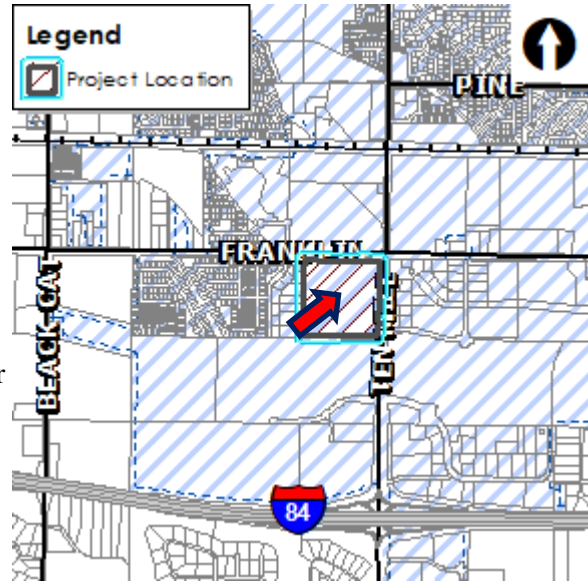


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/9/2022
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: FP-2022-0014
Outer Banks – FP
LOCATION: Generally located at the southwest corner of W. Franklin Rd. & S. Ten Mile Rd. at 75 S. Ten Mile Rd., in the NE 1/4 of Section 15, T. 3N., R.1E.



I. PROJECT DESCRIPTION

Final plat consisting of 24 building lots and two (2) common lots on 36.07 acres of land in the R-40 and C-C zoning districts for Outer Banks subdivision.

II. APPLICANT INFORMATION

- A. Applicant:
Wendy Shrief, JUB Engineers – 250 S Beechwood Ave, Ste. 201, Boise, ID 83709
- B. Owner:
10 Mile Franklin, LLC – 837 Jefferson Blvd., West Sacramento, CA 95691
- C. Representative:
Same as Applicant

III. STAFF ANALYSIS

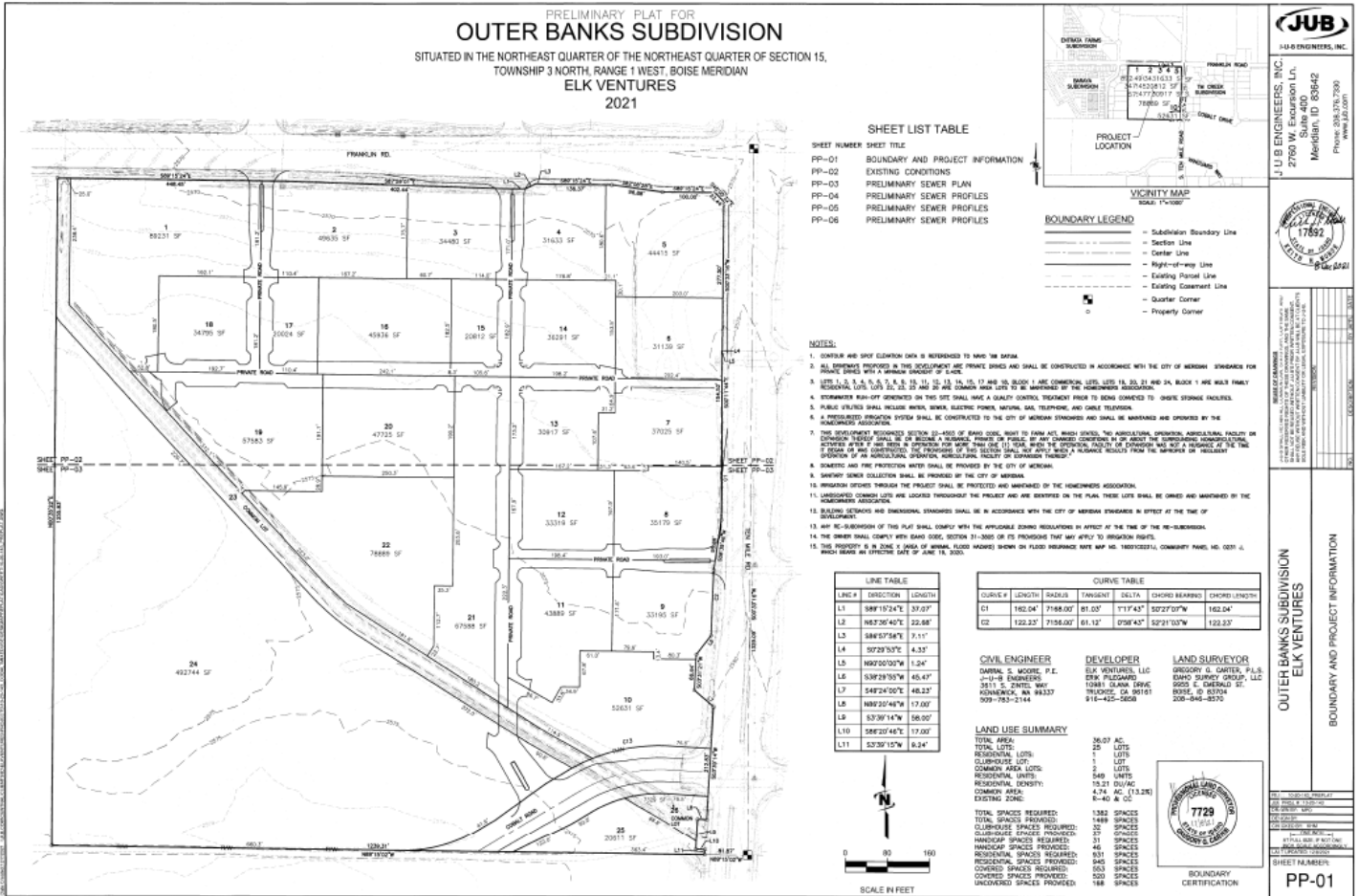
Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat (H-2021-0063) and associated conditions of approval as required by UDC 11-6B-3C.2. There are the same number of buildable lot and common open space depicted on the proposed final plat as shown on the approved preliminary plat. Therefore, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

