

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: April 5, 2022

TO: Mayor & City Council

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

SUBJECT: H-2021-0096
Aviation Subdivision

LOCATION: The site is located near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., to the north and northeast of Compass Public Charter School, in the SW ¼ of the SW ¼ of Section 10, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Preliminary Plat for 48 building lots (6 single family attached lots, 31 townhome lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot and a Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	9.8 acres	
Future Land Use Designation	Medium-High Density Residential (8-12 du/ac)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Attached Single-Family Residential (SFR), Detached SFR, Townhomes, and Multi-family Residential	
Lots (# and type; bldg./common)	48 building lots (37 single family attached, 2 detached single family 6 single family attached lots, 31 townhome lots, 2 detached single-family, 9 multi-family); 8 common lots; 1 other lot (irrigation pump house) – <u>75 total residential units.</u>	
Physical Features (waterways, hazards, flood plain, hillside)	Purdam Gulch Drain runs diagonal through site from the southeast corner to the northwest corner. Applicant proposes to tile this drain and realign it along the east and north boundaries to make better utilization of the property.	
Neighborhood meeting date; # of attendees:	September 16, 2021, no attendees	

Description	Details	Page
History (previous approvals)	H-2018-0048 (Compass Charter School AZ, CPAM; DA Inst. #2018-079763); H-2020-0111 (Aviator Sub. CPAM, MDA, RZ; DA Inst. #2021-067235).	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
- Staff report (yes/no) - Requires ACHD Commission Action (yes/no)	Yes No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via extension of W. Aviator Street, designated as a towncenter collector street on the Master Street Map (MSM) and within the TMISAP (two travel lanes and on-street bike lanes). Access to the lots within the subdivision are proposed via a new local street that loops through the site and connects to Aviator in two places; multi-family drive aisles are proposed to connect to this local street for access to those units.	
Traffic Level of Service	Black Cat Road (0' of frontage) – Better than “E” (474/575 VPH) W. Aviator Street – no known traffic counts were given by ACHD.	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to extend W. Aviator Street and bring it through the subject site and stub it to the eastern property boundary north of the irrigation district pump station in the southeast corner of the site.	
Existing Road Network	W. Aviator ends in a temporary turnaround approximately 200 feet along the property's southern boundary. Next closest street is N. Black Cat Road, an arterial, and is in the ACHD CIP for widening in 2031-2035.	
Proposed Road Improvements	W. Aviator extension through the site to the east property boundary. ACHD – CIP Black Cat is listed in the CIP to be widen to 5-lanes from Franklin to Cherry between 2031-2035. Black Cat is listed in the CIP to be widen to 5-lanes from Overland to Franklin between 2036-2040. Franklin Road is listed in the CIP to be widen to 5-lanes from McDermott Road to Black Cat between 2026-2030.	
Distance to nearest City Park (+ size)	Fuller Park (21.96 acres) – 1.3 miles by foot; approximately 1.7 miles by vehicle.	

Fire Service

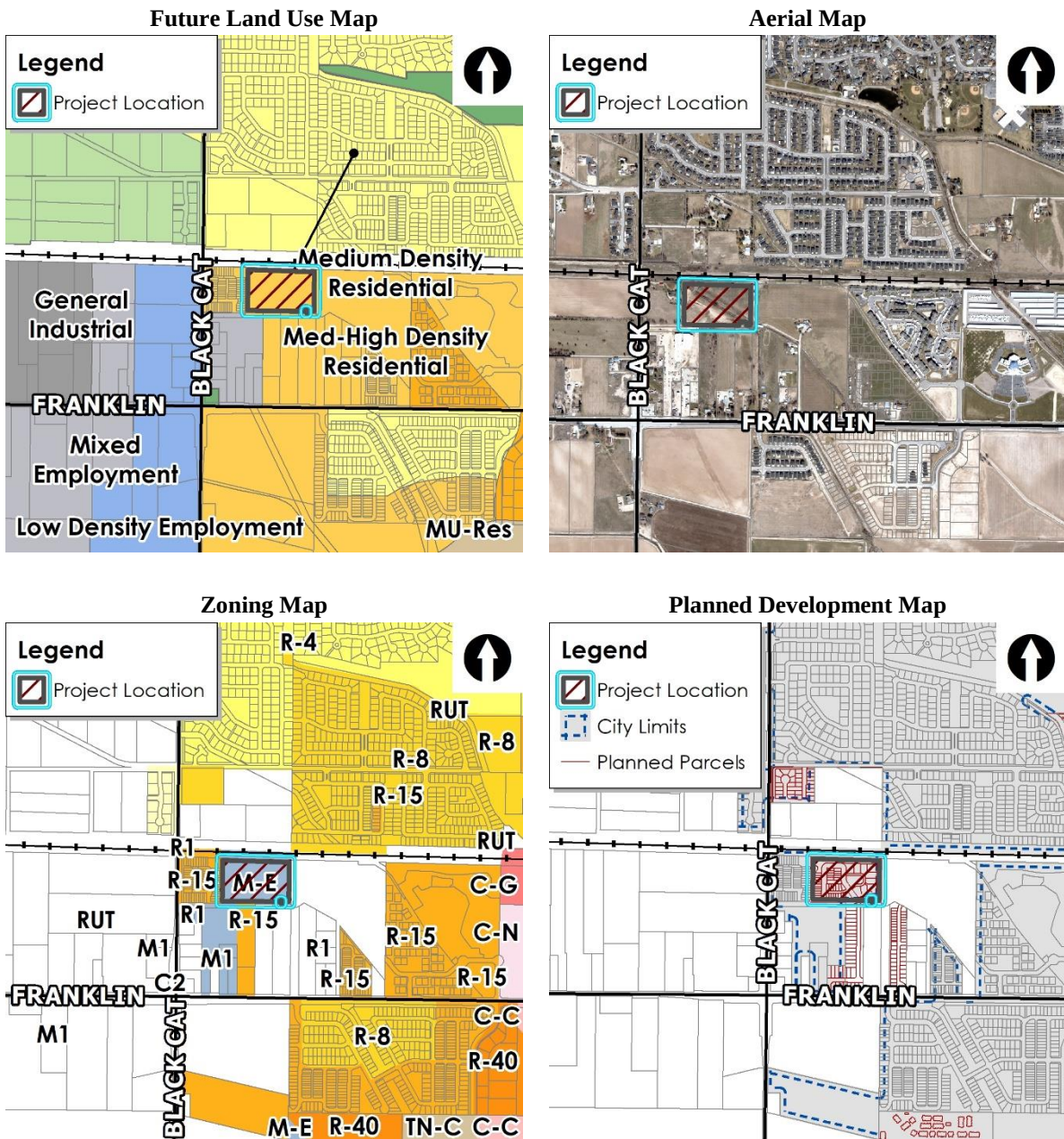
- Distance to Fire Station - Fire Response Time - Resource Reliability - Accessibility	2.5 miles from Station #2 Falls outside of the 5-minute response time goal 85% (above the goal of 80%) As submitted, plat does not meet all requirements – Site needs secondary emergency access.	
Additional Comments/Concerns	Because project is at a dead-end road with no secondary access, ALL single family units constructed will be required to be built with fire sprinklers.	

Description	Details	Page
	Aviator Street is currently shown without a turnaround at its terminus; Applicant will be required to terminate Aviator with a Fire and ACHD approved turnaround.	
Police Service		
Distance to Station	Approximately 4.2 miles from Meridian Police Department	
Response Time	Approximately 4 minute response time to an emergency.	
Call Data	Between 12/1/2019- 11/30/2021, the Meridian Police Department responded to 2,591 calls for service within a mile of the proposed development. The crime count on the calls for service was 234. Between 12/1/2019- 11/30/2021, the Meridian Police Department responded to 52 crashes within a mile of the proposed development.	
Additional Concerns	Traffic congestion at the intersection of Black Cat and W. Aviator during peak times at the nearby charter school.	

Wastewater	
Distance to Sewer Services	Directly adjacent
WRRF Declining Balance	14.26
Project Consistent with WW Master Plan/Facility Plan	Yes
Impacts/concerns	- Flow is committed - Additional 7,500 GPD of flow committed to model - See Public Works Site Specific Conditions

Water	
Distance to Water Services	Directly adjacent
Pressure Zone	1
Estimated Project Water ERU's	See application
Water Quality	None
Project Consistent with Water Master Plan	Yes
Impacts/Concerns	See Public Works Site Specific Conditions

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jadon Schneider, Bronze Bow Land – 3625 N. Carr Lane, Garden City, ID 83714

B. Owner:

Larry Jacobson, Sandrock Development – 1468 James Road, Gardenville, NV 89460

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	2/15/2022	
Radius notification mailed to properties within 500 feet	2/14/2022	
Public hearing notice sign posted on site	2/17/2021	
Nextdoor posting	2/14/2022	

V. STAFF ANALYSIS

A. COMPREHENSIVE PLAN/DEVELOPMENT AGREEMENT

The subject 9.8 acres were annexed into the City of Meridian in 2018 with the Compass Charter School application and also received CPAM approval at that time to change the underlying land use from medium-high density residential to mixed employment. Later, this 9.8 acre parcel was no longer a part of the long-term plan for the school and was subsequently sold. In 2020, a new application for a Comprehensive Plan Map Amendment, Development Agreement Modification, and Rezone were requested and approved to allow for residential zoning and uses instead of Mixed Employment or other industrial uses desired in the previous mixed employment designation. With these approvals, the property was returned to its original future land use of Medium-High Density Residential (MHDR) and included a new concept plan with a residential development and the proposed and preferred location of the Aviator Street extension.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity. Per the Ten Mile Interchange Specific Area Plan (TMISAP), MHDR designated areas should include a mix of housing types such as row houses, townhouses, condominiums, alley-loaded homes, and apartments with higher densities near MU-C and Employment designated areas transitioning to smaller-scale and lower density buildings as the distance increases from higher intensity uses.

