

## COMMUNITY DEVELOPMENT DEPARTMENT

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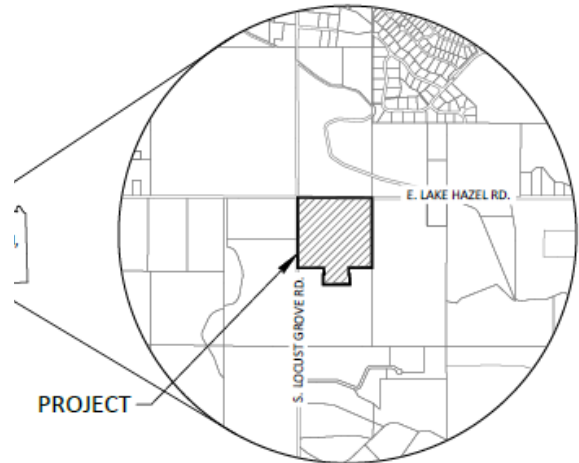


HEARING DATE: January 19, 2021

TO: Mayor & City Council  
FROM: Sonya Allen, Associate Planner  
208-884-5533

SUBJECT: FP-2020-0013  
Apex Southeast No. 1

LOCATION: Southeast corner of S. Locust Grove Rd.  
& E. Lake Hazel Rd., in the NW ¼ of  
Section 5, Township 2N., Range 1E.



### I. PROJECT DESCRIPTION

Final plat consisting of 77 single-family residential buildable lots, 2 commercial buildable lots and 13 common lots on 41.63 acres of land in the R-8 and C-C zoning districts.

### II. APPLICANT INFORMATION

A. Applicant:

Kody Daffer, Brighton Development – 2929 W. Navigator Dr., Meridian, ID 83669

B. Owner:

Brighton Investments, LLC – 2929 W. Navigator Dr., Meridian, ID 83669

C. Representative:

Same as Applicant

### III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2020-0057) in accord with the requirements listed in UDC 11-6B-3C.2.

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Staff has reviewed the proposed plat and the number of buildable lots has decreased by 9 from what was shown on the original preliminary plat but is the same as that depicted on the approved conceptual master plan; the common open space area is the same as that shown on the qualified open space exhibit approved with the

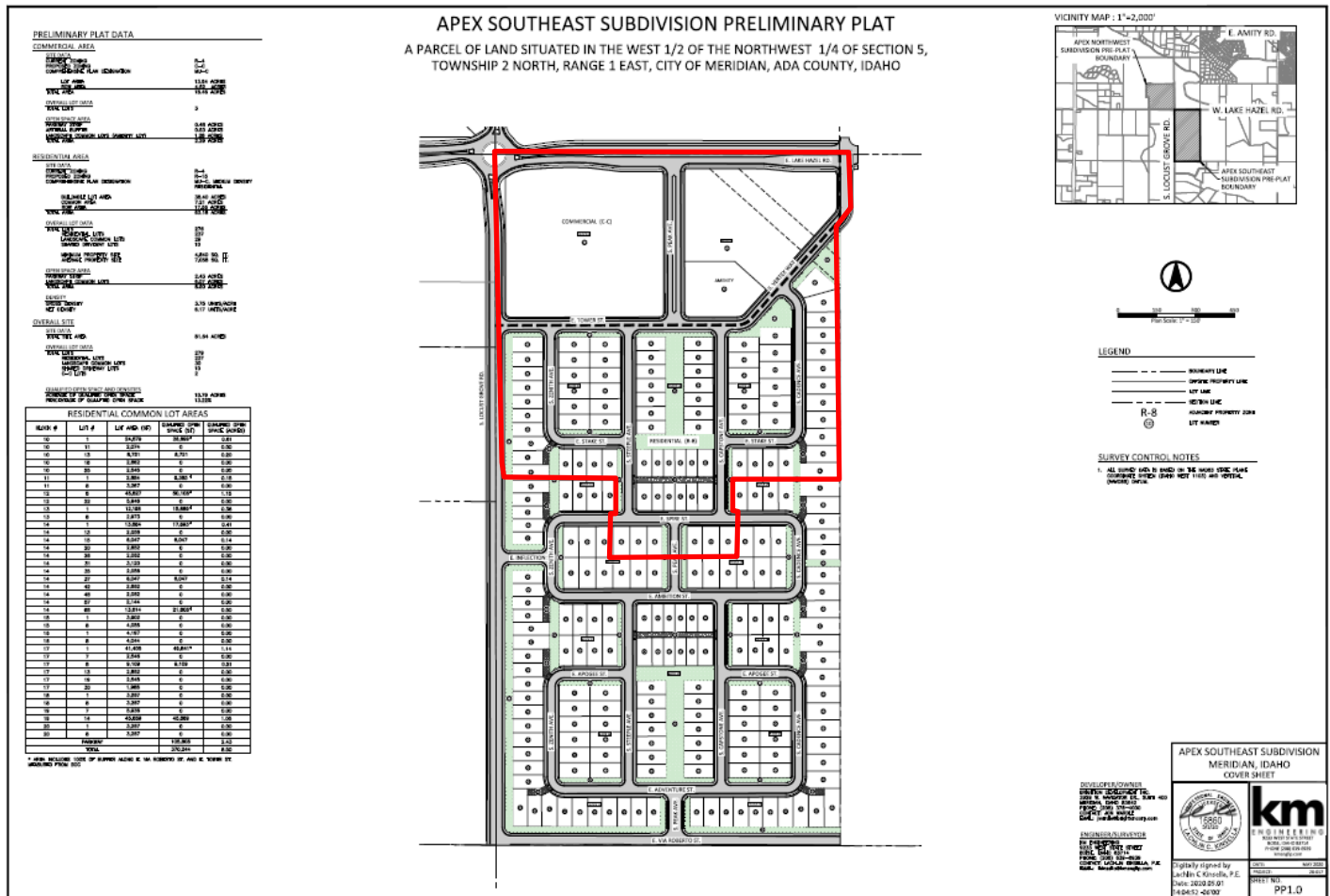
The proposed emergency access exhibit in Section VIII.F has been approved by the Fire Dept.

