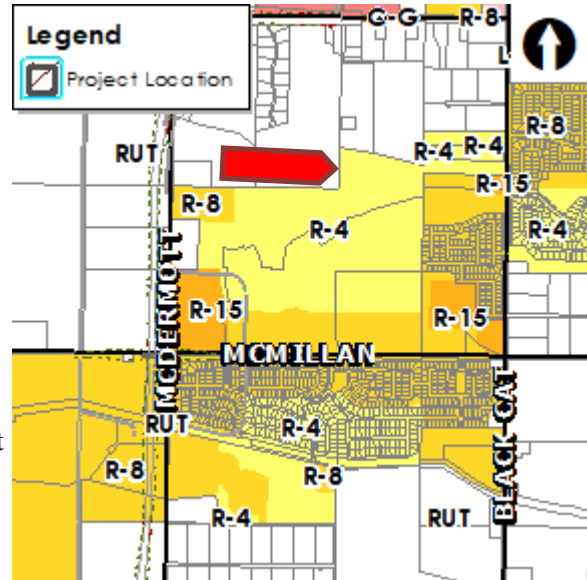


**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 3/23/2021  
TO: Mayor & City Council  
FROM: Joseph Dodson, Associate Planner  
208-884-5533  
SUBJECT: FP-2021-0010  
Oaks North No. 9  
LOCATION: Generally located 1/2 mile north of the half-mile mark of W. McMillan Road between McDermott Road and Black Cat Road, in the SW 1/4 of the NE 1/4 of Section 28, T.4N., R.1W.



**I. PROJECT DESCRIPTION**

Final plat consisting of 20 building lots and 3 common lots on 7.4 acres of land in the R-4 zoning district.

**II. APPLICANT INFORMATION**

A. Applicant/Owner:

Toll Southwest, LLC – 3101 W. Sheryl Drive, Suite 100, Meridian, ID 83642

B. Representative:

Sabrina Durtschi, Toll Brothers – 3103 W. Sheryl Drive, Meridian, ID 83642

**III. STAFF ANALYSIS**

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat as required by UDC 11-6B-3C.2. This is the ninth phase of development of the Oaks North Subdivision. The same number of buildable lots, common lots, and amount of open space is proposed as were approved in the preliminary plat. Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