The Applicant is requesting a Preliminary Plat and Conditional Use Permit to construct a mix of single-family and multi-family residential units. The Applicant is proposing ~~73~~ 75 total residential units on the subject 9.8 acres in the R-15 zoning district which constitutes a gross density of ~~7.44~~ 7.65 du/ac. This density ~~does not comply with the minimum density required within the DA nor the future land use designation which requires a~~ can be rounded up to the minimum of 8 du/ac per provisions within the Comprehensive Plan. The Applicant should revise the plat to include at least one more dwelling unit to meet the minimum density requirement. Furthermore, ~~In addition,~~ the existing DA includes conceptual floor plans that depict front loaded single-family homes with recessed garages to create a more porch and pedestrian dominated front façade on the public local streets. The ~~submitted~~ revised conceptual elevations ~~with this application do not now show compliance~~ comply with the elevations and floor plans included in the DA and the Ten Mile Plan. Specifically, the Applicant has revised each of the townhome units to be 2-bedroom/2.5-bath units with a 1-car garage and parking pad that complies with the minimum required off-street parking. Furthermore, the garage is now shown 16 feet behind the living area façade, as desired within the Ten Mile Plan. Therefore, Staff supports the revised elevations and

~~believes they adequately comply with those elevations and floor plans within the DA and in the Ten Mile Plan. Therefore, the Applicant should submit a DA Modification to revise the existing elevations and floor plans in the DA OR revise their proposed building design to be more consistent with the existing DA. Staff believes the floor plans within the DA should be maintained and would not be supportive of a DA Modification to remove them from the DA because they are more consistent with the Ten Mile Plan.~~

In addition to the subject parcel, surrounding development should be taken into account, directly west of this site, Hensley Station is currently under construction as a medium-high density residential subdivision and less than a half mile to the east of the subject site additional high-density residential projects are currently underway. In addition, south of Franklin Road is a larger area of the Ten Mile Plan with a mix of residential, commercial, employment, and industrial zoning. This site is part of a large area of MHDR that is slowly redeveloping from both the west and the east and development of the subject is a logical direction of development in this area in terms of density and road improvements. However, the transportation element of this area of the Ten Mile Plan is important and there are known traffic issues in this area caused by the adjacent Compass Charter School, most notably at typical pick-up and drop-off times in the morning and afternoon.

The congestion associated with the school creates traffic along the entire Black Cat corridor between Franklin and Cherry and significantly impedes the intersections of Aviator and Black Cat and Black Cat and Franklin during the peak times noted above. Staff notes that applications for the site to the east are likely forthcoming which would connect Aviator from Black Cat to N. San Marco Way within the Entrata Farms Subdivision to the southeast. This east-west connection would create the needed secondary access for Fire as well as provide a different connection to Franklin Road for this area. To help mitigate this issue as well as the overall phasing element of the site, Staff is recommending conditions of approval around the phasing of the project in relation to the construction of W. Aviator Street.

If the project is revised per Staff's recommended conditions of approval, Staff finds the project to be generally consistent with the Comprehensive Plan. Specific general comprehensive plan policies are analyzed below.

Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use and development of this property (staff analysis in *italics*):

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)

The proposed development contains multiple types of housing units (multi-family, attached single-family, townhouse, and detached single-family) that will contribute to the variety of residential categories in the Ten Mile area as desired.

- “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 service is available and can be extended by the developer in accord with UDC 11-3A-21.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

Four (4) housing types are proposed in this development, as noted above, which contributes to the variety of housing types in this area. The Applicant is proposing 16 units to front on green space and provide for an alley loaded product while the remaining 23 units are front-loaded. In addition, the Applicant is proposing 9 multi-family buildings that contain 4-units each. The proposed development

provides a number of housing types within one concentrated area and within the Ten Mile area as a whole.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed residential dwellings and site design should be compatible with existing and planned development on adjacent properties that are also designated for MHDR uses.

- “With new subdivision plats, require the design and construction of pathway 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)

The proposed plat depicts a large amount of usable common open space along the entire north and east property boundaries due to the requirement to reserve a 100-foot wide irrigation easement for the rerouted Purdam Gulch Drain. Because of irrigation district standards, no amenities are proposed in this area but it should provide for a large open area for residents to utilize for recreation and activity. The Applicant is also proposing other open space within the site that contains children play equipment and pathways. All of the sidewalks proposed within the site are detached from the roadways, which provides for safer pedestrian connectivity throughout the site. There is ample connectivity from the site to the detached sidewalk along the extension of Aviator Street.

- “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 proposed to be provided to and through this development in accord with current City plans.

- “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 is required to be provided with development as proposed.

In addition to the general Comprehensive Plan, the following sections of the Ten Mile Interchange Specific Area Plan (TMISAP) should also be used to analyze the project (Staff analysis is in *italics*):

Street Network (3-17): The Transportation System Map included in the TMISAP depicts a towncenter collector street planned on this site that continues to the east through an adjacent site. *The Applicant is proposing to extend W. Aviator, the collector street, from its current location to the east property boundary. According to the submitted plat, the Applicant is showing a small portion of this road extension on a property to the south that is not part of this application and is not annexed into the City of Meridian. It is not typical of road extensions to utilize area not on the subject property but it allows the Applicant to have more usable land area that is significantly reduced due to the existence of the Purdam Gulch Drain and its 100-foot wide easement.*

To ensure the proposed road layout is adhered to, Staff is recommending the Applicant provide a copy of a formal agreement between land owners that allows this Applicant to utilize a portion of the adjacent property for the Aviator extension; this agreement should be presented to staff prior to the City Council meeting. If the Applicant cannot reach an agreement with the adjacent property owner, the submitted plat will have to be revised in order for the Applicant to make those revisions with the requirement of extending Aviator wholly on the subject site. Further analysis of the Aviator extension is below in the Access section, including analysis on the ACHD staff report. A final plat for this project will not be

accepted until an agreement has been formalized and the right-of way is dedicated to allow the construction of the off-site portion of Aviator Street.

Connectivity (3-17): Connectivity to adjacent parcels is proposed by extending W. Aviator through the site. Because of the railroad corridor along the north boundary and the requirement to cross the Purdam Drain at least once, there is limited opportunity for other points of vehicular connectivity. Furthermore, there is also no stub street or pedestrian connection along the west boundary to Hensley Station. Therefore, Aviator Street and the proposed detached sidewalks throughout the site provide the needed connectivity between existing and planned sites.

Access Control (3-17): In order to move traffic efficiently through the Ten Mile area, direct access via arterial streets is prohibited except for collector street connections. *The subject site has no arterial access except via W. Aviator Street, a collector street. The project complies with this policy.*

Complete Streets (3-19): The TMISAP incorporates the concept of “complete streets,” meaning all streets should be designed to serve all users, including bicycles and pedestrians unless prohibited by law or where the costs are excessive or where there’s clearly no need. *The proposed development includes detached sidewalks and parkways throughout the entire site for pedestrian use and on-street parking along the new local street. W. Aviator, the collector street, is required to be constructed with two lanes of travel and on-street bicycle lanes which helps create a network of complete streets.*

Streetscape (3-25): All streets should include street trees within the right-of-way. *The proposed development incorporates tree-lined streets with detached sidewalks throughout the site.*

DESIGN:

Street-Oriented Design – Residential Buildings (3-33): Usable porches should be a dominant element of these building types. Porches should be located along at least 30% of the front façade of the buildings (the façade facing the primary street) although a higher percentage is recommended as is porches on one or more facades as well. When possible, garages should be loaded from a rear alleyway. **Where garages must be accessed from the front, the garages must be located no less than 20’ behind the primary façade of the residential structure.**

The proposed alley-loaded units (taking access from a public, minor urban-local street) have porches along the street frontage or face green space entirely (i.e. Lots 7-13, Block 2); all of the remaining front-loaded townhomes have a garage dominated façade facing the internal local street. As discussed above, the front-loaded garages are not located 20’ behind the primary façade of the structure and do not comply with the approved conceptual elevations and floor plans in the DA. However, with the noted site constraints and the current lot configuration, full compliance with the garage setback requirement may not be possible – the lots would need to be widened and the number of units would need to be reduced to comply. The revised elevations now show the garage being 16 feet behind the living area and Staff finds this to be an acceptable compromise between the Ten Mile Plan, city code, and the Applicant. This design change allows the Applicant to place the living area closer to the street and maximize the porches as the dominant feature along the streets. However, Staff notes that the R-15 zoning district will not allow the footings of the front porches any closer than 10 feet behind the detached sidewalk because this is the minimum front setback—in this way, city code does not perfectly align with the desired outcomes of the Ten Mile Plan and this standard but the revisions should add to overall livability and aesthetic of the development. The Applicant is required to increase the number of units to comply with the minimum density requirements in the DA and the MHDR designation so losing additional lots is not viable under the terms of the approved DA unless the DA is amended. Therefore, Staff recommends the Applicant explore alternate design options to be more consistent with this requirement while maintaining a gross density of at least 8 units per acre; an alternate floor plan and revised elevations in compliance with the recorded DA should be submitted in accord with this provision prior to the City Council hearing.

