

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



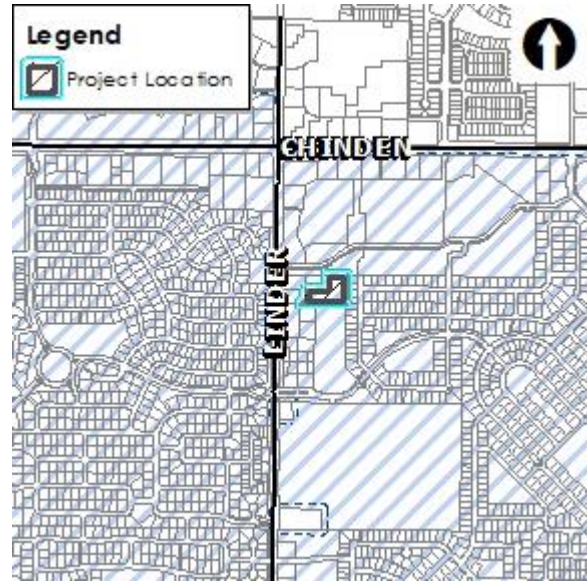
HEARING DATE: May 19, 2022

TO: Planning & Zoning Commission

FROM: Sonya Allen, Associate Planner
 208-884-5533

SUBJECT: H-2022-0015
 Bountiful Commons – MDA, PFP

LOCATION: 5960 N. Linder Rd., in the NW 1/4 of
 Section 25, T.4N., R.1W.



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (Linder Mixed Use - Inst. #2018-052340) to update the conceptual development plan & building elevations; and combined preliminary and final plat consisting of three (3) building lots on 2.20 acres of land in the C-C (Community Business) zoning district.

II. SUMMARY OF REPORT

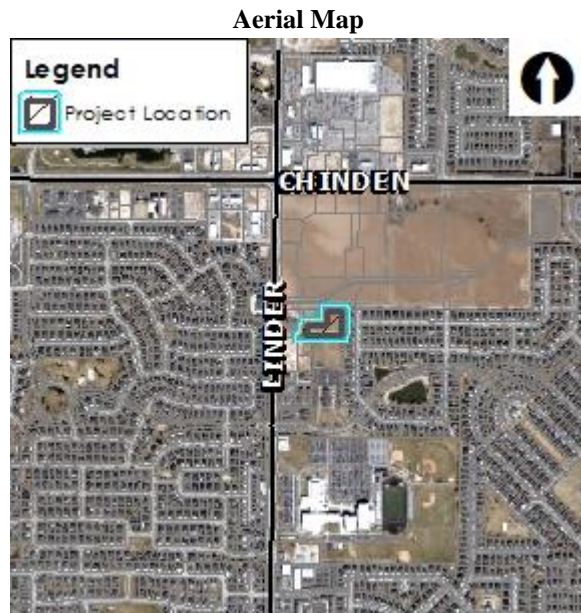
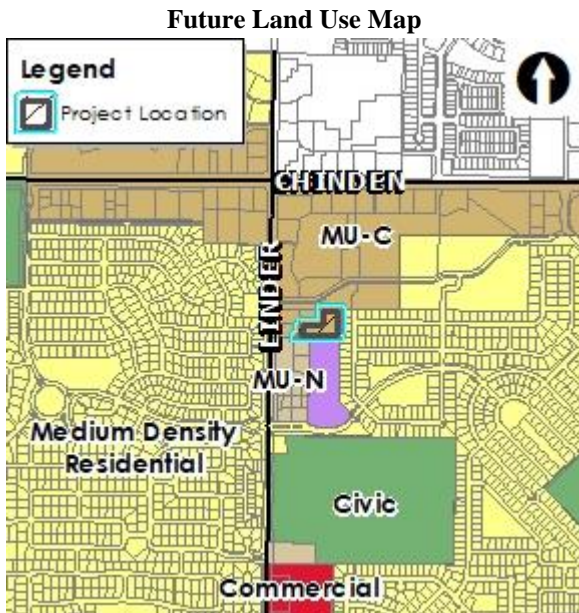
A. Project Summary

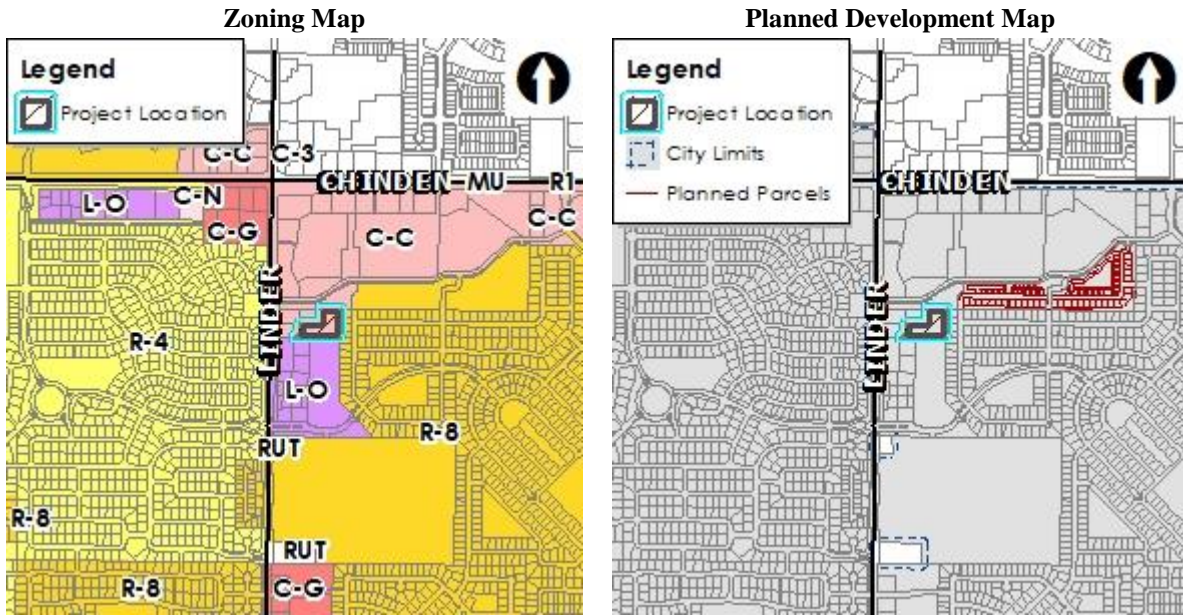
Description	Details	Page
Acreage	2.20	
Existing/Proposed Zoning	C-C (Community Business District)	
Future Land Use Designation	Mixed Use – Community (MU-C)	
Existing Land Use(s)	Vacant/undeveloped land	
Proposed Land Use(s)	Commercial (mixed use)	
Lots (# and type; bldg./common)	3 building/0 common	
Phasing Plan (# of phases)	1	
Number of Residential Units (type of units)	NA	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	2/1/22	
History (previous approvals)	H-2017-0095 (AZ, Development Agreement Inst. # 2018-052340); H-2018-0067 (PP); H-2018-0084 (FP); PBA-2022-0004 ROS #1333	

