


Charlene Way

From: clerk@meridiancity.org
Sent: Tuesday, October 01, 2019 10:28 AM
To: Charlene Way
Subject: Development Application Transmittals - Percy H-2019-0097


Development Application Transmittal
Link to Project Application: Percy Subdivision MDA, RZ, PP H-2019-0097
Transmittal Date: 10-1-2019 Hearing Date: 11-7-2019
Assigned Planner: Kevin Holmes
<i>To view the City of Meridian Public Records Repository, Click Here</i>

The above "Link to Project Application" will provide you with any further information on the project.

The City of Meridian is requesting comments and recommendations on the application referenced above. To review the application and project information please click on the application link above. The City of Meridian values transparency and makes a variety of information available to the public online through our public records repository.

We request that you submit your comments or recommendations prior to the hearing date specified above. When responding, please reference the file number of the project. If responding by email, please send comments to cityclerk@meridiancity.org.

For additional information associated with this application please contact the City of Meridian Planner identified above at 208-884-5533.

Thank you,

City Clerk's Office
33 E. Broadway Ave., Meridian, Idaho 83642
Phone: 208.888.4433 | Email: cityclerk@meridiancity.org



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Hearing Date: November 7, 2019

File No.: H-2019-0097

Project Name: Percy Subdivision

Request: De-annex 0.42 acres of land currently zoned R-4 for the purpose of combining the property with the adjacent County RUT parcel to the south;

(RZ): Rezone of 30.02 acres of land from the R-4 zoning district to the R-8 zoning district; and

(PP): Preliminary plat consisting of 113 single-family residential lots and 11 common lots on approximately 28.51 acres in the proposed R-8 zoning district; and

(MDA): Request to modify the existing development agreement (Instrument No. 2016-007091) to incorporate the requested preliminary plat, by Shultz Development.

Location: The site is located on the east side of S. Meridian Rd. and south of E. Amity Rd., in the NW ¼ of Section 31, Township 3N., Range 1E.



Planning Division

DEVELOPMENT REVIEW APPLICATION

STAFF USE ONLY:

Project name: Percy Sub
File number(s): H-2019-0097
Assigned Planner: KEVIN HOLMES Related files:

Type of Review Requested (check all that apply)

- Accessory Use (check only 1)
Daycare
Home Occupation
Home Occupation/Instruction for 7 or more
Administrative Design Review
Alternative Compliance
Annexation and Zoning - De annex
Certificate of Zoning Compliance
City Council Review
Comprehensive Plan Map Amendment
Comprehensive Plan Text Amendment
Conditional Use Permit
Conditional Use Modification (check only 1)
Director
Commission
Development Agreement Modification
Final Plat
Final Plat Modification
Landscape Plan Modification
Preliminary Plat
Private Street
Property Boundary Adjustment
Rezone
Short Plat
Time Extension (check only 1)
Director
Commission
UDC Text Amendment
Vacation (check only 1)
Director
Commission
Variance
Other

Applicant Information

Applicant name: Schultz Development Phone: (208) 880-1695
Applicant address: PO Box 1115 Email: schultzdevelopment@yahoo.com
City: Meridian State: ID Zip: 83680

Applicant's interest in property: Own Rent Optioned Other
Owner name: Percy Farms LLC Phone: (208) 880-4700
Owner address: 1250 Stegerman Ct Email: jpercy@cs.com
City: Meridian State: ID Zip: 83642

Agent/Contact name (e.g., architect, engineer, developer, representative): Matt Schultz
Firm name: Schultz Development Phone: (208) 880-1695
Agent address: PO Box 1115 Email: schultzdevelopment@yahoo.com
City: Meridian State: ID Zip: 83680

Primary contact is: Applicant Owner Agent/Contact

Subject Property Information

Location/street address: S Meridian Rd Township, range, section: 3N, 1E, Sec 31
Assessor's parcel number(s): S1131233610 Total acreage: 29.51 Zoning district: R-4

Project/subdivision name: Percy Subdivision
 General description of proposed project/request: Rezone of 30.02 acres from R4 to R8. De-annet 0.42 acres R-4. Preliminary Plat for 113 building lots and 1 common
 Proposed zoning district(s): R-8
 Acres of each zone proposed: 28.51^{ac} (preplat) lots on 28.51 acres.
30.02^{ac} (to centerline)
 Type of use proposed (check all that apply):
 Residential Office Commercial Employment Industrial Other _____
 Who will own & maintain the pressurized irrigation system in this development? Private
 Which irrigation district does this property lie within? Boise-Kuna
 Primary irrigation source: Boise-Kuna Secondary: Meridian
 Square footage of landscaped areas to be irrigated (if primary or secondary point of connection is City water): 135,000 SF

