'	46.16'	7°48'45"	N69°30'31"E	46.12'
C4	395.00'	43.97'	6°22'42"	N67°22'37"E	43.95'
C5	585.00'	63.58'	6°07'21"	N67°53'00"E	63.55'
C6	285.00'	30.11'	2°53'58"	N69°06'50"E	30.11'



DETAIL "C"
SCALE: 1" = 20'

NOTES

1. MINIMUM BUILDING SETBACK LINES SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN IN EFFECT AT THE TIME OF RESUBDIVISION.
3. IRRIGATION WATER HAS BEEN PROVIDED FROM NAMPA-MERIDIAN IRRIGATION DISTRICT IN COMPLIANCE WITH IADMO CODE SECTION 11-500.01(10). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE ELIGIBLE FOR ASSIGNMENTS FROM THE NAMPA-MERIDIAN IRRIGATION DISTRICT.
4. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IADMO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATIONS, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NEIGHBORLY PEST OR PUBLIC NUISANCE IF THE OPERATIONS OR FACILITY OR EXPANSION HAS NOT BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR AND THE OPERATIONS, FACILITY OR EXPANSION HAS NOT A NEIGHBOR AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NEIGHBOR RESULTS FROM THE IMPROVED OR NEIGHBORLY OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
5. ALL LOT LINES COMMON TO PUBLIC RIGHT-OF-WAY SHALL CONTAIN A 10.00' RIGHT-OF-WAY EASEMENT FOR PUBLIC UTILITIES AND CITY OF MERIDIAN STREET LIGHTS, UNLESS OTHERWISE SPECIFIED.
6. LOTS SHALL NOT BE REDEVELOPED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY AND THE CITY OF MERIDIAN.
7. THE BOTTOM OF STRUCTURAL FLOORINGS SHALL BE SET A MINIMUM OF 12-INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUND WATER ELEVATION.
8. DIRECT LOT OR PARCEL ACCESS TO E. FAIRVIEW AVENUE AND E. ELDEN GRAY STREET IS PROHIBITED, EXCEPT FOR TWO ACCESS POINTS APPROVED BY THE CITY OF MERIDIAN AND ADA COUNTY HIGHWAY DISTRICT.
9. MAINTENANCE OF ANY IRRIGATION AND DRAINAGE DITCHES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/GRASSLAND ENTITY.