NOTE: The proposed 4-plex multi-family buildings are not required to comply with this provision as they are not proposed with any garages.

Buildings to Scale (3-34): The key elements to consider are the continuity of building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space and public parking. Human-scale design is critical to the success of built places for pedestrians. *Staff believes the proposed 2-story homes demonstrate continuity of building sizes within the development. However, the street level and upper level architectural detailing does not appear to correspond with each other to unify the design and do not provide for enough modulation in wall plan nor roof height. Further, the Applicant could add decks to the second level that are closer to the street to help comply with the street-oriented design provision. The use of stone along the first story facades closest to the tree-lined streets help anchor and emphasize the pedestrian scale of the development as desired.*

Neighborhood Design (3-36): In the Ten Mile area, all residential neighborhoods should be developed in consideration of traditional neighborhood design principles and concepts, which include mixed housing stock, architecture and design, streetscapes and streets. *A mix of housing stock is proposed consisting of single-family attached, townhomes, two single-family detached dwellings, and multi-family 4-plexes which contribute to the diversity of housing stock desired in this area. The public street proposed within this development loops through the site and has a minor urban local street connecting the two streets that will function as an alley. Therefore, the proposed block lengths are relatively short and provide for ample pedestrian connectivity. The proposed parkways add to the project's consistency with the neighborhood design element of the Ten Mile Plan.*

As noted above, if the project is revised per Staff's recommendations, Staff finds the project to be generally consistent with the Ten Mile Interchange Specific Area Plan. In general, Staff finds the project to be generally consistent with the City of Meridian Comprehensive Plan, per Staff's recommended revisions.

B. PRELIMINARY PLAT (PP)

The proposed preliminary plat consists of 48 building lots (6 single family attached lots, 31 townhome lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot on 9.8 acres of land in the R-15 zoning district. The minimum lot size proposed is 2,050 square feet and the plat is currently proposed to develop in one phase. However, the phasing of building construction will likely occur east to west, per the Applicant, in order to allow the development of properties to the east that would further extend Aviator Street and allow the Applicant to construct the single-family portion of the project without fire sprinklers. Staff has included a condition of approval surrounding the timing of development in coordination with Meridian Fire Department.

Existing Structures/Site Improvements:

There are no existing structures on this site, the site is vacant/undeveloped.

Dimensional Standards (UDC 11-2):

The proposed subdivision and subsequent development are required to comply with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 district. Staff has reviewed the proposed plat and it complies with these standards. **Zero lot lines should be depicted on the plat where single-family attached and townhome structures are proposed.**

Access (UDC 11-3A-3):

Access for the project is from two new local street connections to W. Aviator Street, a collector street the Applicant is required to extend into the site and stub to the east boundary; Aviator is the projects only connection to an arterial (Black Cat). Vehicular access for the single-family portion of the project is via construction of a new local street that loops through the site. In addition, access to the multi-family

portion of the project is via two 25-foot wide drive aisle connections to the eastern local street. ACHD has approved all of the ingress and egress points and their offsets. ACHD has noted the proposed design of Aviator Street does not meet district policy and should be revised—the Applicant will need to revise the street section to be 1-foot wider and include detached sidewalk on both sides of the street.

Access to the “alley-loaded” units that front on the collector street buffer and internal green space of the site are via a 28-foot wide minor urban local street, according to the latest plat submitted. It appears that ACHD reviewed this street section on a previous version of the plan where the street was 24 feet wide instead; Staff and the Applicant will verify with ACHD the proposed road width still complies with ACHD standards.

There is no secondary access to the site because Aviator will still be a dead-end street after its extension with this project. As noted above, the Fire Department requires a secondary access for each access that has more than 30 units taking access from it (Hensley Station to the west takes up the 30+ units already). Thus, the construction phasing of the project plays a role in how Staff must address this issue as all of the structures will need to be sprinklered if the single-family is constructed first (the multi-family is required to be sprinklered). There is an anticipation of a project being constructed on the property to the east that would extend Aviator to their east boundary and connect to an existing stub street in Entrata Farms and provide for the required means of secondary access in the future. To date, the City has not received an official application for that property. Therefore, this project must comply with all Fire Department requirements.

The Applicant has stated their plan is to extend Aviator into the site to the point of no more than 150 feet past the eastern local street connection to avoid the need of a temporary turnaround (the local street within the project would be constructed at the same time). This complies with the technical requirements of the UDC and Fire code but is not consistent with general practice of requiring public streets to be extended to-and-through sites with the first phase of development (prior to or in timing with the first buildings being constructed). However, the Applicant is continuing to work with ACHD on a plan to construct Aviator as noted and road trust for the remaining portion so it can be extended with any future road project that occurs on the parcel to the east. Staff is supportive of this option as the road would be a dead-end street and constructing a temporary turnaround would be both wasteful of space and would need to be located on top of the Purdam Drain which could further hinder the Applicant’s ability to develop the site due to complications with the irrigation district. In conversations, ACHD has noted an openness to this option but did not include it in their staff report specifically. So, Staff has included a condition of approval to encompass both potential outcomes of the Aviator Street extension.

Pathways (UDC 11-3A-8):

There are no pathways depicted on the Pathways Master Plan for this property. However, Staff believes the Applicant should work with the irrigation district to install a micro-path through the large open space lot containing the Purdam Drain. The addition of a meandering 5-foot wide pathway in this open space lot could connect in multiple places throughout the site and allow for a pedestrian connection near the northeast corner of the property for future pedestrian connectivity to that parcel. The exact location of this connection should not be set in stone and should instead be coordinated with the adjacent land owner once a more solid plan is known for that parcel.

Sidewalks (UDC 11-3A-17):

Detached sidewalks are proposed along the internal local street that loops through the site (shown as N. Duplicate Avenue, W. Topeka Street, and N. Stronghold Avenue) with 8-foot parkways throughout. In addition, the Applicant is showing a 5-foot wide detached sidewalk on the north side and a 5-foot wide attached sidewalk on the south side of the W. Aviator Street extension. This does not meet ACHD nor UDC standards for sidewalks along collector streets. Therefore, the Applicant is required to construct 5-foot wide detached sidewalks along both sides of the Aviator Street extension. The Applicant is proposing 5-foot wide sidewalks within the multi-family portion of the project that connect to the local

street sidewalks. *Overall, the proposed sidewalk network for this development meets and exceeds UDC requirements except for those noted along Aviator.*

Parkways (UDC 11-3A-17):

8-foot wide parkways with street trees are shown along both sides of the proposed local street that loops through the site. **All parkways within the site adjacent to detached sidewalks shall be landscaped per the standards listed in UDC 11-3B-7C.** With the future final plat application, the Applicant should add data to the plan to demonstrate compliance with these standards.

Landscaping (UDC 11-3B):

A 20-foot wide street buffer is required along the extension of W. Aviator Street (measured from back of curb), landscaped per the standards in UDC Table 11-3B-7C. A 20-foot wide common lot is shown on the north side of Aviator on the submitted plat in accord with UDC standards. The common lot along the south side of Aviator that is on the property is wider than 20 feet but is shown with an attached sidewalk instead of a detached sidewalk. Further, there are no trees shown on the south side of Aviator as required by the UDC. Per the plat condition noted, the Applicant should revise the landscape plan to show the required buffer trees on the south side of the Aviator extension.

Note, the alignment of Aviator street along the southern boundary allows for a buffer area that is wider than code requirements as a segment of the street does not lay within the subject site. Therefore, the submitted landscape plan shows a buffer on the north side of Aviator as approximately 30 feet wide, measured from the back of curb to the building lot lines with the required trees at the edge of the property.

According to the submitted landscape plan, some trees are included in the common open space areas due to the parkway trees along the local street. Staff is recommending an additional tree be placed in the center of the open space lot within the single-family portion of the project (Lot 6, Block 2) to add an area of shade in the center of this open space lot.

Staff has excluded the open space area that has the Purdam Drain irrigation easement within this calculation as the irrigation district does not generally allow trees within their easement. **However, Staff recommends the Applicant coordinate with the irrigation district to see if some trees could be placed strategically in order to provide some areas of shade in this area closest to the buildings, so this area could count towards qualified open space.**

In addition to the proposed open space areas, the Applicant is platting a common lot along the west boundary that contains a private drainage lot developed for the charter school across the street, the previous land owner. This drainage area has been in place for years coinciding with the development of the school. The plat should address who is responsible for maintaining this drainage and open space area; Staff has included a condition of approval regarding this.

