## Hearing Date: February 1, 2018

File No.: H-2017-0167
Project Name: Whistle Stop
Request: Request for:

- Rezone of 5.73 acres of land from the L-O to the R-15 zoning district;
- Conditional use permit for a multi-family development consisting of 68 residential units on 5.7 acres of land in the R-15 zoning district;
- Combined preliminary \& final plat for 16 building lots and 3 common lots on 5.7 acres of land in the R-15 zoning district, by Biltmore Company.

Location: The site is located at 1297 W. Pine Ave., in the SW $1 / 4$ of Section 12, Township 3N., Range 1W.


Type of Review Requested (check all that apply)


Project/subdivision name: WHISTLE STOP SUBDIVISION
General description of proposed project/request: PRELIMINARY AND FINAL PLAT FOR 68 UNITS

## REZONE FROM LO TO R-15

Proposed zoning district(s): R-15
Acres of each zone proposed: 5.7
Type of use proposed (check all that apply):
$\square$ Residential $\square$ Office $\square$ Commercial $\square$ Employment $\square$ Industrial $\square$ Other $\qquad$
Who will own \& maintain the pressurized irrigation system in this development? $\qquad$
Which irrigation district does this property lie within? NAMPA MERIDIAN (WITH EXISTING PI SYSTEM)
Primary irrigation source: $\qquad$ Secondary: $\qquad$
Square footage of landscaped areas to be irrigated (if primary or secondary point of connection is City water):

## Residential Project Summary (if applicable)

Number of residential units: $\quad 68 \quad$ Number of building lots: 16

Number of common lots: _3 Number of other lots:
Proposed number of dwelling units (for multi-family developments only):
1 bedroom: 8 2-3 bedrooms: 60 4 or more bedrooms: $\qquad$
Minimum square footage of structure (excl. garage): $0 \quad$ Maximum building height: 30
Minimum property size (s.f): $\quad 8627 \mathrm{sf}$ Average property size (s.f.): 12714
Gross density (Per UDC 11-1A-1): 11.92 Net density (Per UDC 11-1A-1): 18.3
Acreage of qualified open space: 1.45 Percentage of qualified open space: $25.4 \%$ $\qquad$
Type and calculations of qualified open space provided in acres (Per UDC 11-3G-3B): see attached map

Amenities provided with this development (if applicable): TOT LOT PLAY AREA, COVERED BIKE SPACES, TWO PATHS
Type of dwelling(s) proposed: $\square$ Single-family Detached $\square$ Single-family Attached $\square$ Townhouse
$\square$ Duplex $\quad \square$ Multi-familyVertically Integrated
$\square$ Other $\qquad$

Non-residential Project Summary (if applicable) N/A
Number of building lots: ___ Common lots: $\qquad$ Other lots: $\qquad$
Gross floor area proposed: $\qquad$ Existing (if applicable):
Hours of operation (days and hours): $\qquad$ Building height: $\qquad$
Total number of parking spaces provided: $\qquad$ Number of compact spaces provided: $\qquad$

Authorization

| Print applicant name: $\ldots$ KENT BROWN |  |
| :--- | :--- | :--- |
| Applicant signature: Kext Brown |  |

# KENT BROWN PLANNING SERVICES 

December 13, 2017
Planning and Zoning,
City Council
Meridian City Hall
33 E. Broadway Ave
Meridian, ID 83642

## RE: Request for Preliminary Plat, Final Plat, Conditional Use and Rezone approval for Whistle Stop Subdivision

Dear Commissioners and Council Members:
We respectfully request the City of Meridian's approval of the Whistle Stop development. The property is located at 1297 W. Pine Street and is 5.70 acres in size.

## HISTORY

This site has been approved twice by the City for multi-family development. The original approval came with the Roundtree Subdivision. The developer installed the underground improvements, including a bridge over the Nine Mile Creek and all the water, sewer mains and pressure irrigation systems. The second approval came with a development named Double Tree Subdivision. The developer walked away from the project due to changes in the market.

## REZONE

Multi-family developments are no longer allowed in LO zones. Therefor: Whistle Stop Subdivision is required to request a zoning change to R-15 and to seek the same approval this site has been previously granted. The surrounding properties have $\mathrm{R}-15$ zoning or have LO zoning with a residential use. Our request will be in harmony with other uses in the area.