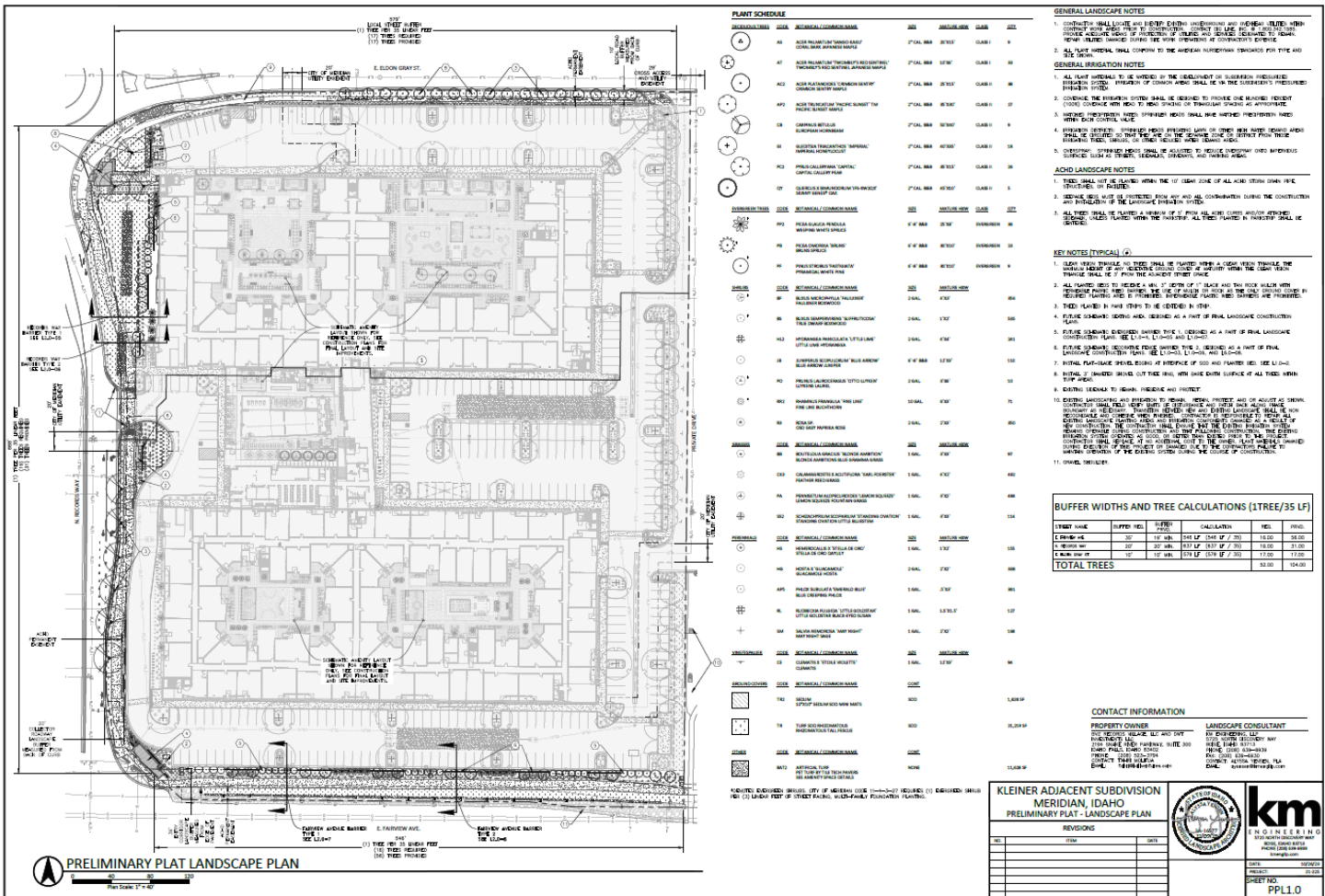


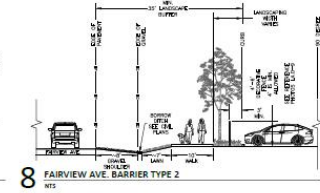
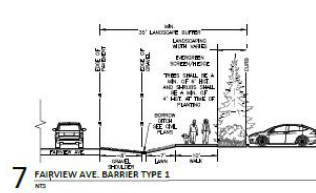
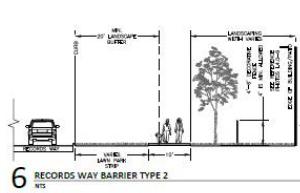
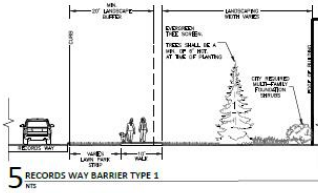
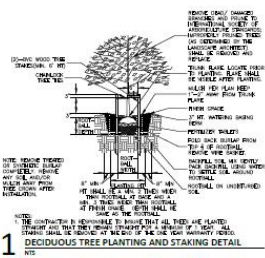
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ENGINEERING
3725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 638-4555
kmm@km.com

DEVELOPER
DWT INVESTMENTS LLC
MERIDIAN, IDAHO

JOB NO. 25-225 SHEET 2 OF 4

C. Landscape Plan (dated: 11/7/23)



[illegible]

