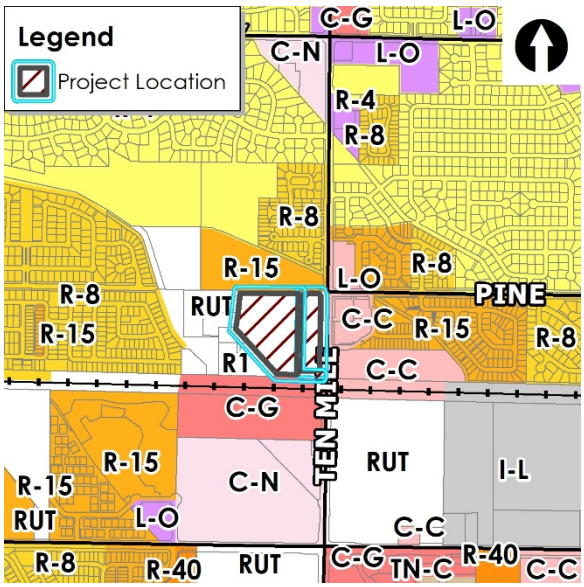
STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE:	4/27/2021
TO:	Mayor & City Council
FROM:	Joseph Dodson, Associate Planner 208-884-5533
SUBJECT:	FP-2021-0013 Mile High Pines
LOCATION:	The site is located in the southwest corner of N. Ten Mile Rd. and W. Pine Ave., in the NE ¼ of the SE ¼ of Section 10, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Final plat consisting of 5 building lots and 1 common lot on 16.46 acres of land in the R-15 and C-C zoning districts.

Note: The residential portion of the site has received Certificate of Zoning Compliance approval on Lots 5 & 6, Block 1.

II. APPLICANT INFORMATION

A. Applicant/Owner:

Baron Ten Mile, LLC – 1401 17th St., Suite 700, Denver, CO 80202

B. Representative:

Kent Brown, Kent Brown Planning – 3161 E. Springwood Drive, Meridian, ID 83642

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat and previous approvals as required by UDC 11-6B-3C.2. This is the first and only phase of development of the Mile High Pines development. The same number of buildable lots, common lots, and amount of open space and amenities is proposed as were approved in the preliminary plat and conditional use permit. Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

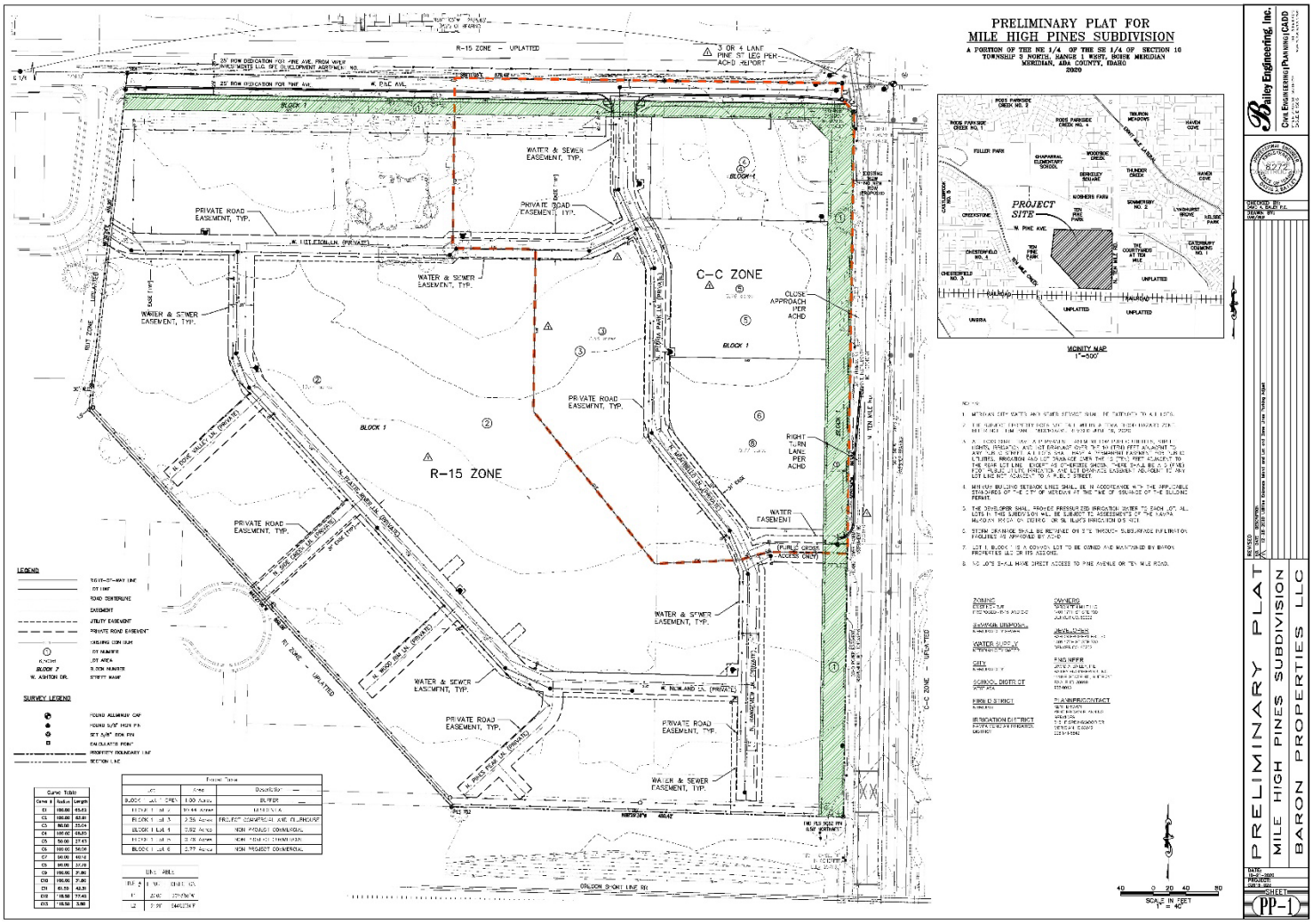
IV. DECISION

A. Staff:

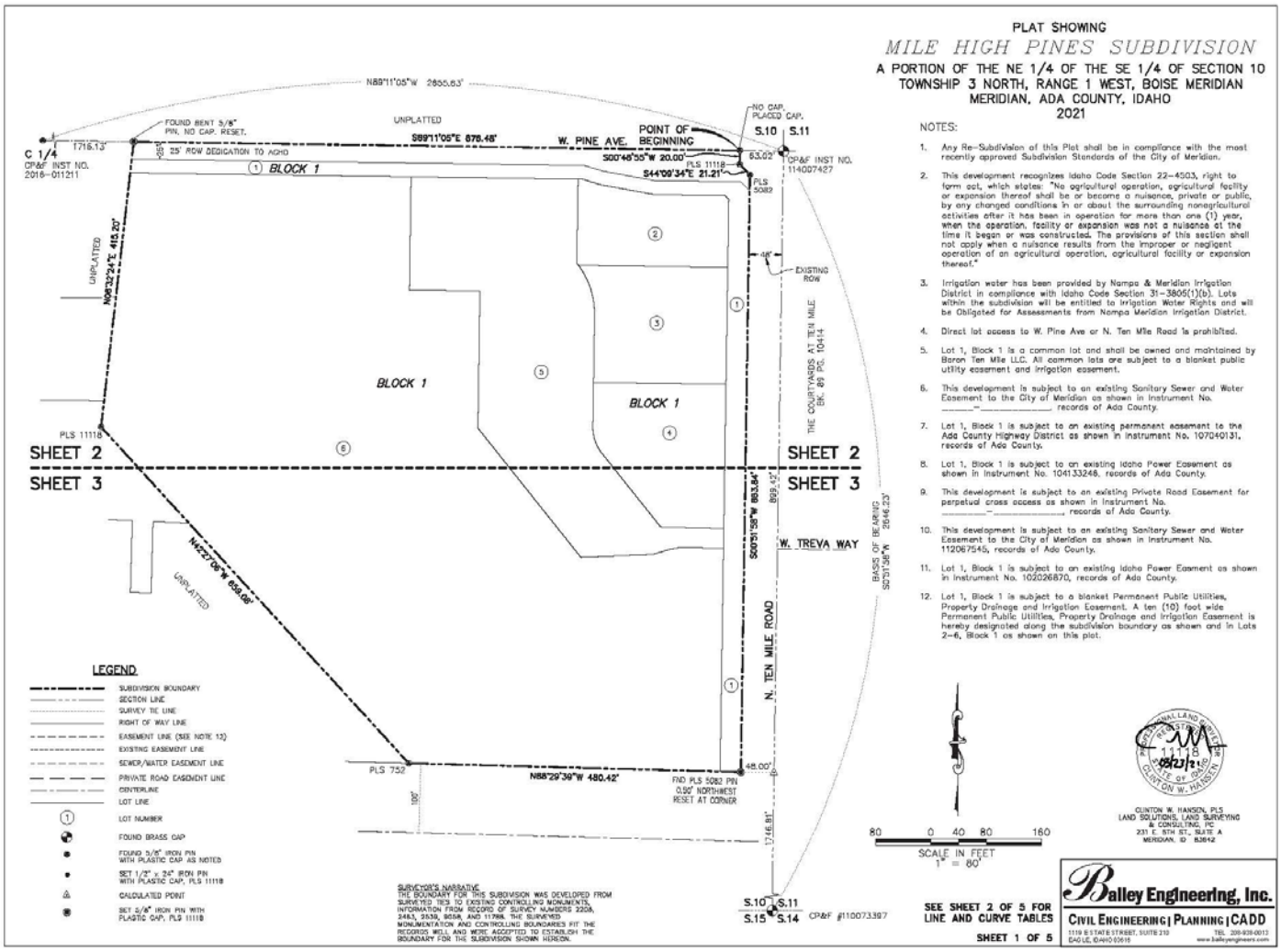
Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report.