IV. DECISION

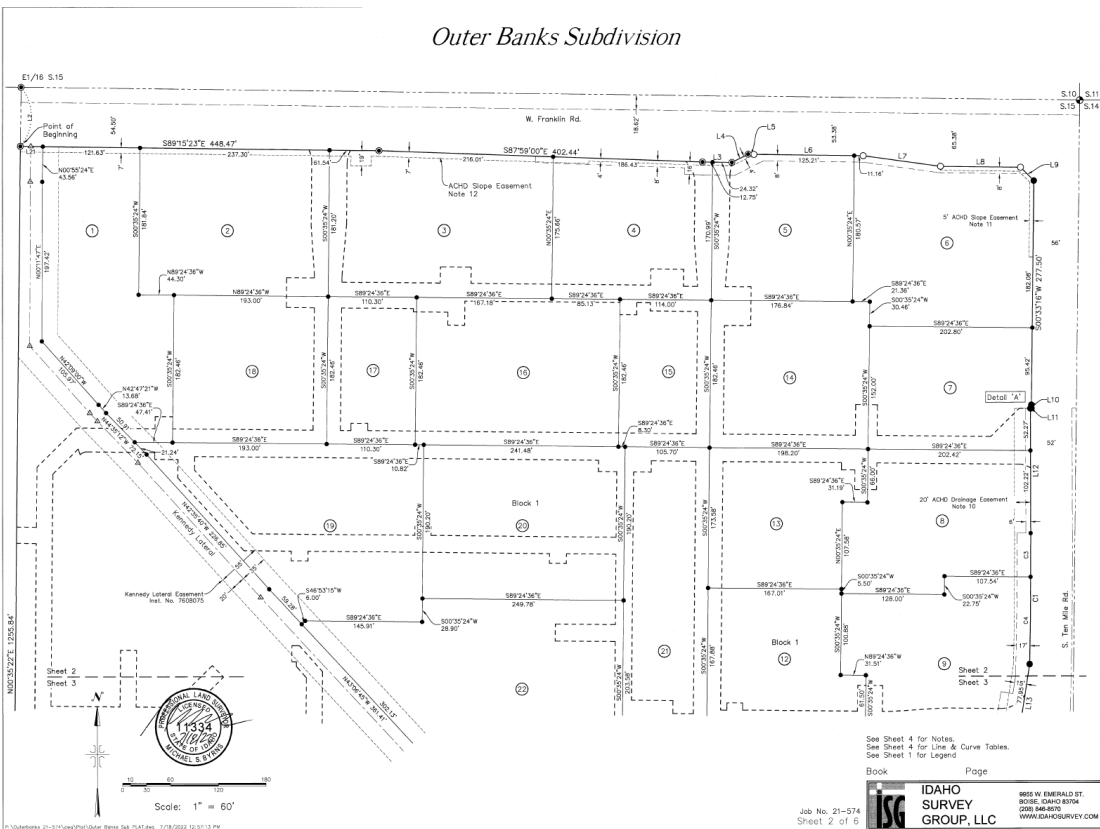
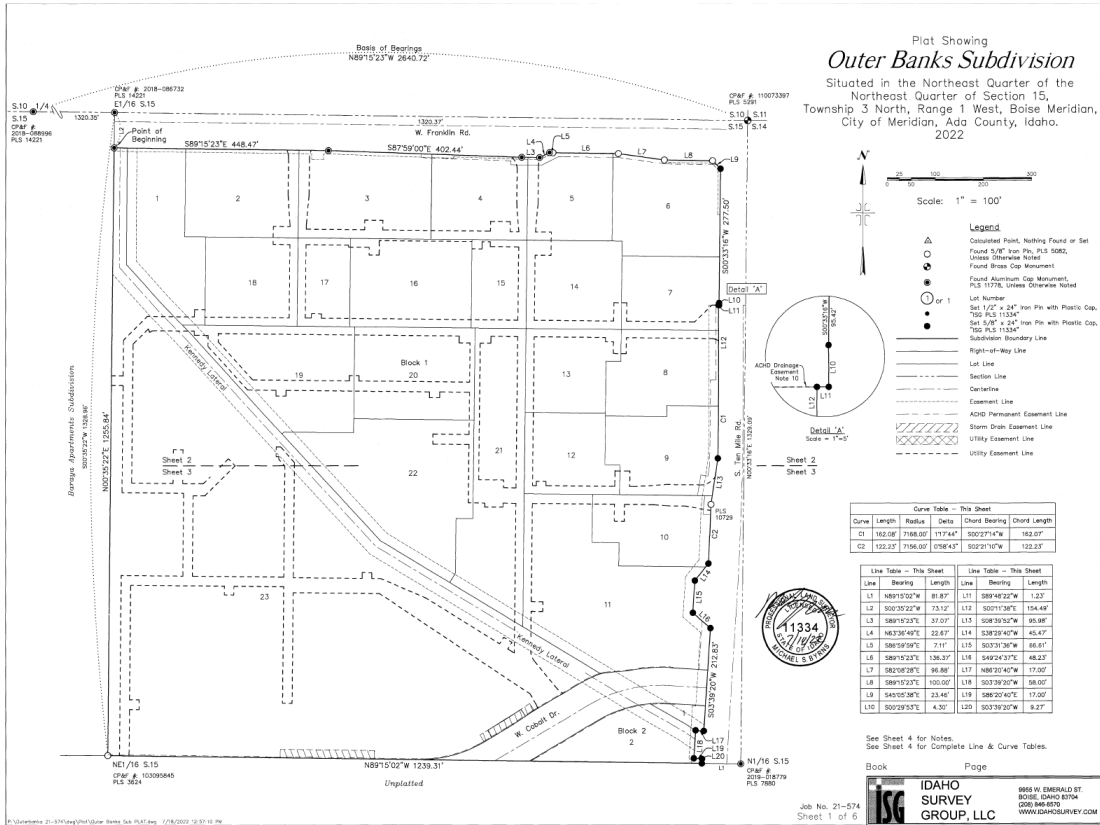
Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report.