B. Community Metrics

Description	Details	Pg
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>No</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via a private backage road/driveway along the west boundary of the site.	
Traffic Level of Service	NA	
Stub Street/Interconnectivity/Cross Access	There are no stub streets that exist to this site and none are required to be provided to adjacent properties.	
Existing Road Network	A backage road/driveway exists along the west boundary of this site parallel to N. Linder Rd.	
Existing Arterial Sidewalks / Buffers	There are no existing arterial streets abutting this site.	
Proposed Road Improvements	NA	
West Ada School District	NA	
Police Service	No Comment	

C. Project Area Maps





- A. Applicant:
Stephanie Hopkins, KM Engineering, LLP – 5725 N. Discovery Way, Boise, ID 83713
- B. Owners:
TMEG Properties, LLC – 74 E 500 S, Ste. 200, Bountiful, UT 84010-0000
- C. Representative:
Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	5/3/2022	
Notification mailed to property owners within 300 feet	4/27/2022	
Applicant posted public hearing notice on site	5/7/2022	
Nextdoor posting	4/27/2022	

IV. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

Land Use: The Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#) designates this property as Mixed Use – Community (MU-C). The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged.

Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C. (See pgs. 3-11 through 3-16 for more information.)

The Applicant proposes to develop the subject property with four (4) multi-tenant commercial/office buildings with associated outdoor plazas and surface parking. The existing development plan was reviewed and deemed to be generally consistent with the Comprehensive Plan with [H-2017-0095](#). Staff has reviewed the proposed conceptual development plan for consistency with the development guidelines in the Plan and recommends changes to the plan as noted below in Section V.A consistent with the following general guidelines for Mixed-Use and specifically MU-C developments:

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.” (Pg. 3-13)
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating at restaurants do not count toward this requirement.” (Pg. 3-16)

The following Comprehensive Plan Policies are also applicable to this development: (*Staff’s analysis in italics*)

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21. Urban services are available to be provided upon development.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed commercial/office uses should be compatible with existing residential and church uses to the east and south; and with future commercial uses to the west.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The proposed mix of commercial/office uses should provide needed services for nearby residents and employees.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will connect to City water and sewer systems; services are required to be provided to and though this development in accord with current City plans.

V. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

A. Development Agreement Modification (MDA):

The Applicant proposes a modification to the existing Development Agreement (DA) for Linder Mixed Use (Inst. #2018-052340) to update the conceptual development plan & building

elevations for this site to accommodate the proposed development; and remove the Chili's restaurant conceptual building elevations from the agreement. No changes are proposed to the text of the agreement. *Note: The overall DA is for a larger 5-acre area; the portion subject to the proposed modification is the northeastern 2.93 acres.*

The existing plan depicts a 7,000 square foot (s.f.) and 10,000 s.f. buildings with a shared outdoor plaza area in between the two buildings with surface parking around the perimeter of the buildings. A dance studio and event center for dance recitals and performances were originally anticipated to develop on this site but is no longer planned (see Section VII.A below). Conceptual elevations are included in the existing DA for a Chile's restaurant, a couple of multi-tenant buildings and an event center.

The proposed development plan includes four (4) multi-tenant commercial/office buildings with individual outdoor plazas at the rear of each building, a pedestrian walkway around each building with a connection in between the two northern buildings and two southern buildings, and surface parking internal to the site. Conceptual elevations for the proposed structures are also included (see Section VII.B below). As part of the modification, the Applicant proposes to remove the conceptual elevations for the Chili's restaurant and the event center.

A north/south backage road exists along the west boundary of this site that provides an access from the collector street (W. Cayuse Creek Dr.) to the north to Linder Rd. at the south boundary of Bountiful Commons Subdivision. Staff is concerned the ten (10) parking spaces depicted on the site plan along the west boundary of the site will create a safety hazard by vehicles backing out into traffic; therefore, Staff recommends these spaces are removed from the plan.

An existing provision of the DA (#5.1b) requires a minimum of 5% of the development area to be developed with supportive and proportional public and/or quasi-public spaces and places. Based on 2.93 acres, a minimum area of 0.15-acre (or 6,382 square feet) would be required. In mixed use designated areas where multiple commercial and/or office buildings are proposed, the Comprehensive Plan also desires buildings to be arranged to create some form of common, usable area, such as a plaza or green space. To create more of a shared common usable area as desired, Staff recommends instead of individual outdoor plaza areas for each building, the parking areas in between Buildings A & B and C & D are removed and a plaza/green space is provided in these areas with seating, landscaping and shade structures.

Note: The conceptual development plan depicts a total building square footage of 31,488+/- s.f. between four (4) buildings. For a commercial/office use in a commercial district, a minimum of 63 off-street parking spaces would be required; a total of 154 spaces are proposed. Even with removal of 34 spaces as recommended, a total of 120 spaces will still be provided, which Staff believes will meet the needs of the development.

Staff has reviewed the provisions of the existing DA and finds the proposed conceptual development plan to be in compliance with these provisions if the Applicant complies with the recommended changes to the plan.

Staff is generally supportive of the proposed modification to the DA with the recommended changes to the conceptual development plan noted above. Staff recommends the Applicant revise the plans to incorporate these changes and submit a copy of the revised plan to the Planning Division at least 10 days prior to the City Council hearing.

B. Preliminary/Final Plat (PFP):

A combined preliminary and final plat is proposed to re-subdivide a portion of Lot 1 and all of Lot 4, Block 1, Bountiful Commons Subdivision. The current configuration of the property was created through Record of Survey #13333 associated with [PBA-2022-0004](#). The proposed plat consists of three (3) building lots on 2.20 acres of land in the C-C zoning district.

Existing Structures/Site Improvements:

There are no existing structures on this site; the previous structures have been removed.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the C-C zoning district in UDC Table [11-2B-3](#).

Subdivision Design and Improvement Standards (UDC [11-6C-3](#)):

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

Access (UDC [11-3A-3](#))

Access to the site exists via a private driveway/backage road that runs parallel to N. Linder Rd. depicted in an easement on the plat. No stub streets exist to the site and none are proposed or required to be provided to adjacent properties. A cross-access easement agreement (Inst. #2018-108834) exists between all lots in the subdivision that grants access over drive aisles and parking areas per plat note #12.

