

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: JULY 25, 2023
ORDER APPROVAL DATE: AUGUST 8, 2023

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 89 BUILDING)
LOTS AND 13 COMMON LOTS ON)
14.44 ACRES OF LAND IN THE R-8)
AND R-15 ZONING DISTRICTS)
FOR CENTERVILLE)
SUBDIVISION NO. 1.)
BY: KENT BROWN PLANNING)
SERVICES)
APPLICANT)
_____)

CASE NO. FP-2023-0009

**ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT**

This matter coming before the City Council on July 25, 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 CENTERVILLE SUBDIVISION NO. 1
SUBDIVISION, LOCATED IN THE NW ¼ OF THE NE ¼ OF SECTION 33,
TOWNSHIP 3N, RANGE 1E, BOISE MERIDIAN, MERIDIAN, ADA
COUNTY, IDAHO, 2023, HANDWRITTEN DATE: 05/01/2023, by CLINTON

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR (CENTERVILLE NO. 1 FP, ALT – FILE FP-2023-0009)

W. HANSEN, PLS, SHEET 1 OF 5,” 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 July 25, 2023, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from Kent Brown, a true and correct copy of which is attached hereto marked “Exhibit B” 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

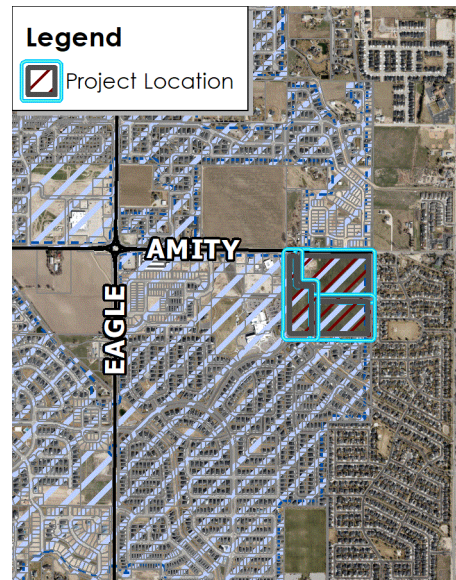
Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By: _____ Dated: _____

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 7/25/2023
TO: Mayor & City Council
FROM: Stacy Hersh, Associate Planner
208-884-5533
SUBJECT: Centerville No. 1 – FP, ALT
[FP-2023-0009](#)/A-2023-0090
LOCATION: Southeast corner of S. Hillsdale and E. Amity, in the NW ¼ of the NE ¼ of Section 33, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Final plat consisting of 89 single-family residential building lots and 13 common lots on 14.44 acres of land in the R-8 and R-15 zoning district for Centerville Subdivision No. 1.

II. APPLICANT INFORMATION

A. Applicant:

Kent Brown, Kent Brown Planning Services – 3161 W. Springwood Drive, Meridian, ID 83642

B. Owner:

Corey Barton, Endurance Holdings, LLC – 1977 E. Overland Road, Meridian, ID 83642

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat (H-2021-0046) and associated conditions of approval as required by UDC 11-6B-3C.2. There is the same number of buildable lots and common open space depicted on the proposed final plat as shown on the approved preliminary plat. Therefore, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

The Applicant is requesting alternative compliance to UDC 11-3B-12, which requires a landscape strip a minimum of five (5) feet wide to be provided along each side of the pathway. During the Preliminary Plat approval for Centerville Subdivision, condition #5 in the Staff Report required

submission of Alternative Compliance with the first phase of development to ensure adequate landscaping alternatives for the multi-use pathway along the Cunningham Lateral. However, due to the piped section of the Cunningham Lateral near the northeast corner of S. Hillsdale Avenue and E. Mardia Street, meeting the UDC requirements for landscaping on both sides of the pathway presents challenges. The Cunningham Lateral falls within a Bureau of Reclamation (BOR) easement of forty-two (42) feet in width, which prohibits the Applicant to install trees within the easement. However, numerous existing trees are present along the entire southern boundary adjacent to the Cunningham Lateral easement and pathway. Most of the trees were installed with the development to the south (Howry Lane Subdivision) which includes a 75-foot older tall tree. These existing trees are located outside of the BOR easement and provide shade and visual interest for pedestrians utilizing the proposed pathway. The Bureau of Reclamation mandates a 12-foot wide graveled service road for the maintenance of the Cunningham Lateral. This service road/pathway is situated 8-feet south of the northern boundary of the easement and 8-feet west of the eastern boundary line. To enhance the pathway, the Applicant intends to install landscaping within the approximately 8-feet area north and east of the service road/pathway, featuring perma bark and shrubs along the fencing and future home backyards. Additionally, the Applicant plans to install trees along the east side of Hillsdale Avenue outside of the Cunningham Lateral, as depicted on the landscape plan.

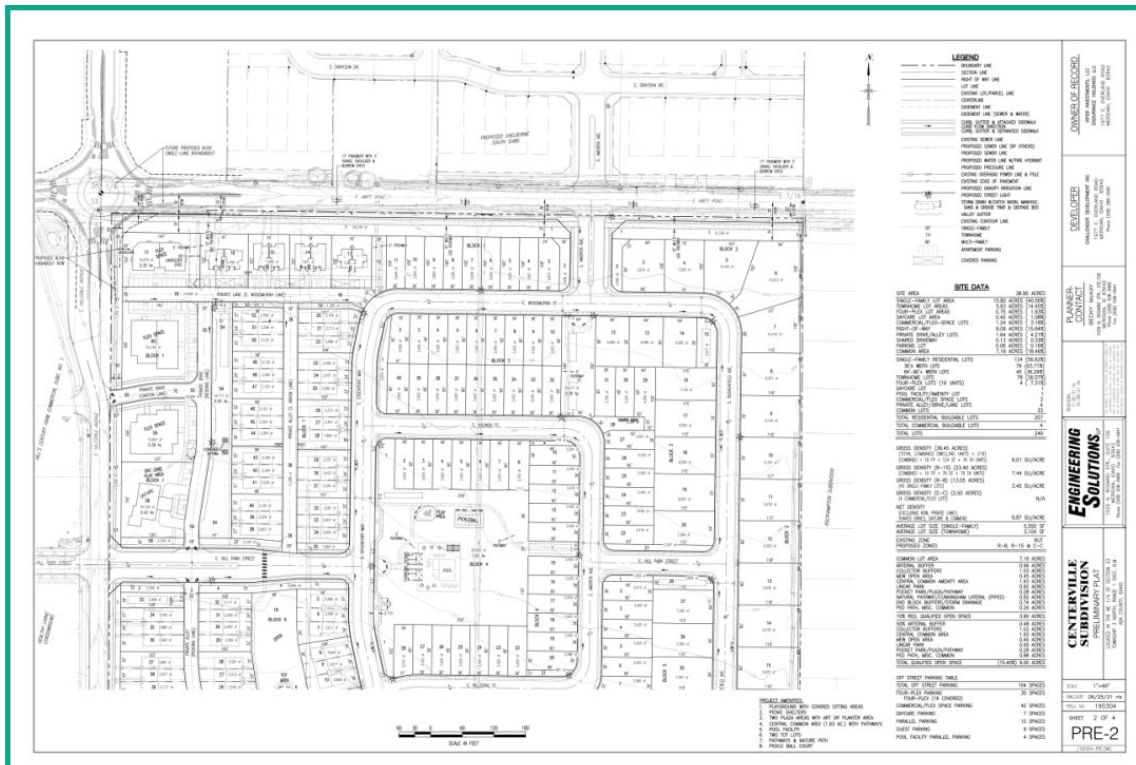
Based on the Findings in Section VII, the Director finds the proposed landscaping alternatives to be an acceptable and equal means of meeting the intent of the code requirement.

