

BEFORE THE MERIDIAN CITY COUNCIL

**HEARING DATE: APRIL 11, 2023
ORDER APPROVAL DATE: APRIL 25, 2023**

**IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 38 BUILDING)
LOTS AND 7 COMMON LOTS ON)
10.06 ACRES OF LAND IN THE R-8)
ZONING DISTRICT FOR)
FRIENDSHIP SUBDIVISION.)
)
**BY: CENTURION B&A)
ENGINEERS)**
_____)
)
)
)**

**CASE NO. FP-2023-0001
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT**

This matter coming before the City Council on April 11, 2023 for final plat approval pursuant to Unified Development Code (UDC) 11-6B-3 and the Council finding that the Administrative Review is complete by the Planning and Development Services Divisions of the Community Development Department, to the Mayor and Council, and the Council having considered the requirements of the preliminary plat, the Council takes the following action:

IT IS HEREBY ORDERED THAT:

1. The Final Plat of “PLAT SHOWING FRIENDSHIP SUBDIVISION, LOCATED IN THE NORTHEAST ¼ OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 4N., RANGE 1E., BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO, 2023, HANDWRITTEN DATE: 1/24/2023, by JOSEPH D.

CANNING, PLS, SHEET 1 OF 3,” is conditionally approved subject to those conditions of Staff as set forth in the staff report to the Mayor and City Council from the Planning and Development Services divisions of the Community Development Department dated April 11, 2023, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein.

2. The final plat upon which there is contained the certification and signature of the City Clerk and the City Engineer verifying that the plat meets the City’s requirements shall be signed only at such time as:
 - 2.1 The plat dimensions are approved by the City Engineer; and
 - 2.2 The City Engineer has verified that all off-site improvements are completed and/or the appropriate letter of credit or cash surety has been issued guaranteeing the completion of off-site and required on-site improvements.

NOTICE OF FINAL ACTION

AND RIGHT TO REGULATORY TAKINGS ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code § 67-8003, the Owner may request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that this is a final action of the governing body of the City of Meridian, pursuant to Idaho Code § 67-6521. An affected person being a person who has an

interest in real property which may be adversely affected by this decision may, within twenty-eight (28) days after the date of this decision and order, seek a judicial review pursuant to Idaho Code § 67-52.

By action of the City Council at its regular meeting held on the _____ day of _____, 2023.

By:

Robert Simison
Mayor, City of Meridian

Attest:

Chris Johnson
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By: _____ Dated: _____

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



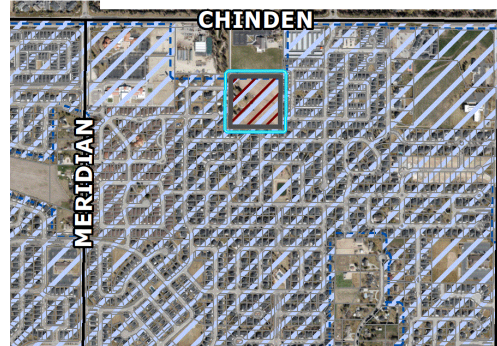
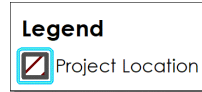
HEARING DATE: April 11, 2023

TO: Mayor & City Council

FROM: Stacy Hersh, Associate Planner
208-884-5533

SUBJECT: FP-2023-0001
Friendship Subdivision - FP

LOCATION: 6168 Elk Ranch Lane in the Northeast
1/4 of the Northwest 1/4 of Section 30,
T.4N., R.1E.



I. PROJECT DESCRIPTION

The Applicant requests approval of a final plat consisting of 38 single-family residential buildable lots and 7 common lots on 10.06 acres of land in the R-8 zoning district.

