

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



In the Matter of the Request for Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an ACHD maintenance facility on 23.7 acres, by Engineering Solutions, LLP.

Case No(s). H-2021-0029

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

A. Findings of Fact

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

B. Conclusions of Law

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

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

C. Decision and Order

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

1. The applicant's request for Annexation and Zoning is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 8, 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 March 8, 2022.

By action of the City Council at its regular meeting held on the 22nd day of March, 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 _____

COUNCIL MEMBER LIZ STRADER VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)



Mayor Robert E. Simison 3-22-2022

Attest:


Chris Johnson 3-22-2022
City Clerk



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

By: Charlene Way Dated: 3-22-2022
City Clerk's Office

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



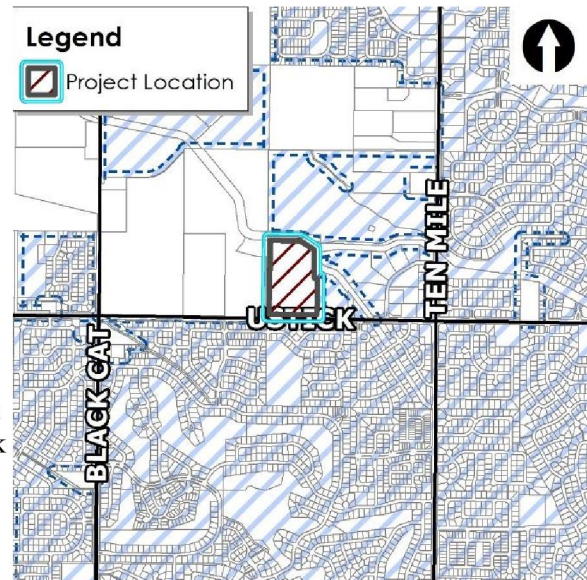
HEARING DATE: ~~7/13/2021~~ March 8, 2022

TO: Mayor & City Council

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

SUBJECT: H-2021-0029
ACHD Ustick Maintenance Facility

LOCATION: The site is located at 3764 W. Ustick Road, approximately ½ mile west of Ten Mile Road on the north side of W. Ustick Road, in the SW ¼ of the SE ¼ of Section 34, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

Annexation and Zoning of 30.27 acres of land with a request for the I-L zoning district for the purpose of constructing an ACHD maintenance facility on 23.7 acres, by Engineering Solutions, LLP.

Note: Sewer services are not currently available to the site. Therefore, the Applicant is also requesting a City Council Waiver to delay connection to City sewer; City water is readily available. Further discussion of this is located throughout the staff report below.

II. SUMMARY OF REPORT

A. Project Summary

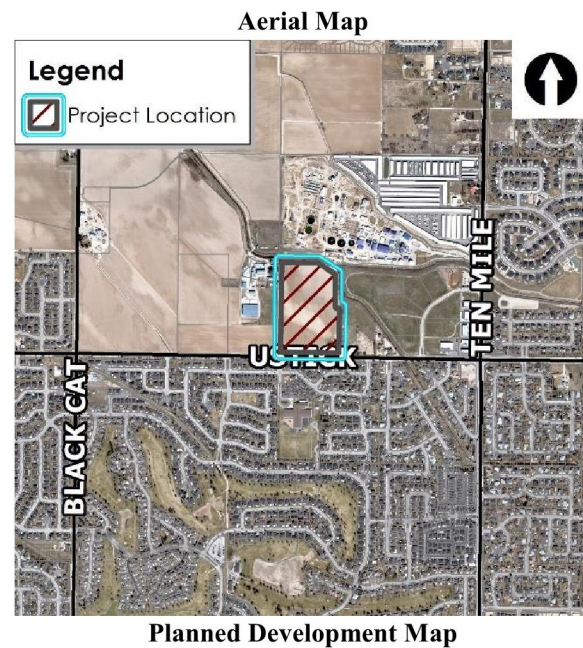
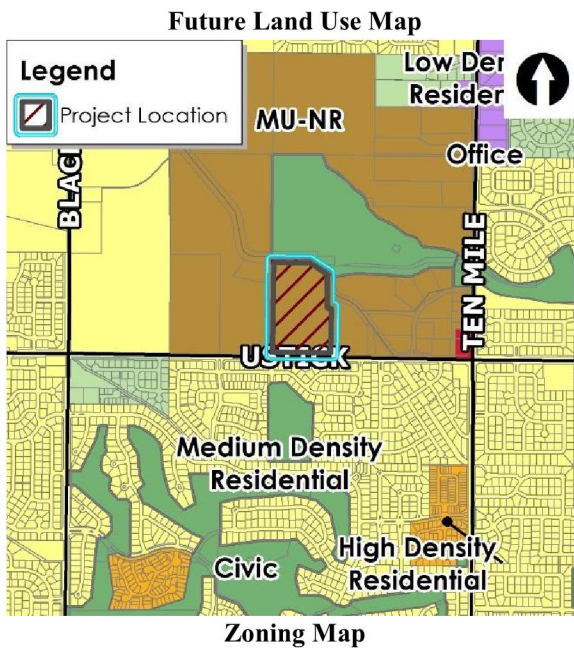
Description	Details	Page
Acreage	AZ – 30.27 acres; Project Site – 23.7 acres	
Future Land Use Designation	Mixed-Use Non-Residential (MU-NR)	
Existing Land Use(s)	County Residential (home is no longer occupied)	
Proposed Land Use(s)	ACHD Maintenance Facility	
Lots (# and type; bldg./common)	One (1) building lot	
Phasing Plan (# of phases)	Proposed as eight (8) phases over eight (8) years.	
Physical Features (waterways, hazards, flood plain, hillside)	Fivemile Creek abuts the north property boundary; Ninemile Creek abuts the northeast property boundary. A large area of the site lies within the floodplain along the north third of the site, both Zone “AE” and Zone “X.” See further analysis in Section V.N.	
Neighborhood meeting date; # of attendees:	March 25, 2021 – 3 attendees	
History (previous approvals)	N/A	