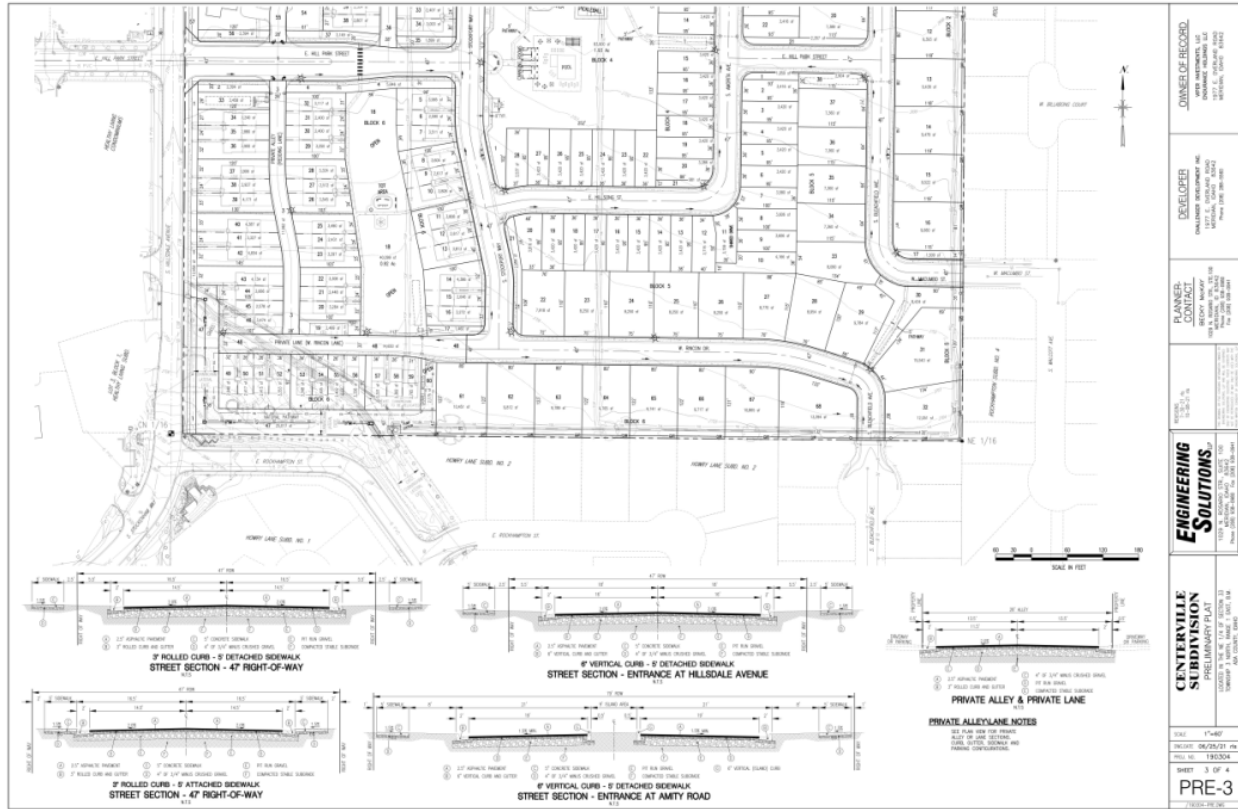
IV. DECISION

A. Staff:

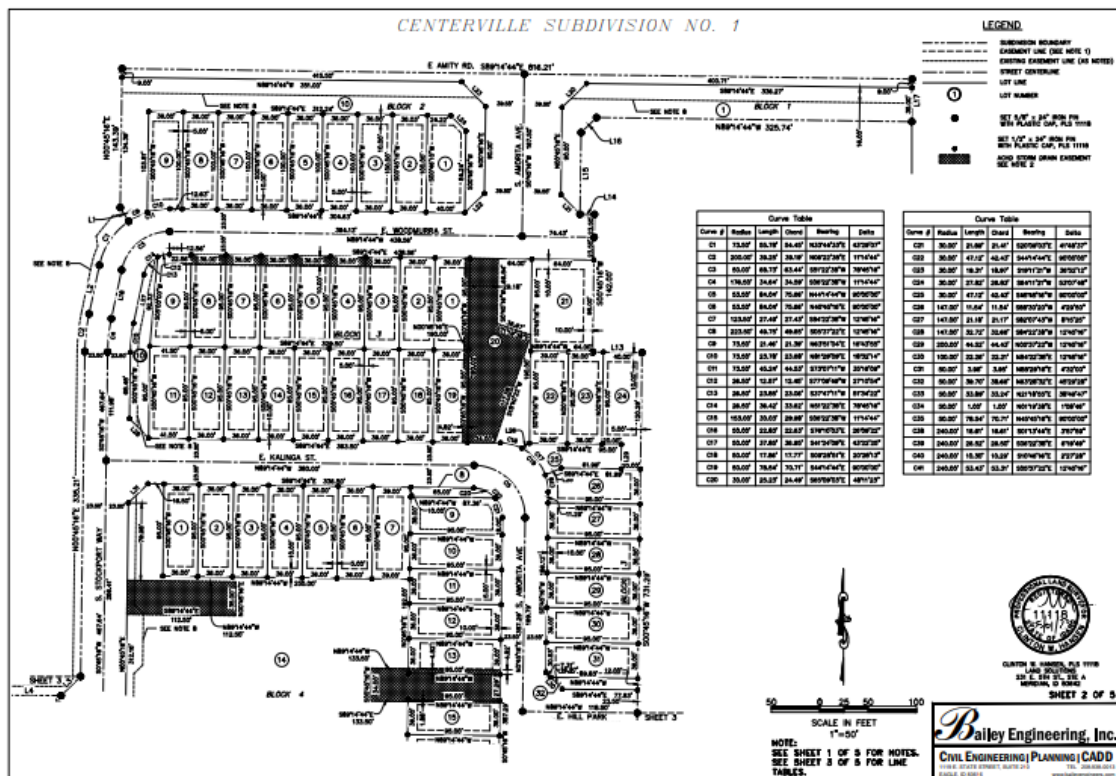
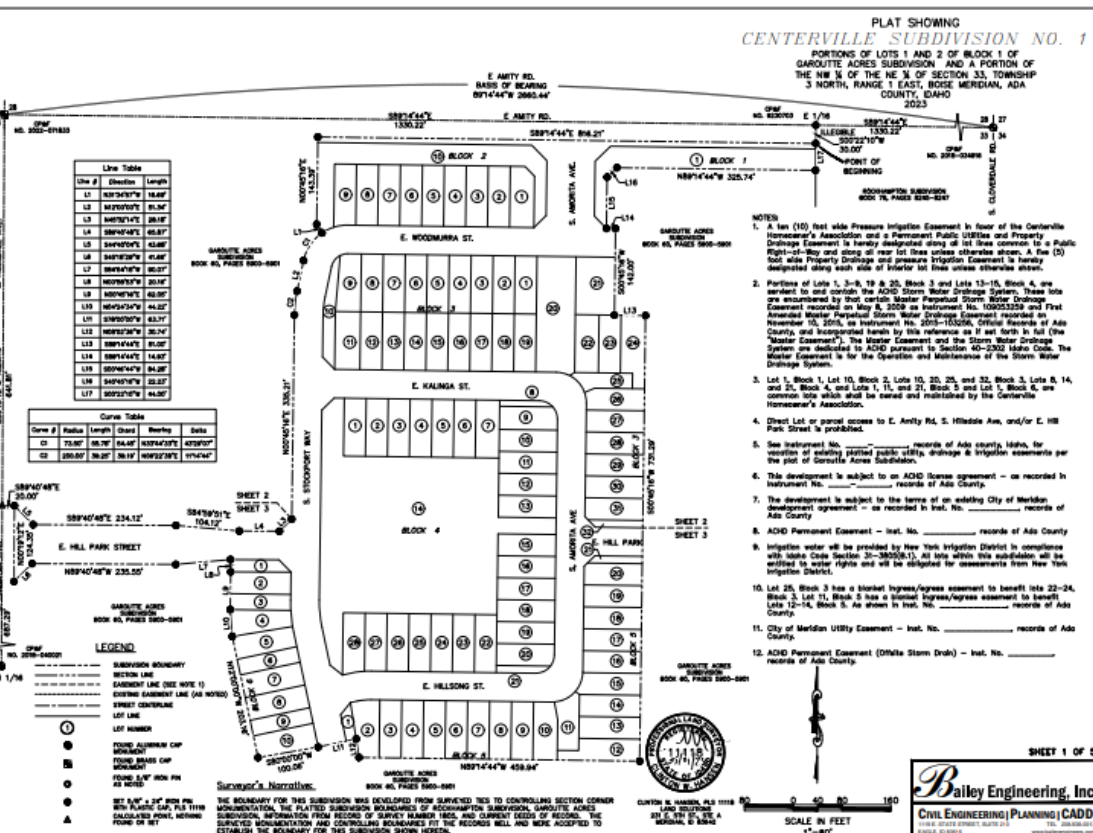
Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report. The Director approved the request for Alternative Compliance to UDC 11-3B-12 per the Findings in Section VII.

