

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING 5/25/2021

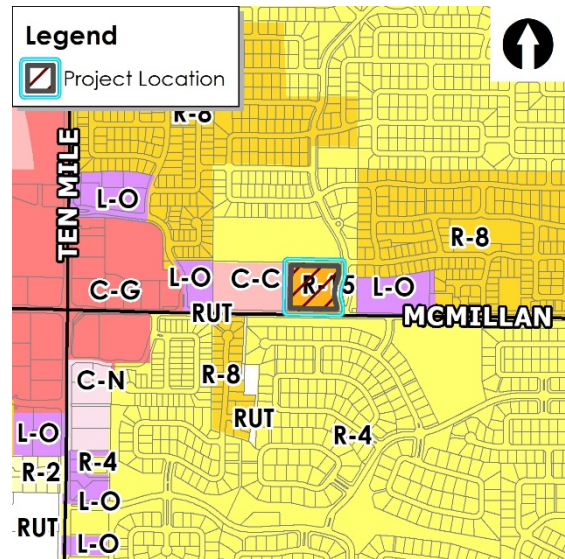
DATE:

TO: Mayor & City Council

FROM: Joseph Dodson, Associate Planner
208-884-5533

SUBJECT: FP-2021-0029
Goddard Creek Townhomes

LOCATION: The site is located in the northwest corner of W. McMillan Road and N Goddard Creek Way, in the SE ¼ of the SW ¼ of Section 26, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

Final Plat consisting of 34 age-restricted, attached, single-family residential building lots and nine (9) common lots on 4.62 acres of land in the R-15 zoning district.

The Applicant has also applied for Alternative Compliance to the Private Street Standards (UDC 11-3F-4) to incorporate faux gates in lieu of a gated community consistent with a condition of approval of the approved Rezone and Preliminary Plat. The director has approved the request for alternative compliance (see analysis below).

II. APPLICANT INFORMATION

A. Applicant/Owner:

Steve Schmidt, SI Construction, LLC – 1016 W. Sanetta Street, Nampa, ID 83651

B. Representative:

Sophia Durham, Conger Group – 4824 W. Fairview Avenue, Boise, ID 83706

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 only phase of development of the Goddard Creek Subdivision. The same number of buildable lots, common lots, and amount of open space is proposed as were approved in the preliminary plat. In fact, the amount of qualified open space has slightly increased due to the large open space lot (Lot 23) being larger than it was with the preliminary plat approval.

Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

Alternative Compliance

The Applicant has requested Alternative Compliance approval, per the standards in UDC -11-5B-5B2, to provide an alternative to the requirement to construct a gated community per the Private Street Standards, UDC 11-3F-4. The Applicant was essentially required to construct private streets within the development due to its location being landlocked by public roads that cannot allow access therefore, requiring development access via an already existing private street.

In lieu of constructing functional gates, the Applicant has proposed four (4) faux gates at the entrances to the development; one gate on each side of the two private streets. The Applicant has shown the gates' proposed locations and provided an exhibit of the gates with the revised landscape plans. Staff supports the proposed alternative to the gate requirement of the Private Street Standards and finds the proposed alternative meets the intent of the standards.

1. Strict adherence or application of the requirements are not feasible; or

Strict adherence to the Private Street Standards (UDC 11-3F-4) in this situation is feasible but would require significant redesign and change the character of the development. With the development being an age-restricted product and wanting to integrate with adjacent development, strict adherence to the standards is not desired by Staff or the Applicant.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Applicant is providing four (4) faux gates at the entrances of the subdivision that are anchored by 5-foot tall stone pillars. Although the gates will not be functional, they should provide for the privacy envisioned by a private street/gated community. Therefore, Staff finds the alternative compliance provides an adequate aesthetic and meets the intent of aforementioned standards.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.

