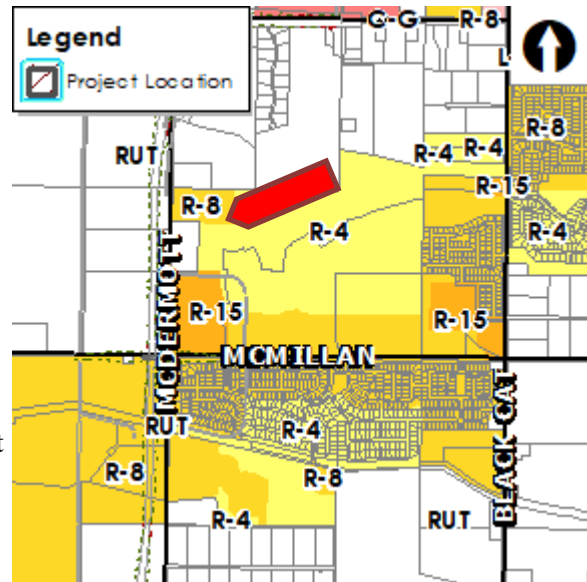


**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 6/22/2021  
 TO: Mayor & City Council  
 FROM: Joseph Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: FP-2021-0035  
 Oaks North No. 10  
 LOCATION: Generally located ½ mile north of the half-mile mark of W. McMillan Road between McDermott Road and Black Cat Road, in the SW ¼ of the NE ¼ of Section 28, T.4N., R.1W.



### I. PROJECT DESCRIPTION

Final plat consisting of 54 building lots and 11 common lots on 15 acres of land in the R-4 and R-8 zoning districts.

### II. APPLICANT INFORMATION

A. Applicant/Owner:

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

B. Representative:

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

### III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat as required by UDC 11-6B-3C.2. This is the tenth phase of development of the Oaks North Subdivision. **The submitted final plat shows three (3) less buildable lots than were approved in the preliminary plat;** the same number of common lots and amount of open space is proposed as were approved in the preliminary plat. Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