V. EXHIBITS

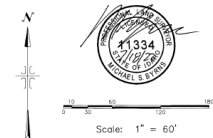
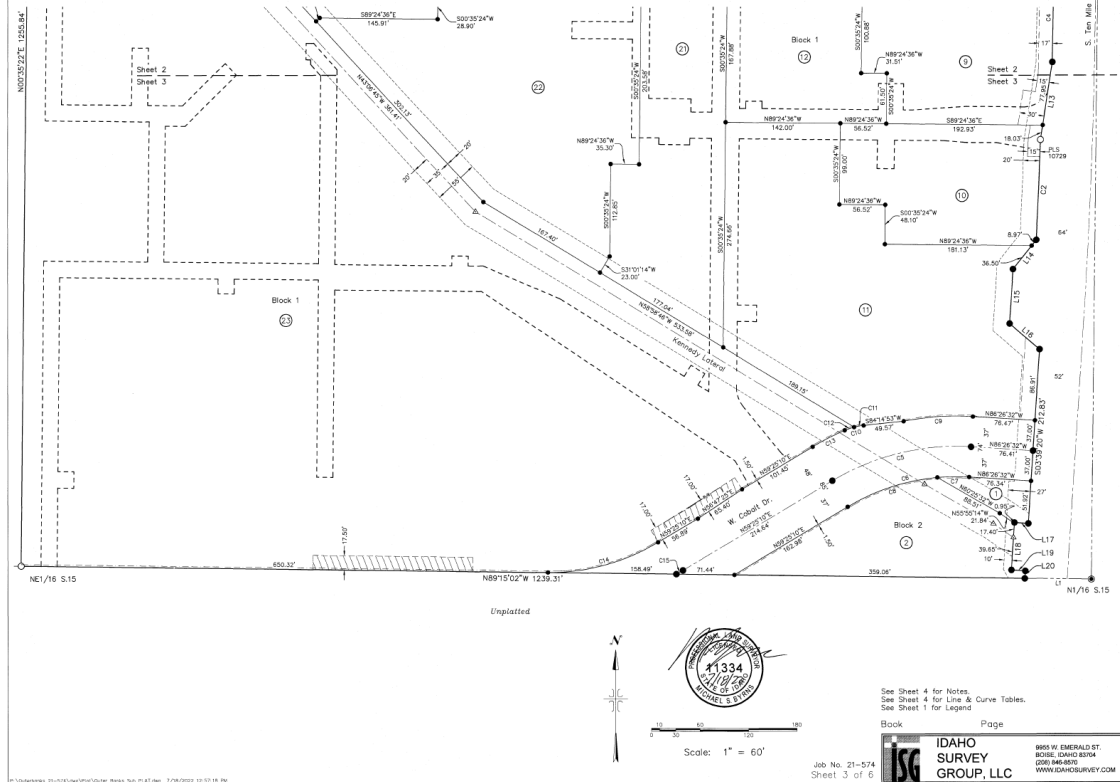
A. Preliminary Plat (date: 12/8/2021)