Qualified Open Space & Site Amenities (UDC 11-3G):

The area of the preliminary plat is 9.8 acres within the R-15 zoning district. According to the standards listed in UDC 11-3G-3, a minimum of 15% qualified open space should be provided. However, the applicability section of this code would only apply to the single-family portion of the project and not the entire site overall because a portion of the project is proposed with multi-family residential and is subject to specific use standards (UDC 11-4-3-27). NOTE: The Applicant has stated that all of the open space within the development will be shared and Staff finds the amount of open space is more than sufficient for the project. However, for the purpose of calculating the minimum amount of open space required, Staff has split the project into two areas, one for the single-family and one for multi-family.

The single-family area is approximately 5 acres in size and the multi-family area is approximately 4.8 acres in size (total property size is 9.8 acres). Therefore, the minimum amount of qualified open space required to meet UDC 11-3G-3 for the single-family portion of the site is 0.75 acres, or approximately 32,700 square feet. The minimum amount of qualified open space that is needed to satisfy the multi-

family specific use standards (UDC 11-4-3-27) is an amount per unit based on the size of the units—the provision in this section of code to require a minimum 10% in addition to the per unit amount is not applicable as the multi-family area of the site is not greater than five (5) acres. According to the Applicant, each unit will be approximately 1,500 square feet requiring 350 square feet per unit of qualified common open space. Therefore, with 36 units proposed, the minimum amount of qualified common open space for the multi-family development is 12,600 square feet. So, in total, the amount of open space provided should be at least 45,300 square feet, or 1.04 acres.

According to the submitted plans, the Applicant is proposing approximately 155,200 square feet (3.56 acres) of common open space within common lots (not all of this is qualified). However, this area is still not fully accurate as some of the Purdam Drain easement area is located on buildable lots and the open space calculation does not include the parkways that are qualifying open space. This shows the actual open space area is even greater. If only the two central open space lots, the Purdam Drain common lot (excluding the area on the buildable lots), and the common lot in the southeast corner of the site is taken into account, the amount of qualified open space is approximately 2.5 acres. Therefore, the proposed open space vastly exceeds the minimum amount required by code for both the single-family and the multi-family portions of the project.

Based on the size of the single-family area of the plat, one (1) point of site amenity is required to meet UDC 11-3G-3 standards. According to the submitted plans, the Applicant has not provided an amenity to satisfy these requirements. The Applicant should revise the landscape plans to include an amenity worth at least one amenity point within the single-family area of the project (i.e. a picnic area). The amenity analysis for the multi-family portion of the development is provided below.

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

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-6 and 11-3A-7. It is unclear if any fencing is proposed for this project. Staff will verify compliance with UDC standards with the future Final Plat application.

Parking: On-site parking for each unit is required per the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit. Two car garages with two (2) parking pads per unit are shown on the proposed plans in accord with UDC standards for up to 4-bedroom homes. A number of on-street parking spaces are also available due to the design of the project.

Parking for the multi-family residential component is required at specific ratios according to UDC Table 11-3C-6 based on the number of bedrooms per unit. According to the Applicant, each unit contains 2 bedrooms which requires which requires 72 off-street parking spaces for 36 units (at least 36 must be covered or garage parking) per UDC Table 11-3C-6. In addition, code requires 1 guest space for every 10 units so an additional 4 spaces (rounded up from 3.6) are required bringing the total to 76 off-street parking spaces. According to the ~~submitted~~ revised CUP Site plan, the Applicant is proposing 72-79 total parking stalls, 2 per unit, and it is not clear if any are covered spaces as required with 41 of these stalls shown as being covered by carports. **Therefore, the Applicant is not now complying with the minimum off-street parking standards for multi-family residential units.**

~~Based on the submitted site plan and number of units, Staff recommends some of the units contain 1-bedroom units to help reduce the amount of parking required (1.5 spaces per unit instead of 2 spaces). Furthermore, the site plan shows a few areas where additional off-street parking spaces may be added. Lastly, as noted above, the local street within the site will allow on-street parking along the entire north and east side of the street except for the areas of the multi-family drive aisle. If the Applicant cannot find the space within the multi-family area to provide the required number of off-street parking spaces, the Applicant could apply for Alternative Compliance to propose alternative parking solutions (i.e. on-street parking in vast excess of minimum requirements) but Staff notes that this is not guaranteed for approval by the Director.~~

Waterways: The Purdam Gulch Drain, an NMID facility, bisects the property from the southeast corner to the northwest corner of the site and requires a 100-foot wide easement, wholly on this property. The drain is proposed to be piped and rerouted with this development in a common lot that runs along the entire east and north property boundaries. ~~According to the submitted plat, at least half of the easement area is on some of the multi-family building lots which does not comply with code.~~ Per UDC 11-3A-6, no more than 10 feet of the irrigation easement shall be located on a buildable lot. So, the Applicant ~~should~~has revised the plat to reduce the multi-family building lots so that no more than 10 feet of the Purdam easement is located on those lots (Lots 1-7, Block 4). Any encroachment within this easement will require a License Agreement with NMID. An exclusive NMID access easement will be required and the HOA will be responsible for maintenance of this lot. **The common lot appears to show grass to help prevent weeds; the Applicant should verify if this is allowed by NMID. If it is not allowed, the Applicant should obtain a letter to that affect from NMID; should this area not be allowed to contain grasses, it may not qualify towards the open space calculation.**

Utilities (UDC 11-3A-21):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. See Section VIII.B below for Public Works comments/conditions.

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for the development as set forth as set forth in UDC 11-3A-15.

Building Elevations (UDC 11-3A-19 | Architectural Standards Manual) (TMISAP)

Conceptual building elevations were submitted for the proposed 2-story townhome structures and the multi-family 4-plex buildings as shown in Section VII.F; conceptual elevations for the single-family attached units and the two detached units were not submitted. See additional analysis in the Comprehensive Plan section above (Section V.A). The conceptual building elevations for the townhomes do not list specific materials but appear to show a combination of stone and stucco field materials. The conceptual elevations for the 4-plex units depict varying designs of board & batten siding with stone accents. As noted above in Section V.A, ~~Staff is recommending~~ the Applicant made changes to the front-loaded townhome units in order to better comply with the Ten Mile Plan. In addition to those ~~recommendations~~ changes, Staff is also recommending the Applicant provide modulation in the building placement for the townhome buildings, especially those along the west boundary, to ensure the building wall-plane is not a monotonous wall of garages.

Final design is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP as stated herein. Submittal and approval of an Administrative Design Review application is required prior to submittal of building permit application(s).

C. CONDITIONAL USE PERMIT (CUP) –

11-4-3-27. - Multi-family development.

A. Purpose.

1. To implement the goals and policies of the Comprehensive Plan:
 - a. Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.
 - b. 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 as part of new multi-family residential and mixed-use developments.

2. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
 - a. To create quality buildings and designs for multi-family development that enhance the visual character of the community.
 - b. To create building and site design in multi-family development that is sensitive to and well-integrated with the surrounding neighborhood.
 - c. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

B. *Site design.*

1. Buildings shall provide a minimum setback of ten (10) feet unless a greater setback is otherwise required by this title and/or title 10 of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Based on the submitted revised CUP Site Plan, it is unclear if this requirement is met, because Staff cannot tell if what is being shown on the site plan are the exact building footprints or merely the potential buildable area. Staff is recommending a condition of approval the Applicant provide a clearer site plan for the multi-family residential part of the site prior to the City Council hearing to ensure compliance with this standard.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The Applicant shall comply with this standard.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section 11-5B-5 of this title. *The submitted elevations do not clearly depict compliance with this standard and no floor plans were submitted as an additional means of verification. Staff will verify compliance with this requirement with the future Certificate of Zoning Compliance (CZC) application; the Applicant is required to comply with this requirement or obtain Alternative Compliance, as noted.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *None of these areas were used towards the common open space calculation.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall adhere to this standard.*
6. The parking shall meet the requirements set forth in chapter 3, "regulations applying to all districts", of this title. *See the parking section in the general analysis above.*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.

- d. A directory and map of the development at an entrance or convenient location for those entering the development.

The Applicant is proposing more than 20 units (36 units) so the Applicant is required to comply with these standards. The submitted revised CUP Site Plan does not appear to now show a the required property management office or and a maintenance storage area. Staff is less concerned with the mailbox and directory map location as these items can be easily verified with the future CZC application. However, the Applicant should revise the site plan to show the management office and maintenance storage area prior to the City Council hearing.

C. Common open space design requirements.

1. The total baseline land area of all qualified common open space shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *The multi-family area is less than 5 acres in size so this portion of the code is not applicable on this project. In general, the Applicant is proposing open space for the entire development well in excess of code requirements due to the open space area that is the Purdam Gulch Drain easement area. See the open space section above for more specific analysis.*
2. All common open space shall meet the following standards:
 - a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. Open space areas that has been given priority in the development design have:
 - (1) Direct pedestrian access;
 - (2) High visibility;
 - (3) Comply with Crime Prevention through Environmental Design (CTED) standards; and
 - (4) Support a range of leisure and play activities and uses.
 - b. Open space shall be accessible and well connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.
 - c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering and relaxation to serve the development.
Staff finds the proposed open space complies with these standards by providing open space that is well connected, highly visible, and promotes health and well-being by supporting a range of leisure and play activities.
3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.
 - a. Minimum size of common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.