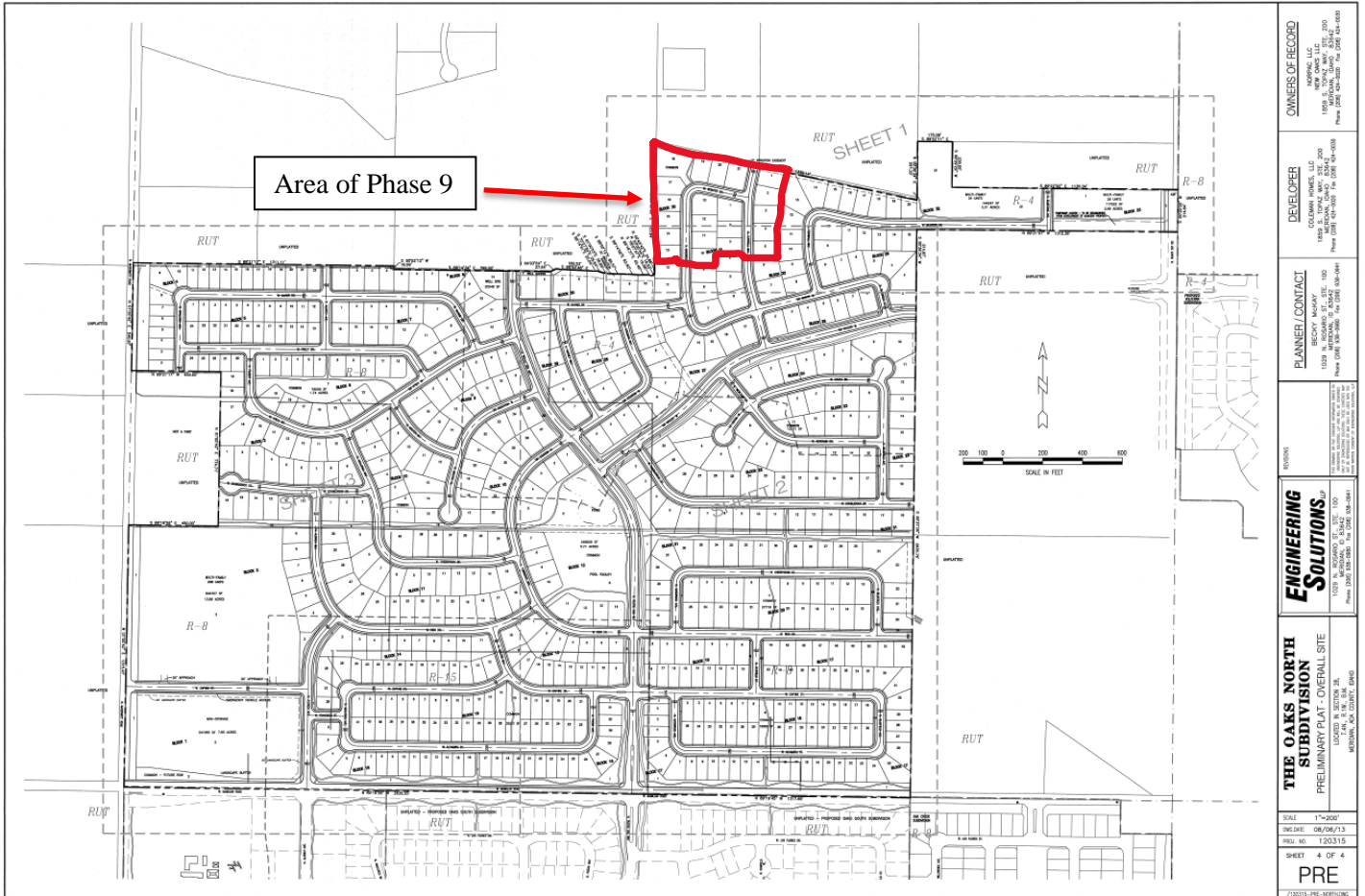
**IV. DECISION**

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: 8/6/2013)





THE OAKS NORTH SUBDIVISION NO. 9

BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED, ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED BELOW IN ADA COUNTY, IDAHO, AND THAT WE INTEND TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS PLAT OF THE OAKS NORTH SUBDIVISION NO. 9.

A PARCEL LOCATED IN T11R 89W 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, ROOST MERRIMAN MERIDIAN, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE SOUTHWEST CORNER OF THE SW 1/4 (S 1/4 CORNER) OF SAID SECTION 28, FROM WHICH A BRASS CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 28 BEARS N 89°14'58" W A DISTANCE OF 203.55 FEET;

THENCE N 74°25'11" E ALONG THE EAST BOUNDARY OF SAID SW 1/4 A DISTANCE OF 2654.11 FEET TO A 2.5 INCH IRON PIPE MONUMENT MARKING THE NORTH EAST CORNER OF THE SW 1/4 (N 74°25'11" E CORNER) OF SAID SECTION 28 SAID POINT BEING ON THE NORTHERLY BOUNDARY OF THE OAKS NORTH SUBDIVISION NO. 9, AS SHOWN IN BOOK \_\_\_\_\_ OF PLATS ON PAGES \_\_\_\_\_ THROUGH \_\_\_\_\_ RECORDS OF ADA COUNTY, IDAHO;

THENCE ALONG THE WEST BOUNDARY OF THE NE 1/4 OF SAID SECTION 28 AND SAID SUBDIVISION BOUNDARY N 74°25'11" E A DISTANCE OF 67.55 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID SUBDIVISION BOUNDARY AND CONTINUING ALONG THE WESTERLY BOUNDARY OF SAID NE 1/4 N 74°25'11" E A DISTANCE OF 580.00 FEET TO A POINT ON THE CENTERLINE OF THE EAST TAP LATERAL;

THENCE ALONG SAID CENTERLINE S 77°58'14" E A DISTANCE OF 187.33 FEET TO A POINT;

THENCE LEAVING SAID CENTERLINE S 12°22'23" W A DISTANCE OF 170.90 FEET TO A POINT;

THENCE S 7°23'25" W A DISTANCE OF 270.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID THE OAKS NORTH SUBDIVISION NO. 9;

THENCE ALONG SAID NORTHERLY BOUNDARY THE FOLLOWING COURSES AND DISTANCES:

- THENCE N 89°15'02" W A DISTANCE OF 131.50 FEET TO A POINT;
THENCE N 0°43'55" E A DISTANCE OF 18.03 FEET TO A POINT;
THENCE N 89°15'02" W A DISTANCE OF 178.50 FEET TO A POINT;
THENCE S 0°4'59" W A DISTANCE OF 55.00 FEET TO A POINT;
THENCE N 89°15'02" W A DISTANCE OF 131.50 FEET TO A POINT;
THENCE N 0°43'55" E A DISTANCE OF 15.97 FEET TO A POINT;
THENCE N 89°15'02" W A DISTANCE OF 178.50 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 7.40 ACRES MORE OR LESS.