## SITE DESIGN

Whistle Stop Subdivision has two pathways, one along the south side of the Nine Mile Drain and the second along the rail road right of way. Both paths are connected into neighboring properties providing pedestrian access for the overall area. Other amenities such as raised garden beds, tot play area and covered bike parking help create an inviting neighborhood for the future residents of the Whistle Stop Subdivision.

Biltmore Company has chosen three of their signature buildings for this multi-family neighborhood. Each building provides a different selection for future residents. For example ten of the sixteen buildings are townhome style fourplexes, with the living area downstairs and two bedrooms upstairs. Five other fourplexes are more traditional; they have two bedrooms units downstairs and two bedroom units upstairs. The third building is an eightplex with four one bedroom units downstairs and four one bedroom units upstairs.
We look forward to your approval of our applications to the City of Meridian.


Planner

## RE-ZONE DESCRIPTION FOR WHISTLE STOP SUBDIVISION

Lot 2, Block 1 of Tramore Subdivision as filed in Book 87 of Plats at Pages 9825 and 9826, records of Ada County, Idaho and a portion of the N1/2 of the SW $1 / 4$ of Section 12, Township 3 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the W1/4 corner of said Section 12 from which an aluminum cap monument marking the C1/4 corner of said Section 12 bears South $89^{\circ} 30^{\prime} 02^{\prime \prime}$ East, 2653.18 feet;
thence along the East-West centerline of said Section 12 South $89^{\circ} 30^{\prime} 02^{\prime \prime}$ East, 962.89 feet to the REAL POINT OF BEGINNING;
thence continuing along said East-West centerline of said Section 12 South $89^{\circ} 30^{\prime} 02^{\prime \prime}$ East, 50.00 feet;
thence leaving said East-West centerline and along the East boundary line of said Lot 2 and the northerly extension thereof South $00^{\circ} 30^{\prime} 23^{\prime \prime}$ West, 376.01 feet;
thence along the exterior boundary line of said Lot 2 the following courses and distances;
thence South $61^{\circ} 09^{\prime} 37^{\prime \prime}$ East, 203.71 feet;
thence 127.12 feet along the arc of a curve to the left, said curve having a radius of 300.00 feet, a central angle of $24^{\circ} 16^{\prime} 43^{\prime \prime}$ and a long chord which bears South $73^{\circ} 17^{\prime} 58^{\prime \prime}$ East, 126.17 feet;
thence South $85^{\circ} 26^{\prime} 20^{\prime \prime}$ East, 26.61 feet;
thence South $85^{\circ} 06^{\prime} 46^{\prime \prime}$ East, 60.16 feet;
thence South $00^{\circ} 32^{\prime} 18^{\prime \prime}$ West, 473.56 feet;
thence North $88^{\circ} 31^{\prime} 52^{\prime \prime}$ West, 436.80 feet;
thence North $00^{\circ} 30^{\prime} 23^{\prime \prime}$ East, 980.57 feet to the REAL POINT OF BEGINNING. Containing 5.73 acres, more or less.