A. Preliminary Plat (date 10/8/2021)

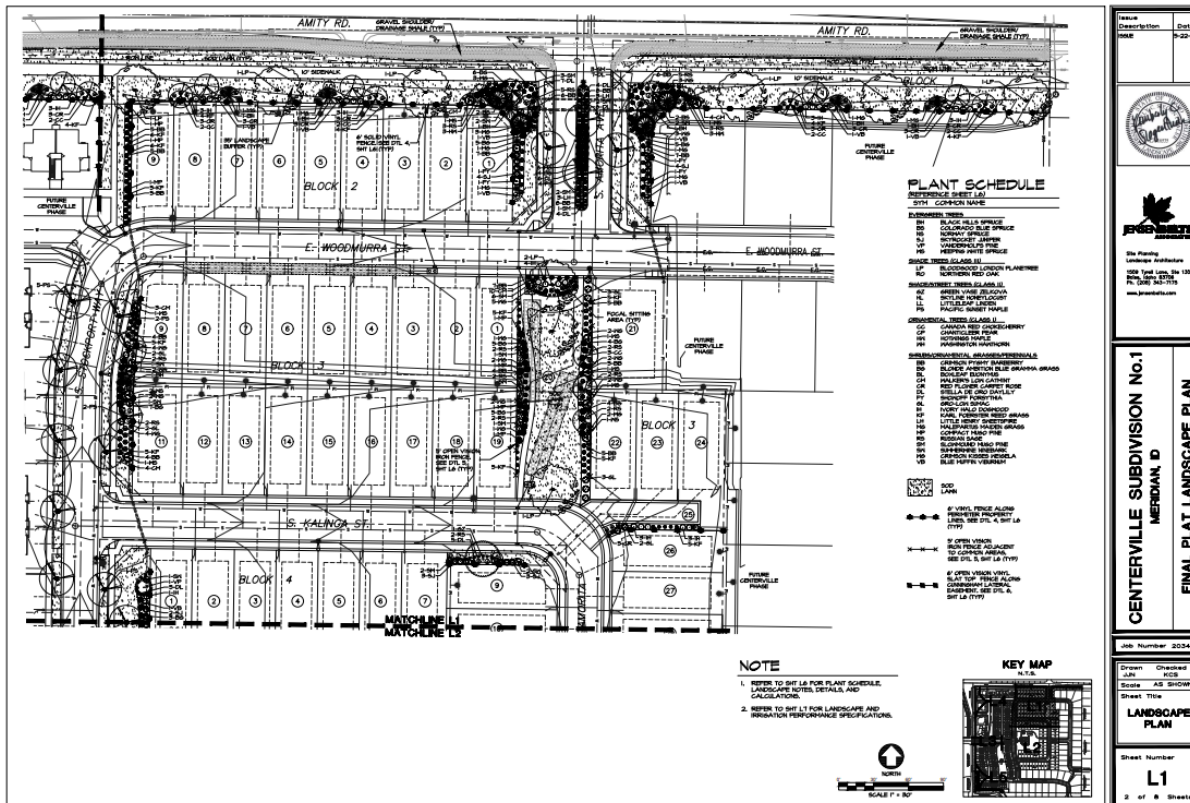
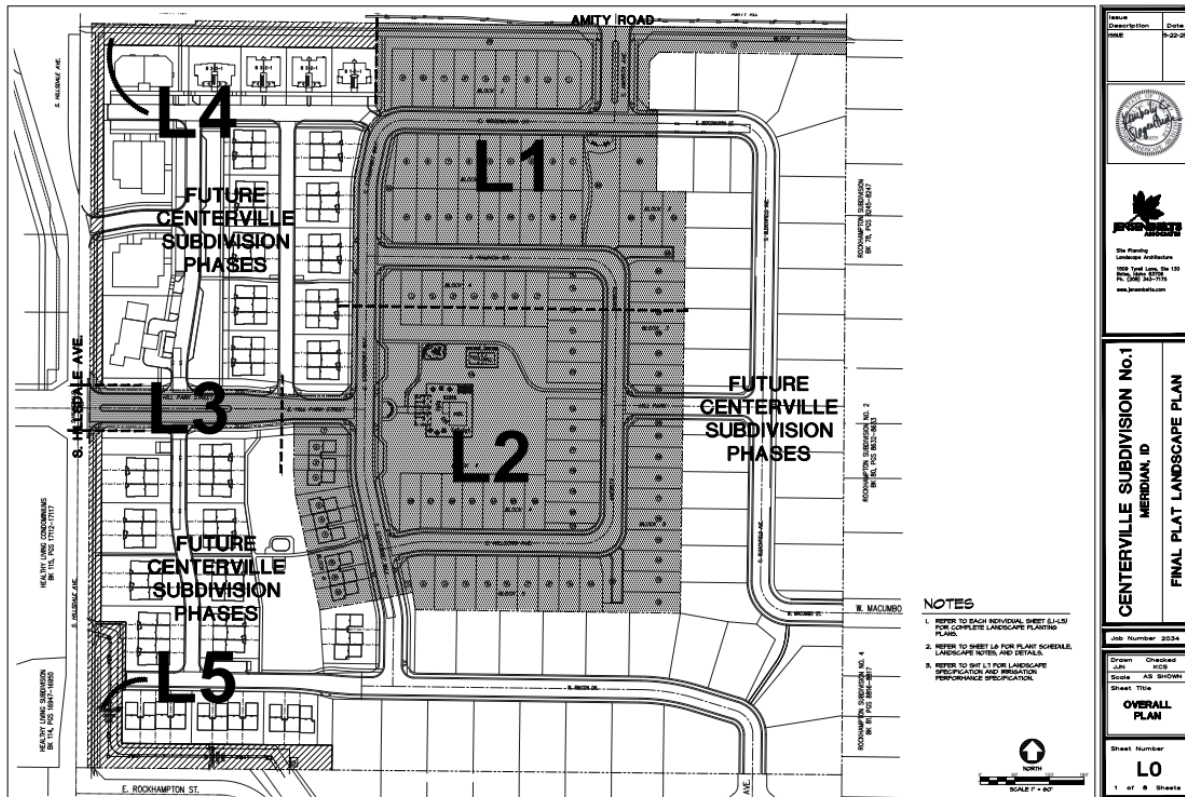