II. APPLICANT INFORMATION

A. Applicant:

Anna Canning, Centurion B&A Engineers – 2323 S. Vista Avenue, Ste. 206, Boise, ID 83705

B. Owner:

Diana Luoma, TAB Holdings, LLC – 3405 Overland Road, Ste. 360, Meridian, ID 83702

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2021-0083) 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 final plat and the number of buildable lots has decreased from 41 buildable lots to 38 buildable lots and the amount of common open space area is the same. If the Applicant is amenable, Staff recommends connecting the pathway to the driveway on the northwest corner of the site to provide a pedestrian connection with the church property to the north. Staff deems the

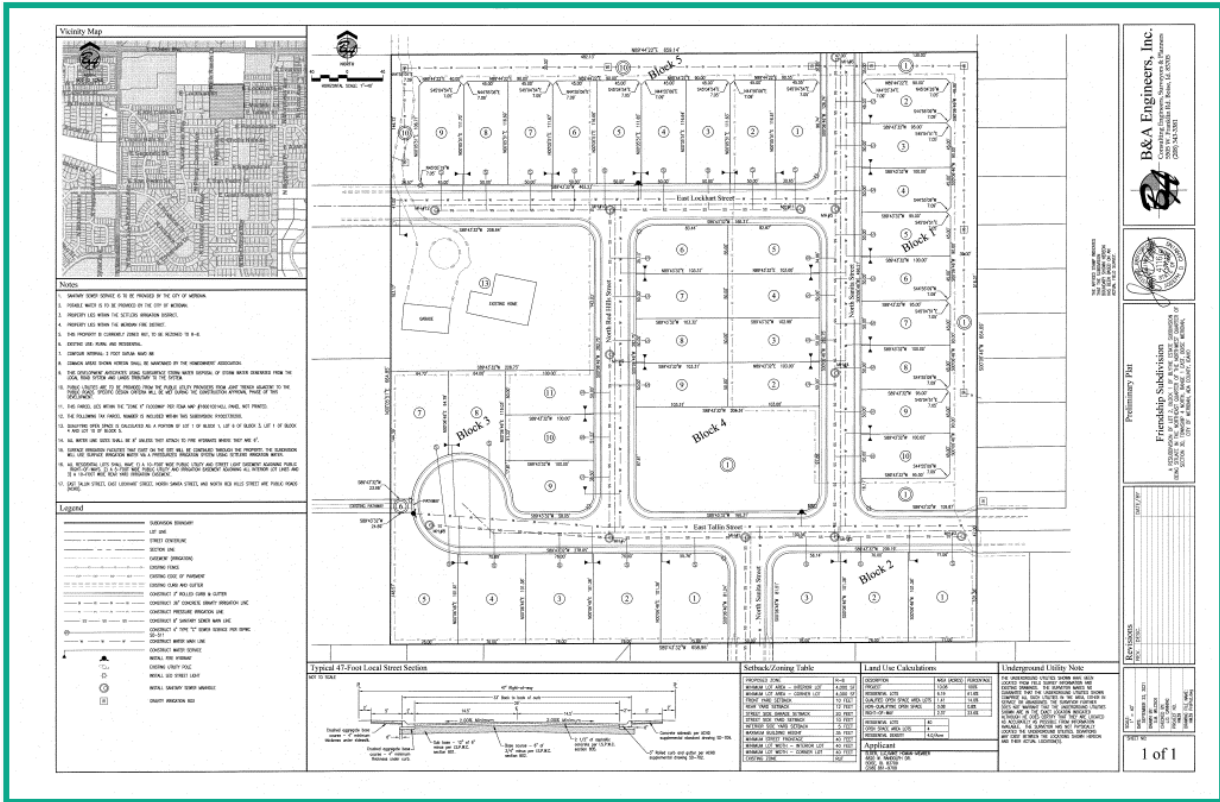
proposed final plat to be in substantial compliance with the approved preliminary plat as required.