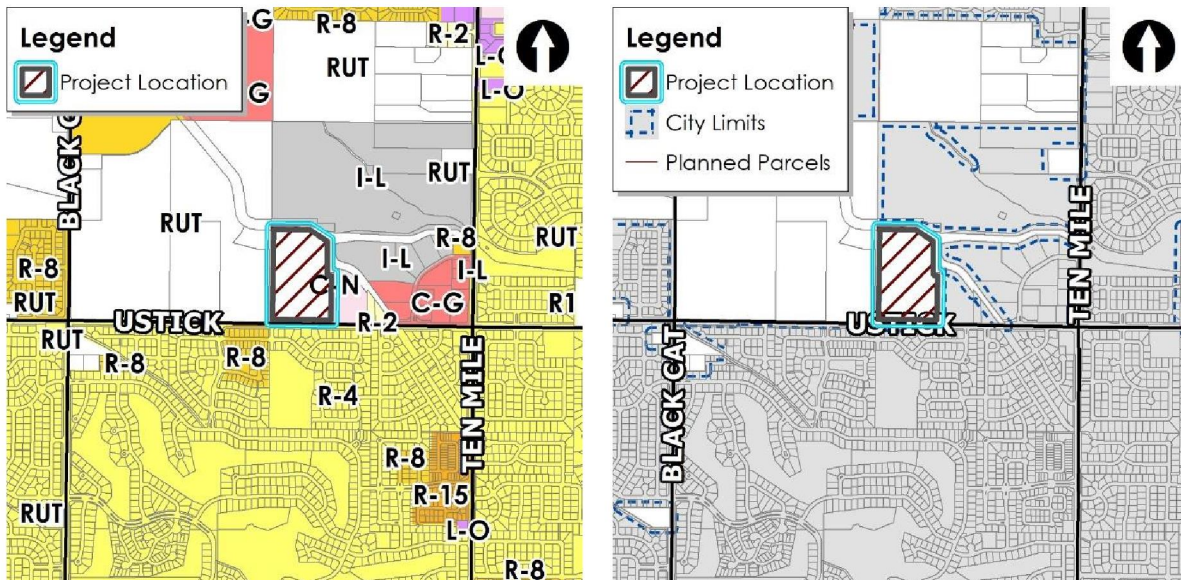
B. Community Metrics

Description	Details	Page
Ada County Highway District		
Staff report (yes/no)	Yes	
Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via construction of a new collector street along the west property boundary (N. Naomi Avenue) that accesses W. Ustick Road (arterial) near the mid-mile mark.	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to terminate N. Naomi Avenue in a temporary hammerhead type turnaround approximately 625 feet into the property. Any future development west of the subject site would connect to this terminus and continue west for interconnectivity. No other stub streets are proposed or required due to the proposed and adjacent use.	
Existing Road Network	Ustick Road is existing arterial street with 2 to 3 lanes of travel.	
Existing Arterial Sidewalks / Buffers	Ustick Road is existing but there are no sidewalks or landscape buffers along the north side of Ustick Road.	
Proposed Road Improvements	No road improvements are required with this application due to this segment of Ustick being scheduled for widening in 2025, unless the proposed right-hand turn lane is proposed with future development (see ACHD staff report in Section VIII.D). CIP/Five Year Work Plan for Ustick and other nearby roads: - Ustick Road is scheduled in the IFYWP to be widened to 5-lanes from Linder Road to Ten Mile Road in 2025. - Linder Road is scheduled in the IFYWP to be widened to 5-lanes from Ustick Road to Cherry Lane in with design in 2025. This project is listed as in preliminary development and is currently unfunded. - The intersection of Black Cat and Ustick Road is scheduled in the IFYWP to be improved with an interim signal in 2021. This intersection is also listed in the CIP to be widened to 7-lanes on the north leg, 7-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and reconstructed/signalized between 2026 and 2030. - Ustick Road is listed in the CIP to be widened to 5-lanes from Black Cat to Ten Mile Road between 2026 and 2030.	
Fire Service		
Distance to Fire Station	1.1 miles from Fire Station #2	
Fire Response Time	Project lies within 5-minute response time goal	
Resource Reliability	Fire Station #2 reliability is 85% (above the goal of 80%)	
Risk Identification	None to report at this time	
Accessibility	Proposed project meets all required road widths, and turnaround dimensions.	
Police Service		
Concerns	None/no comments	
Wastewater		
Distance to Sewer Services	2,650 feet from current sewer services to the west (Black Cat Road)	
Sewer Shed	North Black Cat Trunkshed	
Estimated Project Sewer ERU's	See application	

Description	Details	Page
WRRF Declining Balance	14.15	
Project Consistent with WW Master Plan/Facility Plan	Yes	
Impacts/Concerns	- Sewer is a 2,650' from site and per the Master Plan needs to come from N. Black Cat Rd. - Provide to-and-through to parcel S0434438850 to the east. If sewer is not available at the time of construction of the site, provide a utility easement to the northern end of the parcel S0434438850. - Flow is committed.	
Water		
Distance to Services	0'	
Pressure Zone	1	
Estimated Project Water ERU's	See application	
Water Quality Concerns	None	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	No utilities are shown with application. A utility plan will need to be reviewed by Public Works.	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Ada County Highway District (ACHD) – 3775 N. Adams Street, Garden City, ID 83714

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/28/2021	6/25/2021
Radius notification mailed to properties within 500 feet	5/26/2021	6/22/2021
Site Posting	6/6/2021	7/1/2021
Nextdoor posting	5/26/2021	6/22/2021

V. STAFF ANALYSIS

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

Mixed Use Non-Residential (MU- NR) – The purpose of this designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City's Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted. Appropriate uses in MU-NR areas

would include: employment centers, professional offices, flex buildings, warehousing, industry, storage facilities and retail, and other appropriate non-residential uses

The subject site is an approximate twenty-four (23.7) acre parcel that abuts Ustick to the south, two creeks along the north and a portion of the east boundary, and the City's wastewater treatment plant directly north of the abutting creek. South of Ustick Road are existing detached single-family residences that currently have generally vacant parcels between them and the treatment plant. The proposed use of a maintenance facility for ACHD falls under the Public Utility, Major use within development code and is subject to specific use standards (UDC 11-4-3-31).

The Mixed Use Non-Residential (MU-NR) future land use designation calls for industrial uses, such as a maintenance facility, to act as a buffer between the City's treatment plant and any existing and/or future residential development. The Applicant is proposing to install solid fencing and the required landscape buffers adjacent to Ustick and the existing county residence directly to the west (in addition to a new public collector street). If the property to the west develops in the future as a nonresidential use as called for on the future land use map, the buffer proposed with this application along the west boundary should act as an adequate transition between uses. Despite the probable noise associated with a maintenance facility such as this, adequate landscaping and separation from existing residences by Ustick Road offer appropriate separation and should mitigate the noise from trucks and machinery.

In addition to the proposed use itself, the hours of operation for the facility are an important factor in determining if the proposed use fits in this location. The Applicant has stated the planned hours of operation are Monday thru Friday, 7am to 5:30pm with occasional late-night hours during emergency situations. During the summer, the Applicant has also stated that chip-seal operations require some weekend hours but should be within the normal daytime operating hours. Staff nor the Applicant can foresee emergency situations so it is not feasible to mitigate every possibility associated with the proposed use. Due to the likely minimal late-night operations, Staff believes the proposed Development Agreement provisions and screening methods will be sufficient in mitigating any noxious consequences of the proposed use.

Because of this, Staff finds the proposed project and use of an ACHD Maintenance Facility to be generally consistent with the Comprehensive Plan. Specific Comprehensive Plan policies are discussed and analyzed below.

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 and phasing plan, 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.

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

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

“Coordinate with utility providers on acceptable landscape materials, design and site locations for their future facilities to avoid negative impacts to the community.” (3.08.03). The location of the proposed ACHD Maintenance Facility is located within a non-residential designated area adjacent to the City's wastewater treatment plant. This area is intended to be developed with non-residential uses to act as buffers between existing/planned residential and the treatment plant. ACHD is considered a utility provider and they have worked with Staff to find an appropriate location for their new maintenance facility to further increase road maintenance capabilities within the City of Meridian.

Furthermore, Staff is recommending denser landscaping along the property frontage on Ustick to further mitigate any negative impacts to the nearby single-family residences and meet this applicable and significant comprehensive plan policy.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). City water services are readily available to the subject site but sewer services are nearly a half mile to the west. This site is in a different sewer trunkshed than the properties to the east. As previously noted, the Applicant is proposing to develop the site in multiple phases over the next 8-9 years with a potential for the first building to be constructed in 2024. It is not entirely clear at what point utilities will be available or needed for the site but due to the phasing and the lack of sewer availability currently, the Applicant has not submitted any utility plans at this time. With future development, the Applicant will be required to submit these plans and continue coordinating with the City to connect to public utilities, including water needed for irrigation.

With this application, Staff finds it appropriate for the Applicant to provide a more detailed utility phasing plan than what has been presented in the application materials. Staff has discussed this with the Applicant and has received a general utility phasing plan as follows:

FY22- Site Prep, cutting in access roads, landscaping and fence installation – no need for sewer, just water.

FY23- Decant and washout area, with the possibility of the Admin Bldg. or may get pushed out to FY24.