## DESCRIPTION FOR WHISTLE STOP SUBDIVISION

A re-subdivision of Lot 2, Block 1 of Tramore Subdivision as filed in Book 87 of Plats at Pages 9825 and 9826, records of Ada County, Idaho located in the N1/2 of the SW $1 / 4$ of Section 12, Township 3 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the W1/4 corner of said Section 12 from which an aluminum cap monument marking the C1/4 corner of said Section 12 bears South $89^{\circ} 30^{\prime} 02^{\prime \prime}$ East, 2653.18 feet;
thence along the East-West centerline of said Section 12 South $89^{\circ} 30^{\prime} 02^{\prime \prime}$ East, 962.89 feet;
thence leaving said East-West centerline South $00^{\circ} 02^{\prime} 52^{\prime \prime}$ West, 29.74 feet to a $5 / 8$ iron pin with a plastic cap marked "PLS 7045" marking the NW corner of said Lot 2, said point also being the REAL POINT OF BEGINNING;
thence along the exterior boundary line of said Lot 2 the following 2 courses and distances to a $5 / 8$ iron pin with a plastic cap marked "PLS 7045";
thence South $89^{\circ} 30^{\prime} 16^{\prime \prime}$ East, 50.00 feet;
thence South $00^{\circ} 30^{\prime} 23^{\prime \prime}$ West, 346.27 feet;
thence South $61^{\circ} 09^{\prime} 37$ " East, 203.71 feet to a $5 / 8$ iron pin with a plastic cap marked "PLS 5359";
thence 127.12 feet along the arc of a curve to the left, said curve having a radius of 300.00 feet, a central angle of $24^{\circ} 16^{\prime} 43^{\prime \prime}$ and a long chord which bears South $73^{\circ} 17^{\prime} 58^{\prime \prime}$ East, 126.17 feet to a $5 / 8$ iron pin;
thence South $85^{\circ} 26^{\prime} 20^{\prime \prime}$ East, 26.61 feet to a $5 / 8$ iron pin;
thence South $85^{\circ} 06^{\prime} 46^{\prime \prime}$ East, 60.16 feet to a $5 / 8$ iron pin with a plastic cap marked "PLS 5618";
thence South $00^{\circ} 32^{\prime} 18^{\prime \prime}$ West, 473.56 feet to a point witnessed by a $5 / 8$ iron pin with a plastic cap marked "PLS 972" North $00^{\circ} 32^{\prime} 18^{\prime \prime}$ East, 25.00 feet;
thence North $88^{\circ} 31^{\prime} 52^{\prime \prime}$ West, 436.80 feet to a point witnessed by a $5 / 8$ iron pin with a plastic cap marked "PLS 7045" North $00^{\circ} 30^{\prime} 23^{\prime \prime}$ East, 25.00 feet;
thence North $00^{\circ} 30^{\prime} 23^{\prime \prime}$ East, 950.83 feet to the REAL POINT OF BEGINNING. Containing 5.70 acres, more or less.

## WARRANTY DEED

ROUNDTREE DEVELOPMENT, LLC, an Idaho Limited Liability Company, Grantor, hereby conveys, grants and warrants to, Marlon Hughes and Patricia L. Hughes, husband and wife, herein collectively Grantee, whose address is 201 Blackberry, Midland, Texas 79701, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

Lot 2 in Block 1 of TRAMORE SUBDIVISION, according to the official plat thereof, filed in Book 87 of Plats at Pages 9825 and 9826, records of Ada County, Idaho.

SUBJECT TO taxes and assessments for the year 2016 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantee that it is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that it will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 14 day of January, 2016.



County of Midland :ss $\quad \because: \ldots, \cdots \quad$, 中:
On this 14 th day of January, 2016, before me, a Notary Public, personally appeared MARLON HUGHES, the authorized Manager of HUGHES PROPERTIES, LLC, an Idaho Limited Liability Company, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of HUGHES PROPERTIES, LLC, Member of Roundtree Development, LLC, and was so authorized to do so.


## AFFIDAVIT OF LEGAL INTEREST

## STATE OF IDAHO )

COUNTY OF ADA )

being first duly sworn upon, oath, depose and say:

1. That I am the record owner of the property described on the attached, and I grant my permission to:

KENT BROWN
(name)

## 3161 SPRINGWOOD DR MERIDIAN ID

(address)
to submit the accompanying application(s) pertaining to that property.
2. I agree to indemnify, defend and hold the City of Meridian and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
3. I hereby grant permission to City of Meridian staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 21 day of_November , 20_17

(Signature)
SUBSCRIBED AND SWORN to before me the day and year first above written.


$$
\text { My Commission Expires: } \quad 1-25-22
$$






## NOISINIOAOS dOLS ヨาLSIHM

## CITY OF MERIDIAN

## Pre-Application Meeting Notes

## Project/Subdivision Name: Double Tree Subdivision

Applicant(s)/Contact(s): Kevin Amar, Jeremy Amar, Kent Brown, Chad Kinkela
City Staff: Sonya, Bill, Kim, Brian, Joe, Denny, Amanda, Tom, Stephanie, Brock
Location: 1297 W. Pine Ave.
Size of Property: 5.7
Comprehensive Plan FLUM Designation: HDR
Existing Use: vacant/undeveloped
Proposed Use: multi-family development (16) 4-plexes consisting of 64-68 units
Existing Zoning: L-O