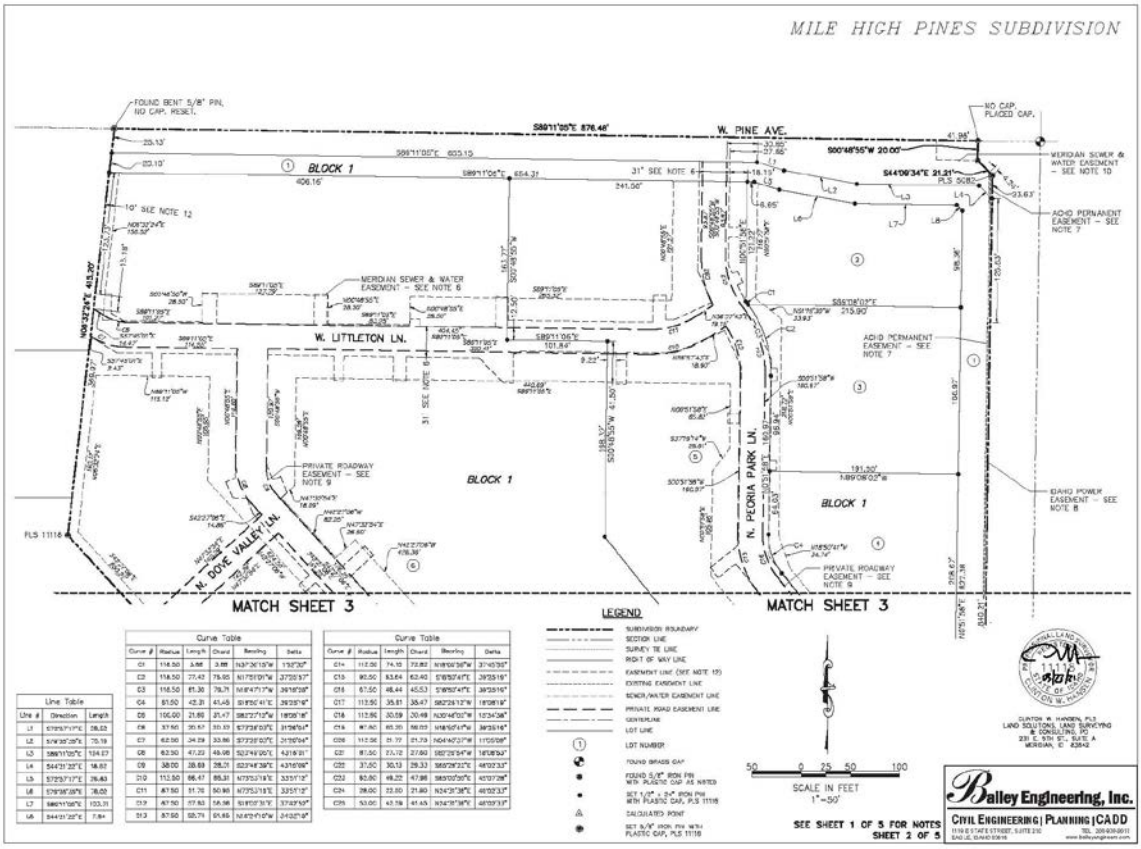
V. EXHIBITS

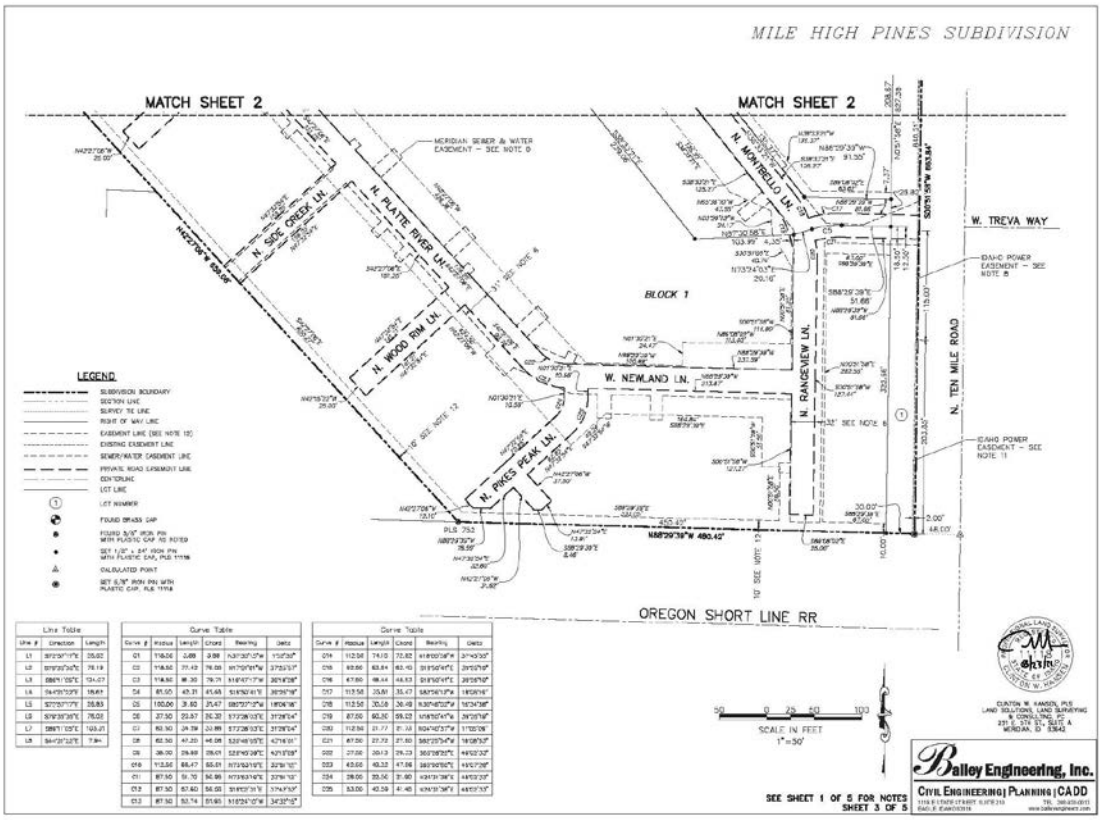
A. Preliminary Plat (date: 12/28/2020)