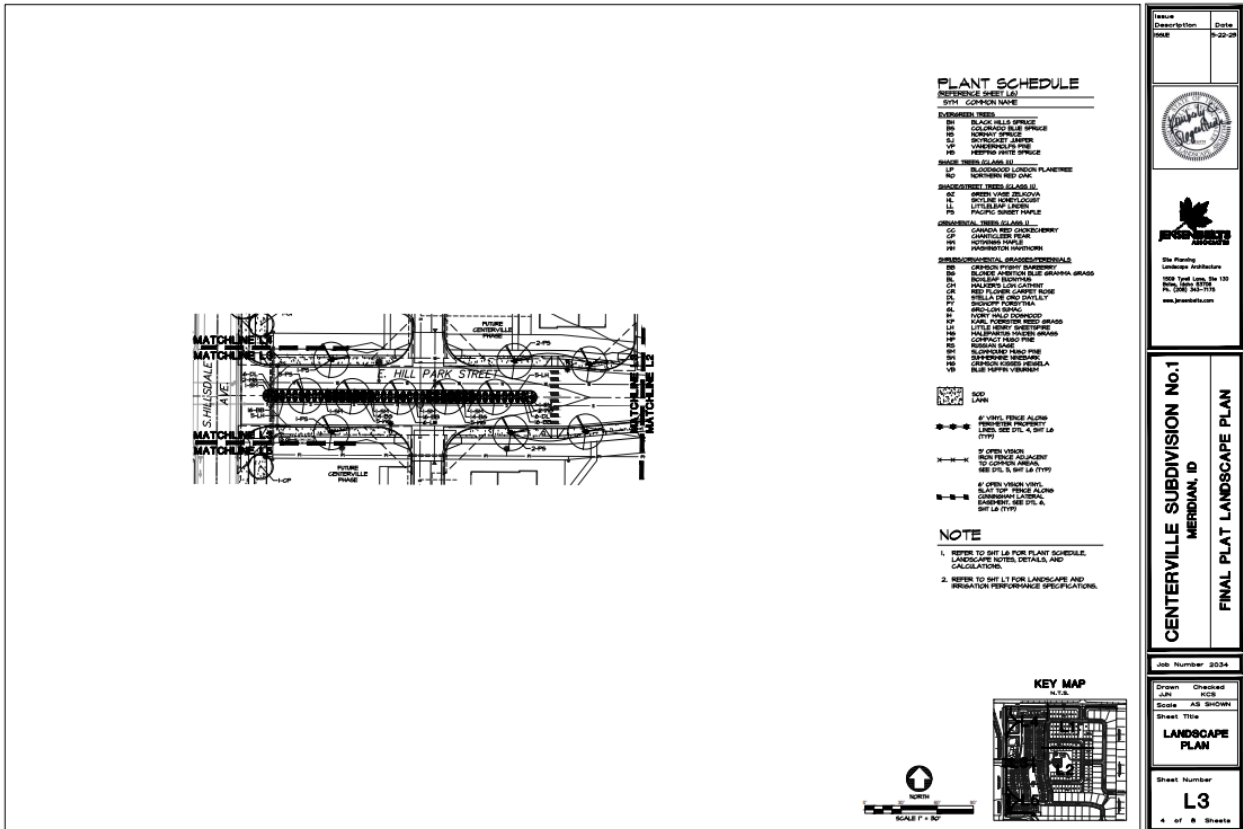
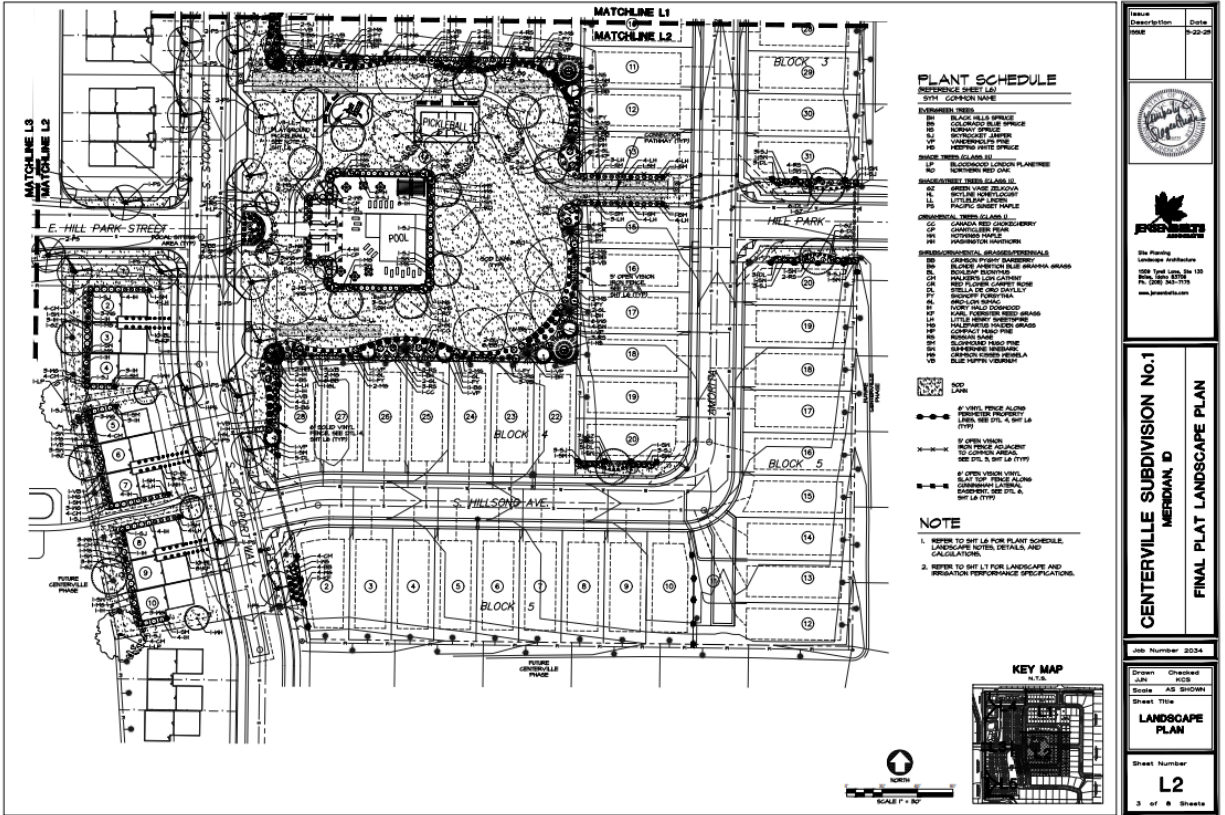