## IV. DECISION

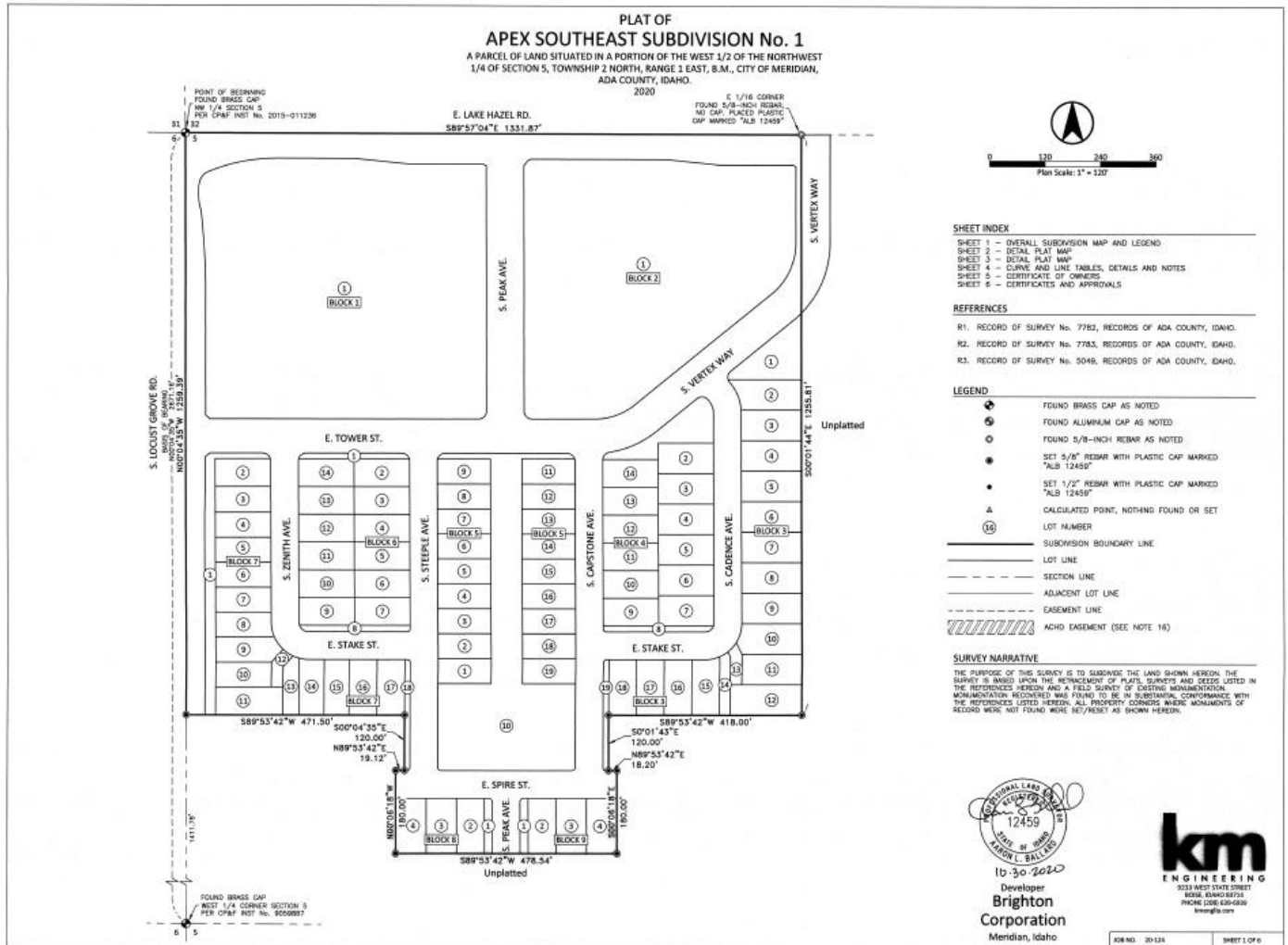
Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