B. Final Plat (date: 7/18/2022)



Outer Banks Subdivision



See Sheet 4 for Notes
See Sheet 4 for Line & Curve Tables
See Sheet 1 for Legend

Book _____ Page _____

IDAHO SURVEY GROUP, LLC

865 W. EMERALD ST.
BOISE, IDAHO 83744
(208) 846-8200
WWW.IDAHOSURVEY.COM

Job No. 21-574
Sheet 3 of 6

\\idagroup\21-574\Drawings\Outer Banks Sub PL\1334.dwg 7/19/2022 10:37:18 AM

Outer Banks Subdivision

Curve Table					
Curve	Length	Radius	Delta	Chord Bearing	Chord Length
C1	162.00	7168.00	117°44'	S00°27'14"W	162.00
C2	122.23	7168.00	09°40'	S02°21'10"W	122.23
C3	54.12	7168.00	03°05'	N02°01'20"E	54.12
C4	107.93	7168.00	07°48'	N00°40'12"E	107.93
C5	178.32	300.00	34°08'17"	S76°23'19"W	178.11
C6	156.70	263.00	24°08'17"	S76°23'19"W	154.39
C7	39.25	263.00	03°31'07"	S89°19'37"W	39.25
C8	117.45	383.00	25°39'11"	S72°42'49"W	116.48
C9	86.00	337.00	14°37'46"	S86°43'34"W	85.81
C10	24.31	79.00	17°31'03"	S70°23'22"W	24.21
C11	12.64	79.00	8°40'30"	S79°54'36"W	12.03
C12	12.67	79.00	8°52'00"	S71°04'24"W	12.35
C13	44.41	348.00	27°16'40"	S63°04'30"W	44.30
C14	142.84	263.00	30°26'17"	N74°53'19"E	142.81
C15	9.36	300.00	17°47'10"	N67°18'49"E	9.36

Line Table		
Line	Bearing	Length
L1	N89°15'02"W	81.87
L2	S00°20'24"W	73.12
L3	S89°15'23"E	37.02
L4	N63°36'49"E	22.67
L5	S81°59'59"E	7.11
L6	S89°15'23"E	136.37
L7	S00°09'28"E	96.86
L8	S89°15'23"E	100.00
L9	S45°05'38"E	23.46
L10	S02°29'53"E	4.30
L11	S89°48'22"W	1.23
L12	S00°11'36"E	154.49
L13	S68°39'52"W	92.88
L14	S38°29'40"W	45.47
L15	S03°31'36"W	66.61
L16	S49°24'37"E	48.23
L17	S46°20'47"W	17.00
L18	S63°39'20"W	58.00
L19	S86°20'40"E	17.00
L20	S03°39'20"W	9.27
L21	S89°15'23"E	28.00

- Notes:**
- This development recognizes Idaho code, title 23, chapter 45 (Right to Farm Act, section 22-4503), which states "no agricultural operation, agricultural facility or operation thereof shall be or become a nuisance, public or private, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or operation was not seasonal the time it began or was constructed. The provisions of this section shall not apply when favorable results from the improper or negligent operation of an agricultural operation, agricultural facility or operation thereof."
 - This subdivision is subject to compliance with the Idaho code section 21-3805 concerning irrigation water. Irrigation water will be provided by the City of Meridian in compliance with Idaho code section 21-3802(1)(a). All lots within this subdivision will be entitled to water rights, and will be obligated for assessments from the City of Meridian.
 - Minimum building setbacks from shall be in accordance with the zoning ordinance at the time of issuance of any building permit. All lot, corner and street areas and street dimensions established in the zoning ordinance.
 - Maintenance of any irrigation or irrigation drainage pipe or ditch crossing a lot is the responsibility of the homeowners association, unless such responsibility is governed by an irrigation/drainage district.
 - Direct lot access to W. Franklin Rd. and S. Ten Mile Rd. are prohibited unless specifically allowed by the Ada County Highway District and City of Meridian.
 - A portion of Lots 1, 11, 19, 21, 22, 23, Block 1 and Lots 1 and 2, Block 2 contain the Kennedy Lateral Easement which has a 10' wide operation and maintenance easement, 50' on the north side of the centerline and 20' on the south side of the centerline.
 - Lots 1 and 2, Block 2 are common lots, to be owned and maintained by the Homeowners' Association.
 - Lot 22, Block 1 is designated as a Club House Lot.
 - Existing Ada County Highway District Drainage Easement, Instrument No. 109000660.
 - Existing Ada County Highway District Easement, Instrument No. 100181058.
 - Existing Ada County Highway District Easement, Instrument No. 2015-060647.
 - Existing City of Meridian Utility Easement, Instrument No. _____

Survey References:

Subdivisions: Range Apartments, Tr. Cont. No. 1 & 2
OP#s: 2018-086732, 110273397, 2019-018779 and 133309845.
Deeds: 2021-121819, 2021-072633, 188181001, 109000660, and 2015-060548.
Easements: 1626275, 106181054, 109000660 and 2015-060547.
Rents: 1846, 4446, 4807, 3076, 6184, 8216, 8458, 8094, 8943, 8995, 9056, 11039, 11256, 12323, and 13192.

Surveyors Narrative:

The purpose of this survey is to subdivide the property shown herein. This survey is a portion re-entrantment of R06 8942, 9036, & 11233.