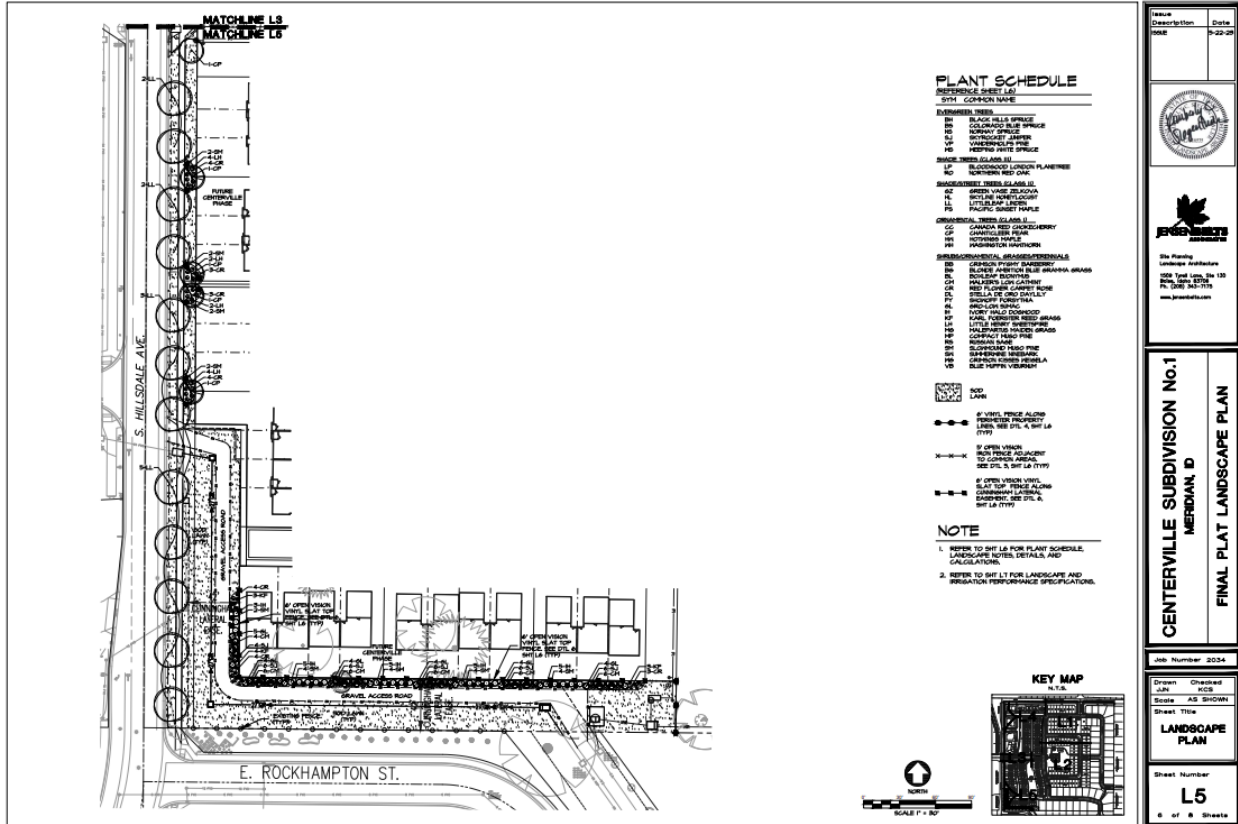
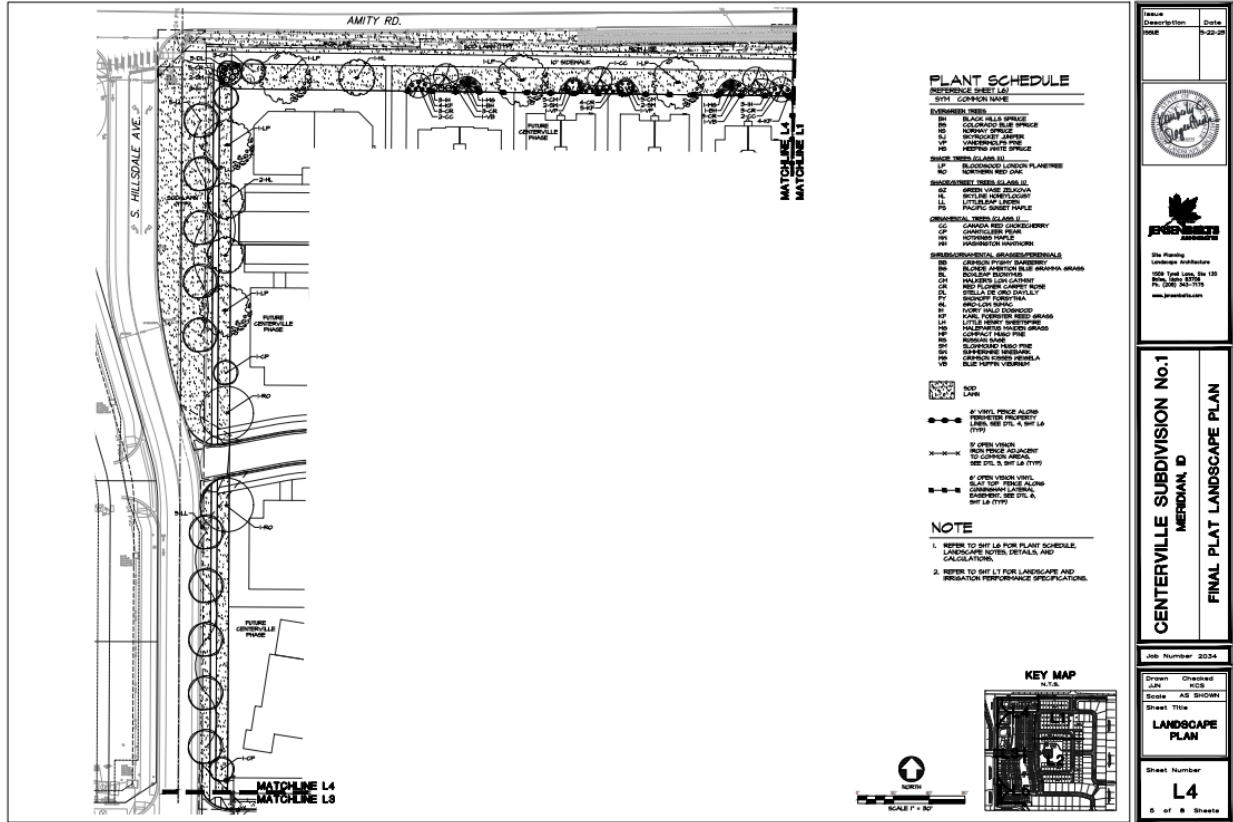
OWNER OF RECORD CENTVILLE SUBDIVISION, LLC 10000 N. CENTVILLE AVENUE, SUITE 100 AMITY, OHIO 43004 PHONE: 614.299.1000
DEVELOPER CENTVILLE SUBDIVISION, LLC 10000 N. CENTVILLE AVENUE, SUITE 100 AMITY, OHIO 43004 PHONE: 614.299.1000
PLANNER CONTACT CENTVILLE SUBDIVISION, LLC 10000 N. CENTVILLE AVENUE, SUITE 100 AMITY, OHIO 43004 PHONE: 614.299.1000
ENGINEERING ENGINEERING SOLUTIONS 10000 N. CENTVILLE AVENUE, SUITE 100 AMITY, OHIO 43004 PHONE: 614.299.1000
CENTVILLE SUBDIVISION PRELIMINARY PLAT 10000 N. CENTVILLE AVENUE, SUITE 100 AMITY, OHIO 43004 PHONE: 614.299.1000
DATE: 1/14/07 REVISED: 06/25/21 PM FILE NO: 191304 SHEET: 3 OF 4 PRE-3