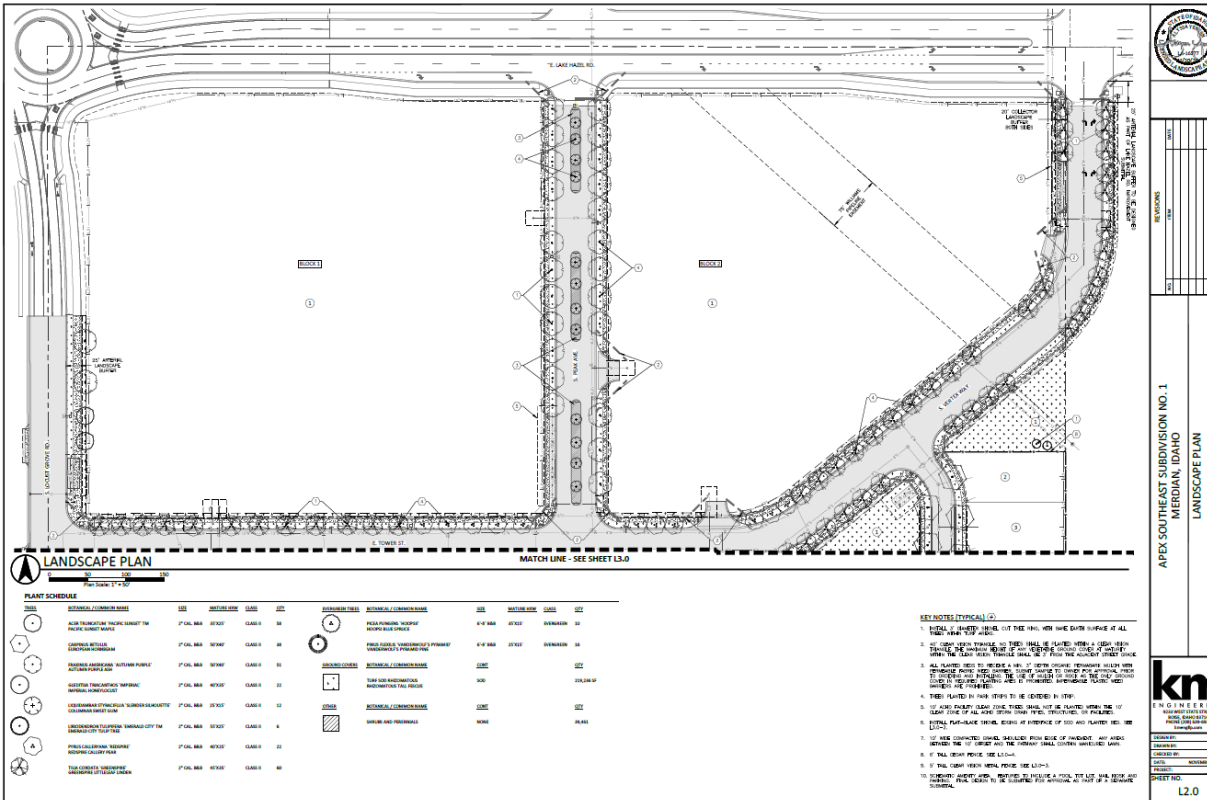
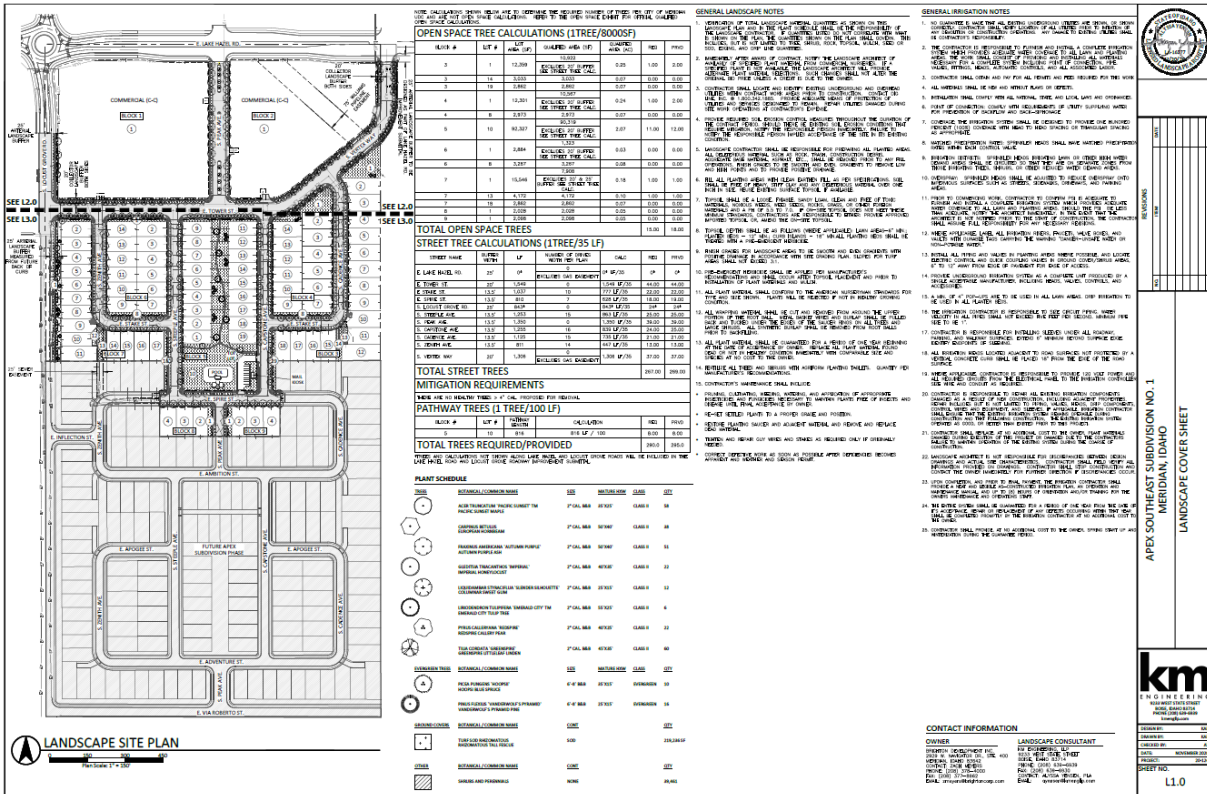
## V. EXHIBITS