FY24 - Drainage and Broom Sheds that would need to be connected to the sewer as well since this building will have restrooms.

FY25 – Fleet Buildings - Sewer hook-up as well for this building.

FY26 – Admin Building (originally, but possibly pushed up to FY23 or 24). If not built this year no need for sewer tie in.

FY27 – Truck Wash, and Truck Scales – Sewer to be hooked up

FY28 – Finishing of outlier projects

Based upon the updated information, connection to City water and sewer is likely needed by 2023. Water is readily available but sewer is not, as noted previously. The Applicant is having ongoing discussions with the City Engineer on the best path forward for the sewer needs and timeline of this project.

“Require industrial uses to conform to disposal, spill, and storage measures as outlined by the Environmental Protection Agency.” (4.10.01B). Because of the nature of the proposed use and its different disposal, storage, and chemical requirements, they will be tasked with obtaining all necessary permits from the Environmental Protection Agency (EPA). Planning Staff does not perform environmental reviews as part of their analysis but due to the added layer of floodplain being located onsite, the City’s floodplain coordinator will be a consistent part of future development of the site as phasing progresses and structures are proposed within the floodplain that require environmental permits.

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). Despite the project not being a residential development, a segment of multi-use pathway is shown on the master pathways plan along the north property boundary, adjacent to the Fivemile Creek. The Applicant is proposing to construct the required segment of pathway and construct a pedestrian bridge over the creek to connect to an existing pathway segment further to the east. This connection and added pathway are also proposed to

connect to detached sidewalk along the property's west boundary that eventually connects to Ustick Road. Staff appreciates the added pedestrian connections proposed with this project and should further Meridian's multi-modal transportation goals.

"Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties." (6.01.02C). *The Applicant is proposing to construct a new industrial collector street along west property boundary despite it not being required on the Master Street Map (MSM). This new street is proposed to terminate in a temporary hammerhead type turnaround approximately 625 feet north of Ustick allowing for future connectivity to the west if future development occurs within other areas of the MU-NR designation to west and northwest. The existing county residence and agricultural use to the west will have an opportunity to access this new collector street directly and gives that property an option to utilize the collector street instead of accessing Ustick directly.*

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

C. Existing Structures/Site Improvements:

There is an existing county residence on the property that is no longer occupied. The Applicant has stated this home is to now be sold and removed from the site instead of being used as a temporary office, as originally proposed. Therefore, the existing driveway access to Ustick will be closed as well. Staff is recommending this access be closed with phase 1 of the development, consistent with standard conditions to construct required landscape buffers with the first phase of development. No other structures are known on-site.

D. Proposed Use Analysis:

The proposed use is an ACHD Maintenance Facility which falls under the Public Utility, Major use within development code. This use is a permitted use in the requested I-L zoning district per UDC Table 11-2C-2 and is also subject to Specific Use Standards (UDC 11-4-2-31). As previously discussed within the Comprehensive Plan section above, Staff supports the proposed use at this location—the relatively low vehicle trips, nonresidential use, and proposed pedestrian and landscaping improvements should make the proposed use ideal for this location next to the wastewater recovery facility. Staff analysis of the Specific Use Standards is in *italics* below:

[UDC 11-4-3-31](#) – Public Utility, Major; and public infrastructure:

A. Accessory uses directly related to the maintenance and fueling of vehicles (including, but not limited to, truck and trailer washing, fuel pumps, garages for minor repair) may be allowed. *Proposed development incorporates many of these accessory uses and the Applicant is required to obtain all necessary City, State, and Federal permits for them. Furthermore, the submitted concept plan shows a large maintenance building in the southern quarter of the site but sufficiently outside of the minimum 35-foot street setback from Ustick. This separation and landscaping should mitigate any noxious outcomes from these buildings.*

B. Installation of underground fuel tanks shall require written approval from the Idaho division of environmental quality, Idaho department of water resources, and the appropriate fire authority. *Applicant is aware of this requirement and shall comply.*

C. No portion of the outside storage areas and/or outside activity areas may be visible from any highway, interstate, gateway corridor, principal arterial, or minor arterial as herein defined. *According to the submitted concept plan, none of the proposed outdoor storage areas appear to be visible from Ustick Road, a principal arterial street. The applicant is proposing landscaping and a solid fence as well as future building pad sites that will screen the outside activity areas from Ustick Road. To ensure this standard is adhered to, Staff is recommending the required*

landscape buffer along Ustick is constructed with the first phase of development. More specific analysis of the landscaping and fencing material is in subsequent and relevant sections below.

D. All driveways into and through the facility and any open area with a driving surface shall be surfaced with a dustless material including, but not limited to, asphalt, concrete, pavers or bricks. *According to the submitted concept plan, no asphalt or driveways are proposed until phase 2. However, upon further discussions with ACHD and following the removal of the existing home, Staff is of the understanding that phase 1 will occur in 2022 and will include the new road, overall site prep, landscaping, and fencing installation. With the first phase, it appears that a gravel pit and paved open storage are proposed along the northern boundary. In addition, other areas of paved open storage are depicted on the concept plan. Per the submitted plans, it appears the Applicant is compliant with this standard.*

E. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand (1,000) feet from a hospital. *No portion of the site or any hazardous or potentially hazardous material is located within 1,000 feet of a hospital.*

The concept plan and phasing plan submitted with the application depict specific parts of the maintenance facility being constructed at different times. A revised concept plan has since been submitted. In general, the revised concept plan depicts the following: the required multi-use pathway segment north of the proposed fencing and along the north boundary; a gravel pit and paved open storage along the north and northwest boundary; fuel tanks, truck scale and a salt/sand shed within the central area of the site; central but along the east boundary more paved open storage and the decant and washout stations are proposed; employee and fleet parking as well as the drain truck shed are located in a majority of the center of the site; in the south and southeast area of the site the administration building, fleet maintenance building, broom truck shed, and covered storage is shown on the concept plan.

Please see the phasing plan in the exhibit section below (Exhibit VII.E) for when these areas are proposed to be constructed from approximately 2021-2028. Staff notes that the location of the decant and washout areas have been moved since the revised concept plan was submitted to a new location outside of the floodplain and is therefore not accurately shown on the phasing plan.

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

The Applicant is proposing to annex the subject property into the City with the I-L zoning district which does not have a minimum lot size. As noted above, the proposed use meets the requested zoning and the dimensional standards noted in the specific use standards. The project requires both landscape buffers and building setbacks, per the I-L dimensional standards. At a minimum, there is a 25-foot landscape buffer required adjacent to Ustick and a 20-foot landscape buffer required along the new collector street, Naomi Avenue. In addition, the I-L zoning district requires a street setback of 35 feet. The submitted site plan shows the required 35-foot building setback from Ustick but shows only a 25-foot setback from the future Administration Building to the new segment of Naomi Avenue. This should be corrected with future development applications.

In addition, the I-L zoning district has a minimum landscape buffer of 25 feet to any residential use which is applicable along the west property boundary where Naomi Avenue is not proposed adjacent to the parcel to the west. The submitted concept plan shows this 25-foot landscape buffer compliant with the required dimensional standards.

The proposed building height of any future buildings are not known at this time but Staff presumes none are proposed near the 50-foot height limit of the I-L zoning district. With future

CZC submittals, Staff will confirm conformance with the required dimensional standards of the I-L zone and the Public Utility, Major specific use standards (11-4-3-31). Therefore, the proposed project meets all required dimensional standards outlined in UDC 11-2C-3 except for the required street setback to Naomi Avenue. Staff has recommended this be corrected prior to future CZC submittal.