B. Final Plat (date: 3/23/2021)




MILE HIGH PINES SUBDIVISION
W. PINE AVE.
W. LITTLETON LN.
N. PEORIA PARK LN.
N. DOVE VALLEY LN.
BLOCK 1
MATCH SHEET 3
MATCH SHEET 3
LEGEND
SEE SHEET 1 OF 5 FOR NOTES
SHEET 2 OF 5
Balley Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD


MILE HIGH PINES SUBDIVISION
MATCH SHEET 2
MATCH SHEET 2
N. SIDE CREEK LN.
N. PLATTE RIVER LN.
N. MONTEBELLO LN.
N. WOOD RIM LN.
W. NEWLAND LN.
N. RANGEVIEW LN.
N. PIKES PEAK LN.
N. TEN MILE ROAD
W. TREVA WAY
BLOCK 1
OREGON SHORT LINE RR
LEGEND
SEE SHEET 1 OF 5 FOR NOTES
SHEET 3 OF 5
Balley Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD

MILE HIGH PINES SUBDIVISION

CERTIFICATE OF OWNERS

Know all men by these presents: That Baron Ten Mile LLC, a Colorado Limited Liability Company, is the owner of the property described as follows:

A parcel located in the NE ¼ of the SE ¼ of Section 10, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the northeast corner of said NE ¼ of the SE ¼, from which a Brass Cap monument marking the southeast corner of the SE ¼ of said Section 10 bears S0°51'58" W a distance of 2646.23 feet;

Thence N 89°11'06" W along the northerly boundary of said NE ¼ of the SE ¼ a distance of 83.02 feet to a 5/8 inch diameter rebar on the westerly right-of-way of N. Ten Mile Road, and the **POINT OF BEGINNING**;

Thence along said westerly right-of-way the following described courses;

Thence S0°48'55" W a distance of 20.00 feet to a 5/8 inch diameter rebar;

Thence S 44°08'34" E a distance of 21.21 feet to a 5/8 inch diameter rebar;

Thence S 0°51'58" W a distance of 863.84 feet to a point on the northerly right-of-way of the Oregon Short Line Railroad;

Thence N 89°29'39" W along said northerly right-of-way a distance of 490.42 feet to a 5/8 inch diameter rebar;

Thence N 42°27'06" W a distance of 659.08 feet to a 5/8 inch diameter rebar;

Thence N 6°32'24" E a distance of 415.20 feet to a 5/8 inch diameter rebar on the northerly boundary of said NE ¼ of the SE ¼;

Thence S 89°11'06" E along said northerly boundary a distance of 876.48 feet to the **POINT OF BEGINNING**.

This parcel contains 16.46 acres and is subject to any easements existing or in use.

It is the intention of the undersigned to hereby include the above described property in this plat and to dedicate to the public, the public streets as shown on this plat. The private road and easements as shown on this plat are not dedicated to the public. However, the right to use said private road and easements is hereby perpetually reserved for public utilities and such other uses as designated within this plat, and no permanent structures are to be erected within the lines of said easements. All lots in this plat will be eligible to receive water service from an existing City of Meridian main line located adjacent to the subject subdivision, and the City of Meridian has agreed in writing to serve all the lots in this subdivision.

Baron Ten Mile LLC, a Colorado Limited Liability Company

_____
Matthew Riggs, Manager

CERTIFICATE OF SURVEYOR

I, Clinton W. Hansen, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points platted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.

_____ _____
Clinton W. Hansen P.L.S. No. 11118

ACKNOWLEDGMENT
State of Idaho)
) s.s.
County of Ada)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew Riggs, known or identified to me to be a Manager of Baron Ten Mile LLC, a Colorado Limited Liability Company, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____ _____
My commission expires Notary Public for Idaho
Residing in _____, Idaho

Balley Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
1119 E. STATE ST., SUITE 210
EAGLE, ID 83616
TEL. 208-939-8613
www.balleyengineers.com

SHEET 4 OF 5

MILE HIGH PINES SUBDIVISION

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing Meridian City Public Works and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water extensions or sewer extensions were constructed. Building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities, then sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

_____
Central District Health Department Date

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

The foregoing plat was accepted and approved by the Board of Ada County Highway District Commissioners on the_____ day of _____, 20____.

_____
President ACHD

APPROVAL OF CITY ENGINEER

I, the undersigned, City Engineer in and for the City of Meridian, Ada County, Idaho, hereby approve this plat.

_____
City Engineer Date

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk in and for the City of Meridian, Ada County, Idaho, hereby certify that at a regular meeting of the City Council held on the _____ day of _____, 20____, this plat was duly accepted and approved.

_____
City Clerk, Meridian, Idaho

CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor for Ada County, Idaho, hereby certify that I have checked this plat and that it complies with the State of Idaho Code relating to plats and surveys.

_____
County Surveyor

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of I.C.50-1308 do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

_____ _____
Date County Treasurer

COUNTY RECORDER'S CERTIFICATE

State of Idaho)
) s.s.
County of Ada)

I hereby certify that this instrument was filed for record at the request of _____ at _____ Minutes past _____ O'clock _____ M. on this _____ day of _____, 20____, in Book _____ of plats at Pages_____.