Surrounding Uses: MFR, SFR, residential care facility
Street Buffer(s) and/or Land Use Buffer(s): a 25 ' wide buffer is required along Pine
Open Space/Amenities/Pathways: 10 ' wide multi-use pathway along the north side of the canal and along the south boundary
adjacent to railroad corridor - coordinate with Kim in Parks; Comply with open space \& site amenity requirements in UDC11-3G-3
Access/Stub Streets/Street System: Existing access via Pine Ave.; connect driveway to existing driveway at east boundary \& grant a cross-access easement to property to the east
Waterways/ Floodplain/Topography/Hazards: The Nine Mile Drain bisects this site \& is required to be left open as it's a natural waterway per UDC 11-3A-6A.1; the Rutledge Lateral runs along south boundary of site within a $25^{\prime}$ wide easement \& is piped; a 10' PUDI easement also exists along south boundary (see plat); a portion of the site lies within the floodplain overlay district
History: PFP-01-006; CUP-01-036 (Tramore); CUP-04-018; PP-04-018; FP-04-076 (Roundtree); CUP-07-002; PP-07-004 (Doubletree)
Additional Meeting Notes: Lot 2, Block 1, Tramore Subdivision

- Rezone property from L-O to R-15 or R-40
- Conditional use permit for a multi-family development in the R -15 district
- Comply with the specific use standards listed in UDC 11-4-3-27 for multi-family developments
- A floodplain development permit application is required to be submitted for development within the floodplain; a hydrologic analysis to determine Base Flood Elevation and delineate floodway may be required.
- Comply with 2015 International Fire Code

Note: A Traffic Impact Study (TIS) will be required by ACHD for large commercial projects and any residential development with over 100 units. To avoid unnecessary delays \& expedite the hearing process, applicants are encouraged to submit the TIS to ACHD prior to submitting their application to the City. Not having ACHD comments and/or conditions on large projects may delay hearing(s) at the City. Please contact Mindy Wallace at 3876178 or Christy Little at 387-6144 at ACHD for information in regard to a TIS, conditions, impact fees and process.

## Other Agencies/Departments to Contact:

$\square$ Ada County Highway Dist. (ACHD)
Idaho Transportation Dept. (ITD)
$\square$ Republic Services
$\square$ Central District Health Department

$\square$ Conditional Use Permit Modification/Transfer
$\square$ Development Agreement Modification
$\times$ Combined Preliminary/Final Plat
$\square$ Final Plat Modification
$\square$ Planned Unit Development
$\square$ Preliminary Plat
$\square$ Private Street

$X$ Rezone
$\square$ Short Plat
$\square$ Time Extension - Council UDC Text Amendment Vacation Variance Other

Notes: 1) Applicants are required to hold a neighborhood meeting in accord with UDC 11-5A-5C prior to submittal of an application requiring a public hearing (except for a vacation or short plat); and 2) All applicants for permits requiring a public hearing shall post the site with a public hearing notice in accord with UDC 11-5A-5D. 3 (except for UDC text amendments, Comp Plan text amendments, and vacations). The information provided during this meeting is based on current UDC requirements and the Comprehensive Plan. Any subsequent changes to the UDC and/or Comp Plan may affect your submittal and/or application. This pre-application meeting shall be valid for four (4) months.

## 1297 Pine Street Neighborhood Meeting

Start Time of Neighborhood Meeting: $\qquad$

Those in attendance please print your name and address. If no one attended, Applicant please write across this form "No one attended."


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19. $\qquad$

## COMMITMENT OF PROPERTY POSTING

Per Unified Development Code (UDC) 11-5A-5D, the applicant for all applications requiring a public hearing (except for a UDC text amendment, a Comprehensive Plan text amendment and/or vacations) shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice of the application(s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign(s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign(s) shall be removed no later than three (3) days after the end of the public hearing for which the sign(s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in UDC 11-5A-5.


Applicant/agent signature

12/6/17
Date

## Parcel Verification

Date: 12/12/17
The parcel information below has been researched and verified as correct by the City of Meridian Community Development Department.