### IV. DECISION

A. Staff:

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

V. EXHIBITS

A. Preliminary Plat (date: 8/6/2013)

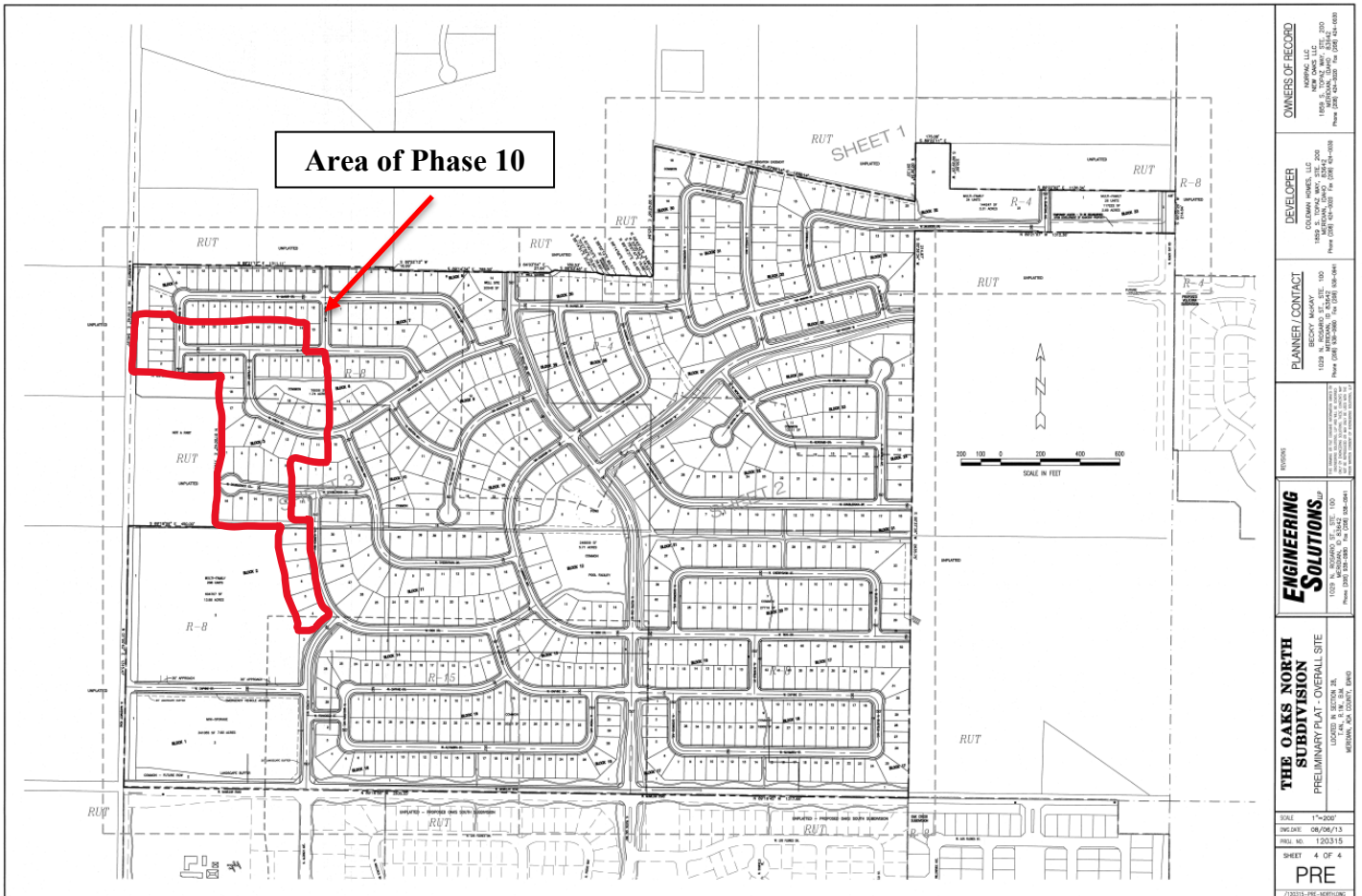




EXHIBIT A

THE OAKS NORTH SUBDIVISION NO. 10

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

LINE	LENGTH	DIRECTION
L1	21.53'	N10°42'5"
L2	21.53'	N10°42'5"
L3	21.53'	S10°42'W
L4	21.53'	S10°42'W
L5	82.03'	N89°59'19"W
L6	21.53'	S10°42'W
L7	21.53'	S10°42'W
L8	29.37'	N61°41'42"E
L9	29.38'	S47°51'37"E
L10	21.53'	N89°59'19"W
L11	21.53'	N89°59'19"W
L12	21.53'	S89°59'19"E
L13	21.53'	S89°59'19"E
L14	14.00'	S89°59'19"E
L15	21.53'	N44°17'49"W
L16	8.64'	N44°17'49"W
L17	29.29'	S45°36'47"W
L18	21.53'	S70°46'5"
L19	21.53'	S10°42'W
L20	21.53'	S10°42'W
L21	16.94'	N81°54'45"E
L22	21.53'	N89°59'19"W
L23	22.02'	N10°42'5"
L24	12.67'	S45°36'47"E
L25	18.04'	S45°36'47"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	24.38	373.50	434°29'	N89°57'47"	24.38
C2	54.32	423.50	75°05'	S82°01'41"	57.88
C3	54.32	373.50	29°45'	S82°01'41"	10.48
C4	33.54	373.50	29°48'	S81°42'21"	13.34
C5	61.47	323.50	10°48'42"	S81°57'37"	61.99
C6	89.72	323.50	17°57'28"	S81°57'49"	96.44
C7	33.97	63.00	88°39'	S41°07'31"	64.96
C8	31.17	83.50	22°57'40"	N62°01'51"	30.87
C9	45.50	83.50	37°03'52"	N47°03'52"	45.70
C10	47.80	83.50	37°45'44"	S73°03'05"	47.33
C11	57.40	33.00	89°30'	S41°47'41"	58.42
C12	54.40	23.00	54°07'32"	S81°47'42"	18.72
C13	55.02	35.00	1°07'32"	N42°42'17"W	15.47
C14	63.77	35.00	66°17'52"	N45°46'52"	62.27
C15	42.52	55.00	44°07'21"	S45°36'29"W	41.45
C16	29.30	55.00	37°11'46"	S70°17'17"	29.50
C17	46.37	55.00	47°58'40"	S28°47'51"	44.74
C18	61.89	55.00	66°30'29"	N45°57'51"	62.44
C19	53.27	55.00	25°57'43"	N44°38'34"E	13.27
C20	64.45	23.00	54°07'32"	S81°57'36"	18.72

