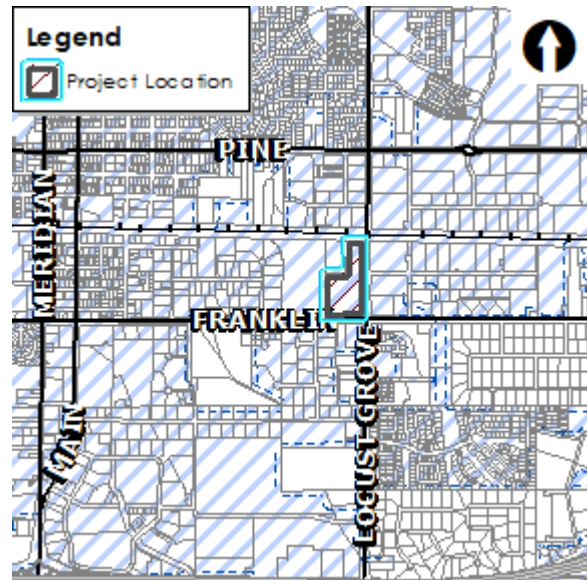


EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 6/15/2021
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: FP-2021-0033
Midgrove Plaza
LOCATION: 1450 E. Franklin Rd., in the SE ¼ of
Section 7, T.3N., R.1E. (Parcel
#S1107449996)



I. PROJECT DESCRIPTION

Final plat consisting of 5 buildable lots on 12.84-acres of land in the C-G and I-L zoning districts.

II. APPLICANT INFORMATION

A. Applicant/Representative:

Benjamin Semple, Rodney Evans + Partners, PLLC – 1014 S. LaPointe St., Ste. 3, Boise, ID 83706

B. Owner:

Arthur Berry – 4804 Roberts Rd., Boise, ID 83705

III. STAFF ANALYSIS

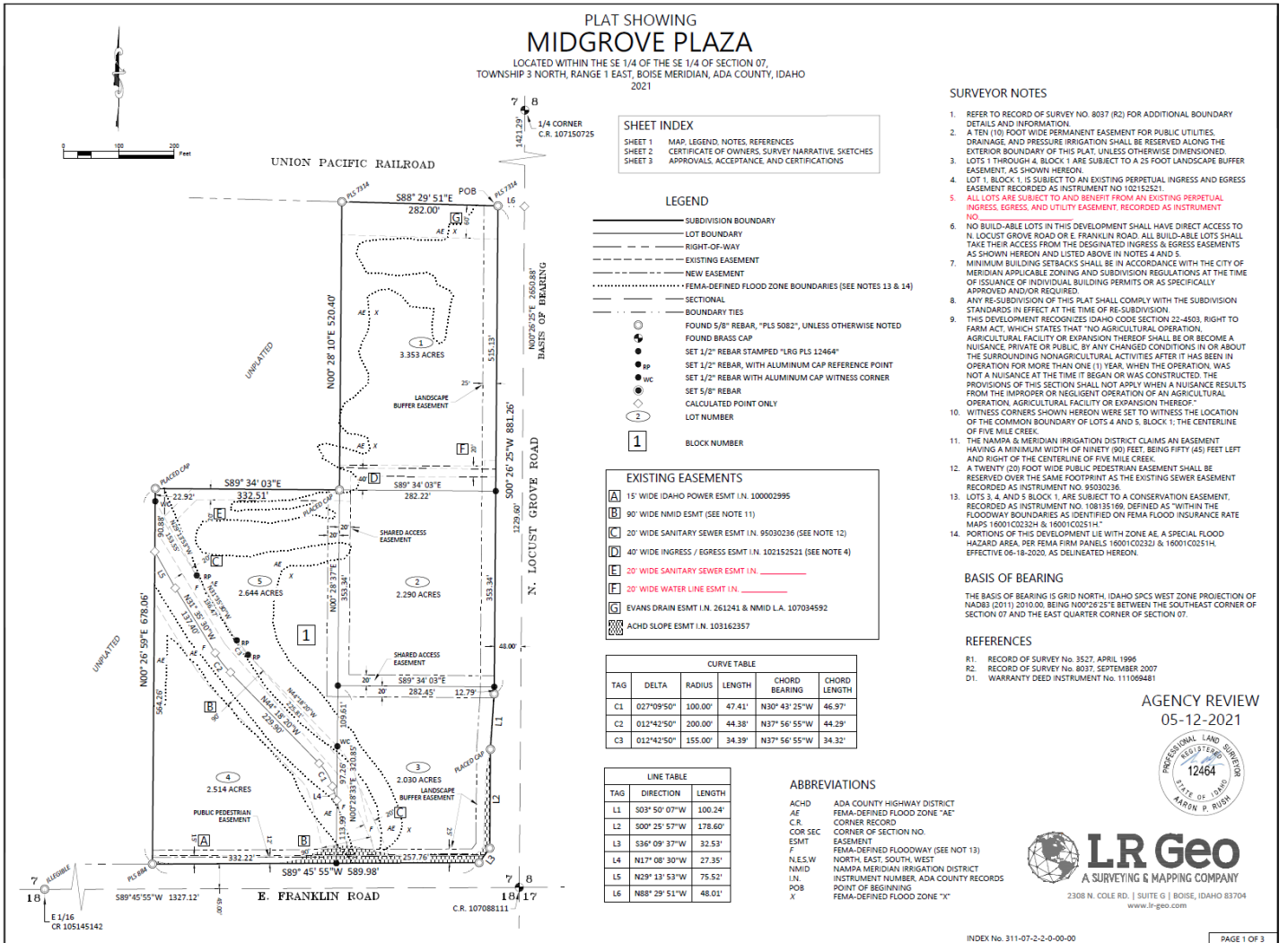
Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat and associated conditions of approval as required by UDC 11-6B-3C.2. There is one (1) fewer buildable lot than shown on the approved preliminary plat. Therefore, Staff finds the proposed final plat 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.