IV. DECISION

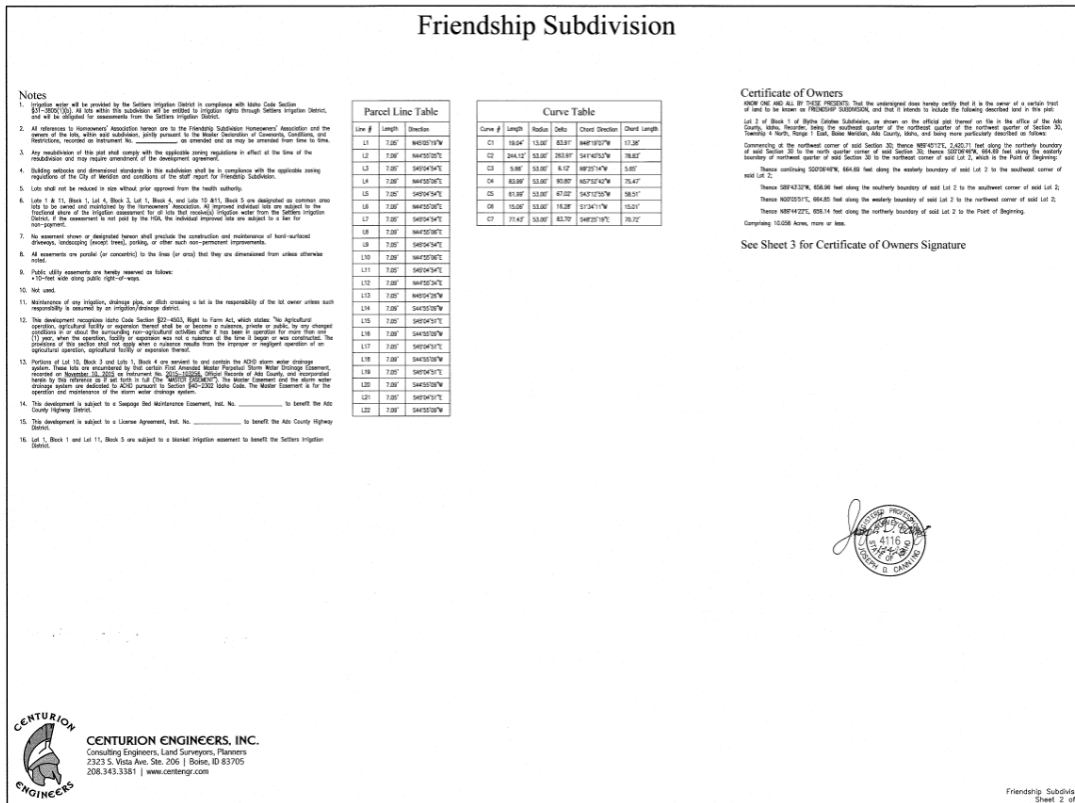
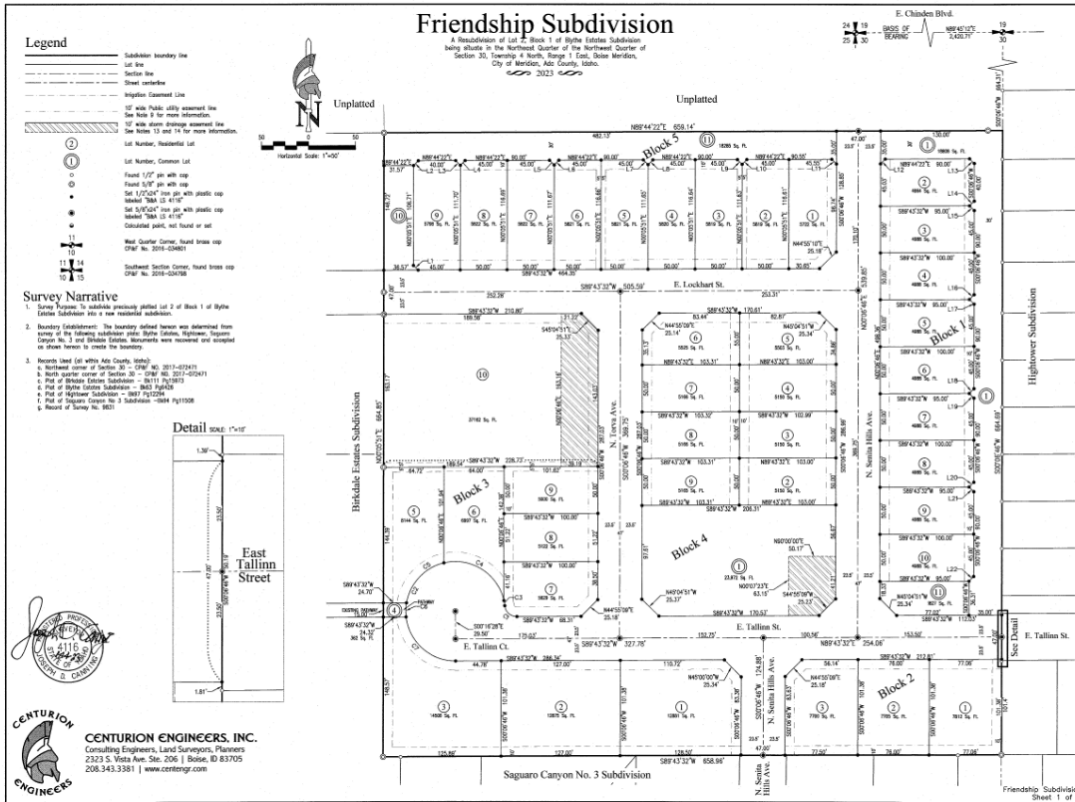
Staff recommends approval of the proposed final plat per the conditions noted in Section VI of this report.