NOTES

- EACH LOT IS HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, OAKS HOMEOWNERS ASSOCIATION INC., PRESSURE IRRIGATION, AND LOT DRAINAGE COVER THE FIFTEEN (15) FEET ADJACENT TO ANY PUBLIC UTILITY. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
- ALL LOTS 2, 4, 6, 8, 10 AND 12 OWNERS SHALL BE RESPONSIBLE FOR PROVIDING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, OAKS HOMEOWNERS ASSOCIATION INC., PRESSURE IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE AND OVER THE TEN (10) FEET ADJACENT TO ANY REAR LOT LINE OR SUBDIVISION BOUNDARY.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- THE OWNER HAS PROVIDED IRRIGATION WATER TO EACH LOT THROUGH A PRESSURIZED IRRIGATION SYSTEM. THE OWNER IS NOT RESPONSIBLE FOR THE OAKS HOMEOWNERS ASSOCIATION INC. COMPLIANCE WITH IDAHO CODE SECTION 31-3005(1)(b). ALL LOTS WILL BE SUBJECT TO ASSESSMENTS OF THE SETBACKS IRRIGATION DISTRICT.
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS WITHIN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN.
- MAINTENANCE OF ANY IRRIGATION OR DRAINAGE TIPS OR OTHER CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY.
- THE CITY OF MERIDIAN RECORDS REVEALS A MINIMUM OF 12 INCHES ABOVE THE ESTABLISHED NORMAL HIGH GROUNDWATER ELEVATION.
- THE CITY OF MERIDIAN RECORDS REVEALS AN EXISTING 400, 850,000 GPD, 100' DIAMETER, WHICH IS AT LEAST AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF. SHALL BE OR BECOME A NUISANCE, PRIVATE, OR PUBLIC, BY ANY CHANGED CONDITION OR ABOUT THE SURROUNDING NEIGHBORHOOD, UNLESS SUCH CHANGES ARE IN ACCORDANCE WITH THE CITY OF MERIDIAN RECORDS. 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.
- LOTS 3, 5, 9, 11, 27 AND 33, BLOCK 15, LOTS 8 AND 10, BLOCK 31, LOT 1, BLOCK 32 AND LOT 1, BLOCK 33 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE OAKS HOMEOWNERS ASSOCIATION INC. SAID LOTS ARE SUBJECT TO EASEMENTS FOR PUBLIC UTILITIES, OAKS HOMEOWNERS ASSOCIATION INC., PRESSURE IRRIGATION AND LOT DRAINAGE.
- THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF MERIDIAN RECORDED AS INSTRUMENT NO. 11400072, RECORDS OF ADA COUNTY, IDAHO.
- LOT 8 OF BLOCK 15 AND PORTIONS OF LOT 6 OF BLOCK 15, LOTS 3, 7 AND 9 OF BLOCK 31 AND LOTS 1 AND 2 OF BLOCK 33 AS SHOWN HEREON ARE SERVED TO AND CONTAIN THE ADA COUNTY HIGHWAY DISTRICT STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENVELOPED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015, AS INSTRUMENT NUMBER 2015-103268, OF RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE ON THE SETBACKS, EASEMENTS, EASEMENTS, THE MASTER EASEMENT ON THE STORM WATER DRAINAGE SYSTEM, EASEMENTS, EASEMENTS TO THE ADA COUNTY HIGHWAY DISTRICT PERPETUAL STORM WATER DRAINAGE SYSTEM.
- THIS DEVELOPMENT IS SUBJECT TO THE TERMS OF AN ADA COUNTY HIGHWAY DISTRICT LICENSE AGREEMENT RECORDED AS INSTRUMENT NO. \_\_\_\_\_, RECORDS OF ADA COUNTY, IDAHO.
- A PORTION OF LOT 5, BLOCK 15 AS DELINEATED HEREON IS COVERED BY A CREASON LATERAL ASSOCIATION EASEMENT AS SHOWN IN INSTRUMENT NO. 2014-015728 FOR OPERATION AND MAINTENANCE OF THE CREASON LATERAL ASSOCIATION EASEMENT TO A CREASON LATERAL ASSOCIATION ON THE NEIGHBORHOOD AS SHOWN IN INSTRUMENT NO. 2014-015727, RECORDS OF ADA COUNTY, IDAHO.