B. Final Plat (date: 5/12/2021)



PLAT SHOWING
MIDGROVE PLAZA

LOCATED WITHIN THE SE 1/4 OF THE SE 1/4 OF SECTION 07,
TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO
2021

SHEET INDEX

SHEET 1	MAP, LEGEND, NOTES, REFERENCES
SHEET 2	CERTIFICATE OF OWNERS, SURVEY NARRATIVE, SKETCHES
SHEET 3	APPROVALS, ACCEPTANCE, AND CERTIFICATIONS

LEGEND

- SUBDIVISION BOUNDARY
- LOT BOUNDARY
- RIGHT-OF-WAY
- EXISTING EASEMENT
- NEW EASEMENT
- FEMA-DEFINED FLOOD ZONE BOUNDARIES (SEE NOTES 13 & 14)
- SECTIONAL
- BOUNDARY TIES
- FOUND 5/8" REBAR, "PLS 5082", UNLESS OTHERWISE NOTED
- FOUND BRASS CAP
- SET 1/2" REBAR STAMPED "LRG PLS 12464"
- SET 1/2" REBAR, WITH ALUMINUM CAP REFERENCE POINT
- SET 1/2" REBAR WITH ALUMINUM CAP WITNESS CORNER
- SET 5/8" REBAR
- CALCULATED POINT ONLY
- LOT NUMBER
- 1 BLOCK NUMBER

EXISTING EASEMENTS

- A 15' WIDE IDAHO POWER ESMT I.N. 100002995
- B 90' WIDE NMID ESMT (SEE NOTE 11)
- C 20' WIDE SANITARY SEWER ESMT I.N. 95030236 (SEE NOTE 12)
- D 40' WIDE INGRESS / EGRESS ESMT I.N. 102152521 (SEE NOTE 4)
- E 20' WIDE SANITARY SEWER ESMT I.N. _____
- F 20' WIDE WATER LINE ESMT I.N. _____
- G EVANS DRAIN ESMT I.N. 261241 & NMID L.A. 107034592
- ACHD SLOPE ESMT I.N. 103162357