Pathways (UDC [11-3A-8](#)):

There are no pathways depicted on the Pathways Master Plan for this site. **The existing DA (provision #5.1i) requires a pedestrian pathway connection to be provided to the church property (Parcel # R6905150070) at the south boundary of the site; the site/landscape plan shall be revised accordingly.**

The existing DA also requires a walkway to be provided along one side of the north/south backage driveway for safe pedestrian access and connectivity. Because a sidewalk was constructed on the Beehive Credit Union (A-2020-0032) site to the west of the proposed development along the west side of the driveway, Staff is not including a requirement for a walkway to be constructed on the east side of the driveway on the subject property.

Sidewalks (UDC [11-3A-17](#)):

There are no public streets proposed within this site or that exist adjacent to the site; therefore, sidewalks are not required.

Landscaping (UDC [11-3B](#)):

No streets are proposed with this application and none exist adjacent to this site; therefore, no street buffer landscaping is required. No pathways are proposed; therefore, no pathway landscaping is required.

A 25-foot wide buffer is required along the east boundary of Lots 7 and 8, Block 1 adjacent to existing residential uses as set forth in UDC [Table 11-2B-2](#); the buffer should be landscaped per the standards listed in UDC [11-3B-9C](#) and may be installed at the time of lot development. The landscape plan depicts the 25-foot wide buffer planted with a mix of deciduous and evergreen trees with a 3-foot tall berm in accord with UDC standards.

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical](#)

[Engineering Report](#) for the proposed subdivision that was prepared in 2018 with the original subdivision. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

Pressure Irrigation (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15. This property lies within the boundary of Settler's Irrigation District.

Utilities (UDC [11-3A-21](#)):

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21.

Waterways (UDC [11-3A-6](#)):

The North Slough runs along the project's north boundary and has been piped in accord with UDC 11-3A-6B. A portion of the easement (i.e. 10') lies on this property as depicted on the plat. This project is not within the flood plain.

Fencing (UDC [11-3A-6](#) and [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing exists along the north, east and west property boundaries; no new fencing is proposed with this application.

Building Elevations (UDC [11-3A-19](#) | [Architectural Standards Manual](#)):

Conceptual building elevations were submitted for the proposed single-story commercial/office buildings as shown in Section VII.B; these elevations may change with future applications but provide a general idea of the type of architecture planned. **Final design must comply with the design standards in the Architectural Standards Manual.**

VI. DECISION

A. Staff:

Staff recommends approval of the requested development agreement modification with recommended changes to the conceptual development plan as noted above in Section V.A; and combined preliminary and final plat with the provisions noted in Section VIII, per the Findings in Section IX.

VII. EXHIBITS

A. Existing Development Agreement Provisions, Conceptual Development Plan and Elevations

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owners and/or Developer shall develop the Property in accordance with the following special conditions:

- a. Future development of the subject property shall be generally consistent with the conceptual site plan, building elevations, and provisions contained in the Staff Report that is attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit "B".
- b. Provide supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area within the site development area.
- c. Non-residential buildings should be proportional to and blend in with adjacent residential buildings.
- d. The existing homes and associated outbuildings shall be removed from the site prior to issuance of any building permits.
- e. If access isn't available to this site at the time of development, a temporary access will be allowed via N. Linder Road with approval from the Ada County Highway District. At such time as access from the north and/or south is available, the temporary access shall be removed and the use discontinued.
- f. The developer shall grant a cross-access/ingress-egress easement to the properties to the north (parcel #S0425223010) and south (parcel #S0425233810) in accord with UDC 11-3A-3 and the Comprehensive Plan (action item #3.03.02N). A recorded copy of the easement agreement shall be submitted to the Planning Division with the first Certificate of Zoning Compliance application for the development.
- g. Future development shall comply with the structure and design standards listed in UDC 11-3A-19 and in the Architectural Standards Manual (ASM).
- h. A 10-foot wide segment of the City's multi-use pathway is required along N. Linder Road in accord with the Pathways Master Plan. Landscaping shall be installed in accord with the standards listed in UDC 11-3B-12C on either side of the pathway.
 - i. Provide a pedestrian pathway connection to the church property at the south boundary of the site.
 - j. Provide a walkway along one side of the north/south backage driveway for safe pedestrian access and connectivity.
 - k. Prior to removing *any* of the existing trees from the site, the developer/owner shall contact the City Arborist to determine mitigation requirements for any healthy trees 4" caliper and greater that are removed from the site in accord with UDC 11-3B-10C.5.
 - l. The applicant shall submit and obtain approval of a Certificate of Zoning Compliance and Design Review application from the Planning Division, prior to submittal of any building permit applications.
 - m. Prior to the application for any development on the subject site, sanitary sewer and water serviceability will need to be reviewed. This is due to the potential timing of development of adjacent properties and the ability or inability to create loops in the water system and to determine the routing of sanitary sewer.
 - n. Provide a pedestrian walkway from the sidewalk along the north/south backage driveway to the entrance of the building proposed on the east side of the site (i.e. the dance studio/event center).

LINDER MIXED-USE DEVELOPMENT

LINDER ROAD MERIDIAN, IDAHO



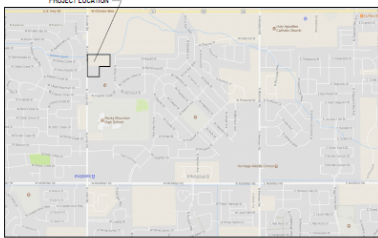
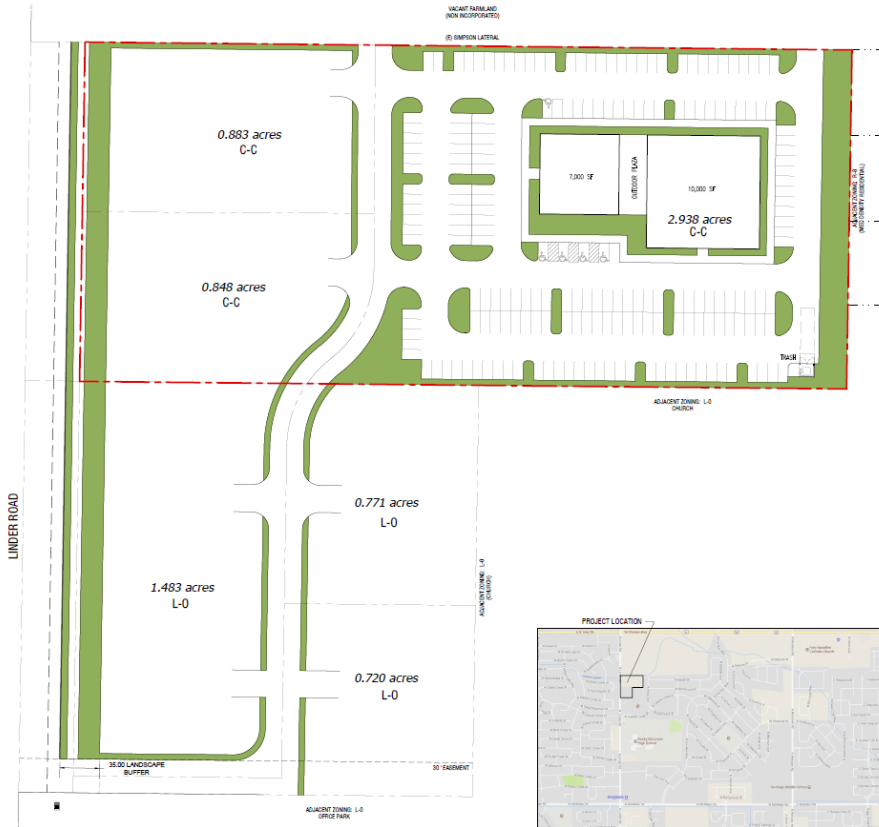
OVERALL GENERAL SITE NOTES
 SCALE: 1"=40'-0"
 ZONING (EXISTING): .RUT
 ZONING (PROPOSED): .C-C
 TOTAL AREA: 5.0 ACRES