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

The Applicant has not submitted any conceptual elevations of the future buildings. According to the submitted concept plan, there will be an Administration building, Maintenance building, and a long “L” shaped covered storage building that will require future Administrative Design Review (DES) approval as future development occurs that will also require Certificate of Zoning Compliance (CZC). Because future buildings are not proposed until later phases of the project and because they will require CZC and DES approval, Staff does not find it necessary to obtain conceptual elevations at this time. *However, due to existing and established residential homes to the south and Ustick being a heavily trafficked arterial roadway, Staff is recommending a DA provision that any future building façade that is visible along Ustick Road is held to the Commercial design standards in lieu of the Industrial design standards.*

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

Access is proposed via construction of a new collector street that aligns with Naomi Avenue to the south. The Applicant is proposing to construct the collector street as a 3-lane, 52-foot wide street section within 74 feet of right-of-way with 5-foot detached sidewalk on the east side of the street; when the property to the west redevelops they will be expected to complete the street with sidewalk on their side of Naomi. The submitted plans show this new road to terminate in a temporary hammerhead type turnaround approximately 625 feet into the site for future road connectivity to the west. ACHD has offered their approval of the proposed Naomi Avenue extension and termination on the north side of Ustick Road. There is an existing home on the property that is expected to be sold and moved to a new property which allows the existing access to Ustick to be closed sooner than originally proposed.

Off of Naomi Avenue, the Applicant is proposing two driveway accesses for access into the maintenance facility located approximately 360 and 625 feet north of Ustick Avenue. The concept plan also shows each access to be gated approximately 150 feet from the edge of right-of-way of Naomi. ACHD has given their approval of the proposed driveway and gate locations for the maintenance facility because they meet district policies.

Lastly, the concept plan also shows a westbound deceleration/right-hand turn lane from Ustick onto Naomi Avenue. The Applicant has stated a desire to include this right-hand turn lane for trucks and other vehicles to access Naomi without impeding traffic along Ustick. Staff is supportive of this. ACHD has noted within their staff report this dedicated right-hand turn lane is not required by ACHD because Ustick Road is programmed to be widened to 5 lanes of travel within 10 years.

The Naomi Avenue extension would allow for future public road connectivity for the parcels to the west and allow for more efficient traffic management along the Ustick corridor than individual nonresidential access points to Ustick common within industrial areas. Staff appreciates the initial investment being placed on the road infrastructure and extension. All of the proposed access points (including the existing driveway closure) meet UDC requirements and ACHD has noted compliance with district policy. Therefore, Staff supports the proposed access and transportation element of the proposed project.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6B](#) for nonresidential uses based on the ratio for industrial zoned properties of one (1) space for every 2,000 square feet of gross building floor area. Staff will confirm compliance with these standards at the time of CZC submittal for each building. The proposed use of a maintenance facility will rarely have any customers so the vast majority of parking needs would be for employees. Initial review of the concept plan does not give Staff any concern over the amount of parking due to the proposed use and ample area for additional paved parking.

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

5-foot wide detached sidewalks are proposed within the required landscape buffers to Ustick Road and the new Naomi Avenue collector street (due to alignment, sidewalks are only proposed on the east side of Naomi). At the terminus of Naomi, the 5-foot sidewalk is proposed to continue north within the required 25-foot land-use buffer along the west property boundary and connect to the required multi-use pathway segment at the north property boundary. The proposed sidewalk meets UDC requirements.

There is currently no sidewalk to either the east or west of the subject site because neither property is developed at this time. Further to the east, approximately ¼ mile, there is existing sidewalk on the north side of Ustick constructed as part of the McNelis Subdivision. This area of the City is rapidly developing so sidewalks should be constructed with the landscape buffers for overall connectivity.

As properties further to the west and east develop in the future adequate pedestrian facilities will be required and will connect to the overall sidewalk network. In addition, the intersection of Naomi and Ustick is slated to be signalized in the future as more development occurs in this area. A signal in this location would allow for safe pedestrian crossing to the established sidewalk network on the south side of Ustick that offers connection to both Black Cat and Ten Mile Roads. Furthermore, the sidewalk connection to the multi-use pathway segment along the north boundary would allow pedestrian connection back to Ten Mile Road through the regional pathway network. Overall, Staff supports the proposed detached sidewalk layout and locations within the landscape buffers.

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

Consistent with the sidewalk facilities, the proposed regional pathway extension is required of the Applicant. In addition, the Applicant is required to construct a pedestrian bridge over the Ninemile Creek to connect to the existing pathway segment at the west boundary of the McNelis Subdivision.

The submitted concept plan shows compliance with all of the requirements surrounding the construction of the multi-use pathway except for the required landscaping along both sides of the pathway. The north side of the pathway is encumbered by the irrigation easement so the Applicant has proposed trees only along the south side of the pathway. Staff is not necessarily against this but the Applicant should be required to apply for Alternative Compliance with the first CZC to determine the adequate alternative to the landscaping requirement along the creek. To ensure these pedestrian facilities are constructed, especially the multi-use pathway segment, Staff is recommending the pathway and sidewalks are constructed with phase 1 when the landscaping and fencing are proposed.

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

The Applicant is required to construct landscape buffers along Ustick Road, Naomi Avenue, and the remaining western boundary. In addition, the Applicant is required to install landscaping along the multi-use pathway along the north property. The buffers along Ustick and Naomi are governed by UDC 11-3B-7; the land use buffer along the remaining west property boundary is governed by UDC 11-3B-9; and the multi-use pathway landscaping is governed by UDC 11-3B-12. The Applicant did not submit specific landscape plans for the project but the revised color concept plan (Exhibit VII.C) does depict proposed landscaping in the required areas.

The revised color concept plan shows lawn and trees within each required landscape area. As noted previously, Staff is recommending denser landscaping within the landscape buffer to Ustick Road to help mitigate any noise, light, or fumes from the maintenance facility. Furthermore, the landscape buffers should be constructed with phase 1 for this exact reason. The landscaping shown on the color concept plan appears to meet code requirements but further analysis will be done with the first CZC submittal and a specific landscape plan is submitted.

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 landscape plan and appears to meet UDC standards as proposed. ***The Applicant is proposing to construct 8-foot tall chain-link fencing with 2 feet of barbed wire above that along the north and east property lines—this fencing is also proposed to be coated in a colored and rubberized material. Along the west and south property boundaries, the Applicant is proposing 8-foot tall TREX fencing (see fencing rendering below, Exhibit VII.D). The proposed TREX fencing is being strategically proposed to offer the most screening and buffering to the existing residences. 8-foot tall fencing is allowed within industrial zoning districts and per the height definition of fencing provided in UDC, barbed wire fencing is not included in the height measurement of fencing and is allowed in the I-L zone.***

M. Waterways (UDC 11-3A-6):

The subject site abuts two waterways along the north and northeast property boundaries—the Fivemile Creek runs along the north boundary and the Ninemile Creek forks off of the Fivemile and runs along the north segment of the east boundary. The Master Pathways Plan depicts a segment of the regional pathway system adjacent to the Fivemile Creek but also requires a pedestrian bridge to the northeast of the site in order to connect to the existing multi-use pathway segment further to the east. The Applicant has proposed to build the required multi-use pathway as well as to construct the pedestrian bridge over the Ninemile Creek to the east. Staff appreciates the added cooperation with the Parks Department on extending pedestrian facilities.

In addition to the pedestrian elements surrounding the adjacent waterways, there is floodplain located on the north quarter of the site. Staff has reviewed the site for compliance and notes that a floodplain permit(s) will be required and that future construction within the floodplain will be required to adhere to MCC 10-6 for structure elevations and waterproofing. Further and more specific analysis will be done by Staff with future development applications. In addition, additional environmental permits may be required with the federal government depending on where the final location of specific items are located onsite (i.e. fuel tanks, decant station, etc.).