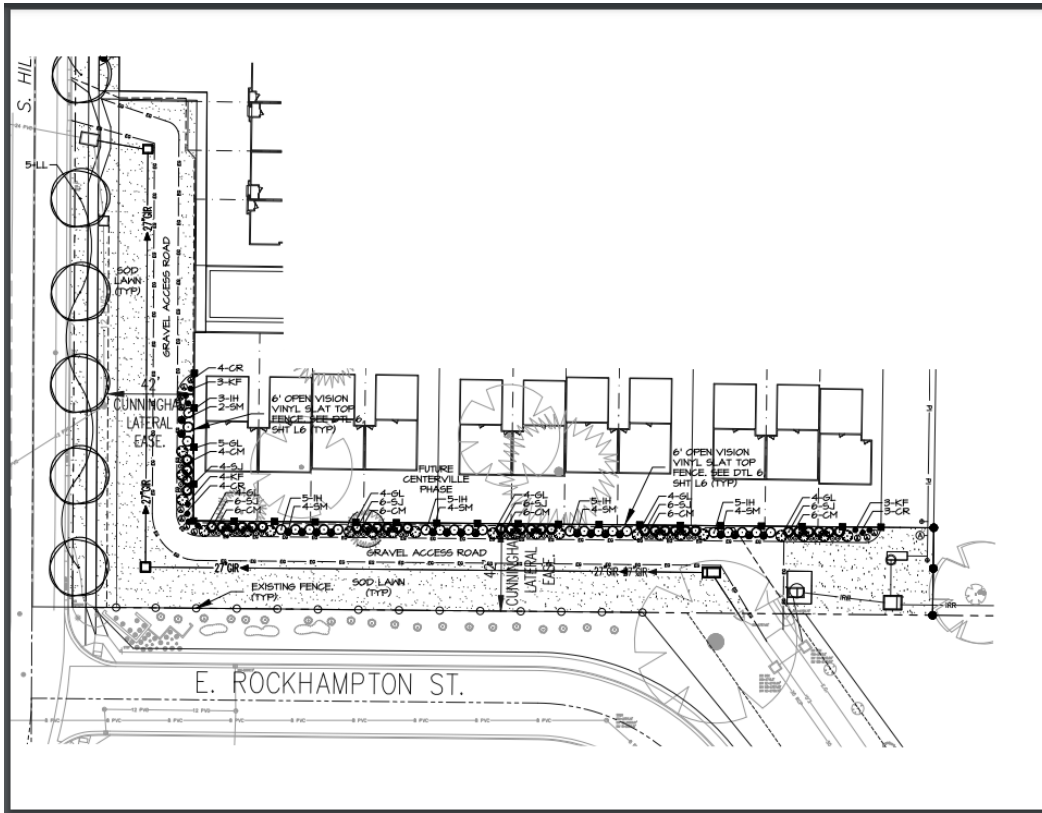
C. Landscape Plan (date: 5/22/2023) & Amenities Exhibit