Residential Project Summary (if applicable)

Number of residential units: 113 Number of building lots: 113
 Number of common lots: 11 Number of other lots: 0
 Proposed number of dwelling units (for multi-family developments only): N/A

1 bedroom: _____ 2-3 bedrooms: _____ 4 or more bedrooms: _____
 Minimum square footage of structure (excl. garage): 1,400 Maximum building height: 35'
 Minimum property size (s.f.): 5,250 SF Average property size (s.f.): 7,239 SF
 Gross density (Per UDC 11-1A-1): 3.96^{DU}/Ac Net density (Per UDC 11-1A-1): 6.02^{DU}/Ac
 Acreage of qualified open space: 352 ac Percentage of qualified open space: 12.35%

Type and calculations of qualified open space provided in acres (Per UDC 11-3G-3B): detached SW parkway, pond lot, playground lot, micropaths, 1/2 Meridian Rd
 Amenities provided with this development (if applicable): playground, gazebo, buffer
 Type of dwelling(s) proposed: Single-family Detached Single-family Attached Townhouse
 Duplex Multi-family Vertically Integrated Other _____

Non-residential Project Summary (if applicable) - N/A

Number of building lots: _____ Common lots: _____ Other lots: _____
 Gross floor area proposed: _____ Existing (if applicable): _____
 Hours of operation (days and hours): _____ Building height: _____
 Total number of parking spaces provided: _____ Number of compact spaces provided: _____

Authorization

Print applicant name: Matt Schultz, Schultz Development
 Applicant signature: [Signature] Date: 6/19/19

June 19, 2019

City of Meridian
Planning and Zoning Commission and City Council
c/o City of Meridian Planning Department
33 E. Broadway Avenue
Meridian, ID 83642

**RE: Percy Subdivision
Rezoning, De-Annexation, Preliminary Plat, and DA Modification Applications**

Dear Commissioners and City Council Members:

On behalf of Schultz Development, LLC please accept these applications for rezoning, de-annexation, preliminary plat, and development agreement modification for the Percy Subdivision located on the east side of Meridian Road between Amity and Lake Hazel. We are requesting a rezoning from R-4 to R-8 on 30.02 acres, de-annexation of 0.42 acres, and a preliminary plat for 113 building lots and 11 common lots on 28.51 acres.

Existing Master Plan and Zoning

The subject property was originally annexed and zoned R-4 with a Development Agreement and no site plan on December 15, 2015 by the City of Meridian as part of a joint application of 1,322 acres with 42 parcels and 22 landowners (H-2015-0019). The site is shown with both Medium and Low-Density Residential designations on the Meridian Comprehensive Plan and Future Land Use Map.

Adjacent properties are currently undeveloped and zoned County C-2 to the north, Meridian R-4 to the west and east, and County RUT to the South.

Meridian Road is a five-lane state highway adjacent to the property along the west boundary.

Development Agreement Modification

The property is subject to a Development Agreement (#2016-007091) dated January 26, 2016. Sections 5.1.4 and 5.1.5 allow for a Development Agreement modification application and rezoning application to be submitted at no cost to the Owner/Developer. We are requesting a modification to the initial Development Agreement to incorporate the preliminary plat and any special conditions required by the City Council approval for this development.

De-Annexation

In order to facilitate the granting of an access easement for a collector road at the mid-mile location required by ACHD and ITD, the adjacent property owner has requested compensation of the south 20 feet of our property that was previously annexed R-4. The owner does not wish to

annex his entire property at this time and the City has requested the de-annexation of the 0.42 acre parcel and a property boundary adjustment to be processed through Ada County concurrent with the submittal of the first phase final plat.

Proposed Zoning

To provide a variety of housing options and dimensional flexibility, the 28.51-acre site is proposed to be rezoned to R-8. The requested zoning conforms to the Master Plan designation on the north portion of the site and requires a “Step-Up” in the Master Plan designation on the south portion of the site.