D. Conceptual Building Elevations



PRELIMINARY CONCEPTS
MERIDIAN MULTIFAMILY | BRIGHTON | BALL VENTURES
20 JANUARY 2022

Babcock Design



PRELIMINARY CONCEPTS
MERIDIAN MULTIFAMILY | BRIGHTON | BALL VENTURES
20 JANUARY 2022

Babcock Design



PRELIMINARY CONCEPTS
MERIDIAN MULTIFAMILY | BRIGHTON | BALL VENTURES
20 JANUARY 2022

Babcock Design



PRELIMINARY CONCEPTS
MERIDIAN MULTIFAMILY / BRIGHTON / BALL VENTURES
22 JANUARY 2022



PRELIMINARY CONCEPTS
MERIDIAN MULTIFAMILY / BRIGHTON / BALL VENTURES
22 JANUARY 2022



PRELIMINARY CONCEPTS
MERIDIAN MULTIFAMILY / BRIGHTON / BALL VENTURES
22 JANUARY 2022





PRELIMINARY CONCEPTS
 MEDICAL RESEARCH / INNOVATION, 1001 10th
 22 JANUARY 2022

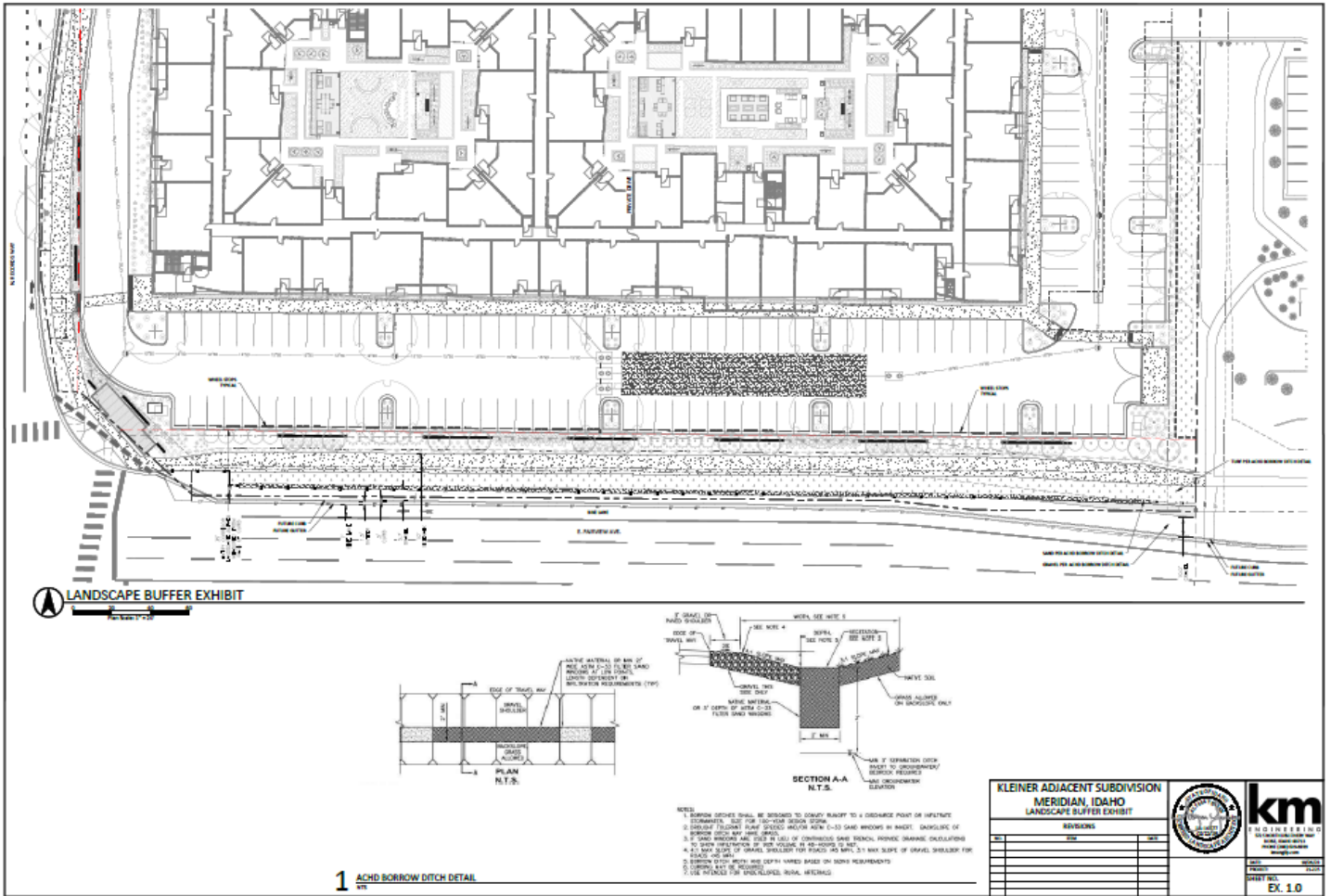
 Rabcock Design



PRELIMINARY CONCEPTS
 MEDICAL RESEARCH / INNOVATION, 1001 10th
 22 JANUARY 2022

 Rabcock Design

E. Alternative Compliance Street Buffer Exhibit



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Preliminary/Final Plat:

1.1 The final plat submitted for City Engineer signature shall include the following revisions:

- a. Depict street buffers in common lots or dedicated buffer easements, maintained by the property owner or business owner's association, as set forth in UDC [11-3B-7C.2a](#)
- b. Widen the street buffer along Fairview Ave. to a minimum 35-feet in accord with the minimum standards in UDC [11-2B-3](#). An additional 2-feet shall be added to the width of the buffer along Fairview totaling 37-feet if wheel stops aren't provided in abutting parking spaces as set forth in UDC [11-3C-5B.4](#). *If an alternative compliance application will be requested for a reduced buffer width, it should be submitted to the Planning Division prior at least 15 days prior to the City Council hearing.*
- c. Depict a cross-access ingress/egress easement on the plat granting access to the abutting property to the east (Parcel #S1104438755) for use of the existing shared driveway; or, submit a separate copy of a recorded agreement to the Planning Division with the final plat for City Engineer signature or prior to issuance of the first Certificate of Occupancy for the site, whichever occurs first.
- d. Include a note granting a blanket cross-access and cross-parking easement between the proposed lots.
- e. Include a note that states all common areas and site amenities will be shared between the two (2) lots/properties and maintained by the business owner's association for the development.
- e. The minimum width of parkways planted with Class II trees is 8-feet; the planter width may be reduced to 6-feet if there are root barriers that meet the standards in UDC [11-3A-17E](#); revise plans accordingly.
- f. Graphically depict a 14-foot wide public pedestrian easement for the multi-use pathways along E. Fairview Ave. and N. Records Way; include the instrument number of the recorded easement.
- g. Drainage and utility easements shall be noted on the final plat that benefit/serve both of the proposed lots.

1.2 The landscape plan submitted with the final plat for City Engineer signature shall include the following revisions:

- a. The minimum width of parkways planted with Class II trees is 8-feet; the planter width may be reduced to 6-feet if there are root barriers that meet the standards in UDC [11-3A-17E](#); revise plans accordingly.
- b. Widen the street buffer along Fairview Ave. to a minimum 35-feet in accord with the ~~minimum~~ standards in UDC [11-2B-3](#). ~~An additional 2-feet shall be added to the width of the buffer along totaling 37-feet if wheel stops aren't provided in abutting parking spaces as set forth in UDC [11-3C-5B.4](#).~~ The entire buffer shall be vegetated in accord with the standards listed in UDC [11-3B-7C.3](#), unless otherwise approved by City Council with the alternative compliance request.

Note: A reduced buffer width of 16 feet was previously approved through alternative compliance [A-2022-0085](#) along a 145-foot long section adjacent to the right-turn lane along N. Records Way.

1.3 All irrigation ditches crossing this site shall be piped or otherwise covered as set forth in UDC [11-3A-6B.3](#).

- 1.4 All street buffers and pathways/sidewalks within the buffer are required to be constructed as part of the subdivision improvements and not phased with lot development.
- 1.5 A 14-foot wide public pedestrian easement shall be submitted to the Planning Division prior to submittal of the final plat for City Engineer signature or concurrent with the Certificate of Zoning Compliance application, whichever occurs first. If the pathway is partially located within the public right-of-way, provide sufficient easement width beyond that boundary to cover the 10' sidewalk plus 2' shoulder.
- 1.6 If the site develops prior to recordation of the plat, all subdivision improvements shall be completed prior to release of the first Certificate of Occupancy for the site.
- 1.7 Approval of a combined preliminary and final 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 combined preliminary and final plat. Upon written request and filing by the applicant prior to the termination of the period, the director may authorize a single extension of time to obtain the city engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=313496&dbid=0&repo=MeridianCity>

C. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=314804&dbid=0&repo=MeridianCity>

D. MERIDIAN POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=313495&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=314787&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Combined Preliminary/Final Plat (UDC 11-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

The Commission finds the proposed plat is in conformance with the UDC and the Comprehensive Plan.

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

The Commission finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.

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

The Commission finds the proposed plat is in conformance with the City's capital improvement plan.

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

The Commission finds there is public financial capability of supporting services for the proposed development.

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

The Commission finds the proposed development will not be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

The Commission is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

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

1. Strict adherence or application of the requirements are not feasible; or

Because of ACHD's requirement to improve E. Fairview Ave. as a rural road section, which includes a gravel edge and sand window within the street buffer, strict adherence to the standards listed in UDC 11-3B-7C is not feasible at this time. Once improvements are made to Fairview in the future, landscaping will be completed in accord with UDC standards.

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

Not applicable.

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

Not applicable.