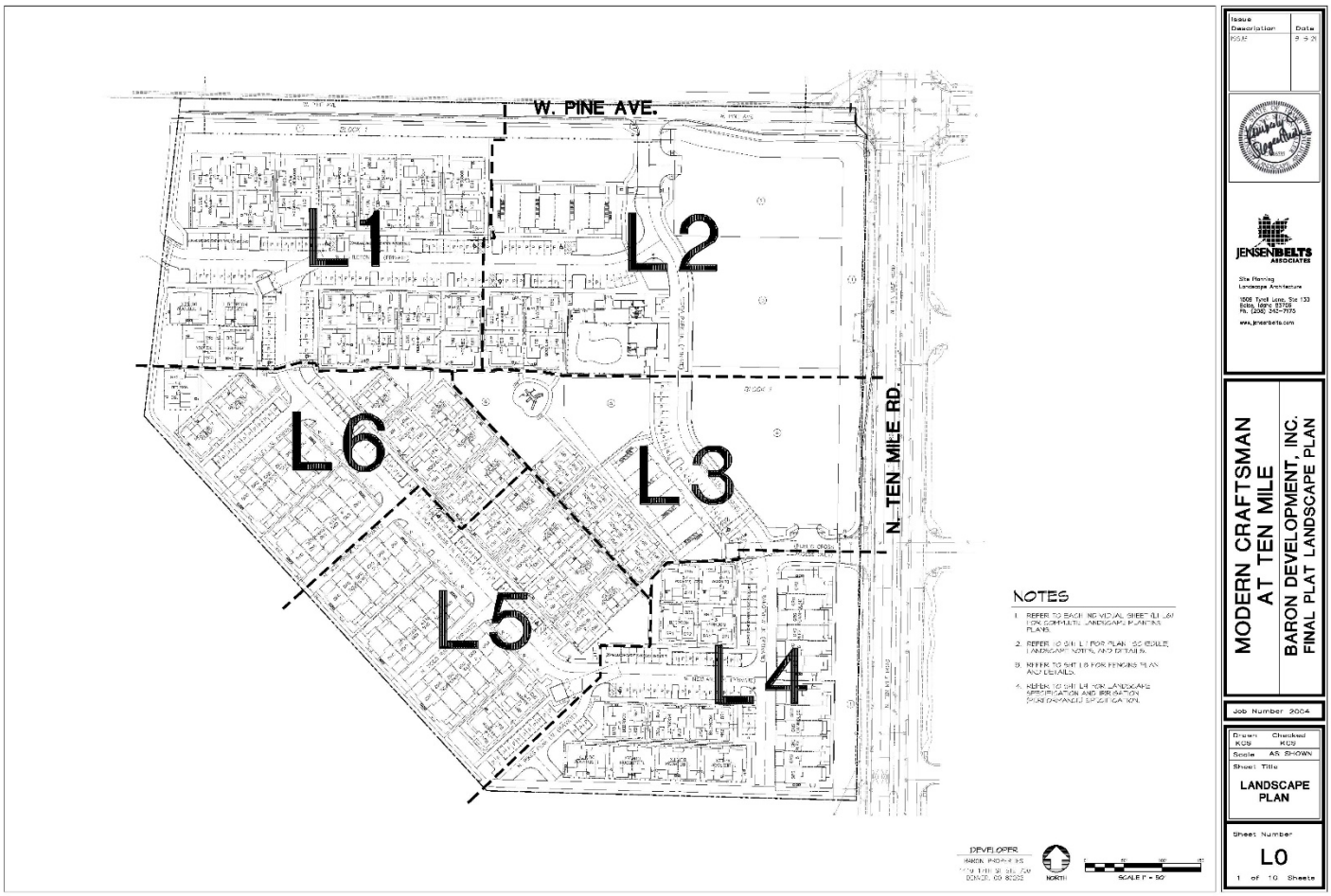
Instrument No. _____

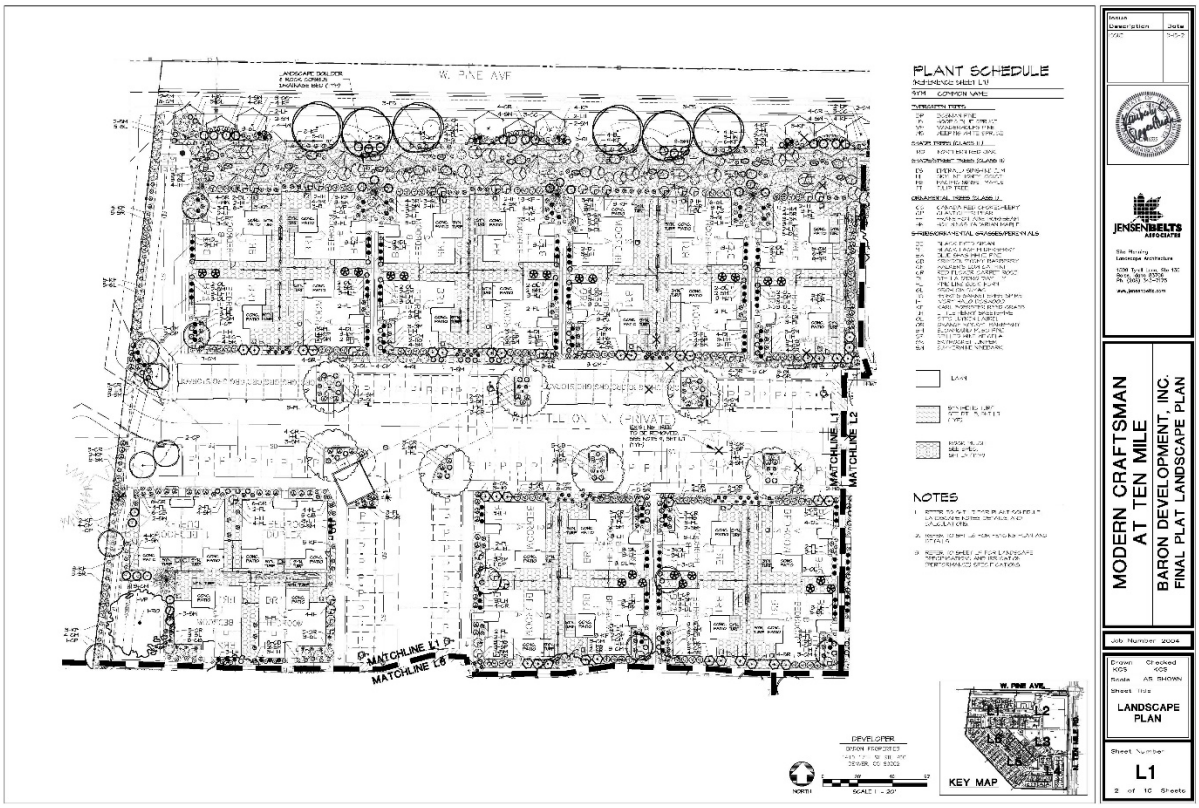
_____ _____
Deputy Ex-Officio Recorder

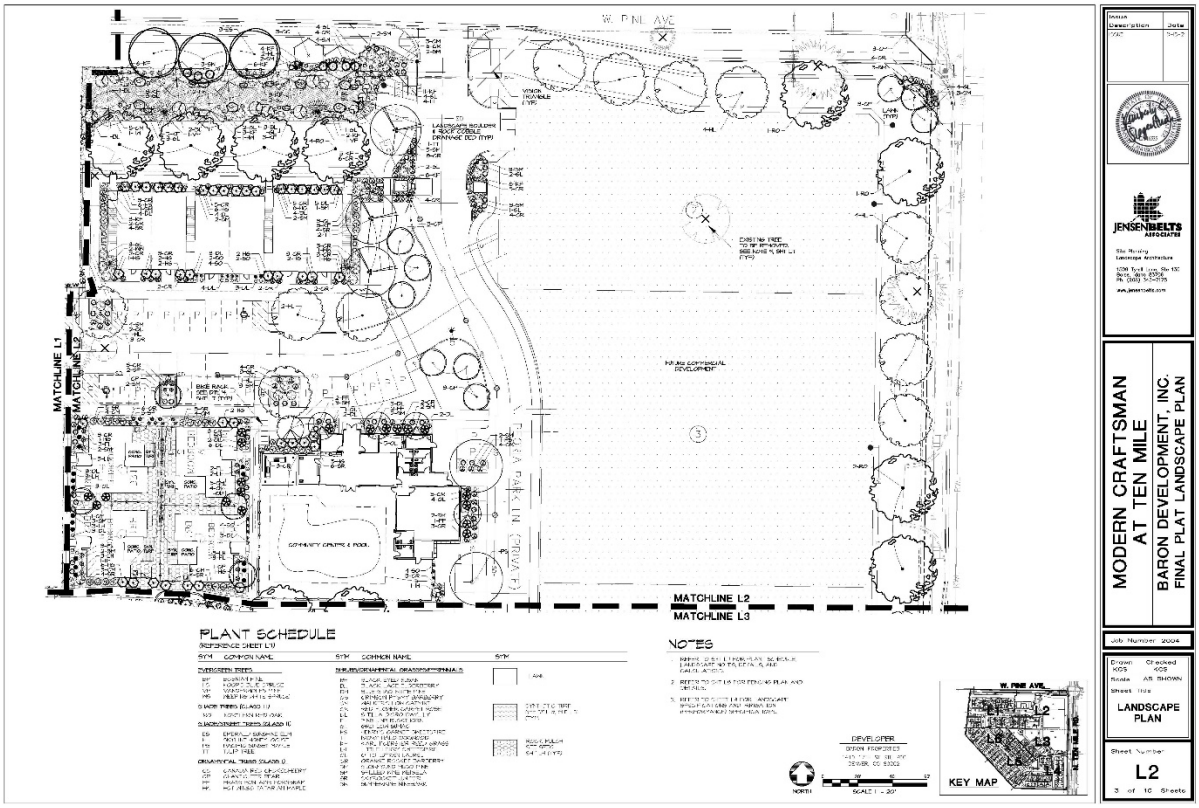
Balley Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
1119 E. STATE ST., SUITE 210
EAGLE, ID 83616
TEL. 208-939-8613
www.balleyengineers.com