Preliminary Plat

The preliminary plat has a mix of lot sizes that exceed the R-8 and R-4 dimensional standards. The minimum lot size is 5,250 SF, the maximum lot size is 10,844 SF, and the average lot size is 7,239 SF with the largest R-4 sized lots on the east side of the property to provide transitional lot sizing to the adjacent R-4 property. The site density of 3.96 units per acre is on the low-end of R-8 density (3-8 units per acre) and is indicative of the much larger average lot size than the 4,000 SF minimum allowed with R-8 zoning. The qualified open space of 3.52 acres or 12.35% exceeds the 10% minimum requirement.

Sewer Service

The Percy Subdivision will be serviced by the existing 8” sewer line constructed by the City of Meridian across the northern portion of the site in 2017 as part of Phase 1 of the South Meridian Sewer Trunk Line project.

Water Service

The Percy Subdivision will be serviced by an existing 12-inch water main in Amity Road at the Meridian Road intersection. The 12-inch main will be extended south along the east side of Meridian Road in the right-of-way with an ITD license agreement. The 12-inch main will be constructed into the site at the northwest corner and stubbed to the southwest corner to meet the full frontage extension policy. In addition, a 12” water main will be provided in the mid-mile collector road along the south boundary of our site for connections by future adjacent development.

Pressure Irrigation

Pressure irrigation will be provided by Boise Kuna Irrigation District (BKID) via a pump station and aerated irrigation storage pond in the southeast corner of the site. The pond overflow will be routed along the east boundary of our site to the historic field drain in the northeast corner of the property.

Roadways and Storm Drainage

The site is adjacent to S. Meridian Road (State Highway 69) with its south boundary at the mid-mile location required for access by ITD and ACHD. The 2 adjacent property owners have agreed

to grant ACHD 25-foot-wide permanent access easements (50-foot total) for site access at the required mid-mile for this site.

ITD has indicated they are in the process of a corridor study from Kuna to Meridian to be completed in the next 12 months. In the meantime, ITD is allowing our site access at the mid-mile with a limitation to left-in and right-in/right out only (no left out). Our traffic study demonstrates the intersection works for our subdivision under these conditions. Ultimately, we anticipate a traffic signal for site and regional traffic on both sides of the highway at this location, but ITD does not have a firm timeline on the construction of a traffic signal.

All interior roadways will be 33' back to back of curb with attached 5' sidewalks except the site entry which will have detached 5' sidewalks and 8' tree-lined park strips.

Storm drainage will be mitigated by an underground seepage beds in park areas and/or under sidewalks in accordance with ACHD design criteria located throughout the site.

Open Space and Amenities

The site has ample qualified open space (12.4%) and amenities including a 1-acre park at the site entrance that with an aerated irrigation pond and a gazebo sitting area. In addition, a 0.5-acre park with a playground is centrally located with micro-path connections to adjacent blocks. Also, 970 feet of 10-foot-wide concrete sidewalk is proposed along S. Meridian Road. The landscape buffer along S. Meridian Road is 35-feet-wide including 15-feet behind the sidewalk elevated 4 feet above centerline with a 6-foot-high fence/wall at the lot line to provide the 10-foot height required by City Code.

Lot Size Variation and Architecture

We have attached a variety of existing and proposed elevations showing the quality housing options to be offered in the Percy Subdivision by several custom home builders. The lot size variation will allow several single-story and two-story options for homes ranging from 1,400 SF to 3,500 SF.

<u>Lot Size Range (sf)</u>	<u>Lots</u>	<u>%</u>
5,000-5,999	22	19%
6,000-6,999	31	27%
7,000-7,999	33	29%
8,000+	27	24%
Total	113	

The blended, overall average lot size in the Percy Subdivision is 7,239 SF.

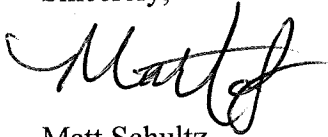
Variances

The site design for the Percy Subdivision exceeds the minimum requirements of the R-8 zoning ordinance and no variances are requested with this application.

Summary

The proposed rezone, de-annexation, and preliminary plat applications for the Percy Subdivision carefully considered all aspects of the Meridian Zoning Ordinance, the Meridian Comprehensive Plan, site location, surrounding neighborhoods, and the housing market in Meridian to develop a high-quality residential development that exceeds the minimum development standards and provides compatible design characteristics with the surrounding neighborhood. We respectfully request your approval of these applications.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Schultz". The signature is fluid and cursive, with the first name "Matt" being more prominent and the last name "Schultz" written in a smaller, more connected script.