## Project Name: Whistle Stop Subdivision

Parcel Number: R8521560020

$$
\text { Acres: } 5.7
$$

T/R/S: $\quad$ 3N 1W 12

Property Owner: Marlon Hughes<br>201 Blackberry<br>Midland, TX 79701

# ENGINEERING P.C. Civil Engineering * Project Management 

DATE: December 13, 2017
TO: City of Meridian
33 E. Broadway Avenue
Meridian, ID 83642
RE: Whistle Stop Subdivision a.k.a. Roundtree Subdivision Construction plans
To whom it may;
This project's construction plans were previously reviewed and approved by the City of Meridian on $3 / 14 / 05$. Since that time the majority of the site has been constructed, sewer main, sewer services, water main, water services, fire hydrants, pressure irrigation system and the storm drain system.

The balance of the site will be built in substantial compliance with approved grading plan.

If additional information is needed, please do not hesitate to call me.
Respectfully submitted,


Chad S. Kinkela, P.E.
CK Engineering, P.C.

## RE: Whistle Stop Sub

## 2 messages

Sub Name Mail [subnamemail@adaweb.net](mailto:subnamemail@adaweb.net)
To: kent brown [kentlkb@gmail.com](mailto:kentlkb@gmail.com)
Cc: Gregory Carter [gcarter@idahosurvey.com](mailto:gcarter@idahosurvey.com)

December 4, 2017

## Kent Brown

Gregory Carter, Idaho Survey Group

RE: Subdivision Name Reservation: WHISTLE STOP SUBDIVISION

At your request, I will reserve the name Whistle Stop Subdivision for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,


```
Jerry L. Hastings, PLS 5359
County Surveyor
Deputy Clerk Recorder
Ada County Development Services
200 W. Front St., Boise, ID }8370
(208) 287-7912 office
(208) 287-7909 fax
```

From: kent brown [mailto:kentlkb@gmail.com]
Sent: Friday, December 01, 2017 11:01 AM
To: Sub Name Mail
Subject: Re: Need to reserve a subdivision name

So Whistle Stop could be reserved

Kent

On Fri, Dec 1, 2017 at 9:38 AM, Sub Name Mail [subnamemail@adaweb.net](mailto:subnamemail@adaweb.net) wrote:
Kent;
The name cannot use "AT"

If you can come up with a different version, Whistle could be used.


Glen Smallwood<br>Surveying Technician<br>Ada County Development Services<br>200 W. Front St., Boise, ID 83702<br>(208) 287-7926 office<br>(208) 287-7909 fax

From: kent brown [mailto:kentlkb@gmail.com]
Sent: Wednesday, November 29, 2017 1:18 PM
To: Sub Name Mail
Subject: Need to reserve a subdivision name
Hello I wish to reserve" Whistle Stop At Pine " for Biltmore Company
The Developer is Biltmore Company
Planner Kent Brown
Surveyor is Greg Carter
Engineer is Chad Kinkela
Lot 2 Block 1 Tramore Subdivision or 1297 Pine
Kent Brown

## Kent Brown Planning Services

3161 E. Springwood Drive
Meridian, ID 83642
P: 208-871-6842
kent brown [kentlkb@gmail.com](mailto:kentlkb@gmail.com)
Mon, Dec 4, 2017 at 5:09 PM
To: Sub Name Mail [subnamemail@adaweb.net](mailto:subnamemail@adaweb.net)
Thanks so much
[Quoted text hidden]
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Kent Brown












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# ENGINEERING P.C. <br> Civil Engineering * Project Management 

DATE: December 13, 2017

## TO: City of Meridian

33 E. Broadway Ave
Meridian, ID 83642

## RE: Whistle Stop Subdivision Seasonal High Groundwater

To whom it may concern:
Based on a geotechnical report prepared by Bob Arnold, groundwater is at least 8 feet below existing ground elevation. All streets have been designed so that the centerline of the street is at least 3 feet above seasonal groundwater.

Respectfully submitted,


Chad S. Kinkela, P.E.
CK Engineering, P.C.


| ${\underset{\omega}{\omega}}_{\stackrel{\text { 侖 }}{4}}$ |  |  | PRELIMINARY PLAT OPEN SPACE EXHIBIT | WHISTLE STOP SUBDIVISION BILTMORE COMPANY MERIDIAN IDAHO | REVSIONS: $\qquad$ |
| :---: | :---: | :---: | :---: | :---: | :---: |