COMMON OPEN SPACE REQUIRED: 10%

DEVELOPER: TGI CORP.
 74 EAST 500 SOUTH, STE. 200
 BOUNTIFUL, UT 84010
 801-292-5000

LANDSCAPE: TBD

CIVIL: TBD



1 SITE PLAN
 SCALE: 1"=40'-0"



2 VICINITY MAP
 NO SCALE



ARCHITECT/
 PLANNER:



499 MAIN STREET
 BOISE, IDAHO 83702
 T (208) 343-2891 X6
 F (208) 343-1308
 WWW.TAODAHO.COM

PROJECT:
**LINDER
 MIXED-USE
 DEVELOPMENT**
 5960 N. LINDER
 ROAD
 MERIDIAN, IDAHO



SEAL
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 DRAWN BY: DAVID RUBY, AIA

REVISIONS
 SHEET
A1.0
 ARCHITECTURAL CONCEPT
 SITE PLAN



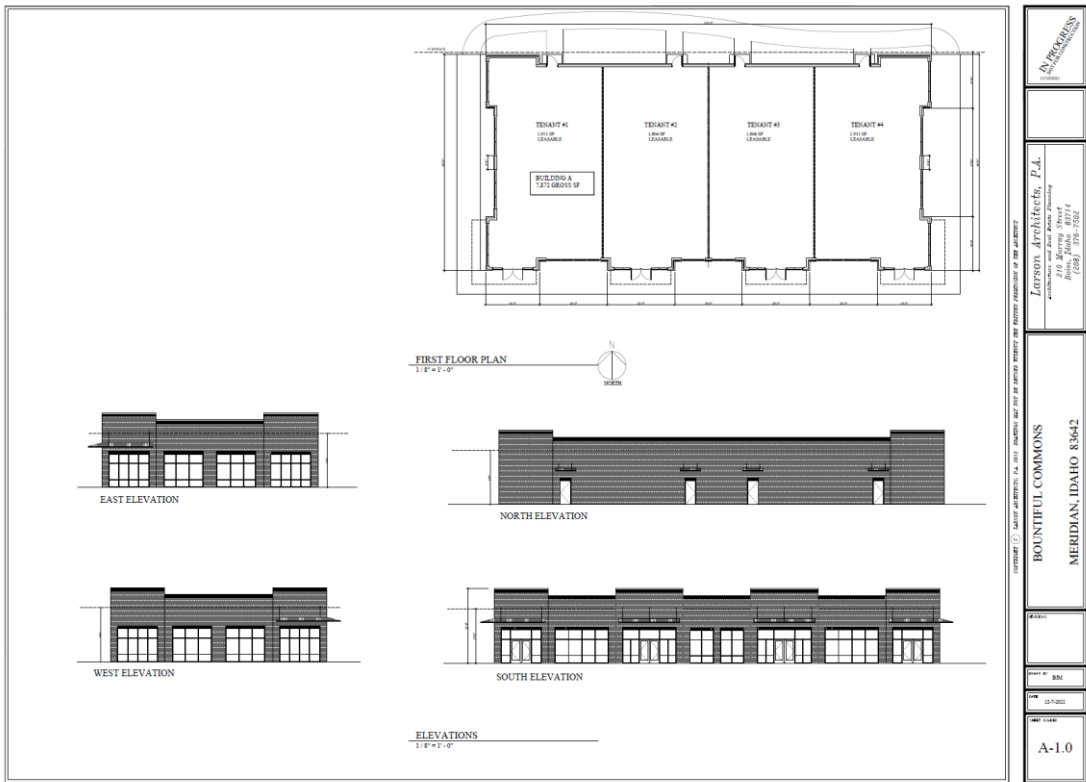
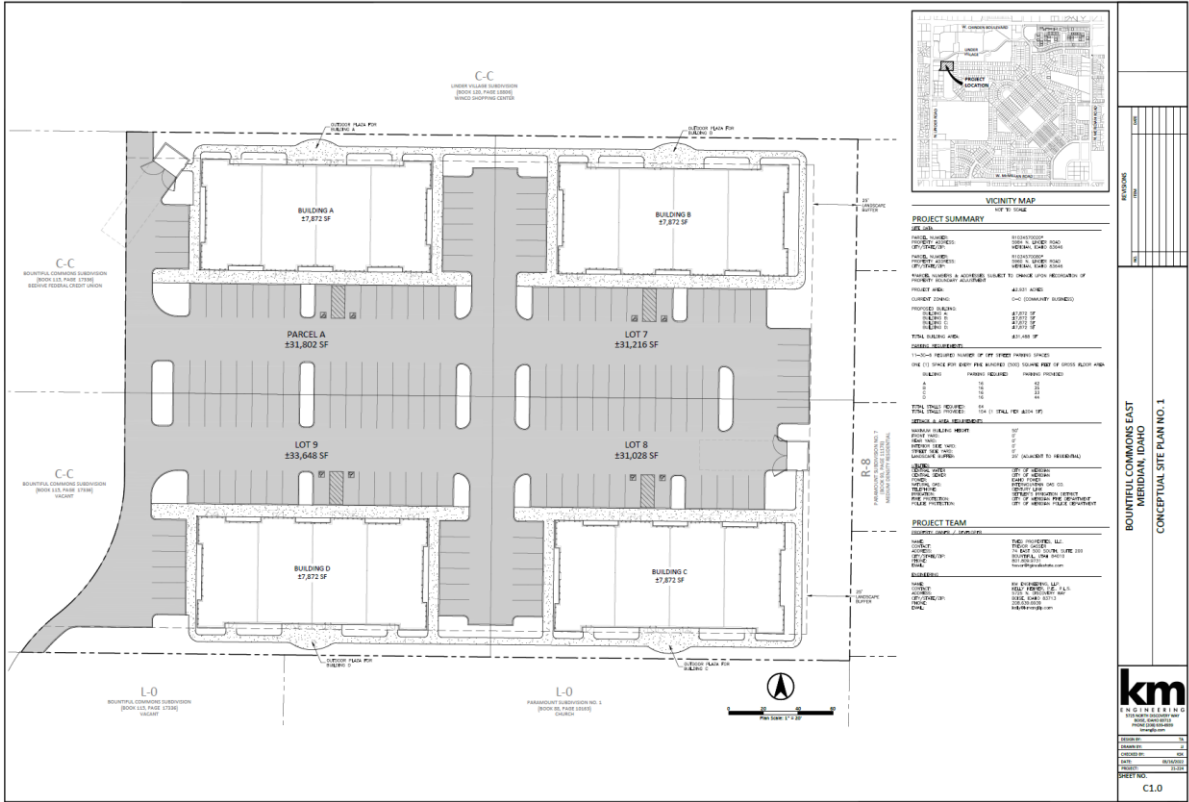
Commercial Buildings Fronting on Linder Road