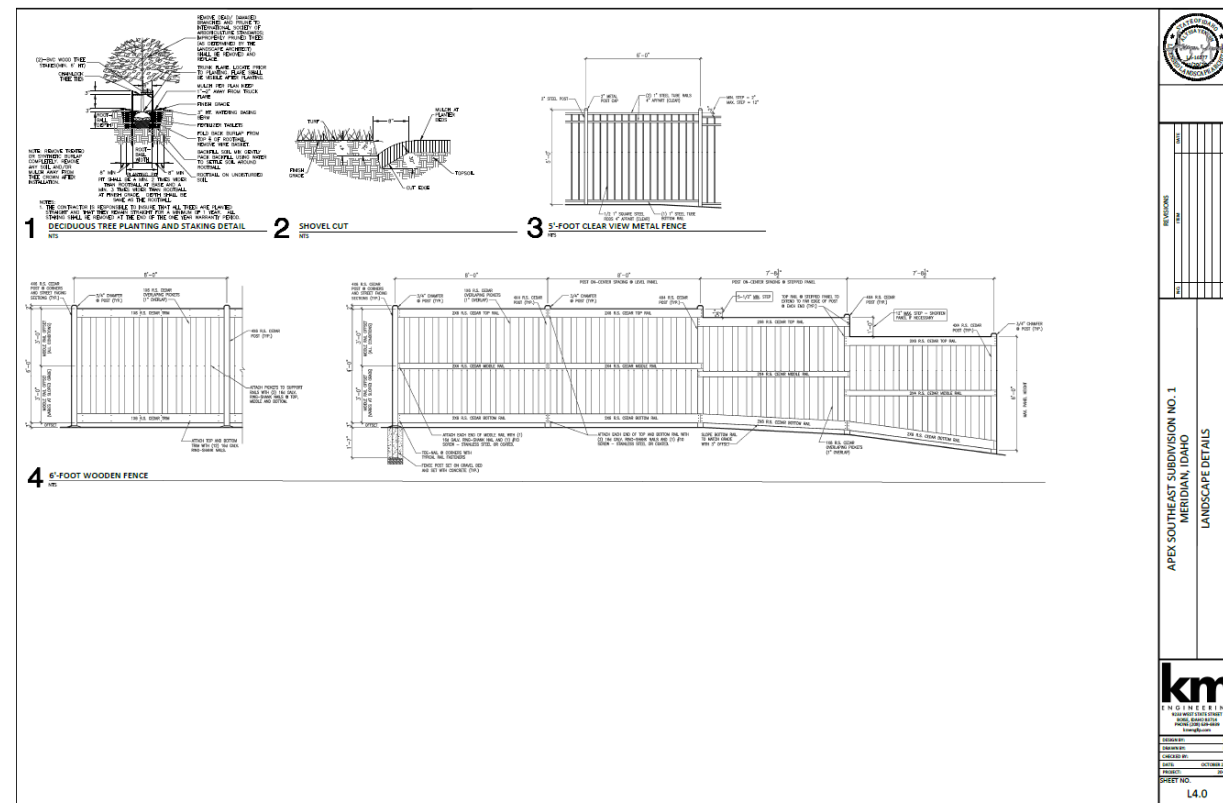
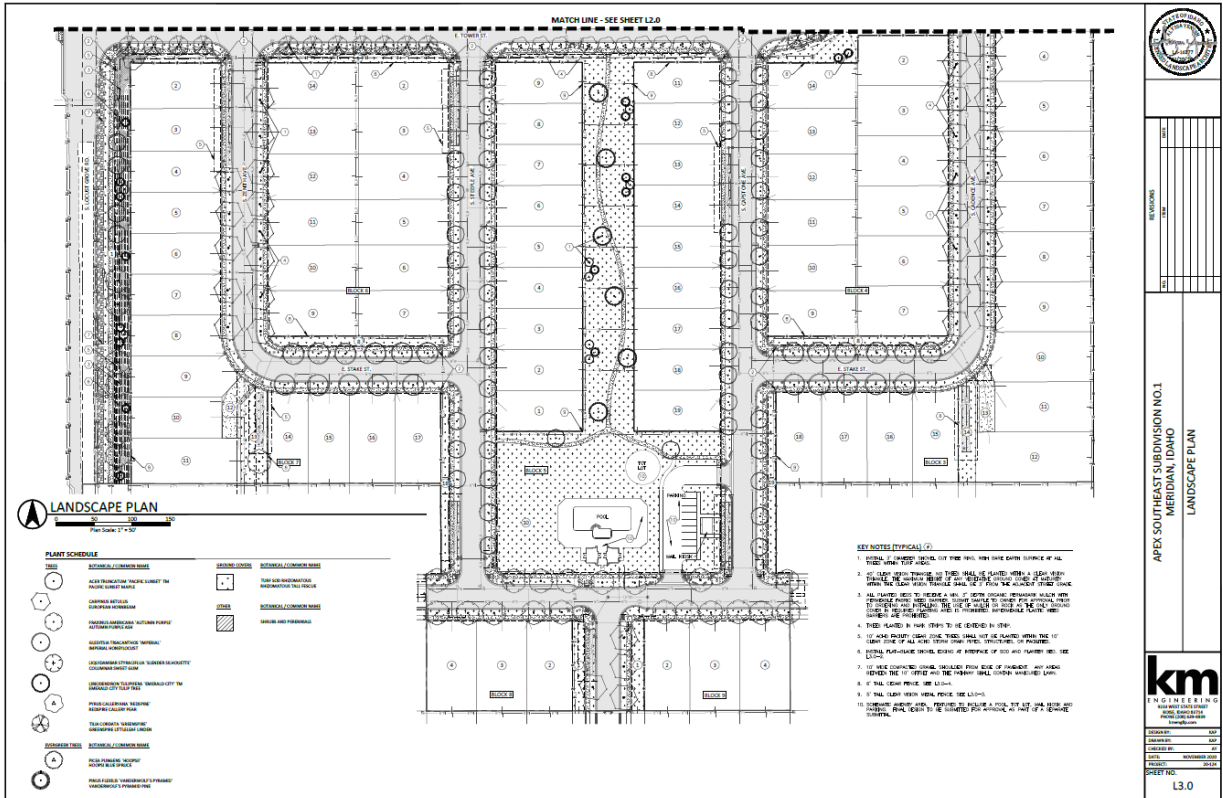
### A. Preliminary Plat (dated: 5/1/2020)