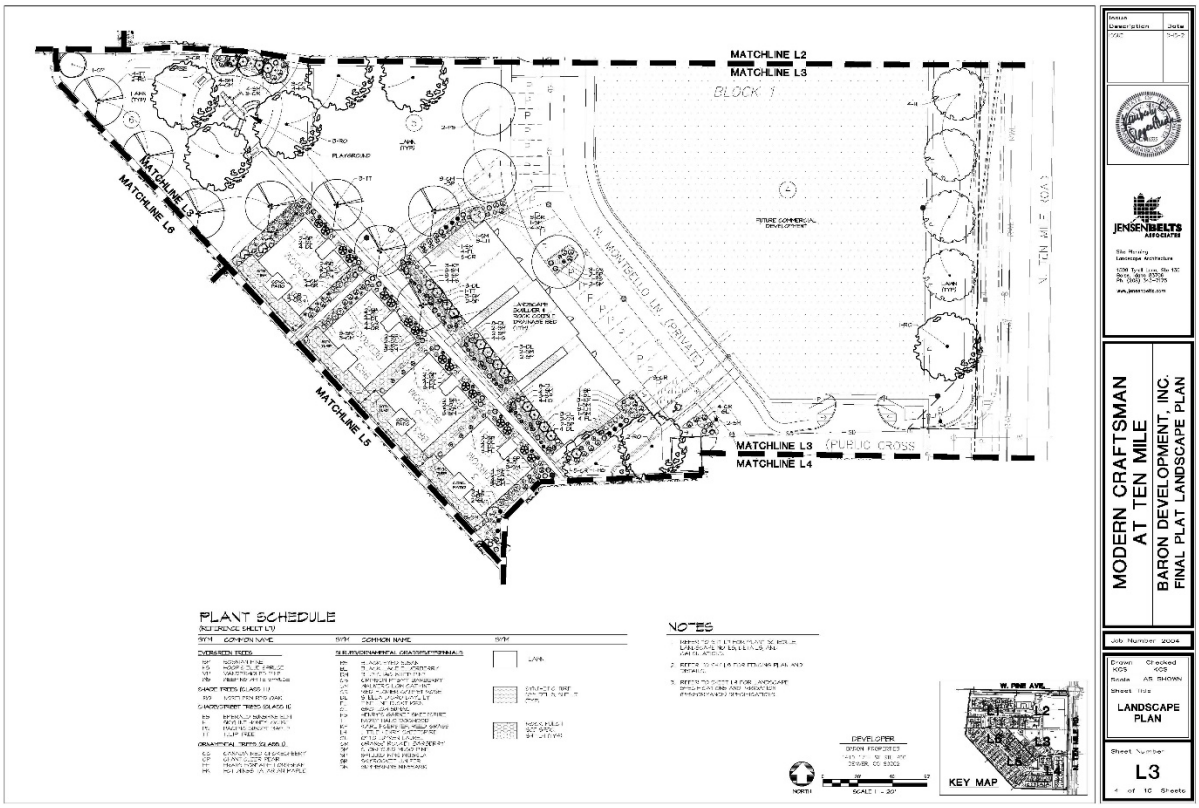
SHEET 5 OF 5

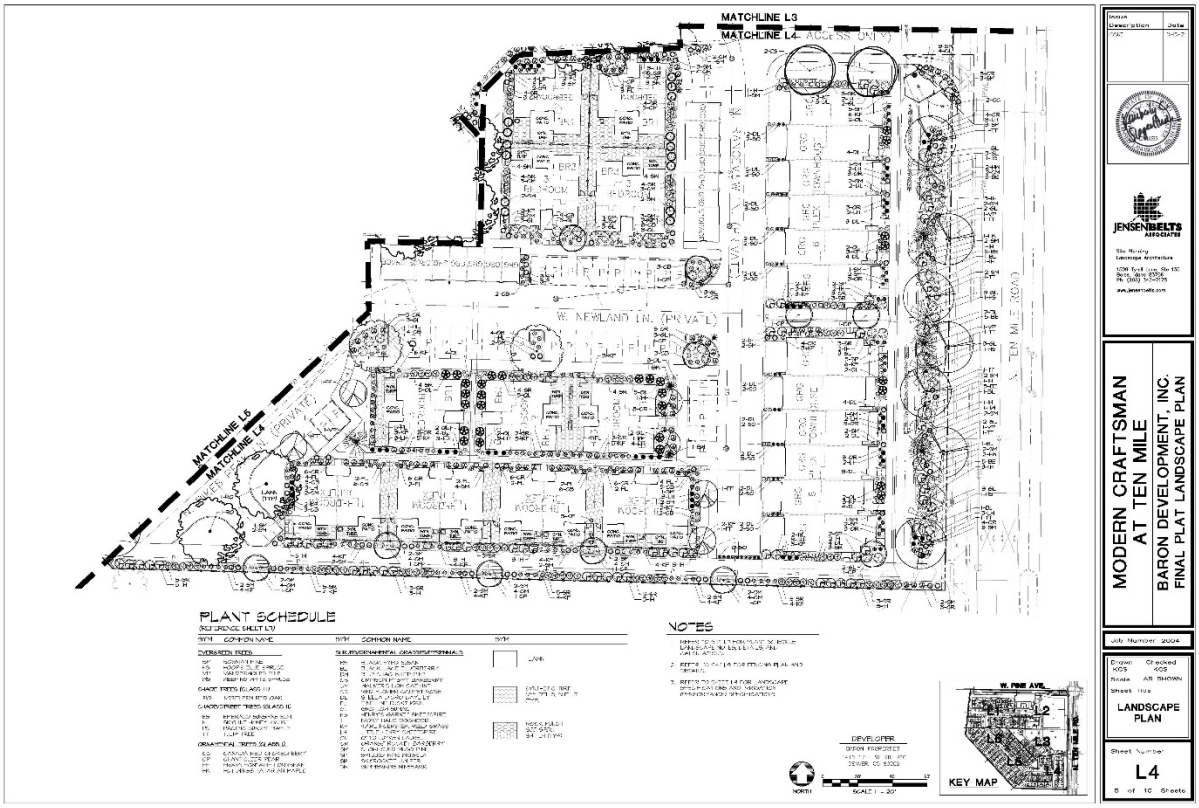
C. Landscape Plans (date: 3/15/2021)