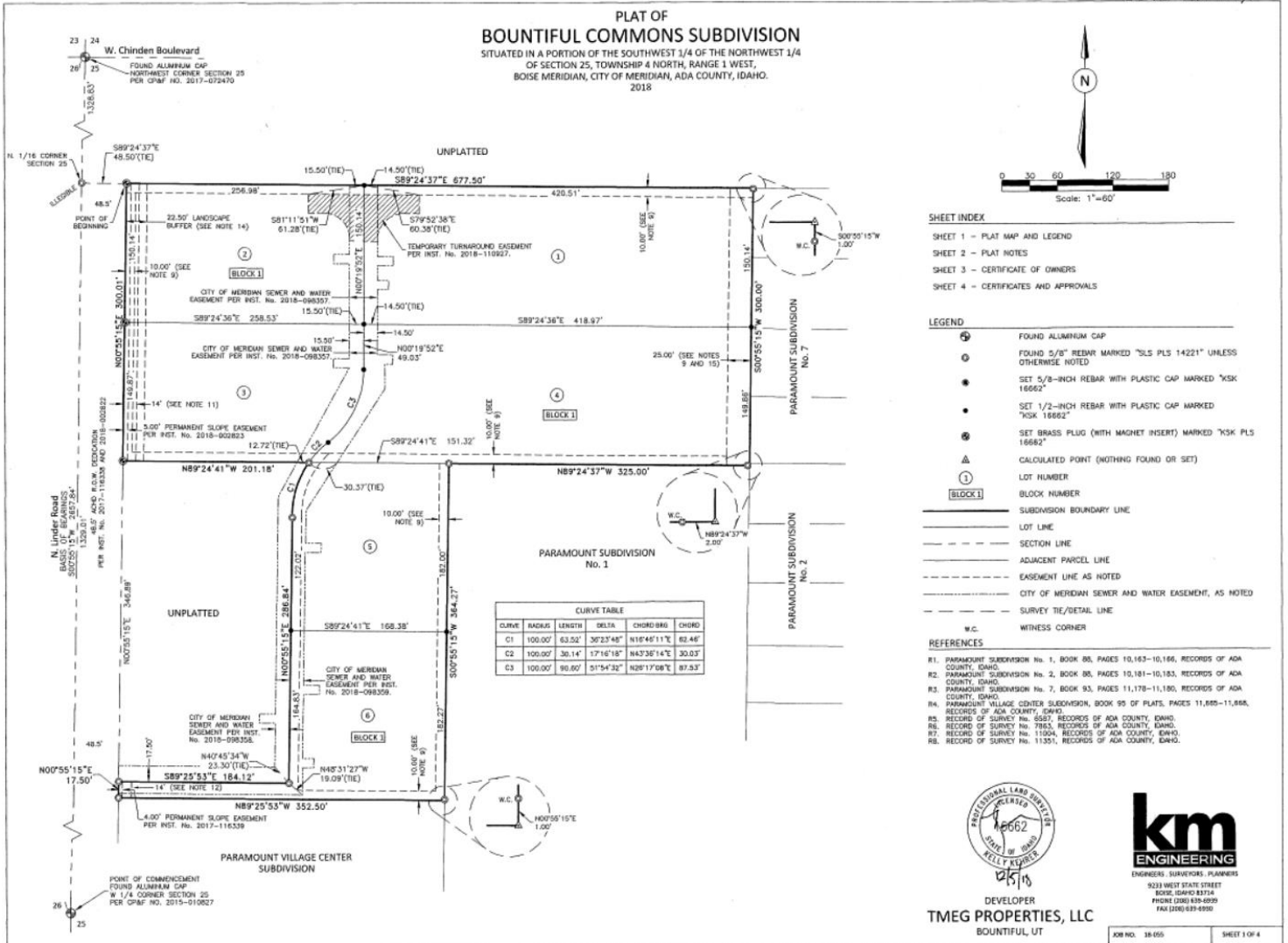
Event Center



B. Proposed Conceptual Development Plan (NOT APPROVED) & Elevations to be Included in Amended Development Agreement



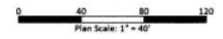
C. Existing Recorded Plat & Record of Survey



RECORD OF SURVEY
PROPERTY BOUNDARY ADJUSTMENT
TMEG Properties LLC

ROS No. 13433

LOTS 1 AND 4, BLOCK 1 OF BOUNTIFUL COMMONS SUBDIVISION, SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2022



LEGEND

- PARCEL BOUNDARY LINE
- - - ADJACENT BOUNDARY LINE
- ROADWAY CENTERLINE
- - - EASEMENT LINE AS NOTED
- FOUND 5/8 INCH REBAR WITH CAP MARKED "SL 14221" UNLESS NOTED
- FOUND 1/2 INCH REBAR WITH CAP MARKED "SK 16662" UNLESS OTHERWISE NOTED
- SET 5/8 INCH REBAR W/PLASTIC CAP MARKED "SK 16662"

NOTES

1. THE PROPERTIES SHOWN HEREON ARE CURRENTLY ZONED C-C.
2. THERE ARE CURRENTLY NO STRUCTURES ON THE SUBJECT PROPERTIES.
3. PURSUANT TO BOUNTIFUL COMMONS SUBDIVISION, UNLESS OTHERWISE DIMENSIONED, ALL LOTS COMMON TO THE SUBDIVISION BOUNDARY CONTAIN A 10.00 FOOT WIDE PUBLIC UTILITY, IRRIGATION DRAINAGE, PRESSURIZED IRRIGATION AND LANDSCAPE EASEMENT. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT. THE NORTHERLY BOUNDARY OF LOTS 1 AND 2, BLOCK 1 ARE ALSO SUBJECT TO A 10.00 FOOT WIDE IRRIGATION EASEMENT IN FAVOR OF THE NORTH SLOUGH WATER USER'S ASSOCIATION.
4. PURSUANT TO BOUNTIFUL COMMONS SUBDIVISION, LOTS 1 AND 4, BLOCK 1 ARE SUBJECT TO A 25.00 FOOT WIDE LANDSCAPE BUFFER EASEMENT TO BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS.
5. LOTS 1 AND 4, AS SHOWN HEREON, ARE SUBJECT TO A CROSS ACCESS EASEMENT AGREEMENT OVER DRIVE BLEBS AND PARKING AREAS AS CONSTRUCTED AND AS MAY BE AMENDED IN THE FUTURE, PER INST. NO. 2018-10834.