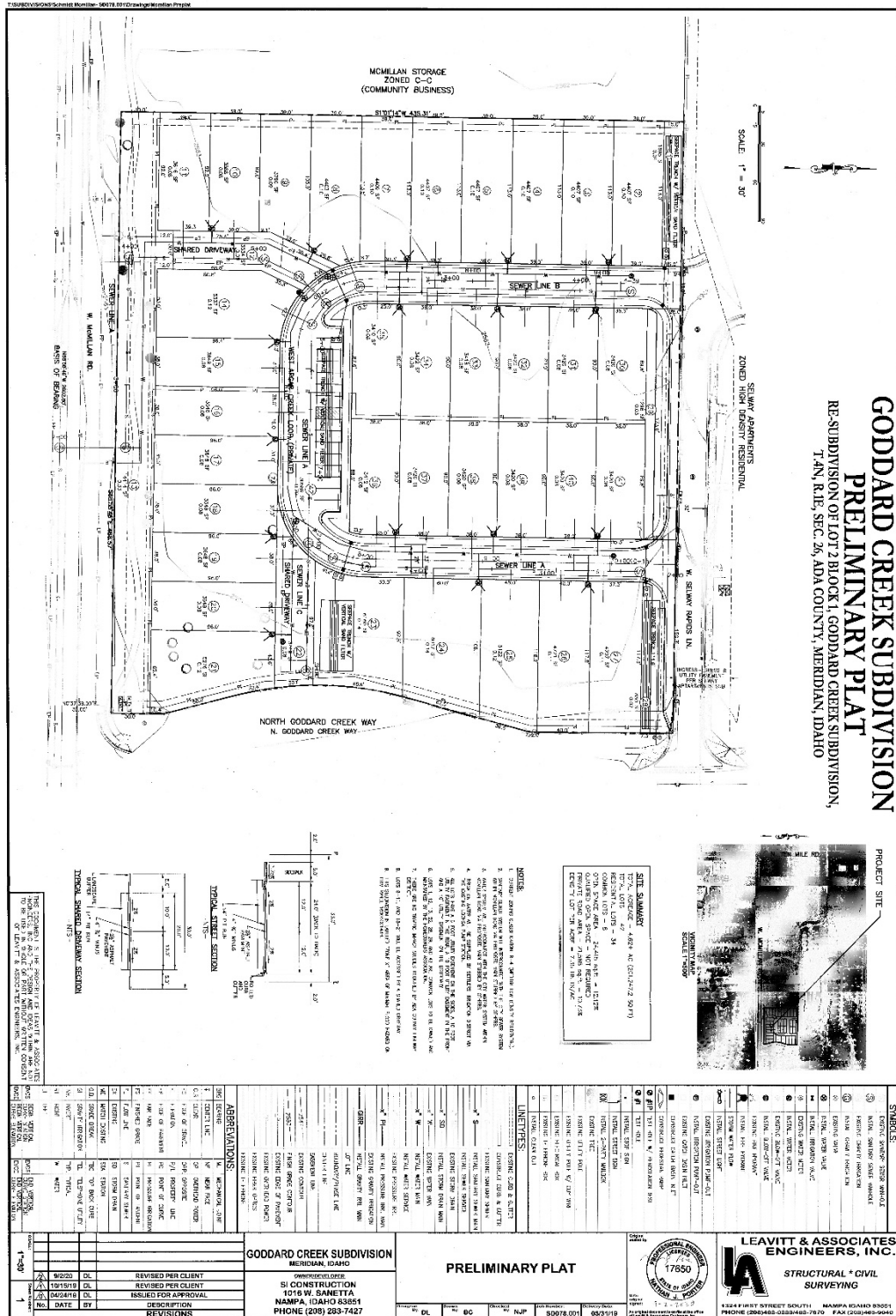
The alternative means provided by the Applicant is not detrimental to the public welfare of the subject property or to those surrounding properties. In addition, Staff finds the alternative means will enhance the character of the immediate area and the approved subdivision.

IV. DECISION

A. Staff:

Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report. The Director has approved the Alternative Compliance request per the findings in UDC 11-5B-5B2.

A. Preliminary Plat (date: 9/2/2020)



PLAT SHOWING
GODDARD CREEK TOWNHOUSE SUBDIVISION
A RESUBDIVISION OF LOT 2, BLOCK 1, GODDARD CREEK SUBDIVISION,
LYING WITHIN THE SE 1/4 OF THE SW 1/4 OF SECTION 26, T-4N., R-1W., B.M.
LOCATED IN THE CITY OF MERIDIAN, ADA COUNTY, IDAHO
2021