Book _____ Page _____

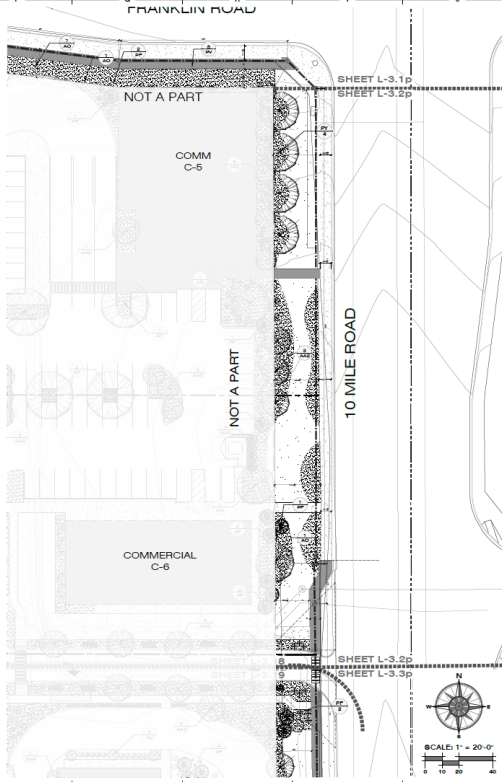
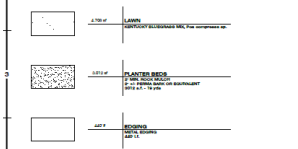
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Job No. 21-574
Sheet 4 of 6

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PLANT SCHEDULE (L-3.1p)	SYMBOL	DESCRIPTION	QUANTITY	UNIT
1	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
2	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
3	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
4	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
5	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
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14	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
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16	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
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19	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
20	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree



TERRY T. KING
 ARCHITECT & PLANNING
 402 E. Main Street
 Boise, ID 83724
 (208) 333-3333
 www.ttkinc.com

10 Mile Final Plat Landscape Plan

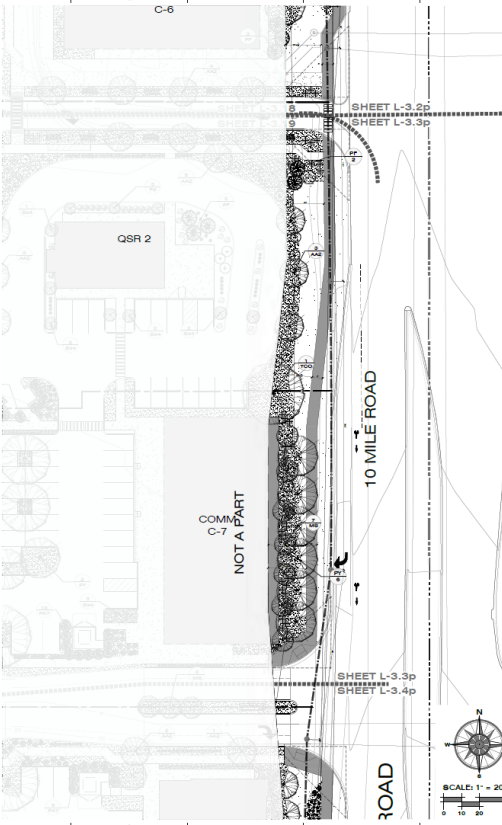
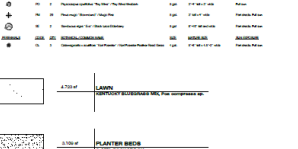
Outer Banks Subdivision

10 Mile and Franklin
 Parcel Number S121110058
 Meridian • Idaho • 83642

Drawn by: mo
 Checked by: sk
 Date: July 21, 2022
 Revisions:

L-3.2p
SHEET

PLANT SCHEDULE (L-3.2p)	SYMBOL	DESCRIPTION	QUANTITY	UNIT
1	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
2	(Symbol)	1.5" x 1.5" x 1.5" Green Island Spruce	10	Tree
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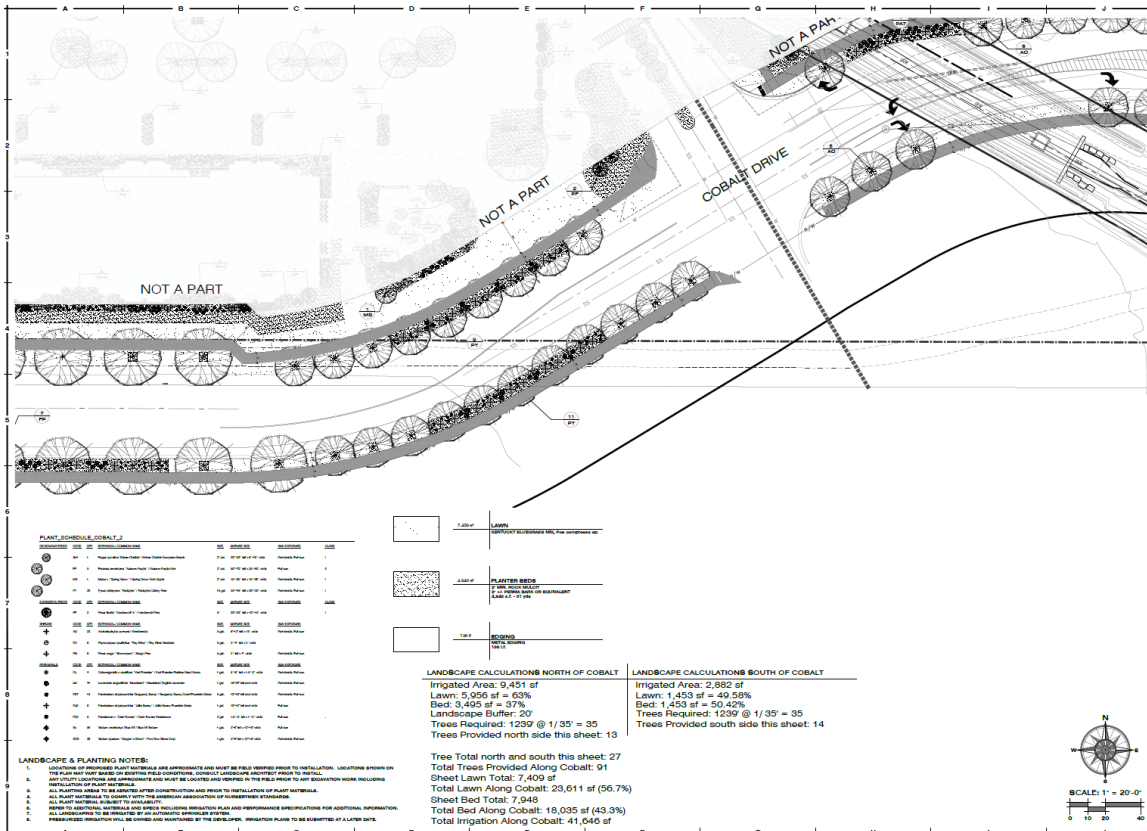
10 Mile Final Plat Landscape Plan