REFERENCES

- R1. BOUNTIFUL COMMONS SUBDIVISION, BOOK 115, PAGES 17336-17339 OF PLATS, RECORDS OF ADA COUNTY, IDAHO.

CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO)
ADA COUNTY) SS
INSTRUMENT NUMBER 2022-024141

I HEREBY CERTIFY THAT THIS SURVEY FILED AT THE REQUEST OF KM Engineering AT 2:49 MINUTES PAST 8 O'CLOCK P.M. THIS 9 DAY OF March, 2022 A.D., IN MY OFFICE AND WAS DULY RECORDED.

Don Roddis DEPUTY
Jim McCane EX-OFFICIO RECORDER

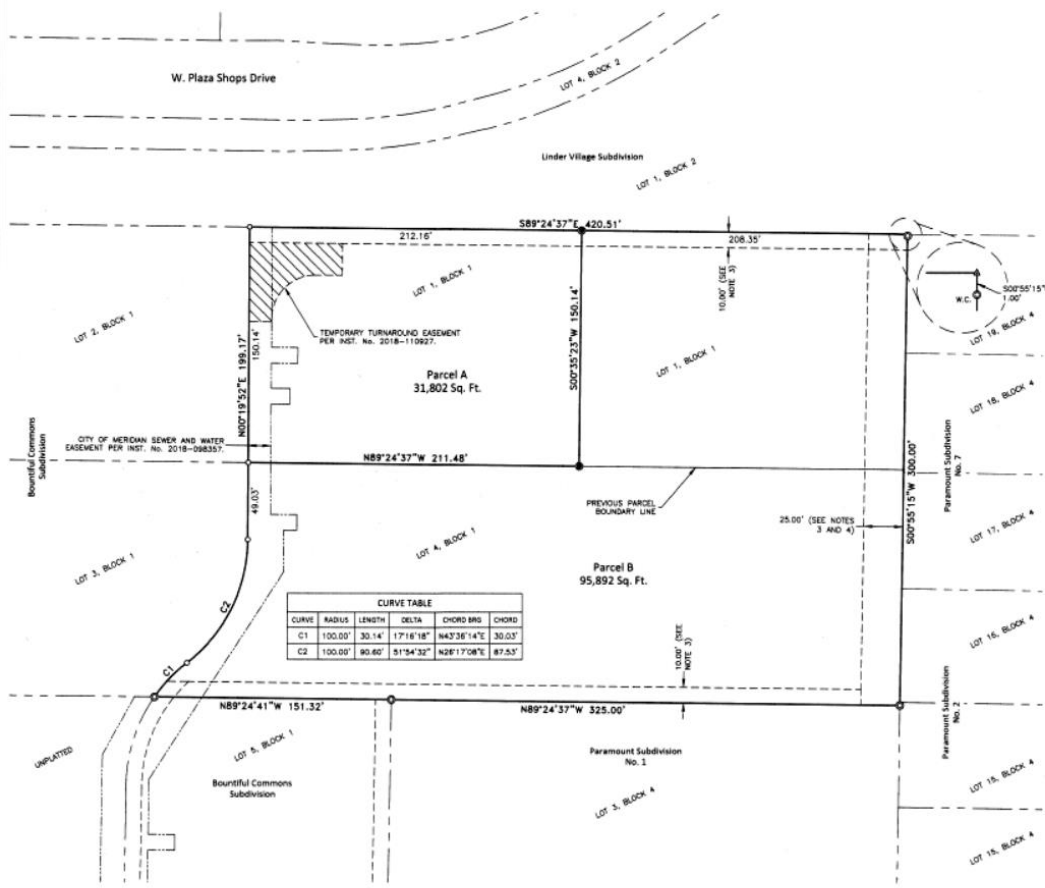
FEE: 5-

SURVEY NARRATIVE

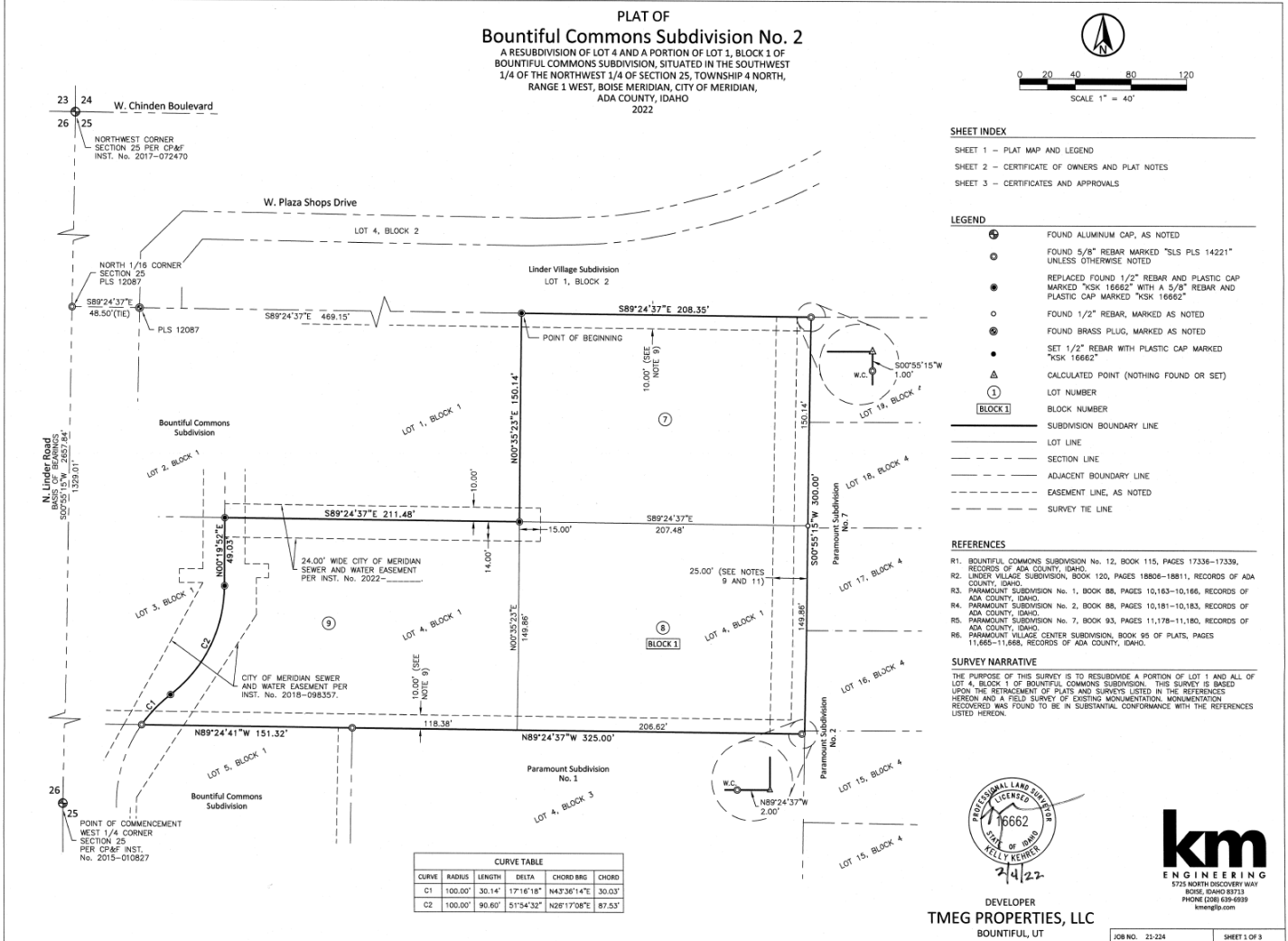
THIS RECORD OF SURVEY DEPICTS THE ADJUSTMENT OF THE BOUNDARIES BETWEEN LOTS 1 AND 4, BLOCK 1 OF BOUNTIFUL COMMONS SUBDIVISION, INTO PARCELS A AND B, AS SHOWN HEREON. THIS SURVEY IS BASED UPON THE RETRACEMENT OF THE PLAT AS LISTED IN THE REFERENCES HEREON AND A FIELD SURVEY OF EXISTING MONUMENTATION. MONUMENTATION RECOVERED WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE RECORD.

CERTIFICATE OF SURVEYOR

I, KELLY KEHRER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.



E. Proposed Final Plat (dated: 2/4/2022)



**PLAT OF
Bountiful Commons Subdivision No. 2**

CERTIFICATE OF OWNERS

KNOW ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PROPERTY HEREAFTER DESCRIBED.

A RESUBDIVISION OF A PORTION OF LOT 1 AND ALL OF LOT 4, BLOCK 1 OF BOUNTIFUL COMMONS SUBDIVISION (BOOK 115 OF PLATS, PAGES 17336-17338), SITUATED IN THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM CAP MARKING THE WEST 1/4 CORNER OF SAID SECTION 25, WHICH BEARS S02°45'15"W A DISTANCE OF 2,657.84 FEET FROM A FOUND ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SAID SECTION 25, THENCE FOLLOWING THE WESTERLY LINE OF SAID SECTION 25, N00°55'19"E A DISTANCE OF 1,329.01 FEET TO A FOUND 5/8-INCH REBAR MARKING THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 (NORTH 1/16);

THENCE LEAVING SAID WESTERLY LINE AND FOLLOWING THE NORTHERLY LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, S89°24'37"E A DISTANCE OF 48.50 FEET TO A FOUND BRASS PILE MARKING THE NORTHWEST CORNER OF SAID BOUNTIFUL COMMONS SUBDIVISION;

THENCE FOLLOWING THE NORTHERLY BOUNDARY LINE OF SAID BOUNTIFUL COMMONS SUBDIVISION, S89°24'37"E A DISTANCE OF 469.15 FEET TO THE POINT OF BEGINNING.