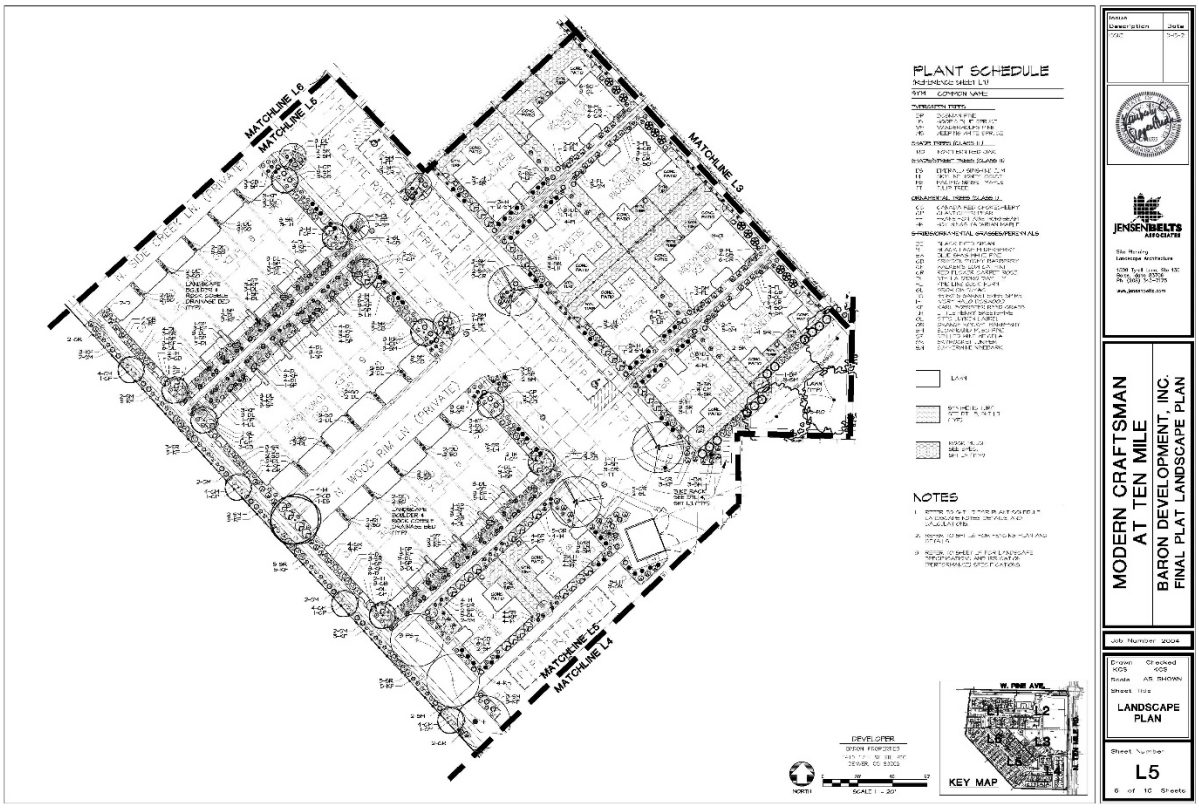


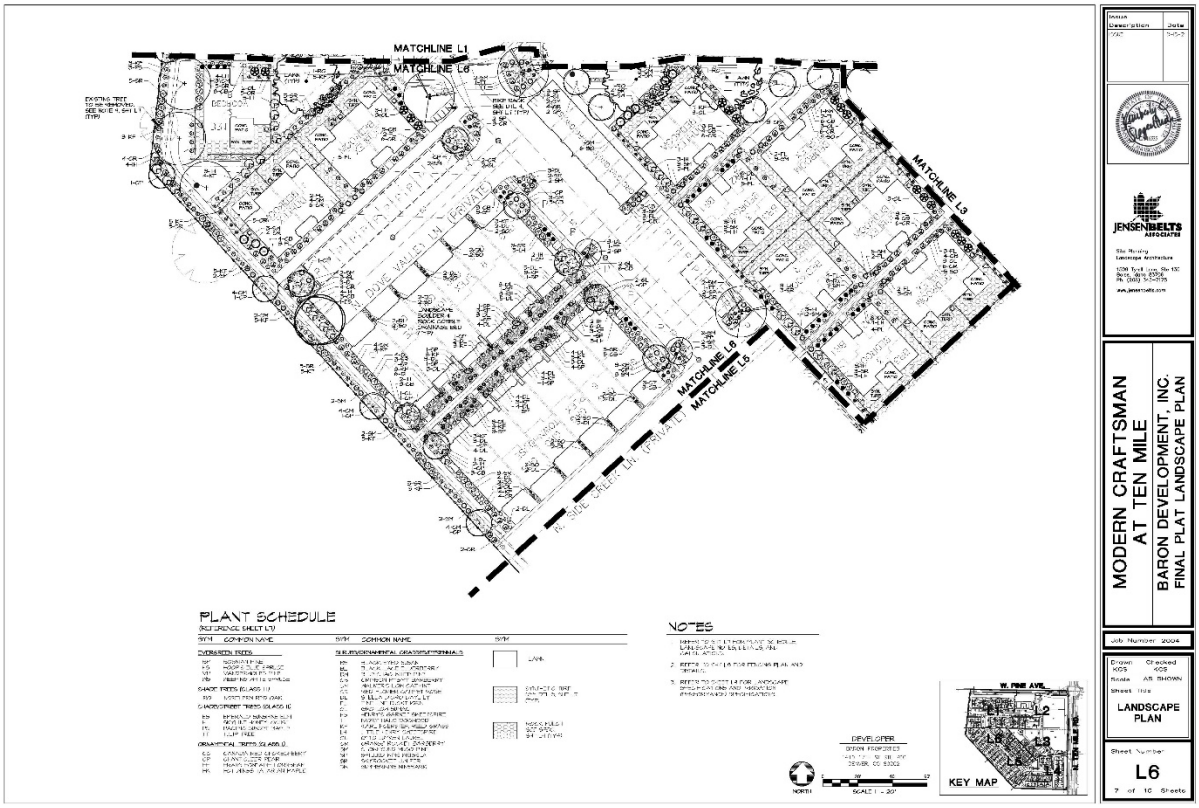

W. PINE AVE
PLANT SCHEDULE
NOTES
MATCHLINE L1
MATCHLINE L2
MATCHLINE L3
DEVELOPER
KEY MAP
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT, INC.
FINAL PLAT LANDSCAPE PLAN
LANDSCAPE PLAN
L1

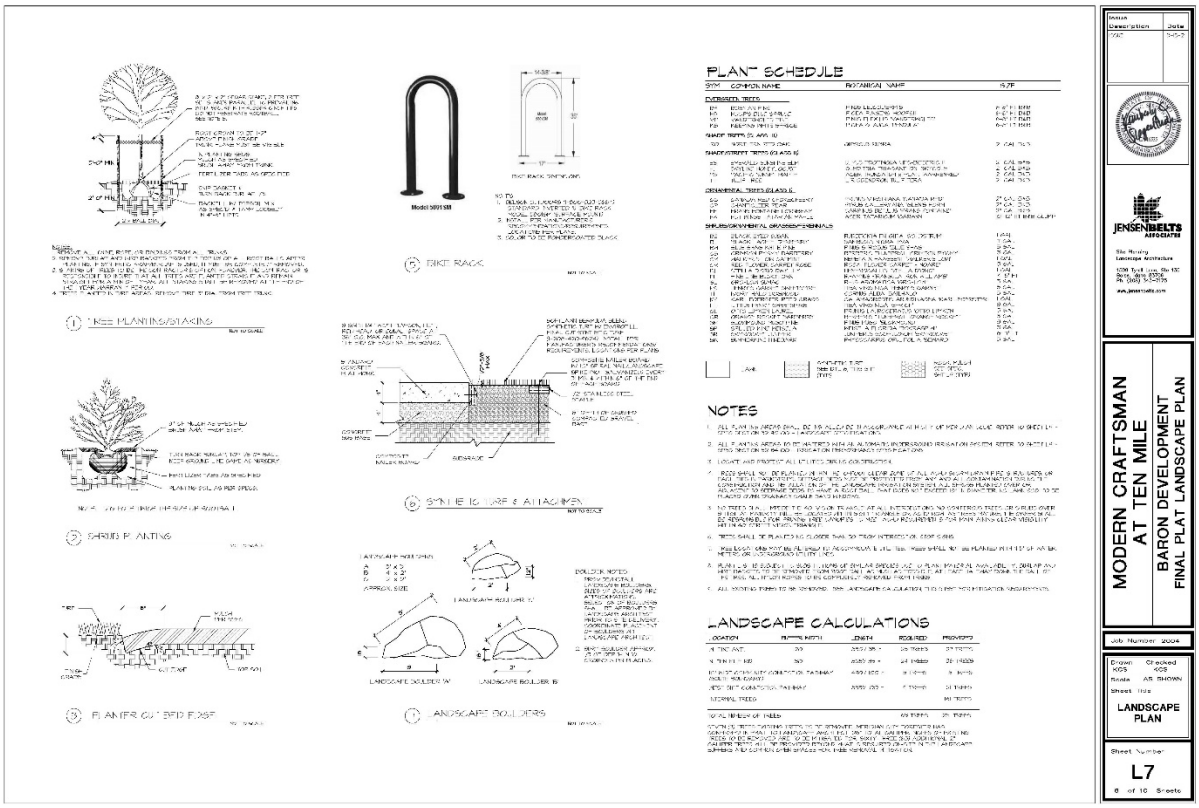

W. PINE AVE
MATCHLINE L1
MATCHLINE L2
MATCHLINE L3
COMMUNITY CENTER & POOL
PLANT SCHEDULE
NOTES
DEVELOPER
KEY MAP
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT, INC.
FINAL PLAT LANDSCAPE PLAN
LANDSCAPE PLAN
L2


MATCHLINE L2
MATCHLINE L3
BLOCK 1
PLAYGROUND
FUTURE COMMERCIAL DEVELOPMENT
N. MONTICELLO LN. (PRIVATE)
N. TEN MILE ROAD
MATCHLINE L3
MATCHLINE L6
MATCHLINE L5
MATCHLINE L3 (PUBLIC CROSS)
MATCHLINE L4
PLANT SCHEDULE
NOTES
DEVELOPER
NORTH
SCALE 1 - 20'
KEY MAP
W. FIRE AVE.
L1
L2
L3
L4
L5
L6
JENSEN BELTS ASSOCIATES
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT, INC.
FINAL PLAT LANDSCAPE PLAN
LANDSCAPE PLAN
L3
4 of 10 Sheets