CLINTON W. HARRIS  
PLS 11118



**Toll Brothers Land Solutions**  
AMERICA'S LUXURY HOME BUILDER® Land Surveying and Consulting  
201 S. 4150 N. SUITE 1000, MERIDIAN, IDAHO 83642  
(208) 733-5244 www.tollbrothers.com

EXHIBIT A

C. Landscape Plans (date: 5/14/2021)

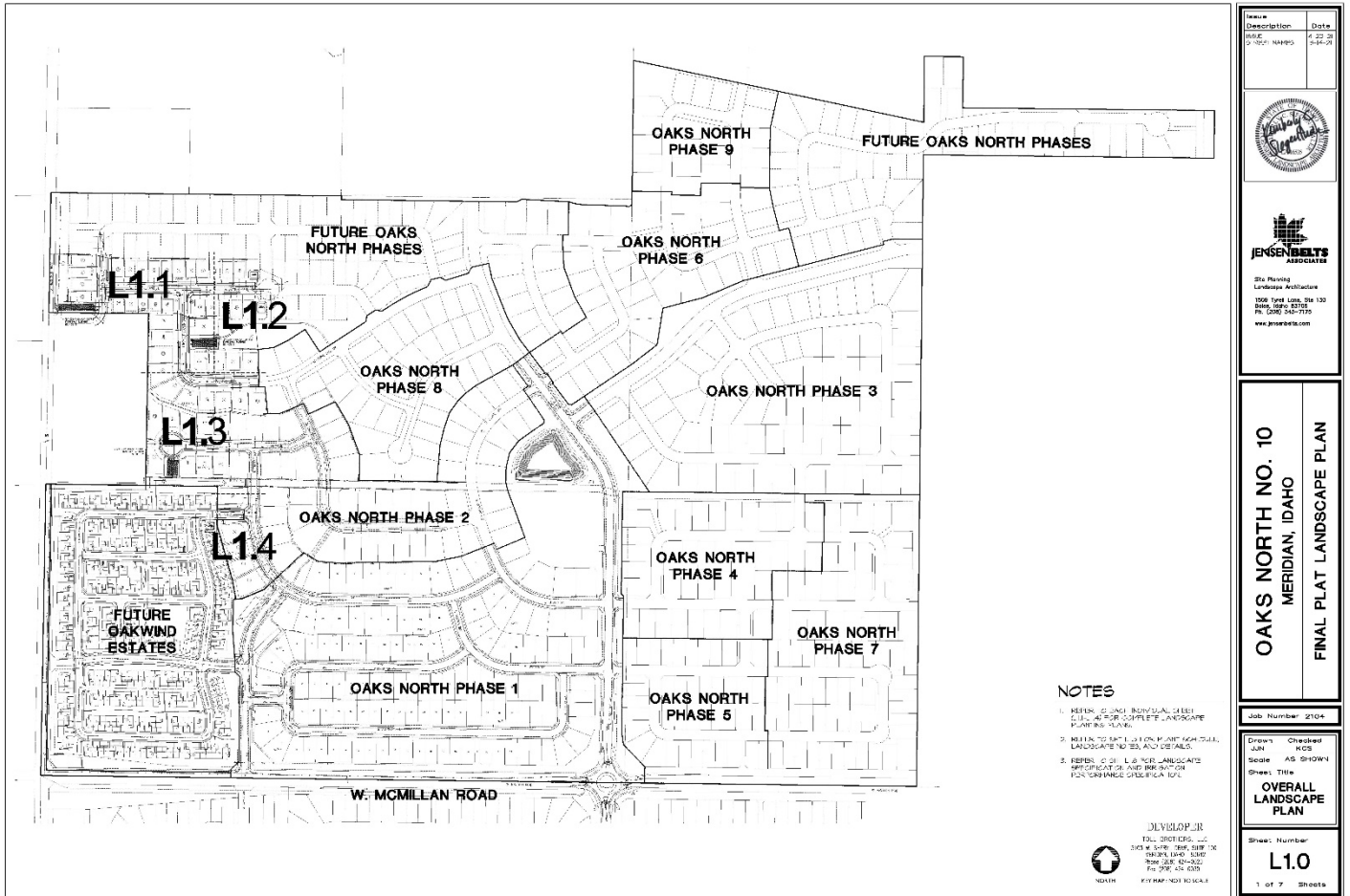
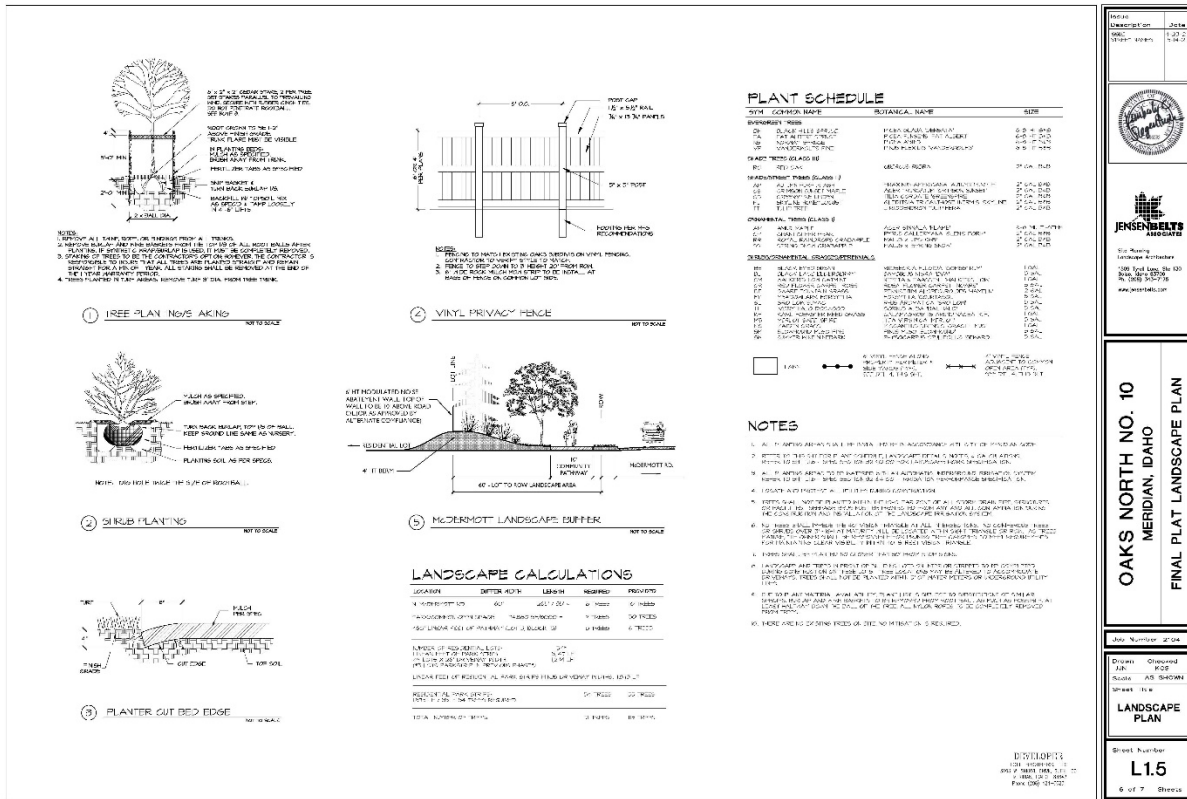