- b. Alternative compliance is available for these standards, if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land use designations with collectively integrated and shared open space areas.

The submitted plans depict compliance with this standard in multiple places throughout the site.

- 4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

See the common open space analysis above in V.B.

- 5. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty (20) feet. *Applicant complies.*
- 6. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *N/A*
- 7. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.

The Purdam Drain open space lot has access to W. Aviator Street, a collector street, because the street must cross the drain in order to stub to the east property boundary. Due to the large area of this lot, its excellent accessibility, and the proposed landscaping along Aviator, Staff finds it applicable to allow this common open space area to count without constructing a berm along the street. Commission and Council may require this if they see fit.

D. *Site development amenities.*

- 1. All multifamily developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. *Quality of life.*
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with waste station.
 - (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage
 - b. *Open space.*
 - (1) Community garden.

- (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping and a structure for shade.
 - c. *Recreation.*
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. *Multi-modal amenity standards.*
 - (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop.
 - (4) Charging stations for electric vehicles.
2. The number of amenities shall depend on the size of multifamily development as follows:
 - a. For multifamily developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multifamily development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one (1) from each category.
 - c. For multifamily development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one (1) from each category.
 - d. For multifamily developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
 3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection (D), provided that these improvements provide a similar level of amenity.

For the 36 multi-family units proposed, a minimum of three (3) amenities should be provided to satisfy the specific use standards. According to the submitted plans, one (1) qualifying amenity is proposed, children play equipment. Therefore, the Applicant does not comply with this standard. Prior to the City Council hearing, the Applicant should revise applicable plans to show compliance with this requirement and ensure one amenity from each of the first three categories above is included in the development. According to the revised CUP Site Plan, the Applicant is proposing picnic tables with a gazebo, children's play structures, and a fenced dog park with a waste station in the central open space lot of the multi-family area. Therefore, the Applicant now complies with these specific use standards.

E. *Landscaping requirements.*

1. Development shall meet the minimum landscaping requirements in accord with chapter 3, "regulations applying to all districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three (3) feet wide.

- b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted.
- c. Ground cover plants shall be planted in the remainder of the landscaped area.

Applicant shall show compliance with this standard for the buildings facing any public street with the future CZC application.

- F. *Maintenance and ownership responsibilities.* All multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. *Applicant shall comply.*

(Ord. 05-1170, 8-30-2005, eff. 9-15-2005; Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009; Ord. 16-1672, 2-16-2016; Ord. 18-1773, 4-24-2018; Ord. 19-1833, 7-9-2019, [Ord. No. 21-1950](#), § 19, 10-10-2021).

VI. DECISION

A. Staff:

Staff recommends approval of the proposed Preliminary Plat and Conditional Use Permit per the provisions included in Section VIII in accord with the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on March 3, 2022. At the public hearing, the Commission moved to recommend approval of the subject Preliminary Plat and Conditional Use Permit requests.

1. Summary of Commission public hearing:

- a. In favor: Jadon Schneider, Applicant Representative;
- b. In opposition: None
- c. Commenting: Jadon Schneider
- d. Written testimony: 4 pieces of testimony in opposition of the project design with requests to keep the Purdam Drain open instead of piped; 1 piece of testimony in support of the project and extension of Aviator from adjacent developer (property to the east).
- 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. What kind of changes are Staff looking for to better comply with the Ten Mile Plan and will those affect the overall project layout;
- b. History of the existing attached sidewalk along Aviator Street versus the requirement for detached sidewalk required with this project;
- c. Potential of any outstanding issues between Commission and Council and if project should be continued out;
- d. Applicant's proposed phasing of the Aviator extension in relation to future development to the east;

4. Commission change(s) to Staff recommendation:

- a. None beyond what was discussed at the hearing due to clarification by the Applicant and Staff regarding the number of units proposed (strike condition 12.a).

5. Outstanding issue(s) for City Council:

- a. None

C. The Meridian City Council heard these items on April 5, 2022. At the public hearing, the Council moved to approve the subject Preliminary Plat and Conditional Use Permit requests.

1. Summary of the City Council public hearing:

- a. In favor: Jadon Schneider, Applicant Representative; Larry Jacobson, Developer.
- b. In opposition: None
- c. Commenting: Jadon Schneider
- d. Written testimony: None since Commission
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: Bill Nary, City Attorney; Joe Bongiorno, City Fire Marshal; Kristy Inselman (ACHD).

2. Key issue(s) of public testimony:

- a. None

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

- a. Future development timing of residential and Purdam Drain piping on subject project;
Anticipated timing of surrounding properties and the planned road layout for Aviator
Street and any future connections to Franklin Road east of COMPASS Charter;
Reason for project including multi-family and whether Council has authority with a plat
(property is already entitled with R-15 zoning) to deny proposed uses;
Requirement for fire sprinklers associated with the project timing;
Timing of public road improvements in the near vicinity;
Council's purview of permit limitations tied to adjacent development or property or
access;

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

- a. Add a new condition requiring that no building permits for the residential units shall be
issued until a secondary public road access is available to the site.

VII. EXHIBITS

A. Preliminary Plat Legal Description

Description for
Aviation Subdivision
January 12, 2022

A portion of the West 1/2 of the Southwest 1/4 of Section 10, Township 3 North, Range 1 West of the Boise-Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 9, 10, 15, and 16, Township 3 North, Range 1 West, Boise-Meridian, from which the 1/4 corner common to said Sections 9 and 10 bears North 0°38'55" East, 2653.02 feet; thence on the west boundary line of said Section 10, North 0°38'55" East, 1621.66 feet to the south boundary line of the railroad right-of-way; thence on said south boundary line, South 88°26'12" East, 495.23 feet to the **REAL POINT OF BEGINNING**;

thence continuing South 88°26'12" East, 824.15 feet to the east boundary line of the West 1/2 of the Southwest 1/4 of said Section 10;

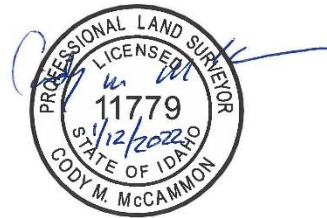
thence on said east boundary line, South 0°36'35" West, 514.83 feet;

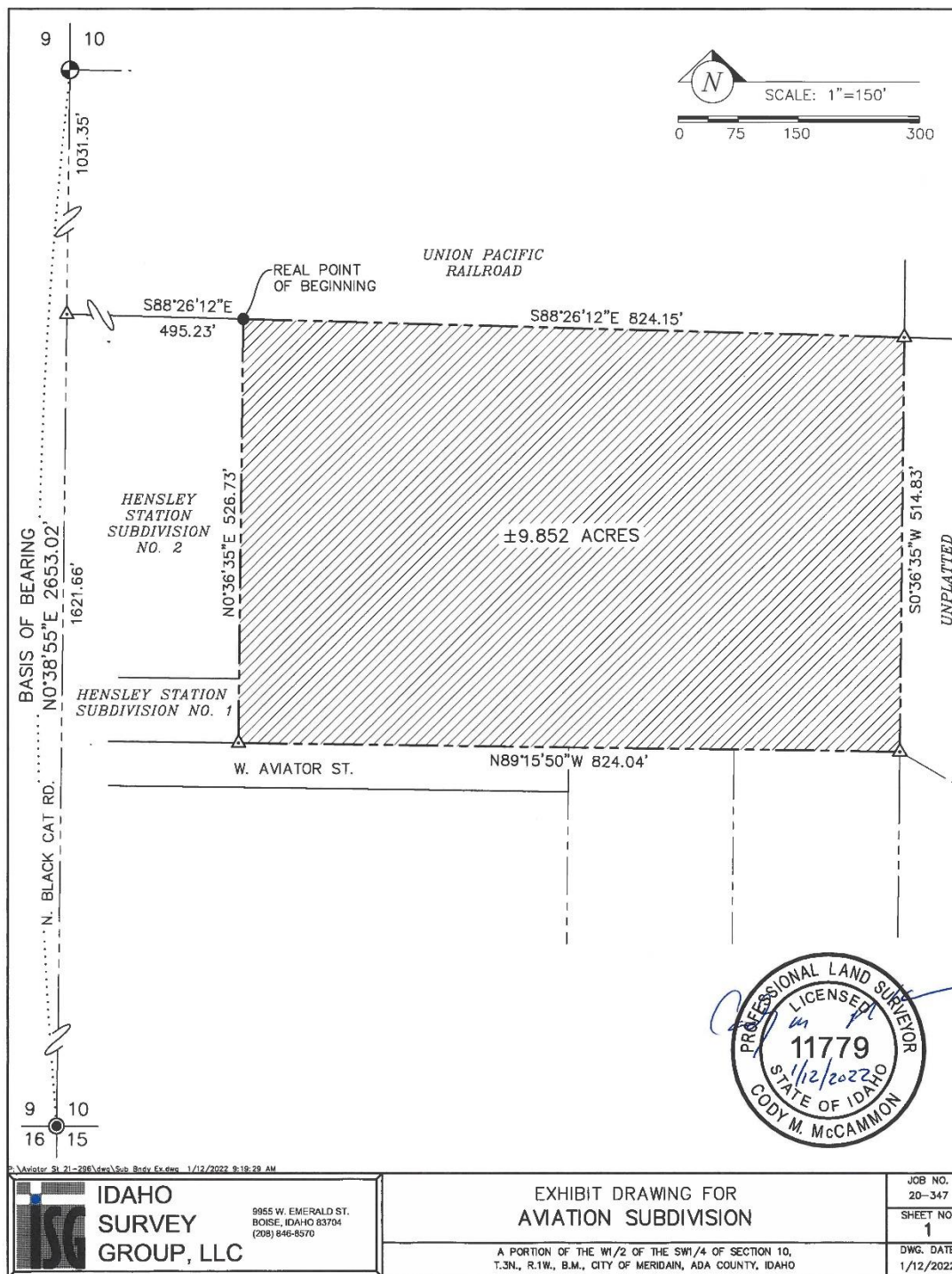
thence leaving said east boundary line, North 89°15'50" West, 824.04 feet to the Southeast corner of Hensley Station Subdivision No. 1 as filed Book 120 of Plats at Pages 18786 through 18789, records of Ada County, Idaho;

thence on the east boundary line of said Hensley Station Subdivision No. 1 and Hensley Station Subdivision No. 2 as filed in Book 121 of Plats at Pages 19058 through 19060, records of Ada County, Idaho, North 0°36'35" East, 526.73 feet to the **REAL POINT OF BEGINNING**.