MATCHLINE L3
MATCHLINE L4
W. NEWLAND LN. (PRIVATE)
N. TEN MILE ROAD
MATCHLINE L6
MATCHLINE L4
PLANT SCHEDULE
NOTES
DEVELOPER
NORTH
SCALE 1 - 20'
KEY MAP
W. FIRE AVE.
L1
L2
L3
L4
L5
L6
JENSEN BELTS ASSOCIATES
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT, INC.
FINAL PLAT LANDSCAPE PLAN
LANDSCAPE PLAN
L4
5 of 10 Sheets

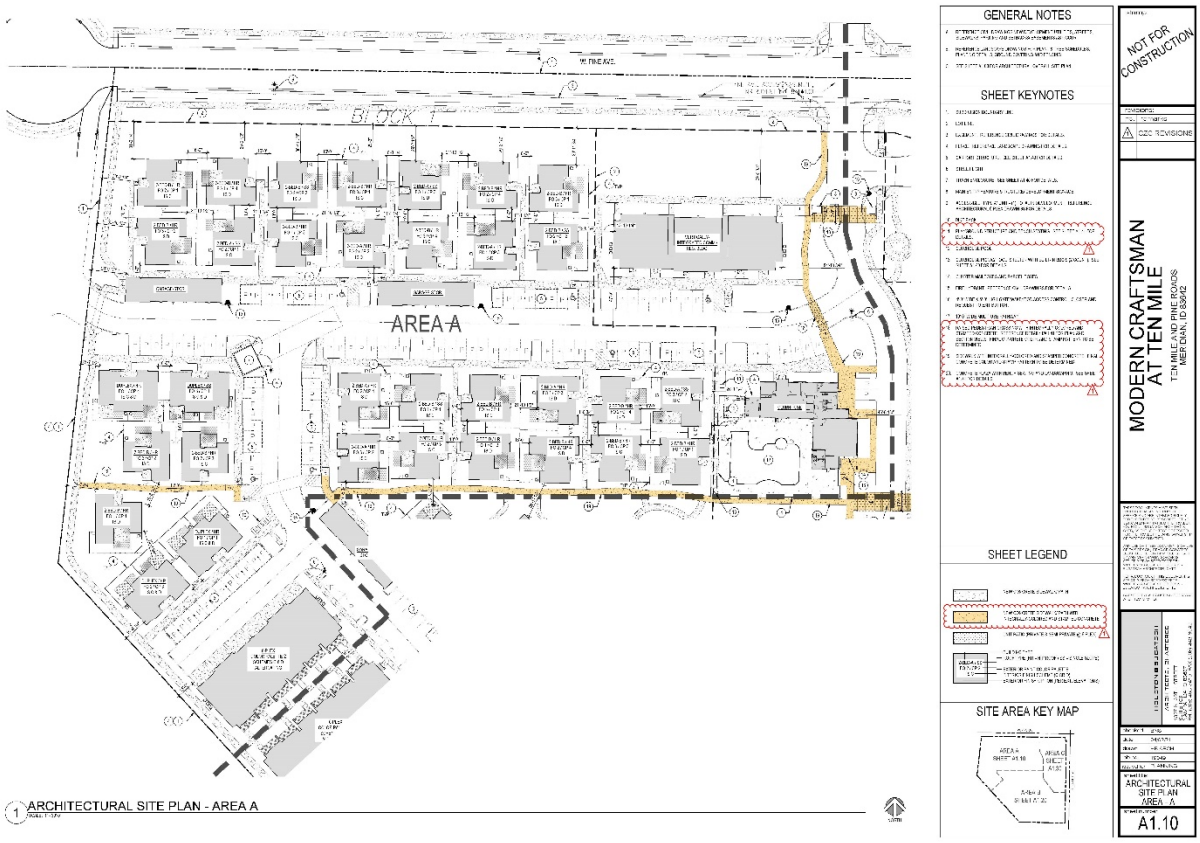

MATCHLINE L5
MATCHLINE L6
MATCHLINE L3
MATCHLINE L5
MATCHLINE L4
PLATTE RIVER LN (PRIVATE)
WOOD RIM LN (PRIVATE)
PLANT SCHEDULE
NOTES
DEVELOPER
NORTH
SCALE 1 - 20'
KEY MAP
W. FIRE AVE.
JENSEN BELTS ASSOCIATES
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT, INC.
FINAL PLAT LANDSCAPE PLAN
Job Number 2004
LANDSCAPE PLAN
L5
5 of 10 Sheets

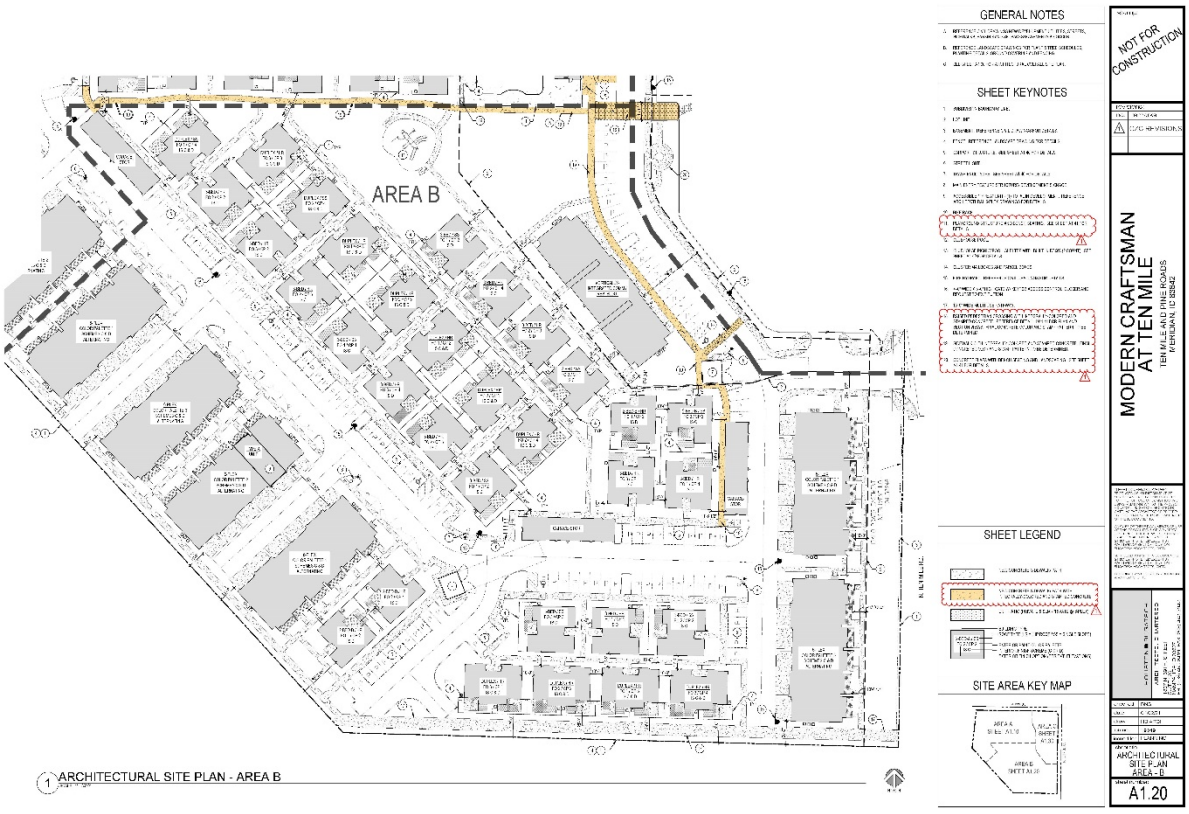

MATCHLINE L1
MATCHLINE L6
MATCHLINE L3
MATCHLINE L6
MATCHLINE L5
DUNE VALLEY LN (PRIVATE)
RIVERSIDE CREEK LN (PRIVATE)
PLANT SCHEDULE
NOTES
DEVELOPER
NORTH
SCALE 1 - 20'
KEY MAP
W. FIRE AVE.
JENSEN BELTS ASSOCIATES
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT, INC.
FINAL PLAT LANDSCAPE PLAN
Job Number 2004
LANDSCAPE PLAN
L6
7 of 10 Sheets