ALL THE LOTS IN THIS SUBDIVISION WILL BE AVAILABLE TO RECEIVE WATER SERVICE FROM THE CITY OF MERRIMAN. THE CITY OF MERRIMAN HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. PUBLIC UTILITY, IRRIGATION, AND DRAINAGE EASEMENTS ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT OF ACCESS TO, AND USE OF, THESE EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE, AND FOR ANY OTHER USES AS MAY BE DEDICATED HEREON AND NO PERMANENT STRUCTURES OTHER THAN FOR SAID USES ARE TO BE ERRECTED WITHIN THE LIMITS OF SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

TONI SOUTHWORTH, A DELAWARE LIMITED LIABILITY COMPANY

BY SUSAN STANLEY, DIVISION PRESIDENT

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } S.S.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO, PERSONALLY APPEARED SUSAN STANLEY, KNOWN TO ME TO BE THE DIVISION PRESIDENT OF TONI SOUTHWORTH, A DELAWARE LIMITED LIABILITY COMPANY, WHO SUBSCRIBED SAID LIMITED LIABILITY COMPANY'S NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME IN SAID LIMITED LIABILITY COMPANY'S NAME.

IN WITNESS WHEREOF, I HAVE SET UNTO SEE MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THESE CERTIFICATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_

RESIDING AT \_\_\_\_\_

NOTARY PUBLIC FOR THE STATE OF IDAHO

CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS WAS DRAWN FROM THE FIELD NOTES OF A 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.