B. Final Plat (dated: 10/30/20)







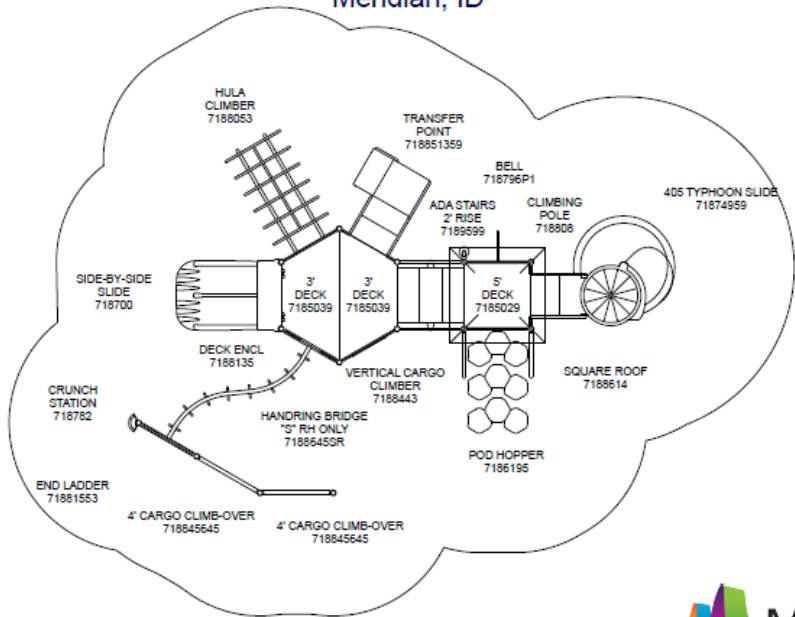


D. Amenity Exhibit



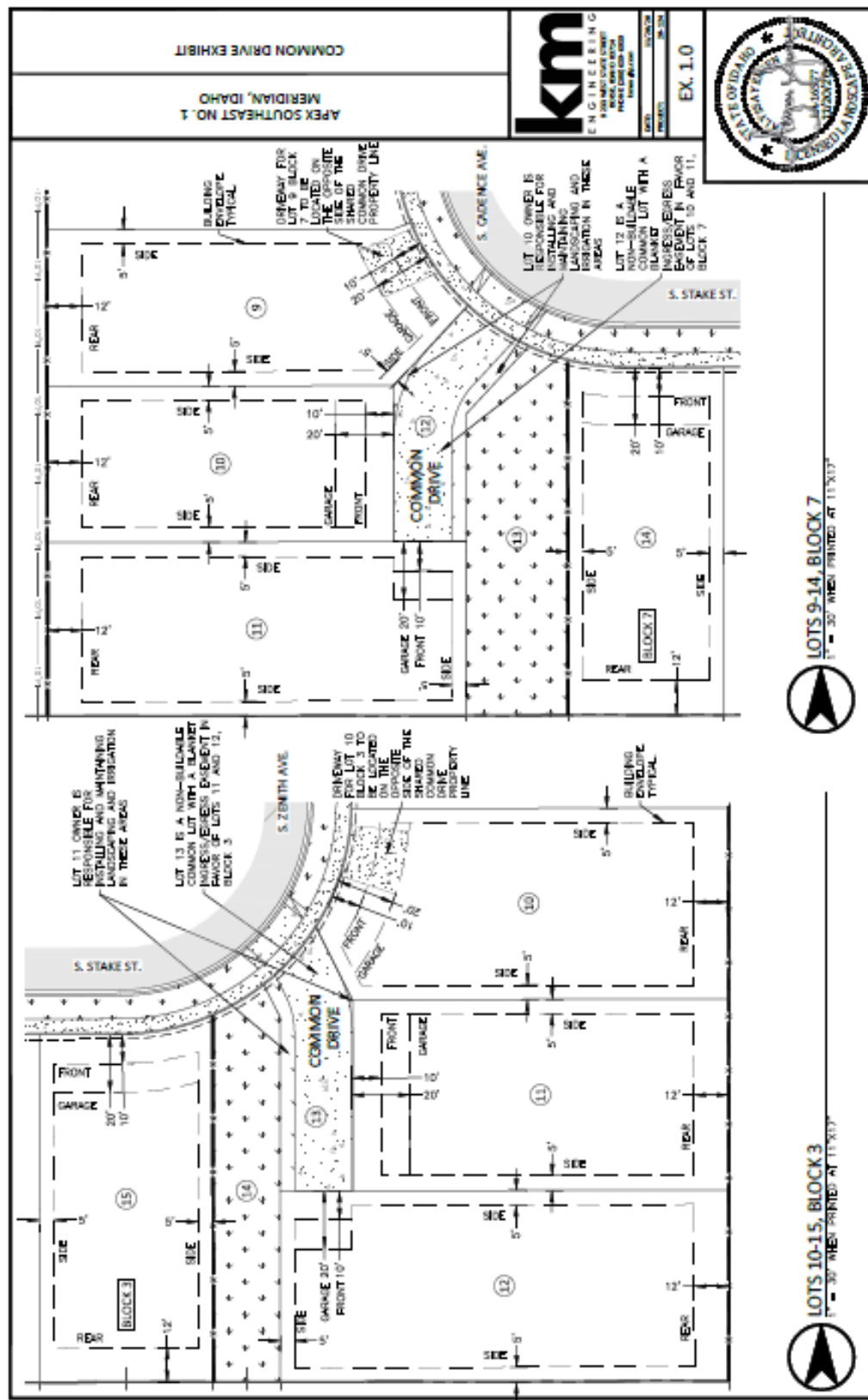
Arbor Tot Lot  
Meridian, ID

5-12



|                                    |                                                    |                         |  |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                    |
|------------------------------------|----------------------------------------------------|-------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| GARRETT & COMPANY, INC.            |                                                    | R0032_44092527205       |  | To promote safe and proper equipment use by children, Miracle recommends the installation of either a Miracle safety sign or other appropriate safety signage near each playstation's main entry point(s) to inform parents and supervisors of the age appropriateness of the playstation and general rules for safe play. | THE PLAY COMPONENTS IDENTIFIED IN THIS PLAN ARE IPEMA CERTIFIED. THE USE AND LAYOUT OF THESE COMPONENTS CONFORM TO THE REQUIREMENTS OF ASTM F1487. |
| 650 Quaking Aspen Dr<br>Murray, UT | PHONE NO: (801) 265-8443<br>FAX NO: (801) 263-1284 | ✓ COMPLIES TO ASTM/CPSC |  |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                    |
| GROUND SPACE: 29'-0" x 19'-0"      |                                                    |                         |  | AN ENERGY ABSORBING PROTECTIVE SURFACE IS REQUIRED UNDER & AROUND ALL PLAY SYSTEMS                                                                                                                                                                                                                                         |                                                                                                                                                    |
| PROTECTIVE AREA: 41'-0" x 32'-0"   |                                                    |                         |  |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                    |
| DRAWN BY: Angela LaBarron          |                                                    | DATE: 9/18/2020         |  |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                    |

