

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



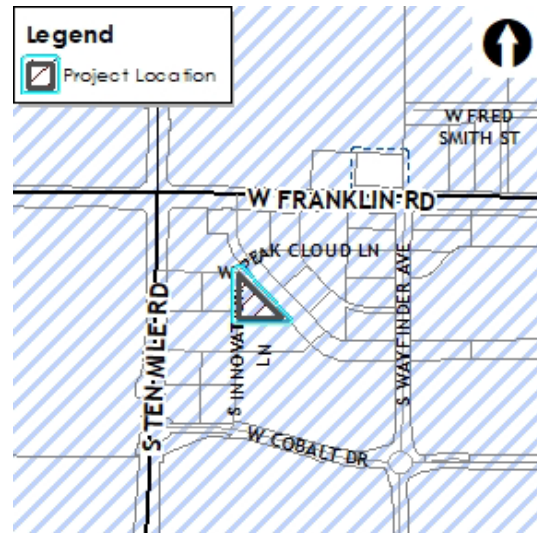
HEARING DATE: 6/28/2022

TO: Mayor & City Council

FROM: Alan Tiefenbach, Associate Planner
208-489-0573

SUBJECT: H-2022-0032
TM Creek GI Irrigation Easement
Vacation

LOCATION: 158 S. Innovation Ln
Southeast of the S. Ten Mile / W.
Franklin Rd intersection.



I. PROJECT DESCRIPTION

Request to vacate a private irrigation easement on a 1.95-acre lot in the C-G zoning district, by Stephanie Hopkins with KM Engineering, LLP.

II. APPLICANT INFORMATION

A. Applicant/ Representative:

Stephanie Hopkins, KM Engineering, LLP – 5725 N Discovery Way, Boise, ID 83713

B. Owner:

Brighton Land Holdings, LLC, – 2929 W Navigator Drive, Ste 400, Meridian, ID 83642

III. STAFF ANALYSIS

The property is part of the 45.34-acre TM Creek development which was annexed with a preliminary plat for 49 lots in 2014 (AZ-13-015, PP-13-030, Development Agreement Instr. 114045759). In 2017 existing easement was depicted across Lot 12, Block 2 and referenced in plat note #10 platted with TM Creek Subdivision No. 2 (H-2017-0024).

The applicant intends to merge Lots 12 and 13, Block 2 together with a parcel boundary adjustment to construct a future building that will straddle the internal line between the lots. However, the proposed building encroaches on a private gravity irrigation easement reflected on Lot 12, Block 2. There is presently a 12-inch irrigation pipe constructed within this easement area, but it is a private line and would be relocated to the north by the applicant. Because this is a private easement, relinquishment letters from potential easement holders are not required.