N. Pressurized Irrigation ([UDC 11-3A-15](#)):

The Applicant is required to provide a pressurized irrigation system for the development in accord with 11-3A-15. No irrigation plans have been submitted for industrial use at this time. With future development applications, the Applicant will be required to provide a pressurized

irrigation system for the required landscaping around the site. Land Development will review these plans in more detail at a later date when specific irrigation plans are submitted.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement per the Findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on June 17, 2021. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Zoning request.

1. Summary of Commission public hearing:

- a. In favor: Becky McKay, Applicant Representative
- b. In opposition: None
- c. Commenting: Becky McKay; Lloyd Carnegie, ACHD Maintenance Manager.
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson, Associate Planner.
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

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

- a. Timeline for the use of the site, construction of the westbound deceleration lane, and overall phasing;
- b. Potential issues associated with having large trucks utilizing Ustick Road and the site prior a deceleration lane being constructed by ACHD as part of the overall road widening project—Applicant stated that consistent truck traffic to the site should not occur until after the Ustick Road improvements due to overall timing and use of other maintenance facilities in the valley as well as the timing of developing the subject site;
- c. Estimated timeline for Ustick Road widening—Applicant stated there is a desire to move up the construction of this road widening project to 2024 instead of between 2026-2030;
- d. How concrete the proposed concept plan is in terms of building placement and phasing;
- e. Capacity of the Commission/City to limit the use of heavy truck traffic for the site via a condition of approval or DA provision.

4. Commission change(s) to Staff recommendation:

- a. Create a new DA provision to help limit heavy truck traffic until Ustick Road is widened and the deceleration lane is constructed.

5. Outstanding issue(s) for City Council:

- a. Connection to City Sewer services and what the alternatives may be – Planning Staff is still not aware of the final alternative decided by the Applicant and the City Engineer; if an answer is known prior to the meeting, Staff will alert City Council.

C. The Meridian City Council heard these items on July 13, 2021, July 27, 2021, September 7, 2021, and March 8, 2022. At the March 8th public hearing, the Council moved to approve the subject Annexation and Zoning request.

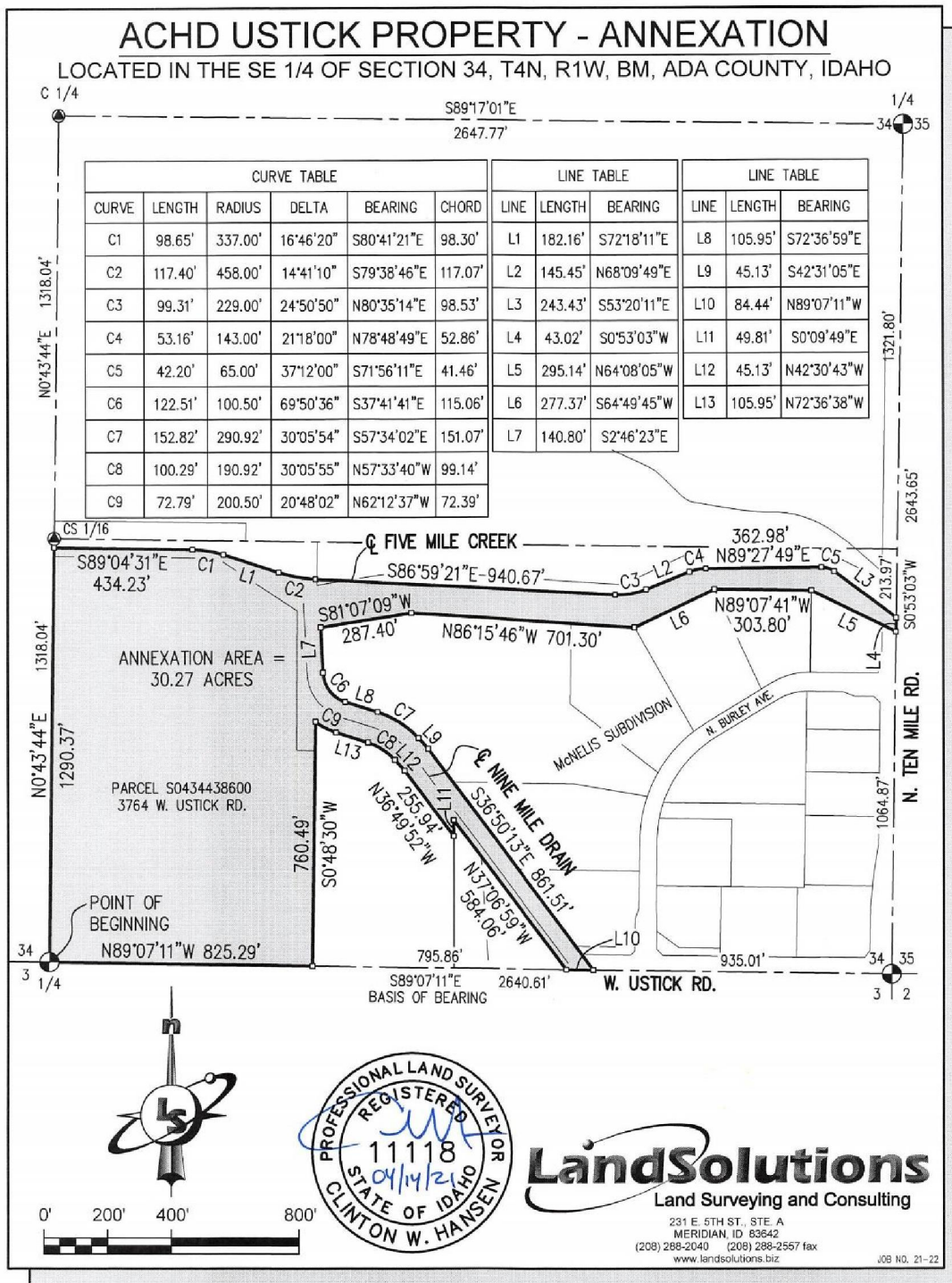
1. Summary of the City Council public hearing:

- a. In favor: Becky McKay, Applicant Representative; Steve Price, ACHD Legal Counsel; Jennifer Berenger, ACHD.
- b. In opposition: None

- c. Commenting: Becky McKay; Steve Price; Jennifer Berenger; Lloyd Carnegie, ACHD; Heather Friddle, ACHD; Ryan Olsen, neighbor.
 - d. Written testimony: None
 - e. Staff presenting application: Joseph Dodson, Associate Planner
 - f. Other Staff commenting on application: Bill Nary, City Attorney
- 2. Key issue(s) of public testimony:
 - a. What kind of landscaping, fencing, and architecture will be utilized along the Ustick frontage.
- 3. Key issue(s) of discussion by City Council:
 - a. Timeline of adjacent road improvements (Ustick Road) in conjunction with timeline of proposed site development—specifically, should project be approved without Ustick widened and should the required deceleration lane be constructed first, at a minimum;
 - b. Accuracy of the proposed phasing plan;
 - c. Has the Applicant worked with the City Engineer and Public Works to determine an appropriate alternative to connecting to City Sewer as it is not currently available – Yes;
 - d. Clarification on Staff’s proposed DA provisions;
 - e. Clarification from ACHD on proposed uses, design, and timelines for specific site as well as Ustick widening project from Linder to Black Cat.
- 4. City Council change(s) to Commission recommendation:
 - a. Additional provision per Staff’s previous memos and presentations regarding the proposed decant station and water treatment;
 - b. Strike condition VIII.A1.j and add provisions per Applicant’s letter dated March 2, 2022.