Containing 9.852 acres, more or less.

End of Description.





Primary Owner:
UNION PACIFIC RAILWAY

Primary Owner:
HENSLEY PROPERTIES LLC

Primary Owner:
COMPASS PUBLIC CHARTER SCHOOL INC

Primary Owner:
ZION VENTURES LLC

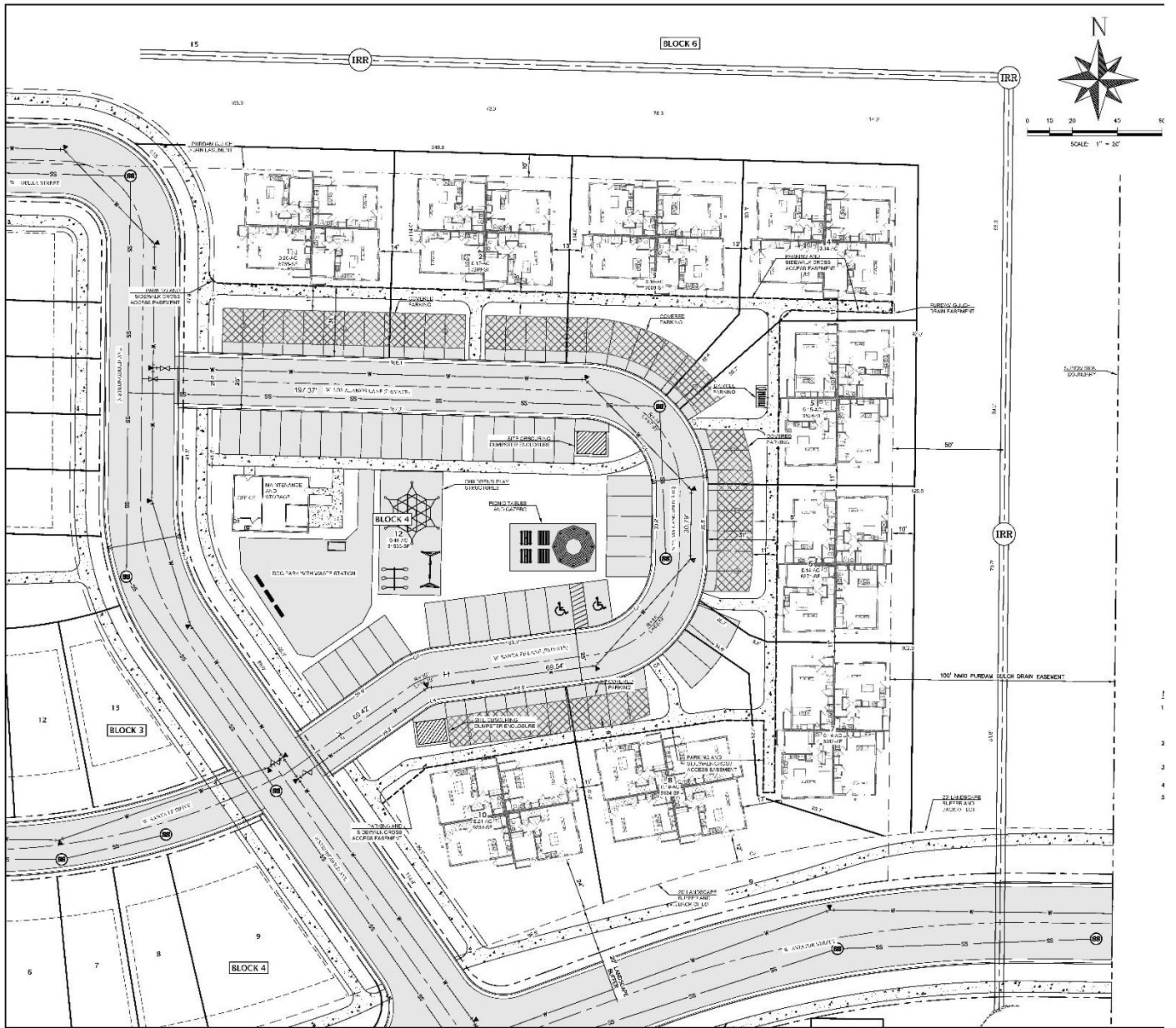
Primary Owner:
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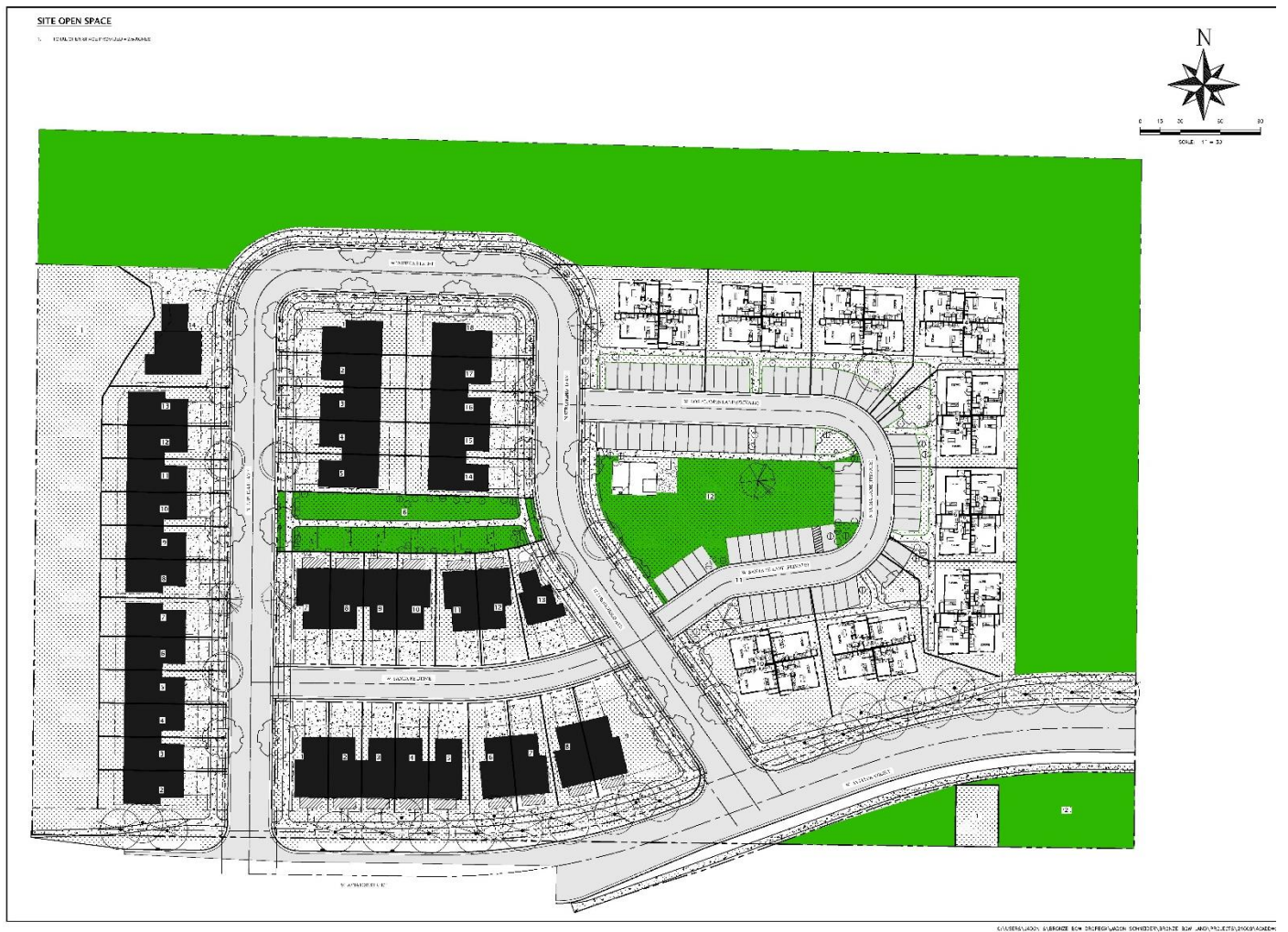