EXHIBIT A



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall comply with all previous conditions of approval associated with this development (AZ-13-008, RZ-13-015, DA Inst. No. 114030972; PP-13-014).
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of the City Engineer's signature on the previous phase final plat, in accord with UDC 11-6B-7 in order for the preliminary plat to remain valid or a time extension may be requested.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat shown in Section V.B prepared by Land Solutions, stamped on 05/12/21 by Clinton W. Hansen, is approved with the following revisions:
  - a. Note #12: Include recorded instrument number.
5. The landscape plan shown in Section V.C prepared by Jensen Belts Associates, dated 02/23/21, is approved with the following revision:
  - a. Include at least one tree along the micro-path within Lot 11, Block 15 per UDC 11-3B-12.
6. Future homes constructed in this phase shall comply with the elevations included in the development agreement (Oaks North and South Subdivision – Inst. No. 114030972) with materials and architectural features to be the same or higher quality as shown in the elevations.



## EXHIBIT A

7. Prior to the issuance of any new building permit, the property shall be subdivided in accordance with the UDC.
8. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Sue Prescott, at 887-1620 for more information.
9. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.

### B. Public Works

#### Site Specific Conditions:

1. Run all 10" diameter sewer mains at the minimum slope (0.28%) to allow serviceability to and through this project.
2. A Type 1 streetlight is required on McDermott Road at the North property boundary.

#### 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

## EXHIBIT A

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](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-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for

## EXHIBIT A

- 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.