Matt Schultz
Schultz Development LLC



DEVELOPMENT AGREEMENT

PARTIES:

1. City of Meridian
2. James J Percy, Owner/Developer

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this 4th day of Aug., 2016, by and between City of Meridian, a municipal corporation of the State of Idaho, hereafter called CITY, and James J Percy, whose address is 1250 Stegerman Ct, Meridian, Idaho 83642 hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner/Developer is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit "A" for each owner, which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of re-zoning that the Owner/Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code ("UDC"), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner/Developer has submitted an application for annexation and zoning of the Property described in Exhibit "A", requesting a designation of Medium-Low Density Residential District (R-4 District) under the UDC and generally describing how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, This Development Agreement was negotiated and signed prior to any public hearings, but the final approval of the Agreement was subsequent to the Annexation process and public hearings and final approval of the Annexation application; and
- 1.6 **WHEREAS**, the City and the Owner/Developer have attempted to negotiate terms and conditions into this Development Agreement to allow for the continued use of the Site in the same manner and fashion that existed at the time of annexation until such time as the property develops or re-develops; and

- 4.4 Any currently allowed use in the County regards to raising or maintaining of livestock shall remain on the Site until such time that property develops in the future.
- 4.5 Any properties at the time of annexation will have an exemption to Meridian City Code 6-3-10, Firearms; Dischargeable Instruments, until such time that the property develops in the future.
- 4.6 Currently stored or maintained on the property: equipment, vehicles (registered and unregistered), and excess organic and/or inorganic material necessary for the agricultural operation of the property. Such items may include but not be limited to weed spray, gasoline, diesel, wood, compost, fertilizers and the like in quantities not usually found in urban residential properties. Such storage may remain in the current condition at the time of annexation until such time that the property develops in the future.

5. CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:

- 5.1. Owner/Developer shall develop the Property in accordance with the following special conditions:
 - 5.1.1 Future development of the site shall comply with the ordinances in effect at the time of development.
 - 5.1.2 Future development of the site shall comply with all bulk, use, and development standards of the R-4 zoning district listed in UDC 11-2A-5.
 - 5.1.3 Any property or easements needed by the City of Meridian to provide any sewer or water infrastructure needed in furtherance of this Agreement shall be provided by the Owner/Developer at no cost to the City. The City and the Owner/Developer will meet and confer to find a mutually acceptable location for the easement.
 - 5.1.3.A. If possible, the City will attempt to locate the sewer easement along the northernmost boundary of the subject property within 150 feet of the property line. If in the alternative the City has to place the sewer line into a section of the property used for agricultural purposes at the time of this Agreement then the City shall construct the manholes, necessary for maintenance and repair, in an elevated manner to allow for the continuation of the agricultural operation; and
 - 5.1.3.B. If the City has to construct the manholes in an elevated manner then the City and the Owner/Developer shall meet and confer to establish a maintenance schedule for this infrastructure to lessen the impact to the agricultural operation of the property; and

5.1.3.C. The City will provide notice to the Owner/Developer as to when the construction may begin on the easement parcel; and

5.1.3.D. If at the time of notice there are existing crops on the easement parcel that will still be in the growing process at the time of construction or the land has been prepared for planting the City will pay the fair market value of that portion of crop or the lost expense of land preparation that will be lost due to the construction. This is a single, one-time only transaction. If crops are planted after the City provides notice then no compensation is warranted and the Owner/Developer assumes the risk for those crops.

5.1.4. Any future development of the site will require an amendment to this Development Agreement to approve any proposed development plan. The first such application for this approval shall be at no cost to the Owner/Developer

5.1.5 If the Owner/Developer wishes to re-zone the subject property, the first such application for this approval shall be at no cost to the Owner/Developer. This clause does not apply to any application to subdivide the property under the existing zone.

6.

COMMITMENTS AND CONDITIONS BY THE CITY OF MERIDIAN

6.1 The intent of the parties to this Agreement is to provide for the advancement of sewer and water infrastructure (utility infrastructure) for the benefit of the subject property, the City of Meridian, and adjacent and adjoining properties. In furtherance of that objective the City of Meridian will be providing the needed infrastructure of:

- 6.1.a. Water Mains; and
- 6.1.b. Sewer Mains; and
- 6.1.c. Trunk Lines.