D. CUP Site Plan (March 14, 2022) –



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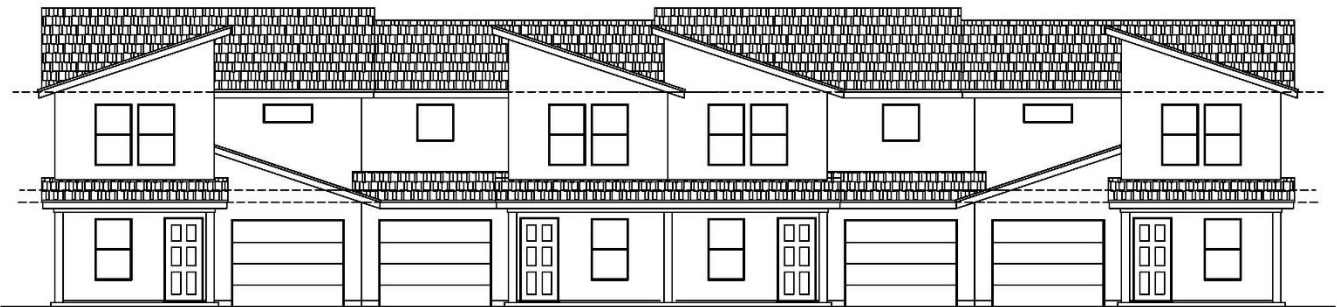
E. Open Space Exhibit



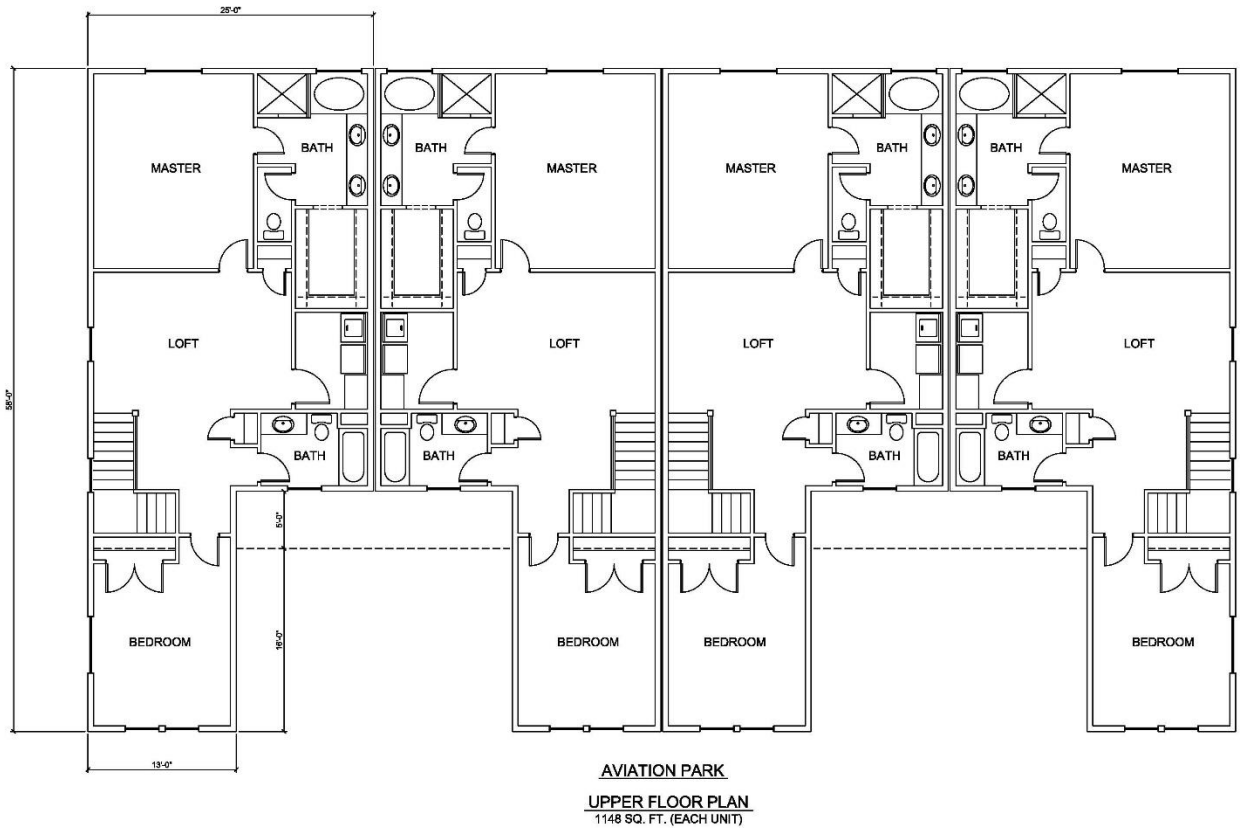
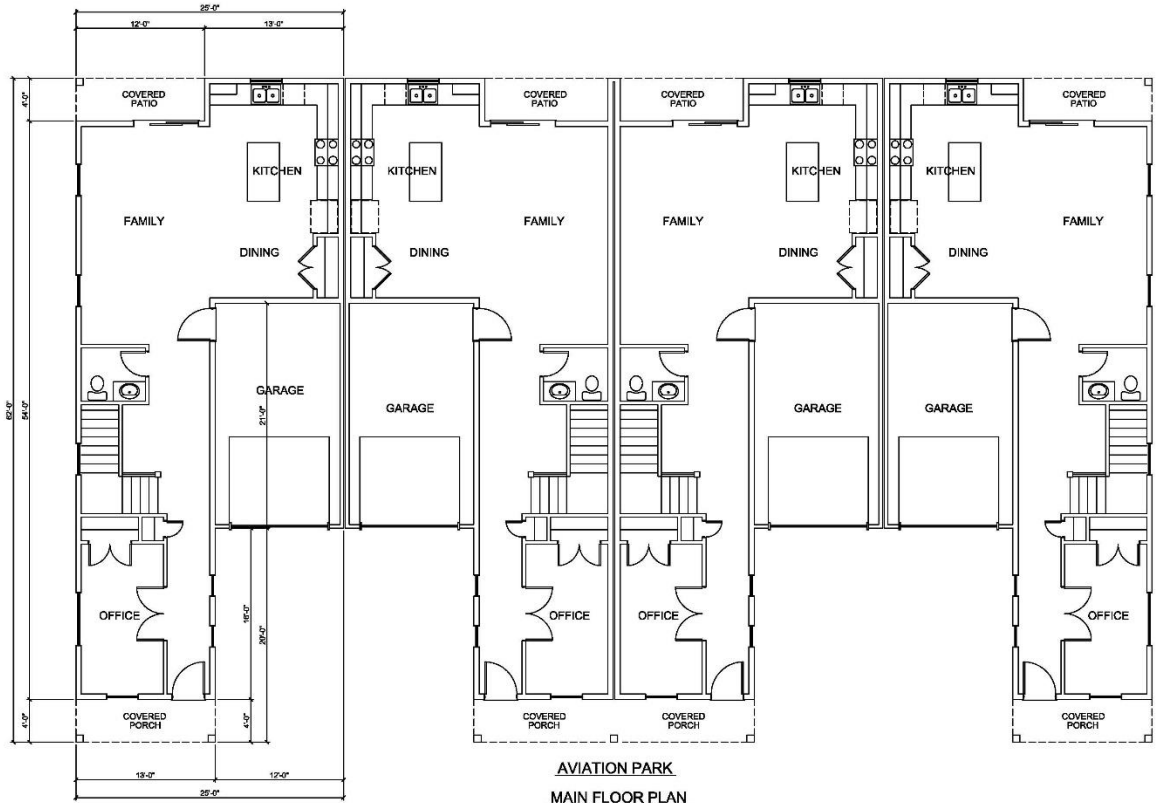
F. Conceptual Building Elevations and floor plans (dated: March 2022) (~~NOT APPROVED~~)



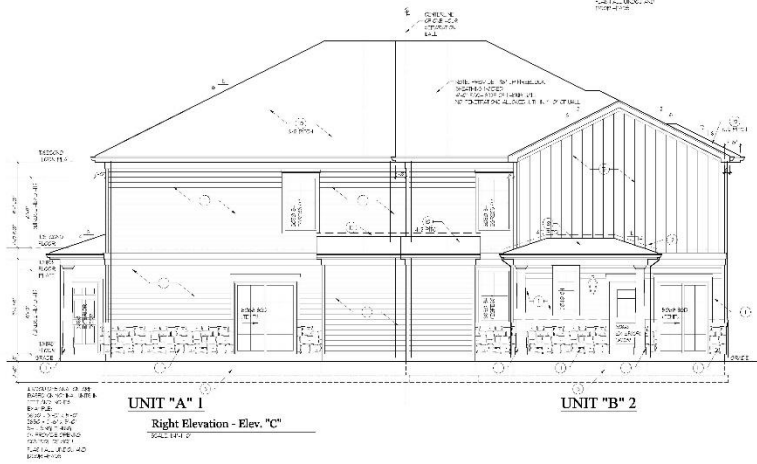
AVIATION PARK
FRONT ELEVATION A



AVIATION PARK
FRONT ELEVATION B



- ELEVATION KEYNOTES**
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VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Preliminary Plat (PP):