Outer Banks Subdivision

10 Mile and Franklin
 Parcel Number S121110058
 Meridian • Idaho • 83642

Drawn by: mo
 Checked by: sk
 Date: July 21, 2022
 Revisions:

L-3.3p
SHEET



TERRY KING
 10 Mile and Franklin
 Parcel Number S 1215110088
 Meridian • Idaho • 83642

Outer Banks Subdivision

Cobalt Dr. Final Plat
 Landscape Plan

drawn by: mo
 checked by: bk
 date: July 21, 2022

L-3.6p
 SHEET

PLANT SCHEDULE COBALT 2

SYMBOL	QTY	DESCRIPTION	SIZE	SPACING	REMARKS
1	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
2	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
3	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
4	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
5	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
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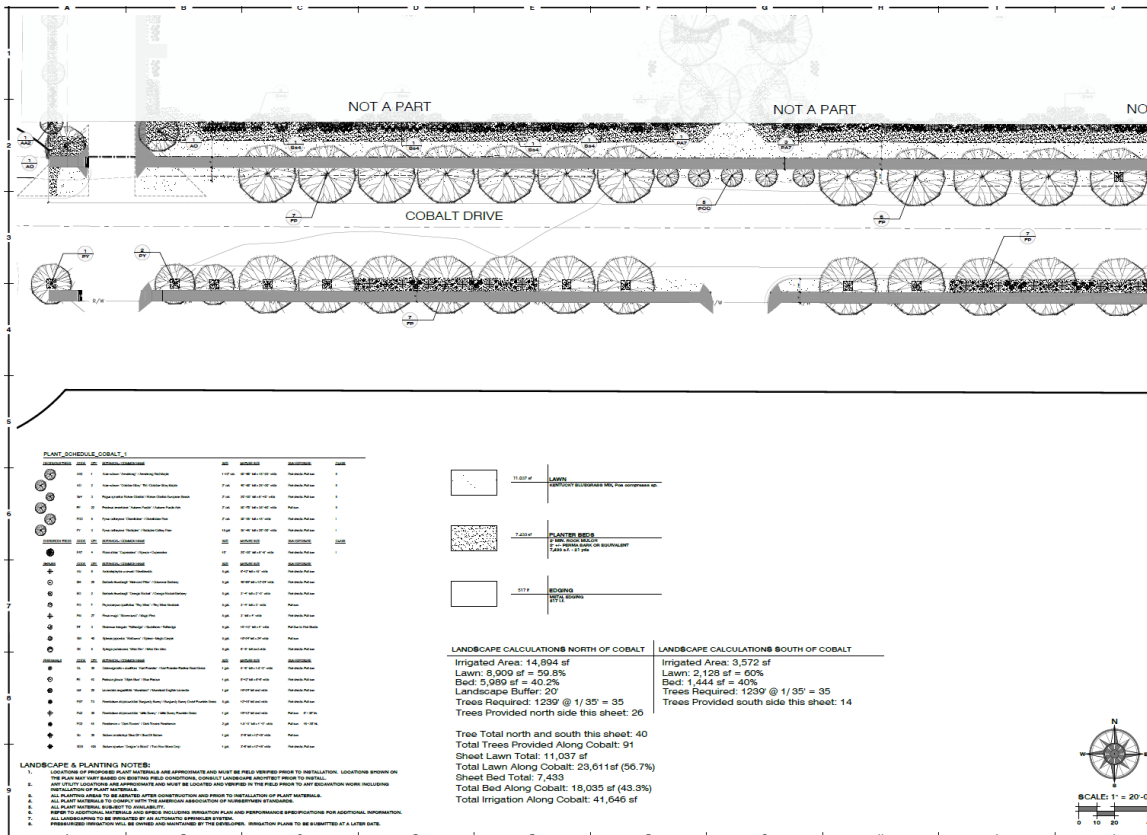
LANDSCAPE CALCULATIONS NORTH OF COBALT

Irrigated Area: 9,451 sf
 Lawn: 5,956 sf = 63%
 Bed: 3,495 sf = 37%
 Landscape Buffer: 20'
 Trees Required: 1239 @ 1/35' = 35
 Trees Provided north side this sheet: 13