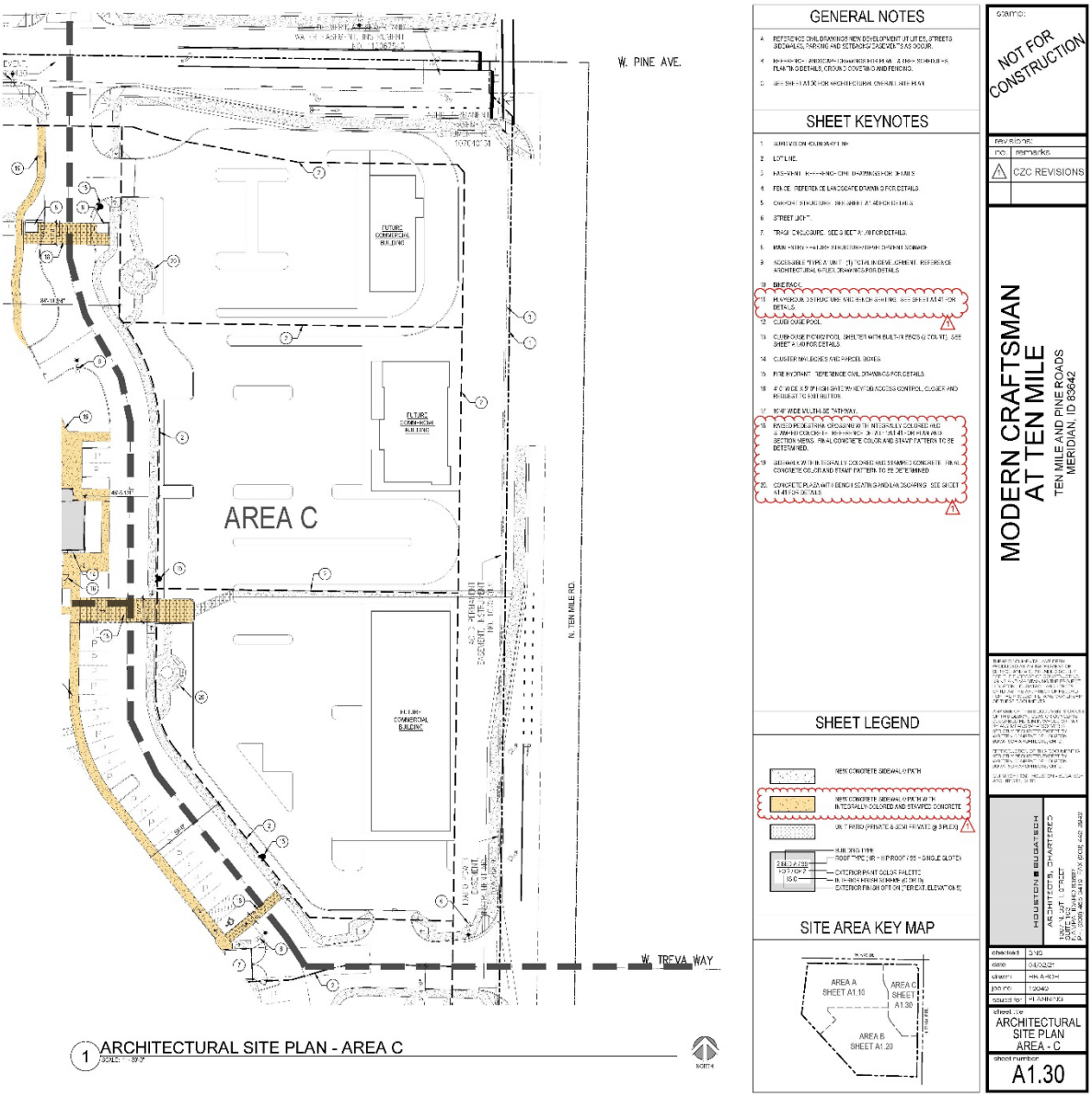

PLANT SCHEDULE
NOTES
LANDSCAPE CALCULATIONS
TREE PLANTING/STAKING
BIKE RACK
SHRUB PLANTING
PLANTER CUT BED EDGE
LANDSCAPE BOULDERS
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT
FINAL PLAT LANDSCAPE PLAN
LANDSCAPE PLAN
L7

6' SOLID VINYL PRIVACY FENCE
6' OPEN V SIGN SHAT TOP FENCE
BLACK IRON OPEN VISION FENCE
MODERN CRAFTSMAN AT TEN MILE
BARON DEVELOPMENT
CONCEPT LANDSCAPE PLAN
LANDSCAPE FENCING
L8

D. Architectural Site Plan (approved with CZC April 8, 2021)


AREA A
GENERAL NOTES
SHEET KEYNOTES
SHEET LEGEND
SITE AREA KEY MAP
NOT FOR CONSTRUCTION
MODERN CRAFTSMAN AT TEN MILE
TEN MILE AND PINE ROADS
MERIDIAN, ID 83642
ARCHITECTURAL SITE PLAN AREA A
A1.10
1 ARCHITECTURAL SITE PLAN - AREA A


AREA B
GENERAL NOTES
SHEET KEYNOTES
SHEET LEGEND
SITE AREA KEY MAP
NOT FOR CONSTRUCTION
MODERN CRAFTSMAN AT TEN MILE
TEN MILE AND PINE ROADS
MERIDIAN, IDAHO
ARCHITECTURAL SITE PLAN AREA B
A1.20
1 ARCHITECTURAL SITE PLAN - AREA B



1 ARCHITECTURAL SITE PLAN - AREA C

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-2020-0099, DA Inst. #2021-046525; A-2021-0050).
2. The applicant shall obtain the City Engineer's signature on the final plat by February 23, 2023, within two (2) years of the preliminary plat approval (February 23, 2021), in accord with UDC 11-6B-7 in order for the preliminary plat to remain valid 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 Bailey Engineering, Inc., stamped on 03/23/21 by Clinton W. Hansen, is approved with the following revisions:
    a. Note #6: Include the recorded instrument number;
    b. Note #9: Include recorded instrument number;
    c. Add a note stating: this development is subject to the terms of an existing City of Meridian Development Agreement (Inst. #2021-046525);
    d. Add a note stating: The bottom of structural footing shall be set a minimum of 12-inches above the highest established normal ground water elevation.
5. The landscape plan shown in Section V.C prepared by Jensen Belts Associates, dated 03/15/21, is approved as submitted.
6. Prior to the issuance of any building permit, the property shall be subdivided in accordance with the UDC.
7. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Sue Prescott, at 887-1620 for more information.
8. 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.
9. Prior to issuance of Certificate of Occupancy on any building, the plat shall be recorded.
10. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit a public access easement for the multi-use pathway along the southern boundary of the site to the Planning Division for approval by City Council and subsequent recordation.
11. Cross-access shall be granted across the commercial building lots (Lots 2-4, Block 1). Proof of this agreement shall be submitted to Planning Staff prior to issuance of Certificate of Occupancy on any building.
12. Future commercial building lots are required to obtain Certificate of Zoning Compliance and Administrative Design Review for each building prior to submitting for building permit for each lot.

B. **Public Works**

1.1 Site Specific Conditions:

1.1.1 The existing water stub from Ten Mile Road at the southeast corner of this development must be abandoned if it is not utilized.

1.1.2 Applicant shall provide a water main detail for the proposed water main in Pine.

1.1.3 Utility easements shall not overlap any permanent structure including but not limited to carports, trash enclosures, buildings, fences, trees, shrubs, etc.

1.1.4 A streetlight plan is required pursuant to section 6 of the Meridian Design Standards.

1.2 General Conditions:

1.2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

2.2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.

2.2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall 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 81/2" 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.

2.2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to prior to receiving development plan approval.

2.2.5 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.

2.2.6 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.

2.2.7 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.

2.2.8 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.

2.2.9 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 approved, prior to applying for building permits.

2.2.10 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.

2.2.11 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.

2.2.12 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.

2.2.13 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.

2.2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

2.2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.

2.2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.

2.2.17 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.

2.2.18 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.

2.2.19 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.

2.2.20 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.

2.2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street

Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.

2.2.22 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.

2.2.23 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.