GODDARD CREEK TOWNHOUSE SUBDIVISION



NOTES

- THIS DEVELOPMENT RECOGNIZES IDAHO CODE, TITLE 22, CHAPTER 45 RIGHT TO FARM, SECTION 22-4503, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- THE IRRIGATION SYSTEM IS OWNED AND MAINTAINED BY SETTLER'S IRRIGATION DISTRICT. IRRIGATION WATER HAS BEEN PROVIDED BY SAID IRRIGATION DISTRICT IN COMPLIANCE WITH DAWA CODE 31-3802(1)(B). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM SETTLER'S IRRIGATION DISTRICT.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
- LOTS 1, 12, 13, 22, 23, 28, 29, 36 AND 45, BLOCK 1 ARE COMMON LOTS AND ARE SUBJECT TO A BLANKET PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT. THE LOTS SHALL BE OWNED AND MAINTAINED BY THE GODDARD CREEK TOWNHOUSE HOMEOWNERS ASSOCIATION.
- LOT 43, BLOCK 1 IS A PRIVATE ROAD AND MAINTENANCE IS AS PROVIDED FOR IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION. THE RESTRICTIVE COVENANT FOR MAINTENANCE OF THE PRIVATE ROAD CANNOT BE MOVED AND THE HOMEOWNERS ASSOCIATION CANNOT BE DISSOLVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF MERIDIAN. LOT OWNERS WITHIN THIS SUBDIVISION HAVE THE PERPETUAL RIGHT OF INGRESS AND EGRESS OVER SAID LOT 43, BLOCK 1 AND SAID PERPETUAL EASEMENT SHALL RUN WITH THE LAND.
- LOT 12, BLOCK 1 IS SUBJECT TO A SHARED DRIVEWAY AGREEMENT SERVIENT TO LOTS 9, 10 AND 11, BLOCK 1. LOT 22, BLOCK 1 IS SUBJECT TO A SHARED DRIVEWAY AGREEMENT SERVIENT TO LOTS 19, 20 AND 21, BLOCK 1, AS PROVIDED FOR IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION.
- ALL LOT LINES ADJACENT TO THE PRIVATE ROAD (LOT 43, BLOCK 1) ARE SUBJECT TO A TEN (10) FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND GUEZ WATER (UNLESS OTHERWISE DIMENSIONED).
- A THREE (3) FOOT WIDE PROPERTY DRAINAGE AND IRRIGATION EASEMENT IS HEREBY DESIGNATED ALONG THE INTERIOR LOT LINES UNLESS DIMENSIONED OTHERWISE. THE EASEMENTS ARE AS SHOWN ON THIS PLAT.
- A FIVE (5) FOOT WIDE PUBLIC UTILITIES, IRRIGATION AND PROPERTY DRAINAGE EASEMENT IS HEREBY DESIGNATED ALONG THE REAR LOT LINES OF LOTS 14 THROUGH 21, BLOCK 1 AND LOTS 30 THROUGH 35, BLOCK 1 AND LOTS 37 THROUGH 42, BLOCK 1.
- EXISTING 25' WIDE LANDSCAPE BUFFER EASEMENT PER INSTRUMENT NO. 2018-08880 AND SUBJECT TO AN EASEMENT AGREEMENT PER INSTRUMENT NO. 2018-08832.
- EXISTING 25' WIDE A.C.A.D. PERMANENT EASEMENT PER INSTRUMENT NO. 2018-081469.
- EXISTING INGRESS/EGRESS EASEMENT, PUBLIC UTILITIES EASEMENT, CITY OF MERIDIAN SANITARY SEWER EASEMENT AND CITY OF MERIDIAN DOMESTIC WATER LINE EASEMENT PER FULTON SUBDIVISION (RECORDED ON APRIL 1, 2009 IN BOOK 102 OF PLATS AT PAGE 13575).
- EXISTING 30' WIDE INGRESS/EGRESS EASEMENT, PUBLIC UTILITIES EASEMENT, CITY OF MERIDIAN SANITARY SEWER EASEMENT AND CITY OF MERIDIAN DOMESTIC WATER LINE EASEMENT PER FULTON SUBDIVISION NO. 3. (RECORDED ON MAY 23, 2009 IN BOOK 92 OF PLATS AT PAGE 1086).
- A 5/8" IRON PIN WITH "PLS 1629" PLASTIC CAP WAS FOUND 0.6' NORTHERLY OF THE CALCULATED CORNER POSITION OF THE NORTHEAST CORNER OF LOT 2 AS NOTED ON GODDARD CREEK SUBDIVISION. REPLACED THE MONUMENT WITH A 5/8" IRON PIN WITH "PLS 15811" PLASTIC CAP.
- THE HOMEOWNERS ASSOCIATION, UNDERLYING PROPERTY OWNERS OR ADJACENT PROPERTY OWNERS ARE RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.
- OTHER THAN THE ACCESS SPECIFICALLY APPROVED BY A.C.A.D., DIRECT LOT ACCESS TO W. MULLAN RD. AND N. GODDARD CREEK WAY IS PROHIBITED.