CURVE TABLE

TAG	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	027°09'50"	100.00'	47.41'	N30°43'25"W	46.97'
C2	012°42'50"	200.00'	44.38'	N37°56'55"W	44.29'
C3	012°42'50"	155.00'	34.39'	N37°56'55"W	34.32'

LINE TABLE

TAG	DIRECTION	LENGTH
L1	S03°50'07"W	100.24'
L2	S00°25'57"W	178.60'
L3	S36°09'37"W	32.53'
L4	N17°08'30"W	27.35'
L5	N29°12'53"W	75.52'
L6	N88°29'51"W	48.01'

ABBREVIATIONS

- ACHD ADA COUNTY HIGHWAY DISTRICT
- AE FEMA-DEFINED FLOOD ZONE "AE"
- C.R. CORNER RECORD
- COR SEC CORNER OF SECTION NO.
- ESMT EASEMENT
- F FEMA-DEFINED FLOODWAY (SEE NOTE 13)
- N.E.S.W. NORTH, EAST, SOUTH, WEST
- NMID NAMPAMERIDIAN IRRIGATION DISTRICT
- I.N. INSTRUMENT NUMBER, ADA COUNTY RECORDS
- POB POINT OF BEGINNING
- X FEMA-DEFINED FLOOD ZONE "X"

- SURVEYOR NOTES**
- REFER TO RECORD OF SURVEY NO. 8037 (R2) FOR ADDITIONAL BOUNDARY DETAILS AND INFORMATION.
 - A TEN (10) FOOT WIDE PERMANENT EASEMENT FOR PUBLIC UTILITIES, DRAINAGE, AND PRESSURE IRRIGATION SHALL BE RESERVED ALONG THE EXTERIOR BOUNDARY OF THIS PLAT, UNLESS OTHERWISE DIMENSIONED.
 - LOTS 1 THROUGH 4, BLOCK 1 ARE SUBJECT TO A 25 FOOT LANDSCAPE BUFFER EASEMENT, AS SHOWN HEREON.
 - LOT 1, BLOCK 1, IS SUBJECT TO AN EXISTING PERPETUAL INGRESS AND EGRESS EASEMENT RECORDED AS INSTRUMENT NO. 102152521.
 - ALL LOTS ARE SUBJECT TO AND BENEFIT FROM AN EXISTING PERPETUAL INGRESS, EGRESS, AND UTILITY EASEMENT, RECORDED AS INSTRUMENT NO. _____.
 - NO BUILD-ABLE LOTS IN THIS DEVELOPMENT SHALL HAVE DIRECT ACCESS TO N. LOCUST GROVE ROAD OR E. FRANKLIN ROAD. ALL BUILD-ABLE LOTS SHALL TAKE THEIR ACCESS FROM THE DESIGNATED INGRESS & EGRESS EASEMENTS AS SHOWN HEREON AND LISTED ABOVE IN NOTES 4 AND 5.
 - MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF MERIDIAN APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
 - ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE SUBDIVISION STANDARDS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
 - THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT-TO-FARM ACT, WHICH STATES THAT "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. 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."
 - WITNESS CORNERS SHOWN HEREON WERE SET TO WITNESS THE LOCATION OF THE COMMON BOUNDARY OF LOTS 4 AND 5, BLOCK 1; THE CENTERLINE OF FIVE MILE CREEK.
 - THE NAMPAMERIDIAN IRRIGATION DISTRICT CLAIMS AN EASEMENT HAVING A MINIMUM WIDTH OF NINETY (90) FEET, BEING FIFTY (45) FEET LEFT AND RIGHT OF THE CENTERLINE OF FIVE MILE CREEK.
 - A TWENTY (20) FOOT WIDE PUBLIC PEDESTRIAN EASEMENT SHALL BE RESERVED OVER THE SAME FOOTPRINT AS THE EXISTING SEWER EASEMENT RECORDED AS INSTRUMENT NO. 95030236.
 - LOTS 3, 4, AND 5, BLOCK 1, ARE SUBJECT TO A CONSERVATION EASEMENT, RECORDED AS INSTRUMENT NO. 106135166, DEFINED AS "WITHIN THE FLOODWAY BOUNDARIES AS IDENTIFIED ON FEMA FLOOD INSURANCE RATE MAPS 16001C0232H & 16001C0251H"
 - PORTIONS OF THIS DEVELOPMENT LIE WITHIN ZONE AE, A SPECIAL FLOOD HAZARD AREA, PER FEMA FIRM PANELS 16001C0232J & 16001C0251H, EFFECTIVE 06-18-2020, AS DELINEATED HEREON.