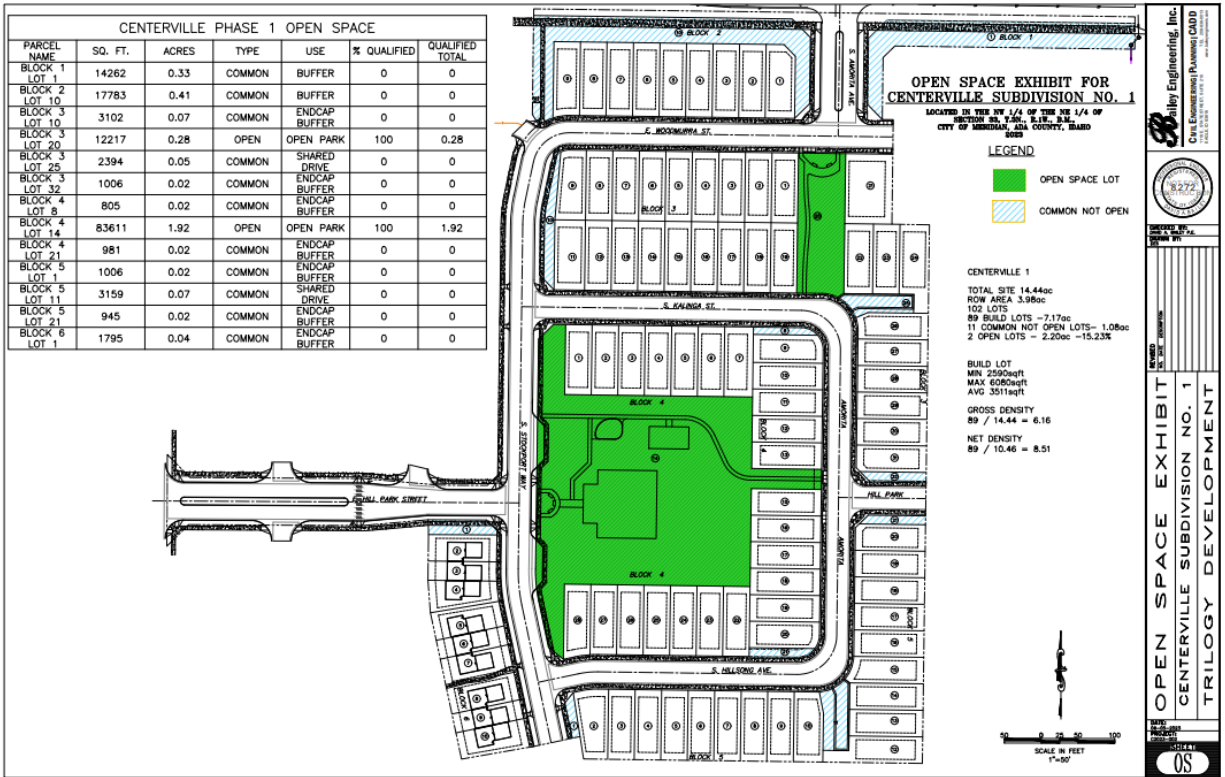




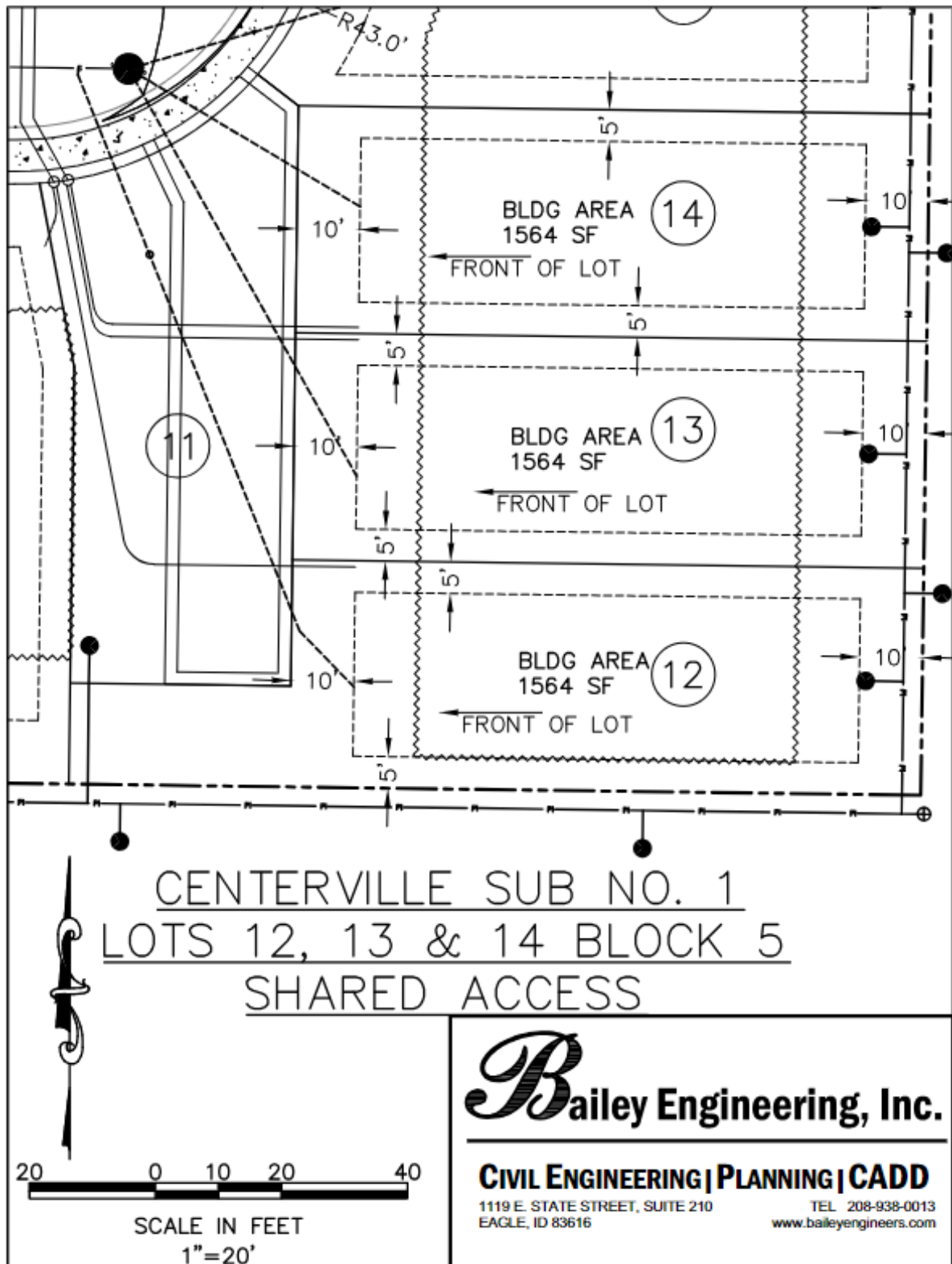
D. Alternative Compliance Detail

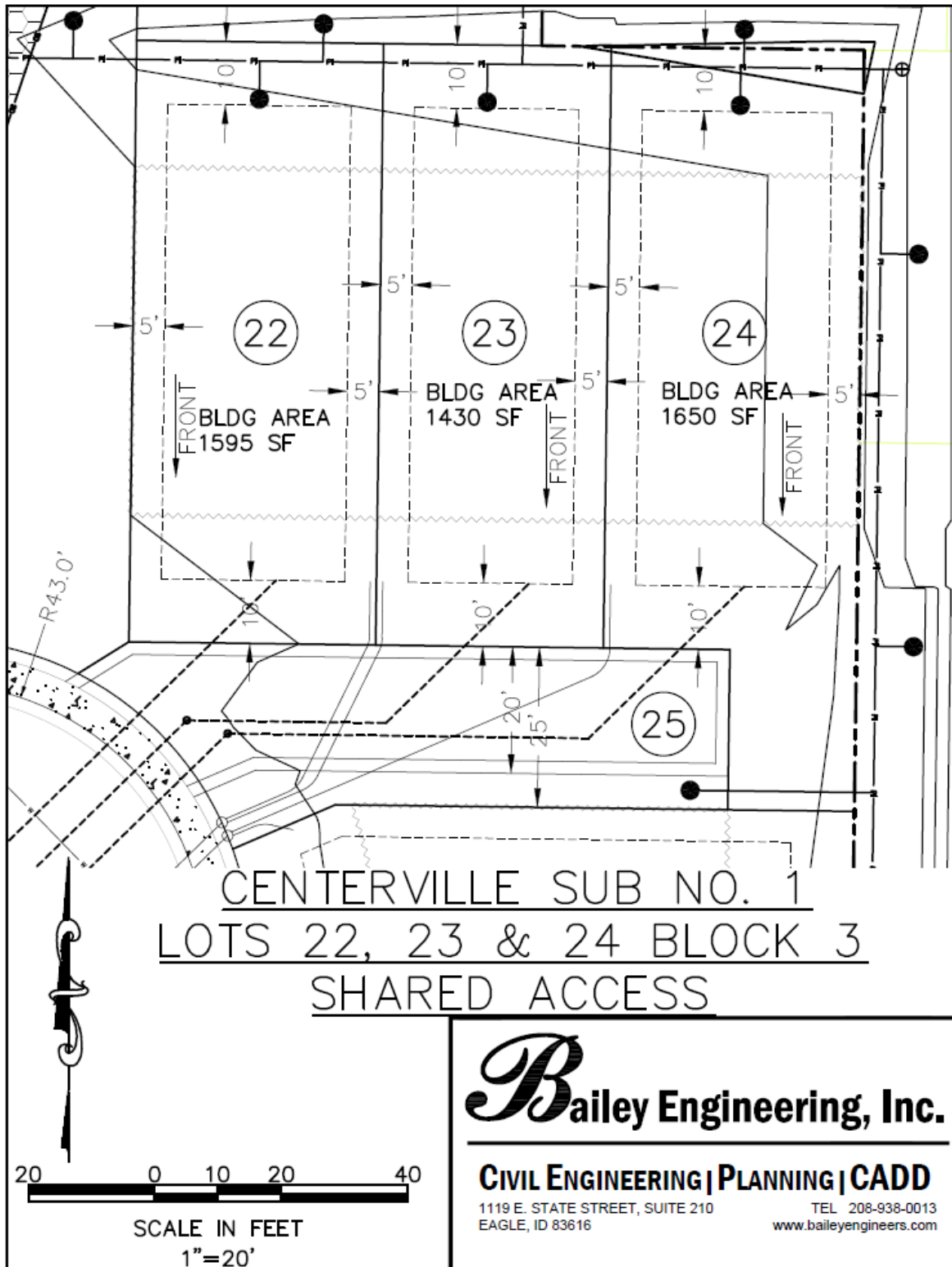


E. Open Space Exhibit



F. Common Drive Exhibits





F. Conceptual Elevations



CENTERVILLE

3-UNIT TOWNHOME TYPE 3



CENTERVILLE

3-UNIT TOWNHOME TYPE 2



CENTERVILLE

3-UNIT TOWNHOME TYPE 1



CENTERVILLE

FRONT LOAD TOWNHOME



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-2022-0046 (DA Inst. #2022-084254)].
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of approval of the preliminary plat (by August 9, 2024); 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 Clinton W. Hansen Bailey Engineering, Inc., shall be revised as follows:
 - a. Note #6: Include the recorded instrument number of the ACHD landscape license agreement.
 - b. Note #7: Include the recorded instrument number of the existing City of Meridian Development Agreement.
 - c. Note #10: Include the recorded instrument number of the ingress/egress easement for Lots 22 -24, Block 3, Lot 11, Block 5, and Lots 12 -14, Block 5.
 - d. Note #11: Include the recorded instrument number of the City of Meridian Utility easement.
 - e. Note #12: Include the recorded instrument number of the ACHD offsite storm drain permanent easement.

An electronic copy of the revised plat shall be submitted with the final plat for City Engineer signature.

5. The landscape plan shown in Section V.C, dated 5/22/23 prepared by Jensen Belts Associates, PLLC, shall be revised as follows:
 - a. Revise the landscape plan to include all of the frontage improvements along the roadways.
 - b. The Applicant shall ensure that there is adequate space between the units for the pedestrian connections.

An electronic copy of the revised landscape plan shall be submitted with the final plat for City Engineer signature.

6. The elevations/facades of 2-story structures that face E. Amity Road, an entryway corridor, and S. Hillsdale Avenue Street, a collector street, 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 that are visible from the subject public street. Single-story structures are exempt from this requirement.
7. With the first phase of development, the Applicant shall construct a dedicated westbound and eastbound turn lane on E. Amity Road at the S. Amorita Avenue entrance (as labeled on the preliminary plat) and construct an interim signal at the E. Amity Road and S. Hillsdale Avenue intersection.

8. No building permits shall be submitted until the final plat for the associated phase is recorded.
9. The required landscape street buffers and detached pedestrian facilities shall be constructed and vegetated with the first phase of development along E. Amity Road and S. Hillsdale Avenue, including a 10-foot wide sidewalk along the Hillsdale frontage as required by City Council.
10. The Applicant shall pipe and reroute the Cunningham Lateral segment present on this property and comply with the standards in UDC 11-3A-6, per the submitted preliminary plat and concept plan.
11. The Applicant shall comply with all ACHD conditions of approval.
12. The Applicant shall obtain Administrative Design Review approval for the townhomes with submittal of the first final plat phase which contains this use.
13. The Applicant shall obtain Administrative Design Review and Certificate of Zoning Compliance approval for each commercial building and pool/changing rooms consistent with UDC requirements prior to building permit submittal for each building;
14. The Applicant shall obtain Administrative Design Review approval for the townhomes with submittal of the first final plat phase which contains this use
15. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-3A-15, UDC 11-3B-6, and MCC 9-1-28.
16. The Director approved alternative compliance to UDC 11-3B-12 as an adequate alternative for the required pathway landscape requirements for the proposed gravel path over the Cunningham Lateral in the southwest corner of the site as shown in Section V.D.