CURVE	RADIUS	DELTA	LENGTH	CHORD BRG.	CHORD DIST.
C1	30.00	15°05'16"	7.80	N8°03'59"E	7.88
C2	252.00	30°00'00"	131.98	S0°38'33"W	135.44
C3	252.00	16°14'28"	71.43	S7°29'20"W	71.98
C4	252.00	6°51'07"	30.14	S4°03'28"E	30.12
C5	252.00	6°54'27"	30.38	S10°56'14"E	30.36
C6	69.00	90°00'00"	108.38	S43°58'46"E	97.58
C7	69.00	71°3'50"	8.71	S2°35'43"E	8.70
C8	69.00	12°46'42"	15.39	S12°38'01"E	15.38
C9	69.00	28°11'41"	35.16	S33°35'13"E	34.78
C10	69.00	34°58'21"	42.12	S65°40'14"E	41.47
C11	69.00	5°49'21"	7.01	S88°04'05"E	7.01
C12	35.00	90°00'00"	54.98	S43°58'46"E	46.50
C13	35.00	12°22'29"	7.58	S5°09'59"E	7.54
C14	35.00	77°37'35"	47.42	S50°08'59"E	43.87
C15	35.00	90°00'00"	54.98	N48°01'14"E	46.50
C16	35.00	77°37'35"	47.42	N52°12'27"E	43.87
C17	35.00	12°22'29"	7.58	N71°23'37"E	7.54
C18	69.00	90°00'00"	108.38	N48°01'14"E	97.58
C19	69.00	55°34'57"	68.94	N6°33'45"E	64.34
C20	69.00	34°25'03"	41.45	N18°37'40"E	40.83
C21	20.00	90°00'10"	31.42	S45°01'19"W	28.28
C22	20.00	40°32'40"	14.15	S21°17'34"W	13.86
C23	20.00	48°27'30"	17.26	S66°17'39"W	16.73
C24	20.00	89°59'50"	31.41	N43°56'41"W	28.28
C25	20.00	48°27'30"	17.26	N64°14'03"W	16.73
C26	20.00	40°32'20"	14.15	N19°14'56"W	13.86
C27	20.00	90°00'10"	31.42	S45°01'19"W	28.28
C28	20.00	40°32'40"	14.15	S21°17'34"W	13.86
C29	20.00	48°27'30"	17.26	S66°17'39"W	16.73