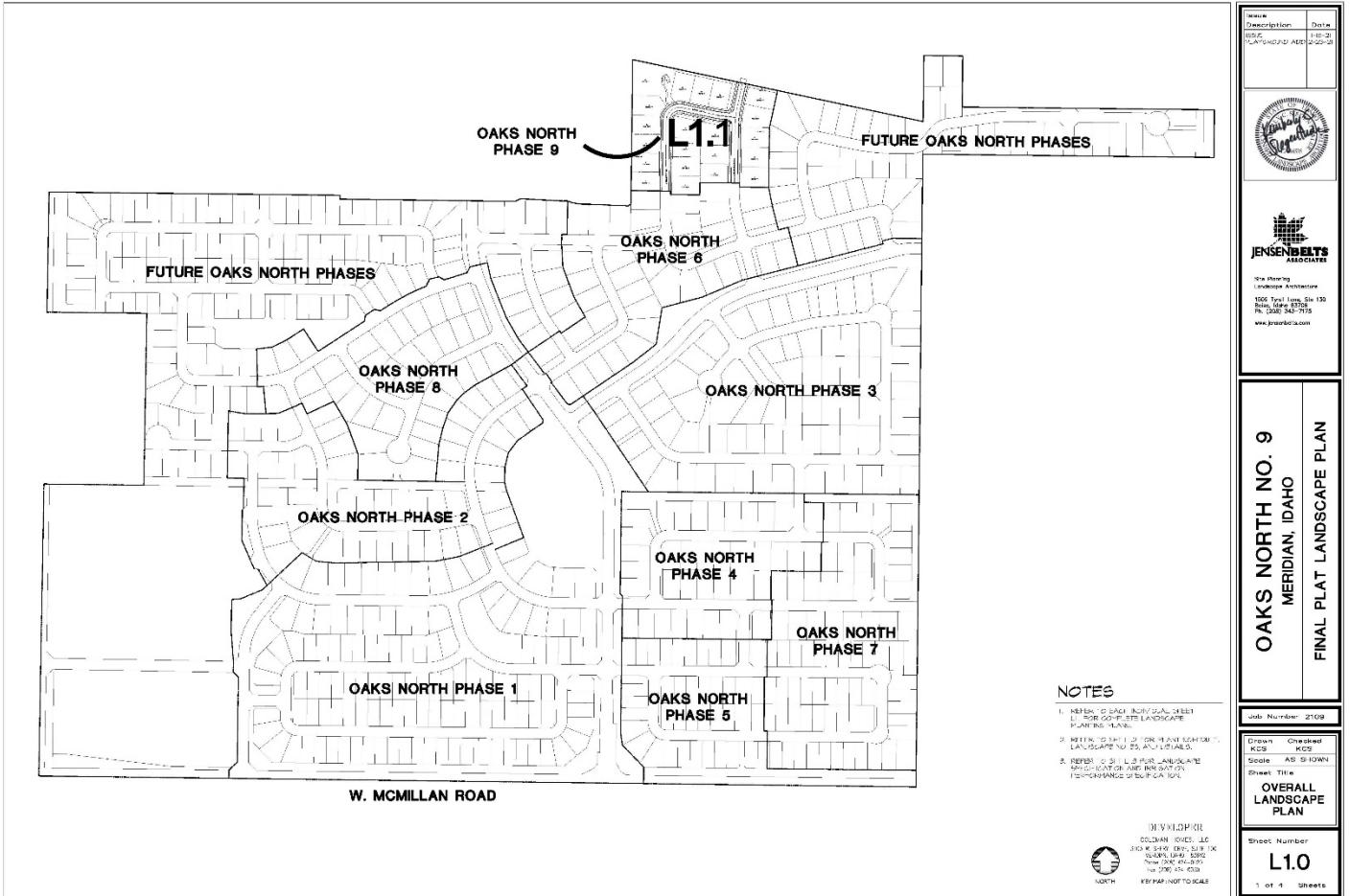
CLINTON W. HANSEN
PLS 117719



LandSolutions
Land Surveying and Consulting

231 E. 81st St., Ste. A
MERIDIAN, ID 83642
(208) 268-2043 Fax (208) 268-2557
www.landsolutionsid.com


C. Landscape Plans (date: 2/23/2021)



**NOTES**

1. REFER TO EACH INDIVIDUAL SHEET L1 FOR COMPLETE LANDSCAPE PLANNING PLANS.
2. REFER TO SHEET L2 FOR PLANT SCHEDULES AND LANDSCAPE MATERIALS.
3. REFER TO SHEET L3 FOR LANDSCAPE MATERIALS AND SPECIFICATIONS.


  
 NORTH  
 KEEP MAP NOT TO SCALE

Sheet Description OAKS NORTH NO. 9 LANDSCAPE PLAN	Date 2/23/21
	
<b>JENSEN BELTS ASSOCIATES</b> AIA Member Landscape Architecture 1000 First Ave., Ste. 130 Boise, ID 83702 Ph: (208) 343-7975 www.jbaassoc.com	
OAKS NORTH NO. 9 MERIDIAN, IDAHO FINAL PLAT LANDSCAPE PLAN	
Job Number: 2109	
Drawn: JCS Checked: JCS	Scale: AS SHOWN
OVERALL LANDSCAPE PLAN	
Sheet Number: <b>L1.0</b>	
1 of 1 Sheets	



## **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 (AZ-13-008, RZ-13-015, DA Inst. No. 114030972; PP-13-014).
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of the City Engineer's signature on the previous phase final plat, 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 Land Solutions, stamped on 01/22/21 by Clinton W. Hansen, is approved with the following revisions:
  - a. Note #10: Include the recorded Development Agreement instrument number;
  - b. Note #12: Include recorded instrument number.
5. The landscape plan shown in Section V.C prepared by Jensen Belts Associates, dated 02/23/21, is approved as submitted.
6. Future homes constructed in this phase shall comply with the elevations included in the development agreement (Oaks North and South Subdivision – Inst. No. 114030972) with materials and architectural features to be the same or higher quality as shown in the elevations.
7. Prior to the issuance of any new building permit, the property shall be subdivided in accordance with the UDC.
8. 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.
9. 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. Reserve correct streetlight numbers. The spacing appears to meet requirements.
2. Applicant needs to add the engineering design of the gravity irrigation piping into their development plans. Please refer to the Public Works Department design Standards when designing these works.

#### **General Conditions:**

3. 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.

4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
14. Developer shall coordinate mailbox locations with the Meridian Post Office.
15. All grading of the site shall be performed in conformance with MCC 11-1-4B.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.



18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. 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](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.
21. 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-foot wide for a single utility, or 30-foot 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.
22. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
23. Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Water Department at (208)888-5242 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources.
24. 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.
25. 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.
26. 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.