LANDSCAPE CALCULATIONS SOUTH OF COBALT

Irrigated Area: 2,862 sf
 Lawn: 1,453 sf = 50.8%
 Bed: 1,409 sf = 49.2%
 Trees Required: 1239 @ 1/35' = 35
 Trees Provided south side this sheet: 14

Tree Total north and south this sheet: 27
 Total Trees Provided Along Cobalt: 91
 Sheet Lawn Total: 7,409 sf
 Total Lawn Along Cobalt: 23,611 sf (56.7%)
 Sheet Bed Total: 7,948
 Total Bed Along Cobalt: 18,035 sf (43.3%)
 Total Irrigation Along Cobalt: 41,646 sf



TERRY KING
 10 Mile and Franklin
 Parcel Number S 1215110088
 Meridian • Idaho • 83642

Outer Banks Subdivision

Cobalt Dr. Final Plat
 Landscape Plan

drawn by: mo
 checked by: bk
 date: July 20, 2022

L-3.7p
 SHEET

PLANT SCHEDULE COBALT 1

SYMBOL	QTY	DESCRIPTION	SIZE	SPACING	REMARKS
1	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
2	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant
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20	1	Redbud Tree (New York)	12" x 12" x 12" (12")	12' x 12'	Plant

LANDSCAPE CALCULATIONS NORTH OF COBALT

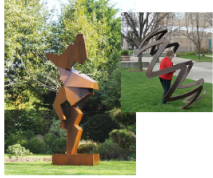
Irrigated Area: 14,994 sf
 Lawn: 8,900 sf = 59.8%
 Bed: 5,994 sf = 40.2%
 Landscape Buffer: 20'
 Trees Required: 1239 @ 1/35' = 35
 Trees Provided north side this sheet: 26

LANDSCAPE CALCULATIONS SOUTH OF COBALT

Irrigated Area: 3,572 sf
 Lawn: 2,128 sf = 60%
 Bed: 1,444 sf = 40%
 Trees Required: 1239 @ 1/35' = 35
 Trees Provided south side this sheet: 14

Tree Total north and south this sheet: 40
 Total Trees Provided Along Cobalt: 91
 Sheet Lawn Total: 11,027 sf
 Total Lawn Along Cobalt: 23,611 sf (56.7%)
 Sheet Bed Total: 7,433
 Total Bed Along Cobalt: 18,035 sf (43.3%)
 Total Irrigation Along Cobalt: 41,646 sf

D. Public Art – Conceptual Plan



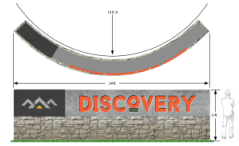
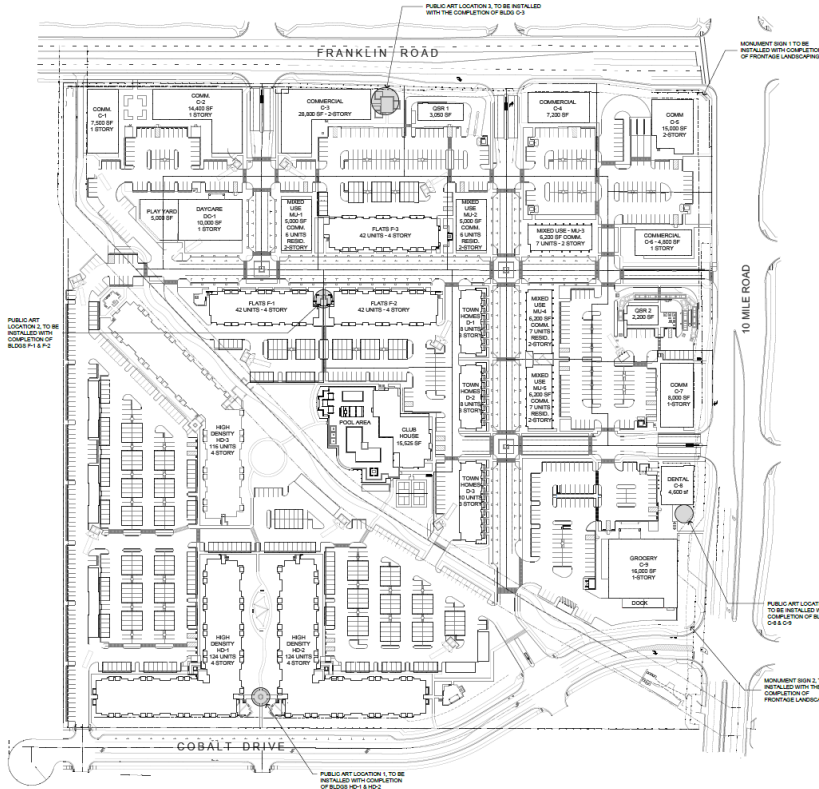
PUBLIC ART CONCEPT - ABSTRACT



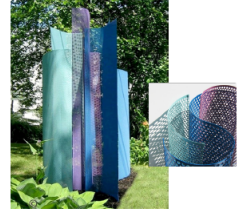
PUBLIC ART CONCEPT - ILLUMINATION



PUBLIC ART CONCEPT - MOVEMENT



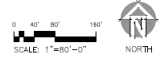
MONUMENT SIGN, TYPICAL TWO LOCATIONS



PUBLIC ART CONCEPT - FORM & TEXTURE



PUBLIC ART CONCEPT - INTERACTIVE



OUTER BANKS SUBDIVISION MASTER SITE PLAN - PUBLIC ART LOCATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

07.20.2022

1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T 916 782 7200 borgesarch.com