BOOK PAGE

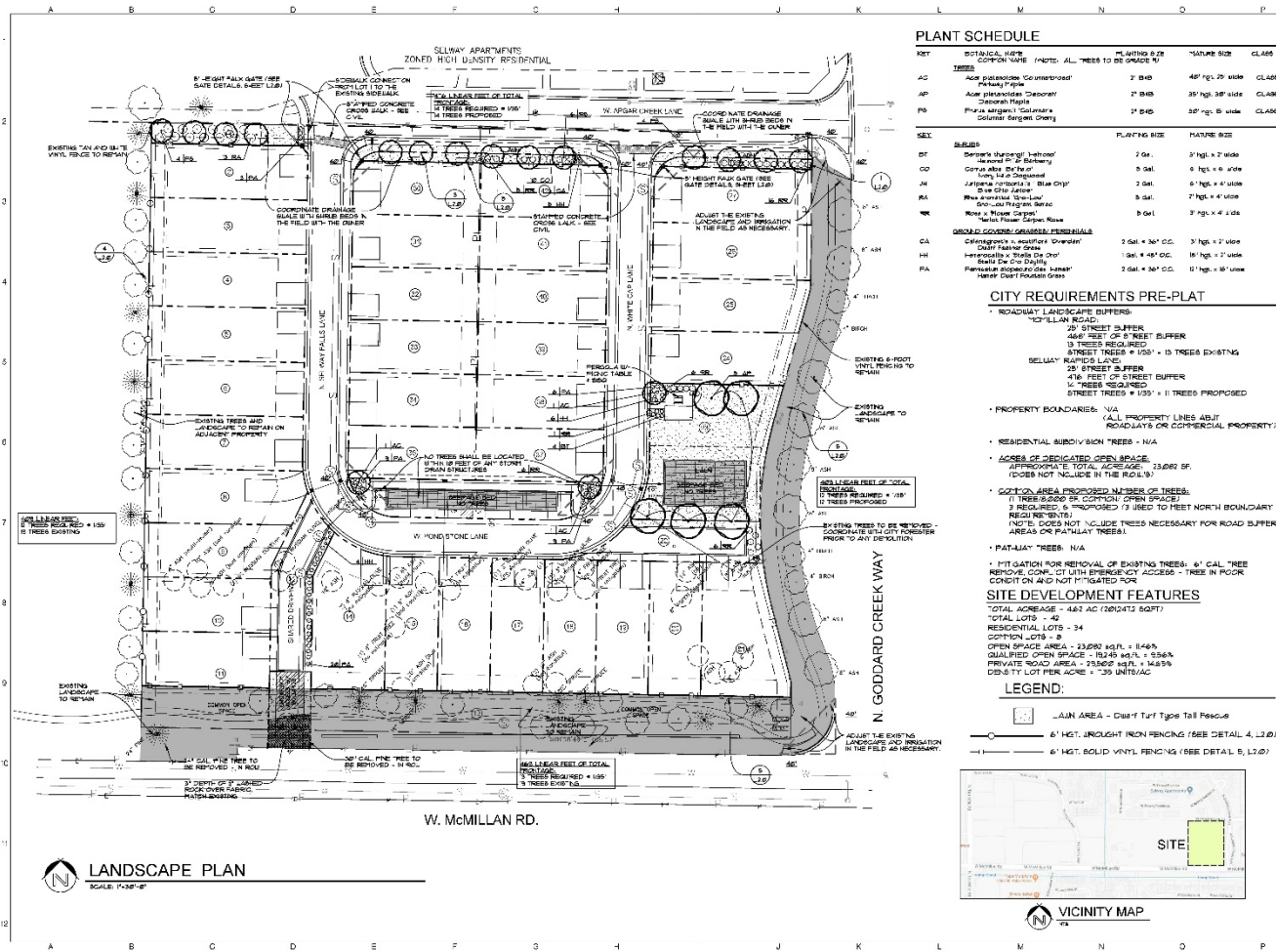


IDAHO
SURVEY
GROUP, LLC

8056 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 648-8570

JOB NO. 21-087
SHEET 2 OF 4

C. Landscape Plans (date: 5/17/2021)



PRE-PLAN LANDSCAPE PLAN
Goddard Creek Townhouse
Meridian Subdivision
IDAHO

OTHER BY: J.D.M.
CHECKED BY: J.D.M.
PROJECT NUMBER:
SHEET: **L1.0**



PROJECT AMENITY

As shown on the preliminary plat, the Goddard Creek community will feature a large open park with a covered picnic shelter.