VII. EXHIBITS

A. Annexation and Zoning Legal Descriptions and Exhibit Maps



Legal Description
ACHD Ustick Property - Annexation

A parcel located in the SE ¼ of Section 34, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at a point marking the southwest corner of said SE ¼, from which a point marking the southeast corner of said SE ¼ bears S 89°07'11" E a distance of 2640.61 feet;

Thence along the westerly boundary of said SE ¼ N 0°43'44" E a distance of 1290.37 feet to a point on the centerline of the Five Mile Creek;

Thence along said centerline, also being the southerly boundary of that annexation parcel as described in Ordinance No. 784, Instrument No. 98003485, records of Ada County, Idaho, the following described courses and distances:

Thence S 89°04'31" E a distance of 434.23 feet to a point;

Thence a distance of 98.65 feet along the arc of a 337.00 foot radius curve right, said curve having a central angle of 16°46'20" and a long chord bearing S 80°41'21" E a distance of 98.30 feet to a point;

Thence S 72°18'11" E a distance of 182.16 feet to a point;

Thence a distance of 117.40 feet along the arc of a 458.00 foot radius curve left, said curve having a central angle of 14°41'10" and a long chord bearing S 79°38'46" E a distance of 117.07 feet to a point;

Thence S 86°59'21" E a distance of 940.67 feet to a point;

Thence a distance of 99.31 feet along the arc of a 229.00 foot radius curve left, said curve having a central angle of 24°50'50" and a long chord bearing N 80°35'14" E a distance of 98.53 feet to a point;

Thence N 68°09'49" E a distance of 145.45 feet to a point;

Thence a distance of 53.16 feet along the arc of a 143.00 foot radius curve right, said curve having a central angle of 21°18'00" and a long chord bearing N 78°48'49" E a distance of 52.86 feet to a point;

Thence N 89°27'49" E a distance of 362.98 feet to a point;

Thence a distance of 42.20 feet along the arc of a 65.00 foot radius curve right, said curve having a central angle of 37°12'00" and a long chord bearing S 71°56'11" E a distance of 41.46 feet to a point;

Thence S 53°20'11" E a distance of 243.43 feet to a point on the easterly boundary of said SE ¼;



ACHD Ustick Property Annexation
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Thence leaving said Five Mile Creek centerline and along said easterly boundary of the SE $\frac{1}{4}$ S $0^{\circ}53'03''$ W a distance of 43.02 feet to a point;

Thence leaving said easterly boundary N $64^{\circ}08'05''$ W a distance of 295.14 feet to a point marking the northeasterly corner of McNelis Subdivision as shown in Book 100 of Plats on Pages 13082 through 13084, records of Ada County, Idaho;

Thence along the northerly and westerly boundary of said McNelis Subdivision the following described courses and distances:

Thence N $89^{\circ}07'41''$ W a distance of 303.80 feet to a point;

Thence S $64^{\circ}49'45''$ W a distance of 277.37 feet to a point;

Thence N $86^{\circ}15'46''$ W a distance of 701.30 feet to a point;

Thence S $81^{\circ}07'09''$ W a distance of 287.40 feet to a point;

Thence S $2^{\circ}46'23''$ E a distance of 140.80 feet to a point;

Thence a distance of 122.51 feet along the arc of a 100.50 foot radius curve left, said curve having a central angle of $69^{\circ}50'36''$ and a long chord bearing S $37^{\circ}41'41''$ E a distance of 115.06 feet to a point;

Thence S $72^{\circ}36'59''$ E a distance of 105.95 feet to a point;

Thence a distance of 152.82 feet along the arc of a 290.92 foot radius curve right, said curve having a central angle of $30^{\circ}05'54''$ and a long chord bearing S $57^{\circ}34'02''$ E a distance of 151.07 feet to a point;

Thence S $42^{\circ}31'05''$ E a distance of 45.13 feet to a point;

Thence continuing along said boundary and the extension thereof S $36^{\circ}50'13''$ E a distance of 861.51 feet to a point on the southerly boundary of said SE $\frac{1}{4}$;

Thence along said southerly boundary N $89^{\circ}07'11''$ W a distance of 84.44 feet to a point marking the southeasterly corner of "Parcel C" as shown on Record of Survey No. 6018, records of Ada County, Idaho;

Thence leaving said southerly boundary and along the easterly boundary of said "Parcel C" N $37^{\circ}06'59''$ W a distance of 584.06 feet to a point marking the northerly corner of said "Parcel C";

Thence along the westerly boundary of said "Parcel C" S $0^{\circ}09'49''$ E a distance of 49.81 feet to a point marking the northeasterly corner of "Parcel B" as shown on said Record of Survey No. 6018, also being the northeasterly corner of that annexation parcel as described in Ordinance No. 02-992, Instrument No. 103012606, records of Ada County, Idaho

Thence along the northerly and westerly boundary if said parcel the following described courses and distances:



Thence N 36°49'52" W a distance of 255.94 feet to a point;

Thence N 42°30'43" W a distance of 45.13 feet to a point;

Thence a distance of 100.29 feet along the arc of a 190.92 foot radius curve left, said curve having a central angle of 30°05'55" and a long chord bearing N 57°33'40" W a distance of 99.14 feet to a point;

Thence N 72°36'38" W a distance of 105.95 feet to a point;

Thence a distance of 72.79 feet along the arc of a 200.50 foot radius curve right, said curve having a central angle of 20°48'02" and a long chord bearing N 62°12'37" W a distance of 72.39 feet to a point;

Thence S 0°48'30" W a distance of 760.49 feet to a point on the southerly boundary of said SE ¼;

Thence leaving said boundary and along said southerly boundary N 89°07'11" W a distance of 825.29 feet to the **POINT OF BEGINNING**.

