

June 21, 2021

MEMORANDUM

TO: Mayor and City Council

FROM: Alan Tiefenbach, Associate City Planner

RE: Skybreak Subdivision - H-2020-0127

At the May 26, 2021 City Council Special Meeting, the Council directed the applicant to revise the Skybreak Subdivision plans to address three elements:

1. Provide sidewalks on at least one side of all streets;
2. Provide a better transition between the southern perimeter of the subdivision and the Vantage Pointe Subdivision to the south. This should be done by extending the larger lots at the southeast corner of Phase 7 to the west across the southern boundary to the Farr Lateral;
3. Relocate some of the open space at the south to a more central location.

The applicant has provided revised plans. The plans reflect street sections of the private streets to show a minimum 5' wide sidewalk on at least one side of the street. The private street and open space oriented east-west at the southern boundary of the property (adjacent to Vantage Pointe) has been replaced with lots meeting a minimum square footage of 20,900 sq. ft. (thereby extending larger lots along the southern boundary). The open space that was originally reflected at the southern boundary has been relocated to the center of the development (shown as 19,925 sq. ft. Lot 170, Block 5). The open space exhibit provided by the applicant reflects a slight reduction in what is being credited as qualifying open space from 14.99 acres to 14.5 acres. The total number of buildable lots has decreased from 329 lots to 316 (including the existing single-family residence). The 112 lots served by private streets has been reduced to 106. As requested by the Council, proposed conditions of approval have also been provided with this memorandum.

Staff has prepared draft conditions of approval as directed by City Council.

ATTACHMENTS

Updated Preliminary Plat and Landscape Plan

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=231293&dbid=0&repo=MeridianCity>

Updated Narrative

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=231357&dbid=0&repo=MeridianCity>

PROPOSED CONDITIONS OF APPROVAL:

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. The Skybreak Neighborhood shall follow the approved phasing plan and/or obtain planning and fire department approval for any modifications.
 - b. The applicant shall submit a wildland safety plan for the hillside area to be approved by Meridian Fire Department with the first final plat.
 - c. The existing residence at 3487 E. Adler Hof Ln. (Lot 45, Block 5) will be required to abandon the well and septic system and connect to City water and sewer with development of the property.
 - d. The applicant shall not submit a final plat for Phase 8 and 9 until public street access is provided.
 - e. A 30' rear yard setback is required on Lots 74-83, Block 5, abutting Vantage Pointe.
 - f. A 15' (external) side yard setback and an increased rear setback (as shown in applicant's plans) is required for Lot 74, Block 5, abutting Vantage Pointe.
 - g. The rear and/or sides of any 2-story structures facing S. Eagle Rd (18-21 Block 1, 15-26 and 76-79 Block 9) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.
 - h. Future development of this site shall substantially comply with the preliminary plat, landscape plan and conceptual building elevations for the single-family attached and detached dwellings included in the attachments contained herein.
2. Administrative design review will be required for all new attached residential structures containing two (2) or more dwelling units.

3. The City Council has approved alternative compliance from UDC 11-3F-4 that limits gated developments to 50 lots, to allow 106 gated lots.
4. The City Council has approved alternative compliance from UDC 11-3F-4 prohibiting common driveways off private streets, to allow 3 common driveways.
5. The City Council has approved a waiver from UDC 11-6C-3 limiting dead-end streets ending in a cul-de-sac to 500 feet to allow the Phase 8 cul-de-sac in the northeast corner to extend to approximately 610'.
6. The City Council has approved a waiver from UDC 11-6C-3 limiting block face to no more than seven hundred fifty (750) feet in length without an intersecting street or alley to allow Block 9, north of the Farr Lateral to be approximately 1,000 feet in length.
7. The City Council has approved a waiver from UDC 11-6C-3 limiting block face to no more than seven hundred fifty (750) feet in length without an intersecting street or alley to allow Block 5, along the southern boundary of the property, to be approximately 1,190 feet in length.
8. The City Council has approved alternative compliance from UDC 11-3B-12 and UDC 11-3G-3 requiring minimum landscaping along pathways and within common open space to allow the pathway area shown in Lot 46 of Block 5 to remain in a natural state.
9. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B, 11-3G and maintenance thereof as set forth in UDC 11-3B-13.
10. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
11. Except as otherwise listed above, the development shall comply with the private street requirements as set forth in 11-3F, including the applicant or owner providing documentation of a binding contract that establishes the party or parties responsible for the repair and maintenance of the private street, including regulations for the funding thereof.
12. The plat shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6. The Farr Lateral is allowed to remain open as waived by City Council.
13. Except as listed above, the applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
14. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to cul-de-sacs, alleys, driveways, common driveways, easements, blocks, street buffers, and mailbox placement.

15. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit.
16. The Applicant shall have a maximum of two (2) years from the date of City Council approval to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
17. The Applicant shall comply with all conditions of ACHD.
18. 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

1. Site Specific Conditions of Approval

- 1.1 Preliminary plat conceptual site plans dated 12/11/2020 must be adjusted as follows:
 - 1.1.1 The sewer main stub near intersection of Street C and D needs to end in a manhole.
 - 1.1.2 The sewer main stub at the North end of Street E needs to end in a manhole.
 - 1.1.3 The sewer on the south-eastern boundary (Street J) should not go to the property boundary.
 - 1.1.4 The sewer main should run at 0.60% slope and end in a manhole short of the property boundary.
 - 1.1.5 Water and sewer mains must be covered in a 20-foot-wide easement per utility.
 - 1.1.6 Easements cannot have encroachments of any permanent structures including but not limited to buildings, carports, trash enclosures, fences, trees, deep rooting bushes, etc.
 - 1.1.7 Maintain a minimum 90-degree angle into/out of all manholes.
 - 1.1.8 Slope between manholes shall not exceed 5%. Slopes between SSMH G-3 to SSMH H-1, SSMH G-4 to SSMH J-1, and SSMH G-8 to SSMH K-1 exceeds this.
 - 1.1.9 No public main is allowed in common driveways, sewer line A and F are shown going through private drives.
 - 1.1.9.1 If you have three or less lots on a common drive, services should be stubbed from the roadway.
 - 1.1.9.2 Four or more lots, sewer will be allowed in the common drive. Sewer will be private and will be the responsibility of the HOA to maintain. Manholes needed in the common drive shall be marked with "Private" on the lid.
 - 1.1.10 A drainage plan is required to be provided and reviewed prior to plan approval.

- 1.1.11 Current design does not meet minimum fire flow. A possible solution is to upsize some 12” mains and add two more connections, one at the southwest and one at the northeast corner of the development. These changes must be coordinated with Public Works.
- 1.1.12 A streetlight plan must be provided with the final plat application. Streetlight plan requirements are listed in Meridian Design Standards.
- 1.1.13 Phase 8 of the proposal is in Flood Zone A. This area requires extending the existing hydraulic and hydrology study and establishing base flood elevations. Other phases are not impacted by flood zone and will not require floodplain study or permits.

2. General Conditions of Approval

- 2.1 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 than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 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.
- 2.3 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 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.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). 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.
- 2.5 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.
- 2.6 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.

- 2.7 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.
- 2.8 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.
- 2.9 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.
- 2.10 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.
- 2.11 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.
- 2.12 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.
- 2.13 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.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 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.
- 2.18 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.

- 2.19 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.
- 2.20 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.
- 2.21 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.
- 2.22 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.
- 2.23 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.