17. 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.
18. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit public access easements for any multi-use pathway proposed with the development to the Planning Division for approval by City Council and subsequent recordation.
19. 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. Interior streetlights along all public roads are required and new streetlights, with a meter cabinet, will be required along E Amity Rd.

General Conditions:

4. 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.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
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.
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.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. All grading of the site shall be performed in conformance with MCC 11-1-4B.
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.
18. 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.
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.

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.
21. 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.
22. 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.
23. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
24. 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.
25. 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.
26. 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.
27. 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.

VII. FINDINGS

A. Alternative Compliance (UDC 11-5B-5): In order to grant approval of an alternative compliance application, the Director shall determine the following:

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

The Director finds strict adherence to the required finding for pathway landscaping listed in UDC 11-3B-12 which requires a landscape strip a minimum of five (5) feet wide to be provided along each side of the pathway is not feasible due to the Cunningham Lateral easement.

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

The Director finds the proposed alternative compliance of providing landscaping design within the 8-foot area north and east of the service road/pathway, featuring perma bark and shrubs along the fencing and future home backyards provides an equal means for meeting the requirement.

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

The Director finds that the proposed alternative means of compliance will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.

EXHIBIT B

From: [kent brown](#)
To: [Stacy Hersh](#)
Cc: [Bill Nary](#); [Bill Parsons](#); [Kurt Starman](#); [Chris Johnson](#); [Joy Hall](#); [Charlene Way](#)
Subject: Re: Centerville No. 1 FP-2023-0009 Staff Report
Date: Tuesday, July 18, 2023 5:20:27 PM

External Sender - Please use caution with links or attachments.

Stacy, developers has reviewed the staff report and are in agreement and will comply

Kent Brown

On Tue, Jul 18, 2023, 9:45 AM Stacy Hersh <shersh@meridiancity.org> wrote:

Good Morning,

Attached is the staff report for the final plat for Centerville No. 1. This item is scheduled to be on the consent agenda at the City Council work session on July 25, 2023. The meeting will be held at City Hall, 33 E. Broadway Avenue, beginning at 4:30 pm. Please call or e-mail with any questions.

If you are *not* in agreement with the provisions in the staff report, please submit a written response to the staff report to the City Clerk's office (comment@meridiancity.org) and me as soon as possible and the item will be placed on the regular meeting agenda at a subsequent meeting for discussion.

Best regards,

Stacy Hersh | Associate Planner

City of Meridian | Community Development Department

33 E. Broadway Ave., Meridian, Idaho 83642

Phone: (208)-489-0576, Fax: (208)-887-1297



Built for Business, Designed for Living

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