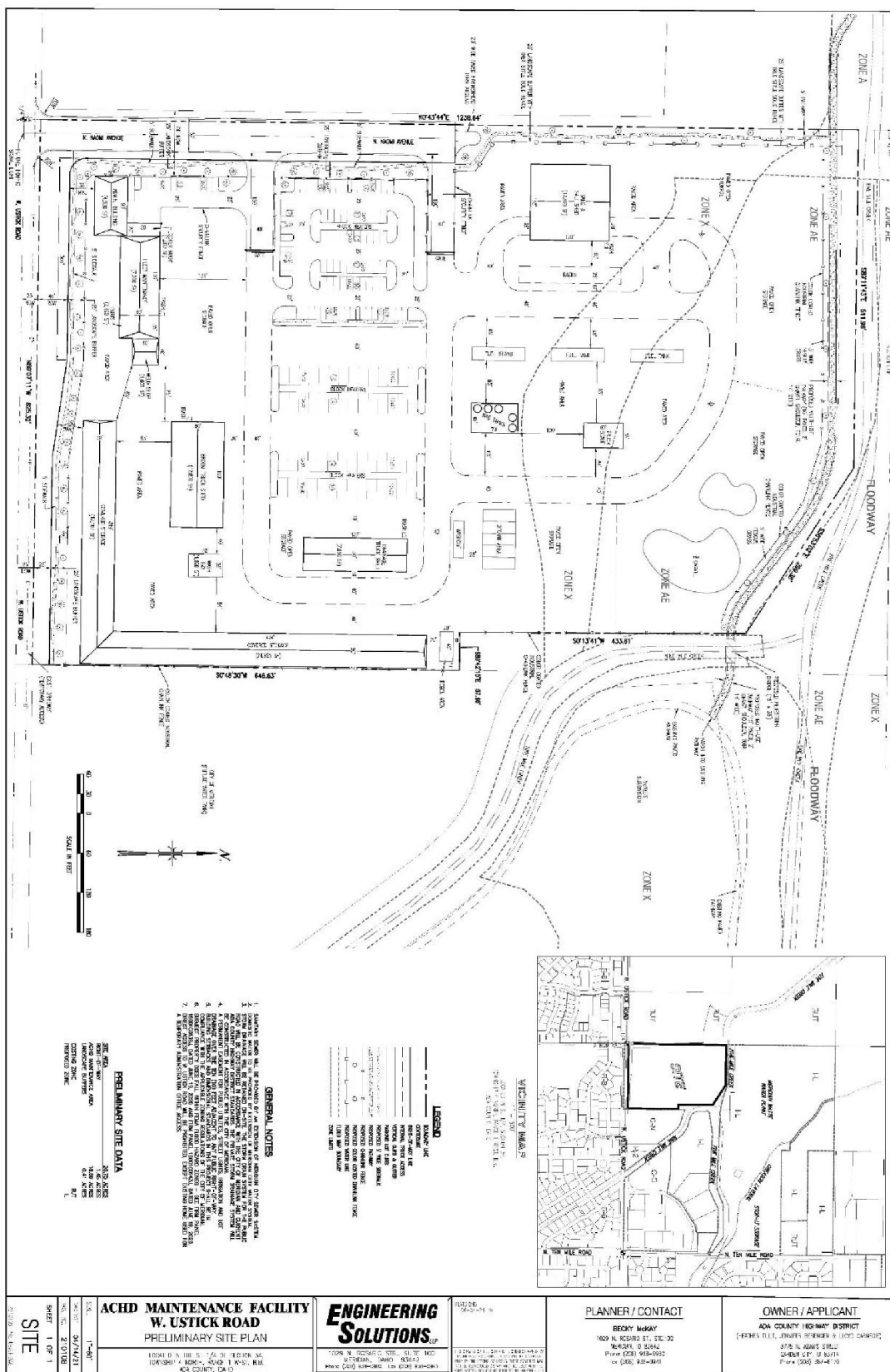
This parcel contains 30.27 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
April 14, 2021



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B. Revised Concept Plan (dated: 4/14/2021)



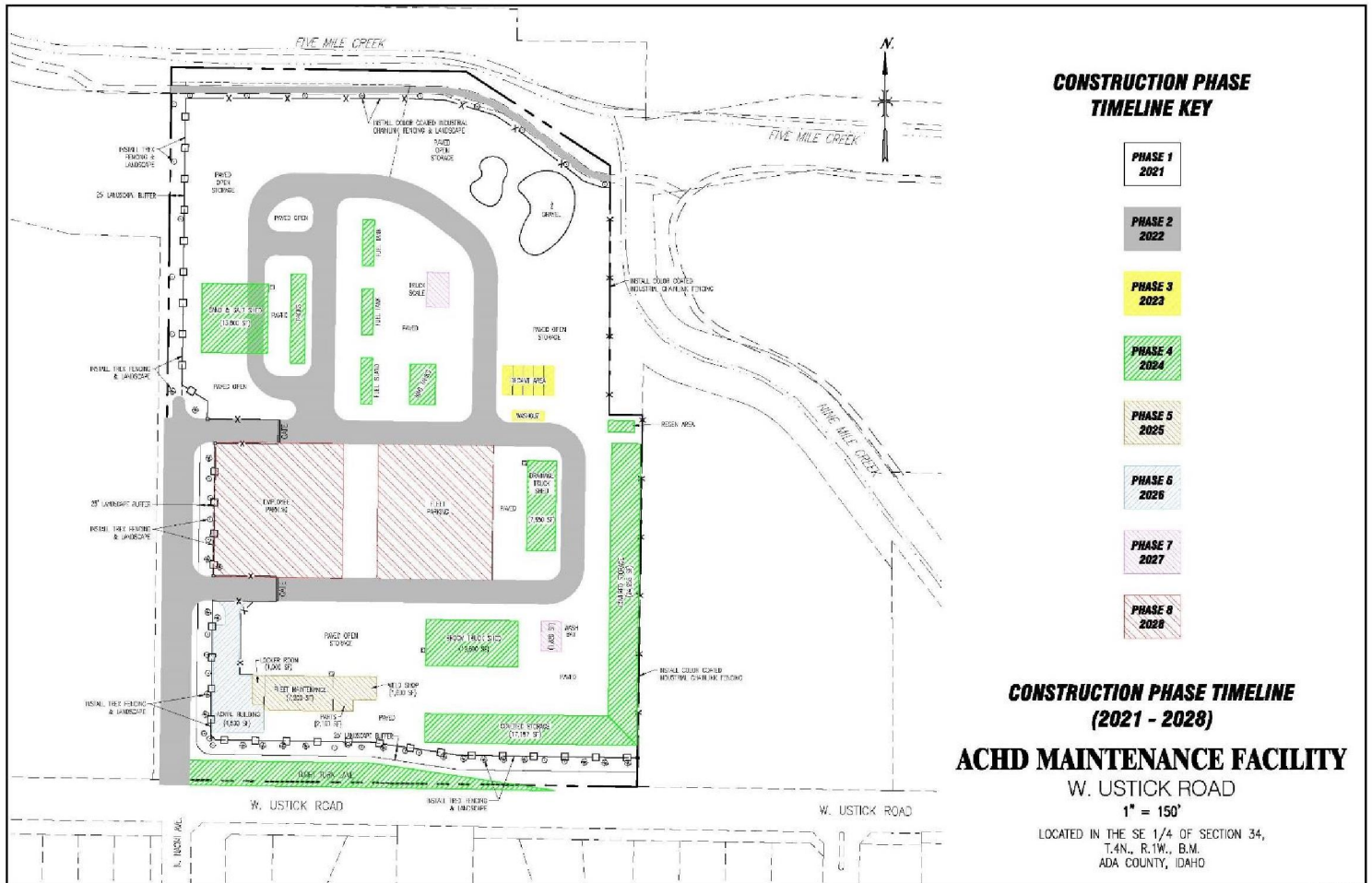
C. Color Concept Plan (dated May 18, 2021)



D. TREX Fence Example



E. Revised Phasing Plan (6/14/2021) ~~Not updated and NOT APPROVED~~ (Not updated to reflect 1-year shift; i.e. Phase 1 begins in 2022 instead of 2021):



06-14-21

F. Site Phasing and Trip Generation (informational only):

Site Phasing & Trip Generation

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029
Ustick Site Development	Annexation & Re-Zoning, Walking Path, Architecture Design	Design Review, Site Prep, Fencing/ Lighting, Connect to City Services, Access Road (Naomi Ln)	Construct Decant Station	Broom Shed, Drainage Shed, Covered Sheds, Fuel Islands, Salt/ Sand Shed, Mag Chloride Tanks	Fleet Buildings, Equipment & Winter Ops Parking Pads	Administrative Building	Truck Wash/Scales	Outlier Projects, Solar Covered Parking
Ustick Rd Widening	Design	ROW	Construction	Construction				
Trip Generation (per day)	No Trip Generation	No Trip Generation	20 Trips Per Day with 3 Trips in the PM peak hour	103 Trips Per Day with 13 Trips in the PM peak hour	59 Trips Per Day with 8 Trips in the PM peak hour	22 Trips Per Day with 3 Trips in the PM peak hour	No New Trips -Ancillary Use	No New Trips -Ancillary Use