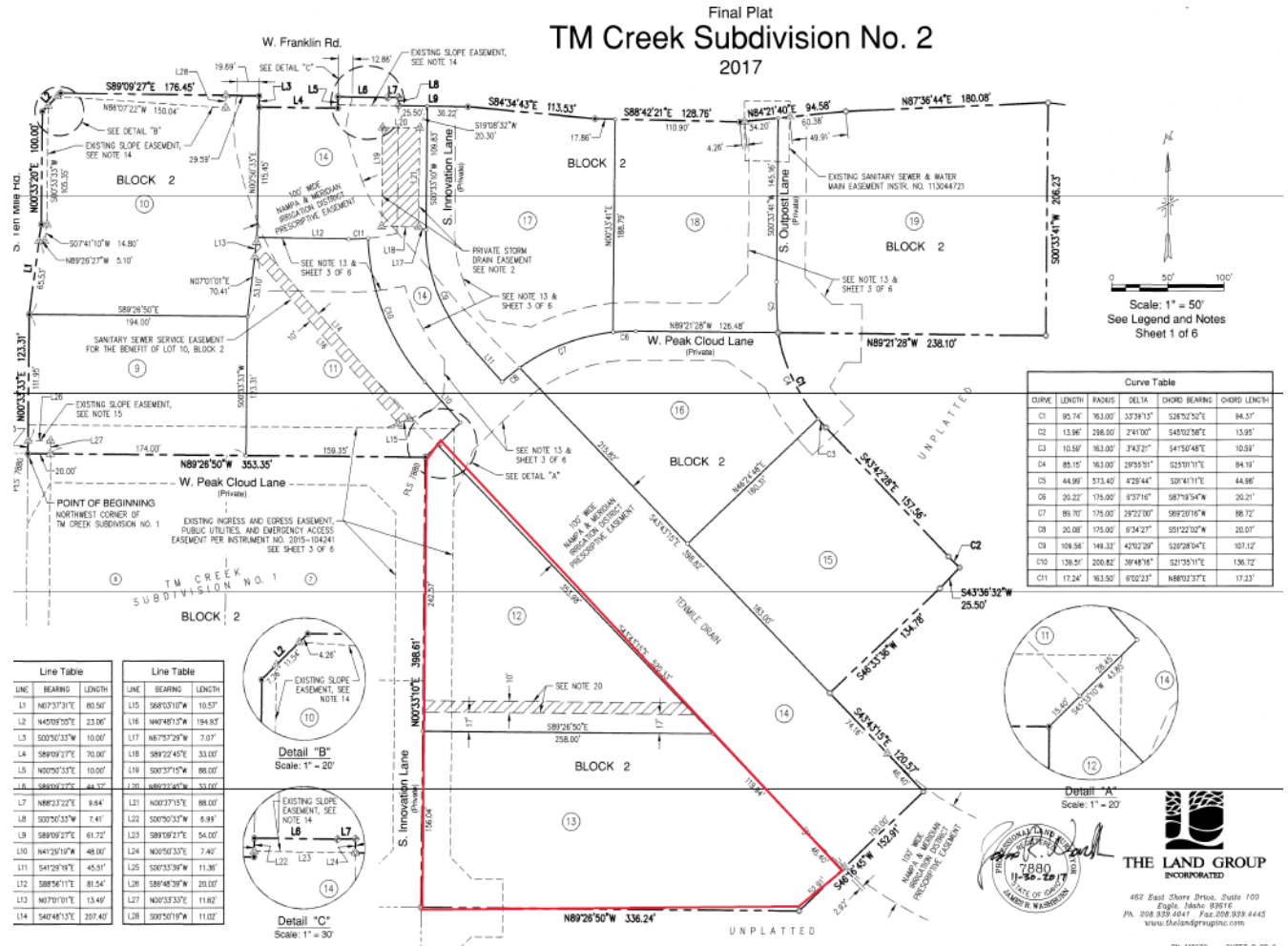
IV. DECISION

A. Staff:

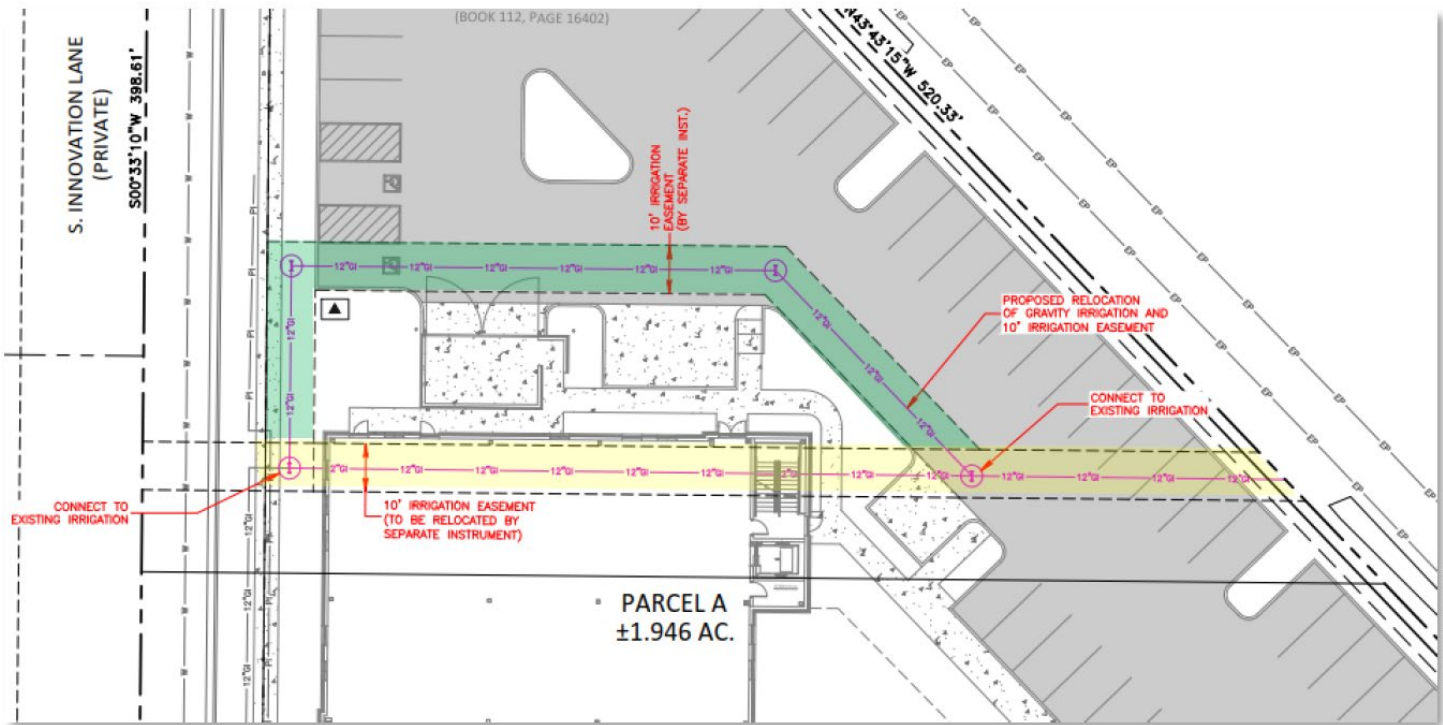
Staff recommends approval of the vacation of the irrigation easement as proposed.

V. EXHIBITS

A. Recorded Plat (date: July 18, 2016)



B. Site Plan indicating existing and proposed easement locations



C. Easement Language (Note 20 of TM Creek Subdivision No 2)

SIDEWALK LOCATED WITHIN W. FRANKLIN ROAD. SEE SHEET 4 OF 6.

19. 25' LANDSCAPE BUFFER AS MEASURED FROM BACK OF EXISTING CURB AND GUTTER WITH DETACHED SIDEWALK LOCATED WITHIN W. FRANKLIN ROAD. SEE SHEET 4 OF 6.
20. 10' WIDE IRRIGATION EASEMENT SHALL BE OWNED AND MAINTAINED BY THE OPERATOR OR ASSIGNS. SEE SHEET 2 OF 6.
21. DIRECT LOT OR PARCEL ACCESS TO S. TEN MILE ROAD AND W. FRANKLIN ROAD IS PROHIBITED EXCEPT FOR THOSE ACCESS POINTS APPROVED WITH PP-13-030 BY THE CITY OF MERIDIAN AND ADA COUNTY HIGHWAY DISTRICT.
22. REFER TO THE FEMA DESIGNATED A ZONE FLOODWAY, FIRM PANEL 16001C0231H - 2/19/2003 AFFECTING THIS SUBDIVISION.