V. EXHIBITS

A. Preliminary Plat (dated: 2/22/2022)



B. Final Plat (dated: 1/24/23)



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall comply with all previous conditions of approval associated with this development [H-2021-0083 (Development Agreement Inst. #2022-045751)].
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of City Council's approval (April 19, 2022) of the previous 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 acknowledgment signed and notarized.
4. The final plat prepared by Centurion Engineers, Inc. stamped by Joseph D. Canning, dated: 1/24/2023, included in Section V.B shall be revised as follows:
 - a. The existing irrigation easement bisecting the property is to be relinquished and replaced with a new easement as depicted on the submitted plans, prior to signature on the final plat.
 - b. Note #2: Include the recorded instrument of the Friendship Subdivision Homeowners' Association Master Declaration of Covenants, Conditions, and Restrictions on the recorded plat.
 - c. Revise Note #5: "Lots shall not be reduced in size without prior approval from the health authority and the City of Meridian."
 - d. Replace Note #10: with "the subdivision is subject to the existing Development Agreement and include the DA instrument number (DA Inst. #2022-045751)."
 - e. Note #14: Include the recorded instrument number of the ADA County Highway District easement.
 - f. Note #15: Include the recorded instrument number of the ADA County Highway District easement.
5. The landscape plan prepared by Olivia Landscape Design dated: 1/20/2023, included in Section V.C, shall be revised as follows:
 - a. All pathways shall be landscaped in accord with UDC 11-3B-12 OR the Applicant shall submit an alternative compliance application if the irrigation district will not allow the required trees to be planted within their easement prior to City Engineer's signature on the final plat.
 - b. Staff recommends the Applicant connect the pathway to the driveway on the northwest corner of the site to provide a pedestrian connection with the Church property to the north if amenable to the Applicant.
 - c. Provide a detail of the shade structure prior to City Engineer's signature on the final plat.
 - d. Revise the proposed fencing on the north and east boundary of the site to be open vision or a semiprivate fence to meet the requirements when abutting a pathway and common open space lots per UDC 11-3A-7A.7.
6. Direct lot access to Chinden Boulevard is prohibited.
7. Off-street parking is required to be provided for all residential units in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit.

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. All ditches shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses , as set forth in UDC 11-3A-6.development shall be consistent with
10. 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.
11. The Applicant shall comply with all conditions of ACHD.
12. The address of the existing home on Lot 9, Block 3 will change with the development of the proposed subdivision. The new address will be determined at the time the final records and the City addresses the lots.

B. Public Works

Site Specific Conditions:

1. Water mains crossing gravity irrigation must be sleeved per Standard Drawings SW1, SW2, W15-A, W15-B.
2. Sewer main crossing gravity irrigation must be sleeved per Standard Drawings SW1, SW2
3. Adjust sewer and water mains to get as close to as possible (4' minimum) to curb/gutter in Cul-de-sac. Adjust manhole in cul-de-sac down and to the right to provide more separation from water main to the gutter while still meeting setback requirements.
4. At the northern boundary, blow-off needs to be 4" per Standard Drawing W13.
5. At southern boundary call out removal of blow-off.
6. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.

General Conditions:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. 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.
15. 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.
16. 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.
17. 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.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan

set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.

19. 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.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. 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.
22. 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.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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.
24. 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.