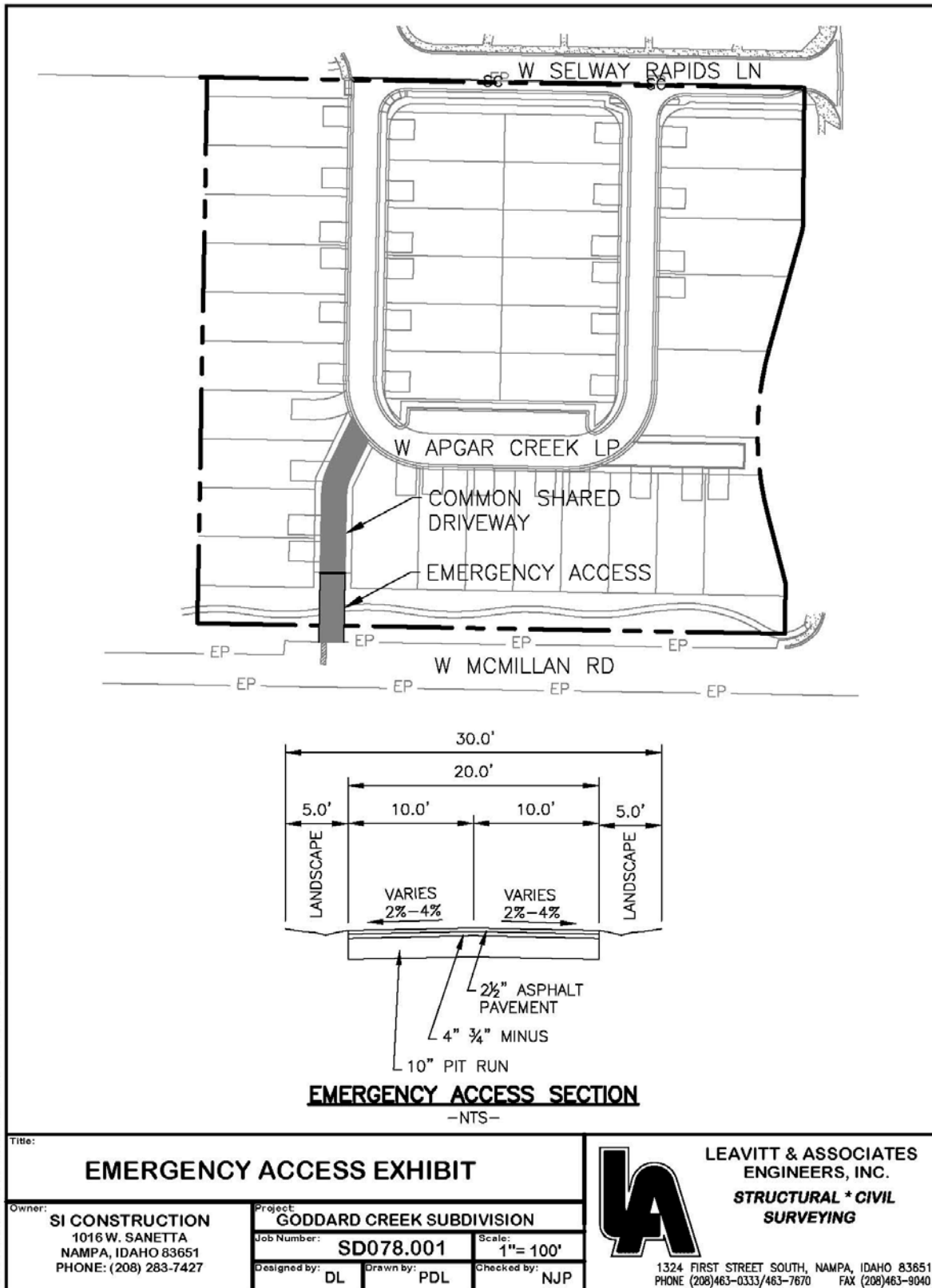


Photo shown is a similar product that will be installed.

4824 W. Fairview Ave. • Boise, Idaho • 83706
208.336.5355

[illegible]

E. Emergency Access/Common Drive Exhibit



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall comply with all previous conditions of approval associated with this development (H-2020-0092, DA Inst. #2021-014149).
2. The applicant shall obtain the City Engineer's signature on the final plat by December 22, 2022, within two (2) years of the date of approval of the preliminary plat (December 22, 2020), 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 Idaho Survey Group, LLC, stamped on 04/8/21 by John S. Gletne, is approved with the following conditions:
 - a. Add plat note stating development is subject to the provisions contained within the City of Meridian Development Agreement, Inst. #2021-014149.
 - b. Add the Book and Pages for the adjacent subdivisions noted on sheet 1 of the Final Plat.
5. The landscape plans shown in Section V.C, prepared by South Beck & Baird, with a revision date of 05/17/21, shall be revised as follows prior to signature on the final plat:
 - a. Add an additional section of stamped concrete between the Lot 12 common drive/emergency access and the internal sidewalk adjacent to Lot 35 due to this common drive acting as the sidewalk connection to the arterial sidewalk along McMillan Road.
6. Future homes constructed in this phase shall be generally consistent with the elevations approved with the preliminary plat application (H-2020-0092) with materials and architectural features to be the same or of higher quality as shown in the elevations.
7. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Sue Prescott, at 887-1620 for more information.
8. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveway that also functions as an emergency access (Lot 12), which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the recorded easement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
9. An administrative design review application shall be submitted to the Planning Division and approved prior to submittal of building permit applications for the attached single-family homes; one design review application may be submitted for the overall development.
10. 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. The water main connection in Apgar Creek Lane must be to the 8'' mainline, not 6'' hydrant lateral.

2. The existing sewer main stub from McMillan Road must be abandoned at the edge of pavement by capping the line. Line the remaining manhole sewer inlet with CIP liner.
3. Connect SSMH-A3 directly to the sewer main in McMillan Road by installing a new manhole South of SSMH-A3. Proposed manholes SSMH-A2 and SSMH-A1 should not be installed.

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 then 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 (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.
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.