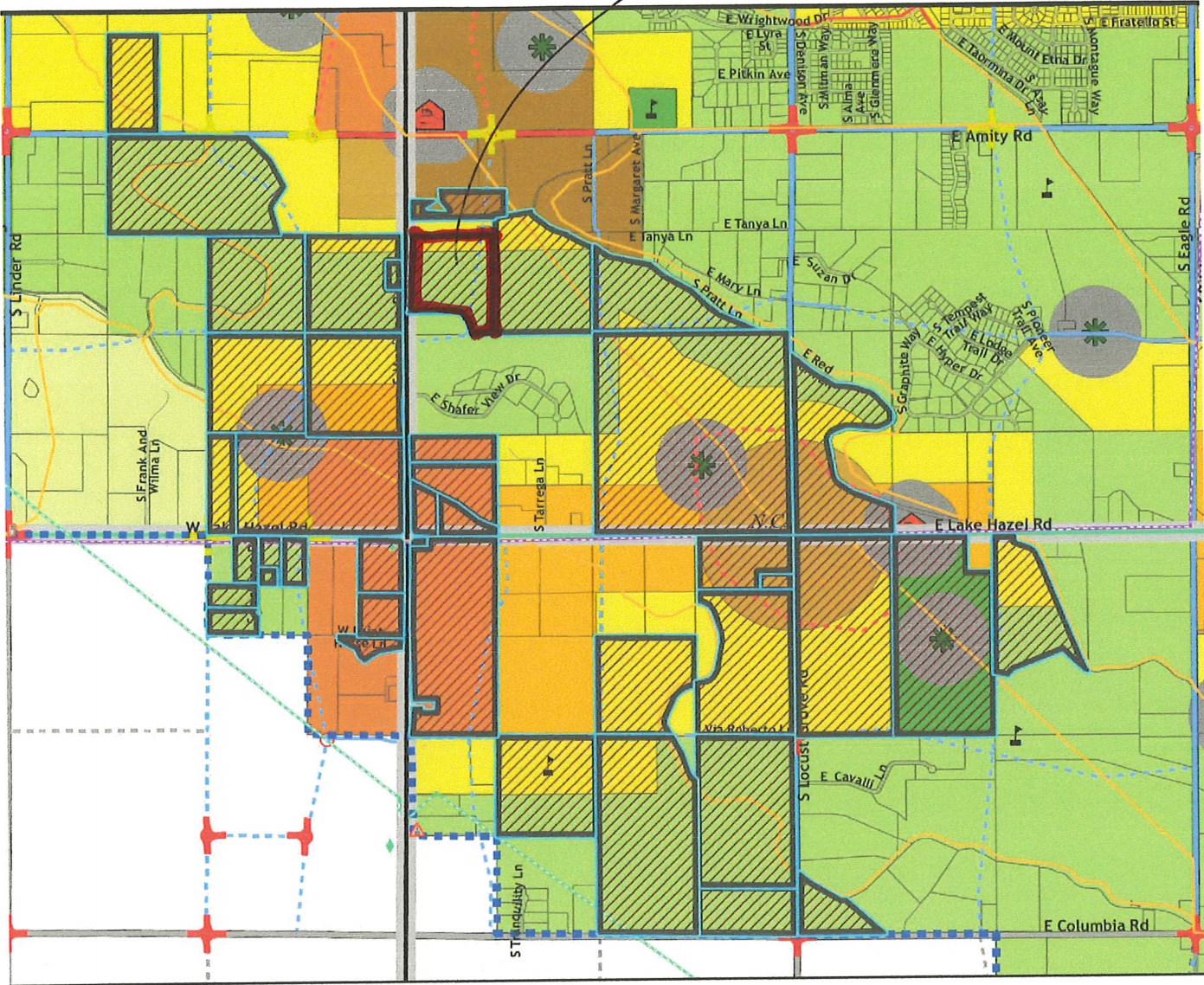
As described in Attachment 1 , incorporated by reference to this Agreement. The city will endeavor to design the infrastructure in manner consistent with the Sewer Master Plan (including the assumptions and tolerances included in the plan) in existence at the time of the adoption of this Agreement.