BASIS OF BEARING
THE BASIS OF BEARING IS GRID NORTH, IDAHO SPCS WEST ZONE PROJECTION OF NAD83 (2011) 2010.00, BEING N00°20'25"E BETWEEN THE SOUTHEAST CORNER OF SECTION 07 AND THE EAST QUARTER CORNER OF SECTION 07.

- REFERENCES**
- R1. RECORD OF SURVEY NO. 3527, APRIL 1996
 - R2. RECORD OF SURVEY NO. 8037, SEPTEMBER 2007
 - D1. WARRANTY DEED INSTRUMENT NO. 111069481

AGENCY REVIEW
05-12-2021



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-2020-0029).
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of City Council's approval (by July 7, 2022) of the preliminary 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 LR Geo, stamped on 5/12/2021 by Aaron P. Rush, shall be revised as follows:
 - a. Modify note #5 as follows: A cross-access/ingress-egress easement shall be depicted between all lots in the subdivision and to the abutting property to the west through Lot 5 (Parcel #S1107449111) in accord with UDC 11-3A-3A.2.
 - b. Modify note #6 as follows: Include a note that prohibits direct lot access via N. Locust Grove Rd. and E. Franklin Rd. other than those accesses approved with the preliminary plat by the City and ACHD.
 - c. Existing Easements Table – "E" and "F": Include recorded instrument numbers.

An electronic copy of the revised plat shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.

5. The landscape plan shown in Section V.C, prepared by Rodney Evans + Partners, dated 3/31/21, shall be revised as follows:
 - a. Depict shrubs along with the proposed trees within the buffers along the multi-use pathway and the street buffers along Franklin & Locust Grove Roads in accord with UDC 11-3B-7C.3a and 11-3B-12C.2.

An electronic copy of the revised landscape plan shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.

6. A minimum 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the multi-use pathway along the northeast side of the Five Mile Creek extending to the Franklin/Locust Grove Road intersection as required by the Park's Department prior to signature on the final plat by the City Engineer.
7. The Five Mile Creek shall be protected during construction and shall be left open as a natural amenity and shall not be piped or otherwise covered as set forth in UDC 11-3A-6B.1.
8. All future development shall comply with the minimum dimensional standards listed in UDC Tables 11-2B-3 for the C-G zoning district and 11-2C-3 for the I-L zoning district, as applicable.
9. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. Ensure no permanent structures are within City easements (including but not limited to trees, bushes, carports, trash enclosure walls, fences, storm water infiltration trenches, streetlights, etc.).
2. The sanitary sewer line that is shown extending through lot 6 to serve lots 1, 2, and 3 must be an 8" main due to line serving multiple lots. At each flow change a manhole will be required. Unless otherwise noted on the plans, 8" sewer lines are considered main and must be covered in a utility easement.
3. All sewer and water mains constructed in unimproved areas must have an access road built to Meridian City Design Standards.
4. The Geo Technical report submitted for the subject site points out numerous items that will require special attention. The design engineer for this project should pay particular close attention to the findings and recommendation for the successful design and performance of all foundation systems, sub-surface drainage, and utility trench backfill.
5. A Floodplain Development Permit required for this development. The SW area, including Five Mile Creek is subject to the terms of a conservation easement, recorded as instrument No 108135169 for the protection of designed wetlands. Development with floodway, requires a no-rise analysis.
6. An additional streetlight is required on the west boundary of Franklin Road. 30-foot Davit poles are allowed when there is an overhead utility conflict. The lights on Locust Grove Road shall be Type 1, 35 feet high with a 12 Mast Arm.

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 (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.