THENCE FOLLOWING SAID NORTHERLY SUBDIVISION BOUNDARY LINE, S89°24'37"E A DISTANCE OF 208.35 FEET TO THE NORTHEAST CORNER OF SAID BOUNTIFUL COMMONS SUBDIVISION, BEING WITNESSED BY A FOUND 5/8-INCH REBAR, WHICH BEARS S00°55'15"W A DISTANCE OF 1.00 FEET;

THENCE LEAVING SAID NORTHERLY SUBDIVISION BOUNDARY LINE AND FOLLOWING THE EASTERLY BOUNDARY LINE OF SAID BOUNTIFUL COMMONS SUBDIVISION, S00°55'15"W A DISTANCE OF 300.00 FEET TO THE SOUTHEAST CORNER OF SAID BOUNTIFUL COMMONS SUBDIVISION, BEING WITNESSED BY A FOUND 5/8-INCH REBAR, WHICH BEARS N89°24'37"W A DISTANCE OF 2.00 FEET;

THENCE LEAVING SAID EASTERLY SUBDIVISION BOUNDARY LINE AND FOLLOWING THE SOUTHERLY BOUNDARY LINE OF SAID LOT 4 THE FOLLOWING TWO (2) COURSES:

N89°24'37"W A DISTANCE OF 328.00 FEET TO A FOUND 5/8-INCH REBAR;

N89°24'17"W A DISTANCE OF 151.32 FEET TO A FOUND 5/8-INCH REBAR MARKING THE SOUTHWEST CORNER OF SAID LOT 4;

THENCE LEAVING THE SOUTHERLY BOUNDARY LINE OF SAID LOT 4 AND FOLLOWING THE WESTERLY BOUNDARY LINE OF SAID LOT 4 THE FOLLOWING THREE (3) COURSES:

30.14 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 171°16'18", A CHORD BEARING OF N42°35'14"E AND A CHORD DISTANCE OF 30.03 FEET;

90.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 51°54'37", A CHORD BEARING OF N09°17'08"E AND A CHORD DISTANCE OF 87.53 FEET;

N00°19'52"E A DISTANCE OF 49.03 FEET TO THE NORTHWEST CORNER OF SAID LOT 4;

THENCE LEAVING SAID WESTERLY BOUNDARY LINE AND FOLLOWING THE NORTHERLY BOUNDARY LINE OF SAID LOT 4, S89°24'37"E A DISTANCE OF 211.48 FEET;

THENCE LEAVING SAID NORTHERLY BOUNDARY LINE, N00°35'23"E A DISTANCE OF 50.14 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.201 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE SAID LAND IN THIS PLAT. THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS SHOWN ON THIS PLAT. NO STRUCTURES OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERRECTED WITHIN THE LIMITS OF SAID EASEMENTS UNLESS NOTED OTHERWISE ON THIS PLAT. ALL LOTS WITHIN THIS PLAT WILL RECEIVE WATER SERVICE FROM THE CITY OF MERIDIAN AND SAID CITY HAS AGREED IN WRITING TO SERVE ALL OF THESE LOTS.