1. The Applicant shall adhere to all previous conditions of approval associated with this site (H-2020-0111, Aviator Sub. CPAM, MDA, RZ; DA Inst. #2021-067235).
2. In accord with Fire Code, the Applicant shall construct all dwellings within this site with fire sprinklers unless a means of Fire Department approved secondary access can be obtained through adjacent sites.
3. Per City Council, no residential building permits shall be issued for the subject site until a means of secondary public road access is available to the site and approved by the Planning Division and Meridian Fire.
4. Prior to the acceptance of any Final Plat application by the Planning Division, the Applicant shall provide proof that the required right-of-way for the extension of W. Aviator Street has been deeded to ACHD as proof the shown location has been accepted by all parties (including the adjacent property owner, Parcel# S1210336450).
5. Applicant shall continue working with ACHD on the extension of W. Aviator Street—the Applicant shall extend W. Aviator to the east property boundary OR construct it to terminate no greater than 150 feet east of the proposed local street (shown as N. Stronghold Avenue) and provide a road trust to ACHD for the remaining portion of Aviator.
6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district and those listed in the specific use standards for multi-family development, UDC 11-4-3-27.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Future development shall comply with UDC 11-3A-7 and UDC 11-3A-6 for any future fencing constructed within the development.
9. The Applicant shall obtain Administrative Design Review approval for the single-family attached units and townhome units prior to building permit submittal.
10. The Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review approval for the multi-family development prior to building permit submittal.
11. The Applicant shall record a maintenance agreement for the multi-family development that states the maintenance and the ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features, in accord with UDC 11-4-3-27.
12. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
13. The submitted preliminary plat, dated ~~February~~ March 14, 2022, is approved as shown in Exhibit VII.B. shall be revised as follows at least 15 days prior to the Final Plat submittal: City Council hearing noted:
 - a. ~~Revise the plat to include at least one (1) additional dwelling unit to meet the minimum density requirements of the Development Agreement and underlying future land use designation (MHDR).~~

- ~~b. Depict zero lot lines on the plat where single family attached and townhome structures are proposed.~~
 - ~~c. Show 5 foot wide detached sidewalks along both sides of the W. Aviator Street extension.~~
 - ~~d. Revise the plat to show a reduction in the multi family building lot sizes (Lots 1-7, Block 4) so that no more than 10 feet of the Purdam Gulch Drain easement is located on those lots, per UDC 11-3A-6, OR request a City Council waiver to allow more of the easement to encroach on the building lots if NMID allows it.~~
 - ~~e. Add a plat note stating who is responsible for the maintenance of the Compass Charter School drain field located on Lot 1, Block 6.~~
14. The submitted landscape plan, dated December 2021, shall be revised prior to the first final plat submittal, ~~unless otherwise noted:~~
- a. Work with Nampa Meridian Irrigation District (NMID) to install a 5-foot wide pathway along the south and west side of the relocated Purdam Gulch Drain to further comply with open space and amenity standards; new pathway should provide a pathway stub to the east boundary and connect to the detached sidewalk along W. Aviator and the detached sidewalk along the internal local street near the north end of the site to create a looped walking path.
 - ~~b. Add data to the landscape plans showing compliance with UDC 11-3B-7C for the proposed parkways.~~
 - c. Show the required street buffer trees within the required 20-foot buffer on the south side of the W. Aviator extension.
 - d. Add an additional tree in the center of the open space lot within the single-family portion of the project (Lot 6, Block 2) to add an area of shade in the center of this open space lot.
 - e. Add a picnic area or other amenity worth at least one (1) amenity point in the single-family portion of the project (Lot 6, Block 2) to comply with UDC 11-3G-3 amenity standards.
 - f. Provide verification from NMID the common lot containing the piped and rerouted Purdam Drain can be vegetated with grasses; if it is not allowed, the Applicant should obtain a letter to that effect from NMID (should this area not be allowed to contain grasses, it may not qualify towards the open space calculation).
 - g. Depict the required minimum of 3-feet of landscaping along the base of the multi-family building facades facing all public streets in accord with the multi-family specific use standards.
15. The submitted conceptual elevations for the townhome and single-family attached units are approved with the following standards to be maintained: ~~shall be revised as follows at least ten (10) days prior to the City Council hearing:~~
- a. Applicant shall comply with the design guidelines within the TMISAP.
 - ~~b. Explore alternate design options to be more consistent with the street oriented design standards within the Ten Mile Plan while maintaining a gross density of at least 8 units per acre; an alternate floor plan and revised elevations should be submitted in accord with this provision.~~
 - c. ~~Revise the elevations to correspond~~ Ensure the street level and upper level architectural detailing ~~to unify is unified throughout~~ the design.
 - ~~d. Provide additional modulation in wall plan and roof height variation.~~
 - e. Depict varying build-to lines for all of the front-loaded townhomes to ensure modulation in the building massing between and along sets of the townhome buildings.

Conditional Use Permit (CUP):

16. The submitted CUP Site Plan, dated ~~December 15, 2021~~ March 14, 2022, is approved as shown in Exhibit VII.D with the following standard: ~~shall be revised at least 15 days prior to the City Council hearing prior to Final Plat submittal as follows:~~
 - a. ~~Revise the site plan to show the management office and maintenance storage area as required by the multi-family development specific use standards.~~
 - b. ~~Clearly depict the building footprint of each 4-plex multi-family building and show the required 10-foot setback between buildings.~~
 - c. ~~Add at least two (2) additional amenities for the multi-family project and clearly depict their locations on the site plan.~~
 - d. ~~Depict which off-street parking stalls will be covered carports~~—ensure compliance with any Public Works easement standards.
17. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
18. A minimum of 80 square feet of private, usable open space shall be provided for each dwelling unit; this requirement can be satisfied through porches, patios, decks and enclosed yards as set forth in UDC 11-4-3-27.
19. 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.
20. The Applicant shall adhere to and maintain all standards as set forth in the Multi-family Development specific use standards, UDC 11-4-3-27.
21. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. The water main in West Aviator Street needs to end in a fire hydrant.
2. The water main in West Santa Fe Lane needs to be located on the North side of the centerline.
3. The water main connection to the South needs to be made for a future second connection.
4. Parcel numbers S1210336521 and S1210336450 will need a connection and easement to the water main in West Aviator Street. Coordinate with those parcel owners and/or the future street connection to make these connections as part of this application.
5. Do not locate manholes in sidewalks, because they can become a tripping hazard. Manhole SSMH A.1 does not meet this requirement.
6. Angles of pipes into and out of manholes need to be a 90 degree minimum in the direction of flow.
7. Ensure manholes are not located in gutters to avoid excess water/drainage into the wastewater system. Manholes SSMH C1 and SSMH D1 do not meet this requirement.
8. Manhole SSMH A5 has two outlet pipes, which is not allowed. Each manhole should only have one outlet. SSMH C1 should not connect to this manhole, reconfigure this to remove this connection.
9. Minimum slope for a 10'' diameter main is 0.28%, adjust your 10'' main accordingly so it meets this minimum.

Standard Conditions of Approval

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. 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.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2'' x 11'' map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). 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.

5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. 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.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. 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.

20. 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.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254129&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=249991&dbid=0&repo=MeridianCity>

E. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251525&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254120&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254121&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254197&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat Findings

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

Council finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan and the specific area plan (Ten Mile Interchange Specific Area Plan) in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

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

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

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

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

Council finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section V and VIII for more information.)

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

Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has approved the proposed road layout and connections to adjacent parcels.

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

Council is unaware of any significant natural, scenic, or historic features that exist on this site that require preserving.

B. Conditional Use Permit Findings

The commission shall base its determination on the conditional use permit request upon the following:

1. **That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.**

Council finds that the submitted site plan shows compliance with all dimensional and development regulations in the R-15 zoning district in which it resides except for those noted and required to be revised.

2. **That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.**

Council finds the proposed use of multi-family residential, in conjunction with the other residential housing types proposed, is in accord with the comprehensive plan designation of Medium-High Density Residential within the Ten Mile Plan and the requirements of this title.

3. **That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.**

Council finds the design, construction, and proposed operation and maintenance will be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area, if all conditions of approval are met.

4. **That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.**

Council finds the proposed use, if it complies with all conditions of approval imposed, will not adversely affect other property in the vicinity.

5. **That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.**

Council finds the proposed use will be served adequately by essential public facilities and services if all conditions of approval are met.

6. **That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.**

All public facilities and services are readily available for the subject site so Council finds that the proposed use will not be detrimental to the economic welfare of the community or create excessive additional costs for public facilities and services.

7. **That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**

Although traffic will slightly increase in the vicinity with the proposed use, the proposed layout offers the best opportunity for safe circulation and provides opportunity to extend a needed east-west collector street for future connectivity. Therefore, Council finds the proposed use will not be detrimental to any persons, property, or the general welfare if all conditions of approval are met.

8. **That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

Council is not aware of any such features; the proposed use should not result in damage of any such features.