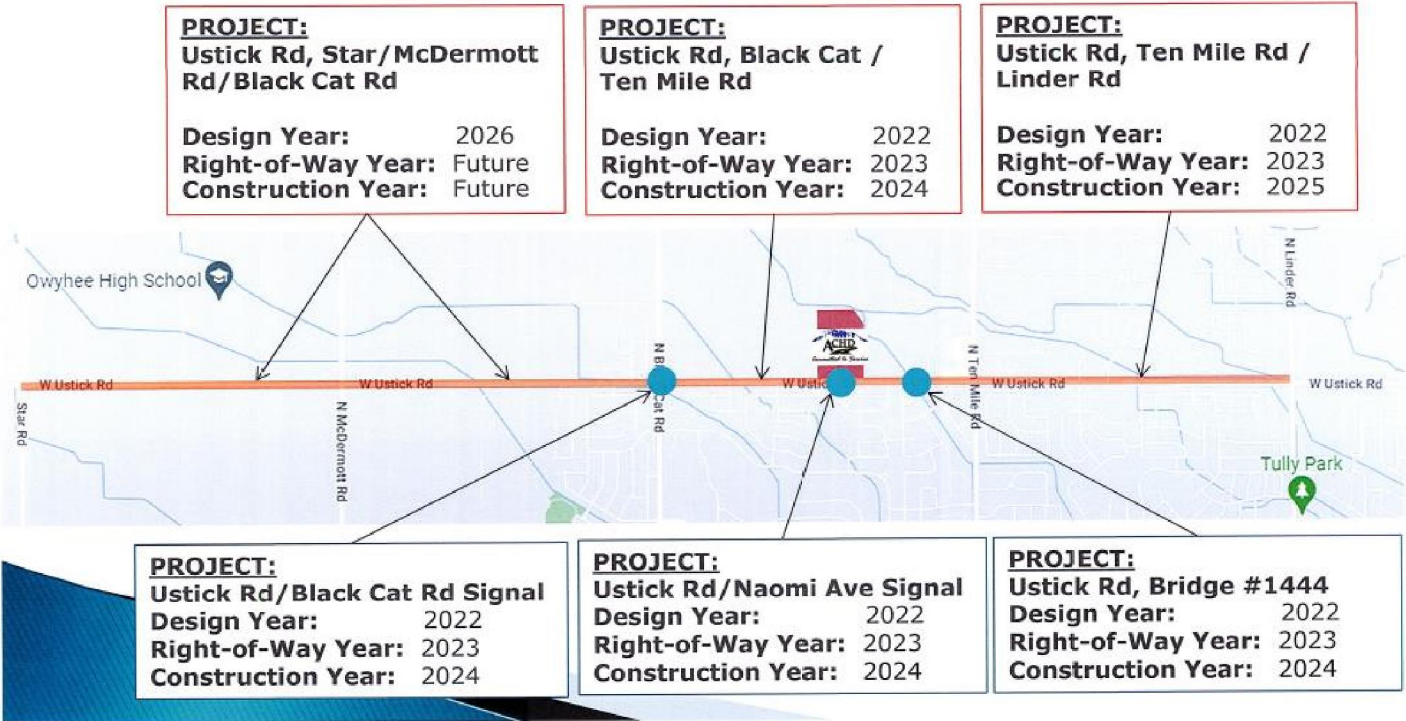
G. Integrated Five Year Work Plan diagram (informational only):



2022-2026 Integrated Five Year Work Plan



Widen Ustick Rd to 5 lanes with curb, gutter,
sidewalk and Level 3 bike facility



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 and the property owner(s) at the time of annexation ordinance adoption.

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

- a. Future development of this site shall be generally consistent with the approved concept plans included in Section VII and the provisions contained herein.
- b. With the first phase of development, the existing home shall be removed and the existing driveway access to Ustick Road shall be closed.
- c. Future ~~structures~~ Administrative building and Covered Storage building proposed along the Ustick Road frontage shall adhere to the Commercial district design standards in lieu of the Industrial district design standards.
- d. The required multi-use pathway segment, detached sidewalks along Ustick and Naomi, 5-foot micro-path, and landscape buffers shall be constructed with the first phase of development.
- e. The Applicant shall construct all fencing as proposed on the approved concept plan to specifically include closed vision fencing along the south and west property boundaries.
- f. With the first phase of development, the Applicant shall connect to City water and sewer services, if available. Should sewer service not be available at the time of development, the Applicant shall connect to sewer services when available or the water service may be discontinued by the City.
- g. Provide a utility easement for the benefit of the City through the site to parcel S0434438850 to the east along the north half of the boundary for future sewer infrastructure. Coordinate the exact location with Public Works staff.
- h. With the first Certificate of Zoning Compliance application, the landscape buffer to Ustick Road shall be vegetated with additional landscaping to include: trees that touch at maturity, and; incorporate landscape beds along the entire fence line for added shrubs and vegetation to help mitigate any noxious uses within the site.
- i. The Applicant shall adhere to the specific use standards for the approved Public Utility, Major use, as outlined in UDC 11-4-3-31.
- j. ~~No building permit shall be submitted until phase 4 of the project consistent with the submitted and revised phasing plan OR until the Ustick Road widening and deceleration lane at Naomi Lane and Ustick Road is constructed.~~
- k. Building permits will be issued for the on-site improvements based on the timeline and exhibits provided by ACHD (the submitted exhibits noted as "Site Phasing and Trip Generation" and "Integrated Five Year Work Plan diagram" are informational only).

ACHD will construct the planned deceleration turnout lane prior to any building permit request.

- l. ACHD is authorized to construct and obtain final inspection/occupancy permit for the decant station so that it may be operated during development of the site. As outlined in the timeline and submitted phasing plan, the decant station will be constructed within calendar year 2024. The site may also be used for staging equipment and outdoor storage.
- m. Applicant shall obtain City Engineer approval for interim wastewater discharge proposal prior to construction of the Decant and Washout areas as noted on the concept and phasing plans. Additional pretreatment may be required per City Engineer review.
2. Prior to commencing any site development, the Applicant shall obtain Certificate of Zoning Compliance (CZC) approval for the first phase of site development. Any future buildings and site development will also require CZC approval.
3. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2C-3 for the I-L zoning district and in UDC 11-4-3-31 for the Public Utility, Major specific use standards.
4. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6B for nonresidential uses within the I-L zoning district.
5. The Applicant shall comply with all ACHD conditions of approval.
6. 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.
7. 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).
8. 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.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 With the first phase of development, the Applicant shall connect to City water and sewer services, if available. Should sewer service not be available at the time of development, the Applicant shall connect to sewer services when available or the water service may be discontinued by the City.
- 1.2 Provide a utility easement for the benefit of the City through the site to parcel S0434438850 to the east along the north half of the boundary for future sewer infrastructure. Coordinate the exact location with Public Works staff.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet 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 be dedicated via the City of Meridian's standard forms. The easement shall be graphically depicted on the construction 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. 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 irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being developed 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.
- 2.6 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.
- 2.7 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.
- 2.8 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.9 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.
- 2.10 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

- 2.11 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.12 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.13 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.
- 2.14 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.
- 2.15 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.16 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. PARKS DEPARTMENT – PATHWAYS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230782&dbid=0&repo=MeridianCity>

D. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=230783&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 I-L zoning district with the proposed Public Utility, Major use and site design is consistent with the Comprehensive Plan, if all conditions of approval are met to help mitigate any noxious uses nearby the existing residences to the south.

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

City Council finds the proposed zoning map amendment and the requested development complies with the regulations outlined in the requested I-L zoning district and is consistent with the purpose statement of the requested zone.

- 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, especially if all conditions of approval are met.

- 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.**

City Council finds the annexation is in the best interest of the City per the discussions held at the Council hearings.