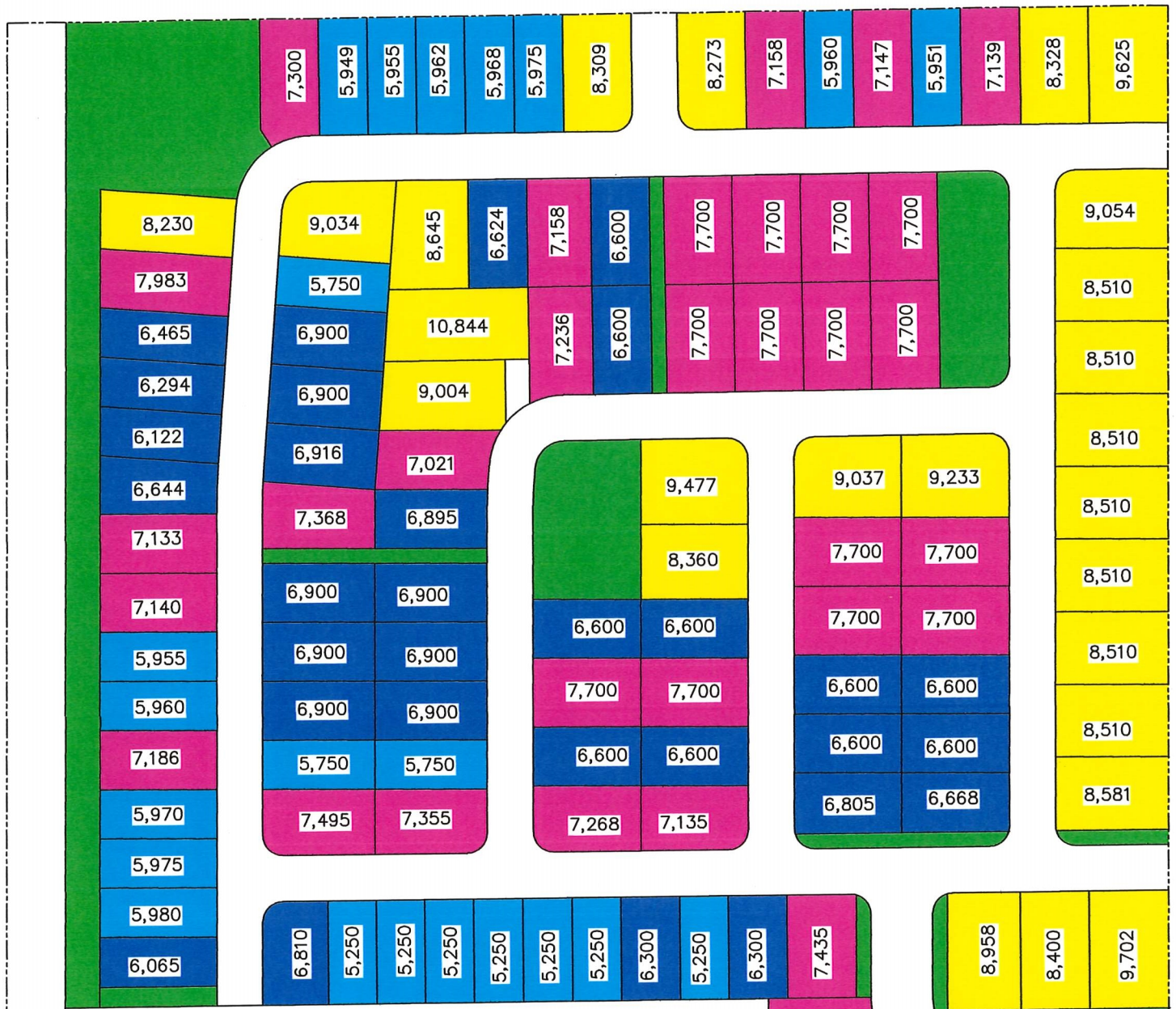
6.2 The City of Meridian shall be expending funds to plan, design, and construct the utility infrastructure as described in 6.1 over the course of time. The City anticipates completion of the initial phase of said infrastructure in or about Meridian Road/State Highway 69 on or about two (2) years and on or about four (4) years in or about Linder Road and Victory Road from the date of the publication of the Annexation ordinance

EXHIBIT A

SITE

2. Future Land Use Map





PERCY SUBDIVISION

113 LOTS – R8 ZONE	22 – 5000's(19%)
28.51 ACRES	31 – 6000's(27%)
3.96 LOTS/ACRE	33 – 7000's(29%)
	27 – 8000's+(24%)