### E. Common Driveway Exhibits



## Emergency Access





## 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-2019-0120; Development Agreement Instrument Number 2020-029370).
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Engineer's signature on the first phase final plat; *or* apply for a time extension, in accord with UDC 11-6B-7.
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 prepared by KM Engineering stamped by Aaron L. Ballard, dated: 10/30/2020, included in Section V.B shall be revised as follows:
  - a. Replace S. Vertex Way with S. Bloomerang Way with change from E. Tower St. occurring at S. Cadence Ave. intersection, consistent with Ada County Street Name Review approval.
  - b. Include the recorded instrument number of the City of Meridian sewer and water easement on the face of the plat on Sheets 2 and 3.
  - c. Note #5: "Lots 1, 14 and 19, Block 3, Lots ~~4 and 1~~ 1 and 8, Block 4, Lots 1 and 8, Block 6, Lots 1, 13, and 18, Block 7, Lot 1, Block 8, Lot 1, Block 9 and Lot ~~5~~ 10, Block ~~4~~ 5, are designated as common lots. . ."
  - d. Note #6: "Lot 12, Block 7, and Lot 13, Block ~~13~~ are subject to a blanket easement for common drives to provide access for Lots ~~9, 10, and 11, and 13~~, Block 7, and Lots ~~10, 11, and 12, and 14~~, Block ~~13~~, respectively. Said Lot 12, Block 7 and Lot 13, Block ~~13~~ shall be owned by the Apex Southeast. . . Said Lot 12, Block 7 and Lot 13, Block ~~13~~ are subject to blanket. . ." Include a note requiring the common driveways to be constructed of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8 in accord with preliminary plat condition #A.8.
  - e. Note #13: Include recorded instrument number for ACHD landscape license agreement.
  - f. Note #14: Include recorded instrument number for ACHD public right-of-way<sup>7</sup> easement (sidewalk).
  - g. Note #16: Include all lots subject to the ACHD storm water drainage system easement.
  - h. Note #20: Include E. Tower St. and S. Vertex Way/S. Bloomerang Way in the note.
  - i. Depict a minimum 15-foot wide common lot in Block 3 for a micro-path connection to Discovery Park in the vicinity of Lots 6 and 7, Block 3 as required by the Park's Department with the preliminary plat.

*A copy of the revised plat shall be submitted with the final plat for City Engineer signature.*

5. The landscape plan prepared by KM Engineering, dated 11/20/2020, included in Section V.C, shall be revised as follows:
  - a. Depict a minimum 15-foot wide common lot in Block 3 for a micro-path connection to Discovery Park – a total of 3 micro-path connections are required per preliminary plat condition #A.3c.

- b. Depict landscaping on either side of all pathways (micro-paths and multi-use pathways) in accord with the standards listed in UDC 11-3B-12C.
  - c. Depict 25-foot wide street buffers with landscaping along S. Locust Grove Rd. and E. Lake Hazel Rd. in accord with the standards listed in UDC 11-3B-7C.
  - d. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line along S. Locust Grove Rd. and/or E. Lake Hazel Rd., the Developer is required to maintain a 10-foot wide compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
  - e. Depict a 10-foot wide multi-use pathway on the east side of the main entry road from Lake Hazel Rd. along the boundary to Discovery Park as required by the Park's Department with the preliminary plat; coordinate with Kim Warren, Park's Department.
6. Fourteen-foot (14') wide public pedestrian easements shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site along E. Lake Hazel Rd. and S. Locust Grove Rd. that are *not* located within right-of-way, prior to signature on the final plat by the City Engineer.
  7. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way/S. Bloomerang Way and E. Tower St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.
  8. Development within the Williams Pipeline easement shall comply with the Williams Developers' Handbook.
  9. 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.
  10. All fencing shall comply with the standards of UDC 11-3A-7C.
  11. All C-C zoned portions of the site are allowed to obtain building permits prior to subdivision of the property as approved with the Development Agreement (provision #A.1k).
  12. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6 and 11-2B-3 for the R-8 and C-C zoning districts respectively.
  13. Off-street parking is required to be provided for residential uses in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit; and for non-residential uses in accord with the standards listed in UDC 11-3C-6B.1.
  14. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
  15. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer

signature. As an alternative to a separate easement document, this information may be included in a note on the face of the plat.

16. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses and structures.
17. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat (H-2020-0057) and/or Development Agreement (Inst. #2020-178120) does not relieve the Applicant of responsibility for compliance.

## **B. Public Works**

### **Site Specific Conditions:**

1. Additional information is required for the street lighting along the frontage of Locust Grove and Lake Hazel. The internal lights appear to meet the requirements. Contact the Transportation and Utility Coordinator at 208-489-0352.
2. Angle of sewer pipe into/out of manhole SSMH #B-3 needs to be 90 degrees minimum.
3. There are multiple areas where the infiltration trenches could be adjusted to minimize/avoid sanitary sewer service line crossings. Please minimize/avoid number of infiltration trench crossings with services as the City is having issues with settling in the infiltration trenches.
4. For all future phases, eliminate or minimize services crossing infiltration trenches.
5. Remove sanitary sewer manhole from common drive way near the intersection of S. Cadence Avenue and E. Stake Street.

### **General Conditions:**

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.
15. 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.
16. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
17. Developer shall coordinate mailbox locations with the Meridian Post Office.
18. All grading of the site shall be performed in conformance with MCC 11-1-4B.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.

24. 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.
25. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
26. 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.
27. 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.
28. 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.
29. 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.