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall comply with all previous conditions of approval associated with this development [H-2021-0025 (DA Inst. #2021-132704); H-2021-0063].
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of approval of the preliminary plat (by January 11, 2024); or, a time extension may be requested.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat shown in Section V.B prepared by Idaho Survey Group, LLC, shall be revised as follows:
 - a. Note #5: Include W. Cobalt Dr. in the note.
 - b. Graphically depict all street buffers in a common lot or on a permanent dedicated buffer with a note stating they shall be maintained by the property owner or business owners' association, as set forth in UDC [11-3B-7C.2b](#). *Required street buffers are as follows: minimum 25-feet wide along W. Franklin Rd., an arterial street; minimum 35-feet wide along S. Ten Mile Rd., an entryway corridor; and minimum 20-feet wide along W. Cobalt Dr., a collector street. Street buffers are measured from the back of sidewalk where attached sidewalks are provided and from the back of curb where detached sidewalks are provided per UDC 11-3B-7C.1a.*
 - c. The street section for Cobalt Dr. shall include (2) 11-foot wide travel lanes, 6-foot wide bike lanes, 8-foot wide parallel parking, curb, gutter, 8-foot wide planter strips (i.e. tree lawn/parkway) and detached 6-foot wide sidewalks consistent with Street Section D in the [TMISAP](#) (see Pg. 3-21). Parallel parking shall be located to the west of the horizontal curve for Cobalt Dr. and be located beyond the sight distance required for the access proposed on Cobalt Dr. as required by ACHD. **Submit street section that demonstrates compliance with this condition.**

An electronic copy of the revised plat shall be submitted with the final plat for City Engineer signature.

5. The landscape plan shown in Section V.C, dated 4/14/22, shall be revised as follows:
 - a. Include shrubs, along with the trees and lawn or other vegetative groundcover, *within* the required street buffers as set forth in UDC [11-3B-7C](#). The minimum required street buffer widths are as stated above in condition #4b (additional width may be provided); the correct buffer widths should be depicted in the Landscape Calculations tables.
 - b. Depict & dimension a minimum 8-foot wide tree lawn along S. Ten Mile Rd. and W. Franklin Rd. and pedestrian-scale street lights consistent with Street Sections A and B in the [TMISAP](#) (see pg. [3-22](#)). Include a detail of the proposed pedestrian lighting. Clearly depict the location of curb and sidewalk on the plans.
 - c. Depict & dimension a minimum 8-foot wide tree lawn along W. Cobalt Dr. with street lights in the dry utilities corridor on either side of the street consistent with Street Section D in the [TMISAP](#) (see pg. [3-23](#)). Clearly depict the location of curb and sidewalk on the plans.

- d. Depict & dimension a minimum 6-foot wide detached sidewalk within the street buffer along S. Ten Mile Rd. consistent with Street Section A in the TMISAP (see pg. [3-20](#)). A 10-foot wide pathway is preferred based on ACHD's adopted Livable Streets Performance Measures but not required.

An electronic copy of the revised plan shall be submitted with the final plat for City Engineer signature.

6. The subject property shall be subdivided prior to issuance of the first Certificate of Occupancy for the development as set forth in the Development Agreement (Inst. #2021-132704, provision #5.1d).
7. The entirety of Cobalt Dr. from the east to the west property boundary, on-site and off-site, shall be constructed prior to or with the first phase of development in accord with the specifications noted herein.
8. All development shall comply with the dimensional standards for the R-40 and C-C zoning districts listed in UDC Tables [11-2A-8](#) and [11-2B-3](#), respectively. *In the case where a wider easement exists, a greater setback may be required.*
9. All ditches are required to be piped in accord with UDC 11-3A-6A unless waived by City Council or used as a water amenity or linear open space. *City Council approved a waiver to UDC 11-3A-6B.3 to allow certain sections of the Kennedy Lateral to remain open as approved with the preliminary plat.*
10. A Certificate of Zoning Compliance and Design Review application shall be submitted for each structure (or group of structures if desired) and approved prior to submittal of application(s) for building permits. The plans submitted shall comply with the design elements of the Ten Mile Interchange Specific Area Plan (TMISAP) and the design standards in the Architectural Standards Manual (see the Application of Design Elements matrix on pg. 3-49 of the Plan) as required by the Development Agreement. The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.
11. Public art shall be provided within the development in accord with the plan in Section V.D, consistent with the Development Agreement and the TMISAP (pg. 3-49).
12. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. Easements are not showing up on sheet C-013 in the pdf. Ensure that all required easements are provided.
2. A streetlight plan will be required. Streetlights along Cobalt Dr are required.
3. End of the line requires minimum of 0.6% slope. Sheet C-209 and C-212 should be adjusted accordingly. Flow is committed.

General Conditions:

4. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service.

Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

5. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
6. 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.
7. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
8. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
9. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water 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 applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
10. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.
11. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
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. All grading of the site shall be performed in conformance with MCC 11-1-4B.
17. 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.
18. The 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.
19. 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.
 20. 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.
 21. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
 22. 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 signature of the final plat by the City Engineer.
 23. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
 24. 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.
 25. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
 26. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). 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 development plan approval.

27. 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.