TREVOR GASSER, REGISTERED AGENT,
TMEC PROPERTIES, LLC

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } ss

ON THIS _____ DAY OF _____ IN THE YEAR _____ A.D., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED TREVOR GASSER, KNOWN OR IDENTIFIED TO ME TO BE THE REGISTERED AGENT OF TMEC PROPERTIES, A UTAH LIMITED LIABILITY COMPANY AND THE PERSON WHO EXECUTED THIS INSTRUMENT ON BEHALF OF SAID LLC AND ACKNOWLEDGED TO ME THAT SUCH LLC EXECUTED THE SAME.

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

NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

NOTES

1. MINIMUM BUILDING SETBACK LINES SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN IN EFFECT AT THE TIME OF RESUBDIVISION.
3. IRRIGATION WATER HAS BEEN PROVIDED BY THE OWNER OF THIS SUBDIVISION IN COMPLIANCE WITH IDAHO CODE SECTION 31-3802(1)(a). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM SETTLER'S IRRIGATION DISTRICT.
4. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, 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 EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF".
5. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY AND THE CITY OF MERIDIAN.
6. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN THE SANITARY RESTRICTION RELEASE.
7. REFERENCE IS MADE TO THE PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.
8. THE BOTTOM OF STRUCTURAL FOOTINGS SHALL BE SET A MINIMUM OF 12-INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUND WATER ELEVATION.
9. PER THE PLAT OF BOUNTIFUL COMMONS SUBDIVISION, UNLESS OTHERWISE DIMENSIONED, ALL LOTS COMMON TO THE SUBDIVISION BOUNDARY CONTAIN A 10.00 FOOT WIDE PUBLIC UTILITY, PROPERTY DRAINAGE, PRESSURIZED IRRIGATION AND LANDSCAPE EASEMENT. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT. THE NORTHERLY BOUNDARY OF LOT 7, BLOCK 1 IS ALSO SUBJECT TO A 10.00 FOOT WIDE IRRIGATION EASEMENT IN FAVOR OF THE NORTH SLOUGH WATER USER'S ASSOCIATION.
10. THIS SUBDIVISION IS SUBJECT TO A DEVELOPMENT AGREEMENT PER INST. No. 2018-052340, RECORDS OF ADA COUNTY, IDAHO.
11. PER THE PLAT OF BOUNTIFUL COMMONS SUBDIVISION, LOTS 7 AND 8, BLOCK 1 ARE SUBJECT TO A 25.00 FOOT WIDE LANDSCAPE BUFFER EASEMENT TO BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS.
12. PER THE PLAT OF BOUNTIFUL COMMONS SUBDIVISION, ALL LOTS SHOWN HEREON ARE SUBJECT TO A CROSS ACCESS EASEMENT AGREEMENT OVER DRIVE, WALKS AND PARKING AREAS AS CONSTRUCTED PER INST. No. 2018-108634 AND AS MAY BE AMENDED IN THE FUTURE.
13. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS PER INST. No. 2018-120223, RECORDS OF ADA COUNTY, IDAHO, AND AS MAY BE AMENDED IN THE FUTURE.

CERTIFICATE OF SURVEYOR

I, KELLY KEHRER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF BOUNTIFUL COMMONS SUBDIVISION No. 2 AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" AND AS SHOWN ON THE ATTACHED PLAT, 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.

KELLY KEHRER P.L.S. 16662



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Staff recommends the Applicant revise the conceptual development plan depicted in Section VII.B to incorporate the changes noted in Section V.A and submit a copy of the revised plan to the Planning Division at least 10 days prior to the City Council hearing.

1. The existing Development Agreement (DA) (Inst. #[2018-052340](#), H-2017-0095) for Linder Mixed Use shall be amended as proposed by the Applicant with the changes to the conceptual development plan recommended by Staff. The amended DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting approval of the amendment. The specific provisions for the amended DA are as follows
2. The final plat shall include the following revisions:
 - a. Include the recorded instrument of the City of Meridian sewer and water easement graphically depicted on Sheet 1.
3. The landscape plan depicted in Section VII.F is approved as submitted.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Table [11-2B-3](#) for the C-C zoning district.
5. With development of Lots 7 and 8, Block 1, a 25-foot wide buffer shall be provided along the eastern boundary of those lots adjacent to residential uses as set forth in UDC Table 11-2B-2, landscaped per the standards listed in UDC [11-3B-9C](#). *Note: This buffer is not required to be constructed with the subdivision improvements.*
6. As approved with Bountiful Commons Subdivision No. 1 tree mitigation plan, each lot shall provide an additional 12.5 caliper inches of trees, above the minimum standards, when developed. These trees shall be depicted on the landscape plans submitted with the Certificate of Zoning Compliance application for development of each lot.
7. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Sewer mains must meet minimum separation requirements from other mains; which is 10 feet for parallel lines.
2. Sewer mains require a minimum 20-foot-wide easement whenever they're located outside of right-of-way.
3. Ensure no sewer services pass through infiltration trenches.
4. Ensure no permanent structures including, but not limited to trees, shrubs, buildings, carports, trash enclosures, fences, infiltration trenches, light poles, etc. are built within any City utility easement.
5. The applicant must ensure that fire requirements are met and no fire hydrants or fire services lines are required for the eastern parcels. If any hydrants or fire lines are required, then an 8-inch diameter water main must be run to the eastern properties instead of service lines; the services, hydrants, and fire lines will then be stubbed from that 8-inch main extension. If main is added, a 20-foot-wide easement will be required over the main.

6. A streetlight plan will be required, and must conform with the Meridian City Standards and Specifications.
7. Three (3) new streetlights will be required within the right-of-way of North Linder Road.

General Conditions of Approval

8. 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 then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
9. 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.
10. 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 development plan approval.
11. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). 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 receiving development plan approval.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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 recorded, prior to applying for building permits.

17. 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.
18. 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.
19. 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.
20. 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.
21. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
22. Developer shall coordinate mailbox locations with the Meridian Post Office.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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.

C. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=259544&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=259179&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=260310&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat:

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use and transportation. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Staff finds that public services will be provided to the subject property with development. (See Exhibit B of the Staff Report for more details from public service providers.)

3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;

Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.

4. There is public financial capability of supporting services for the proposed development;

Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)

5. The development will not be detrimental to the public health, safety or general welfare; and,

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

6. The development preserves significant natural, scenic or historic features.

Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.