

# EXHIBIT A

## STAFF REPORT

### COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 2/1/2022

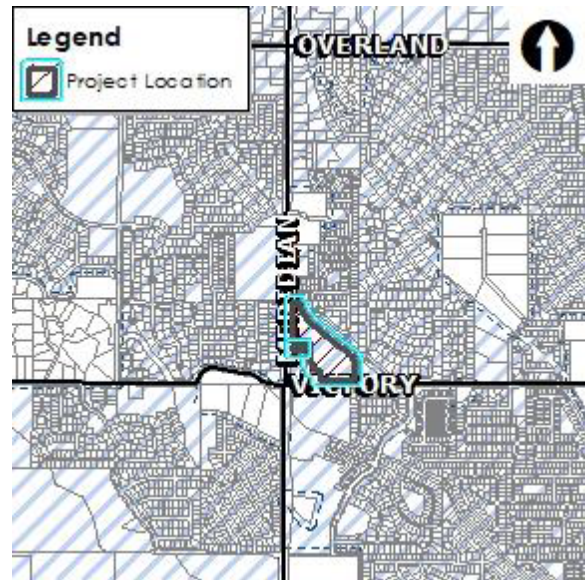
DATE:

TO: Mayor & City Council

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

SUBJECT: H-2021-0054  
Victory Commons Final Plat No 2

LOCATION: The site is located at 130 E. Victory Rd.  
and 2976 S. Meridian Rd., in the  
southwest ¼ of Section 19, T.3N. R.1E.



#### I. PROJECT DESCRIPTION

Final Plat consisting of 9 commercial lots on 12.22 acres in the C-G zoning district. This is the second of two phases, with a total of 12 lots.

#### II. APPLICANT INFORMATION

##### A. Applicant / Owner

Kuna Victory, LLC – 901 Pier View Dr., Suite #210, Idaho Falls, ID 83402

##### B. Representative:

BVA Development, 2775 W. Navigator Dr., Suite #220, Meridian ID 83642

#### III. STAFF ANALYSIS

The preliminary plat for this development was approved by City Council on June 9, 2020. The preliminary plat consisted of 12 commercial lots on 16.74 acres, several of which already include buildings presently under construction including an urgent care, flex building and a paint store. Final Plat No 1, consisting of 4 acres, was approved by the Council on September 8, 2020. This is the second phase consisting of 9 lots.

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat in accord with the requirements listed in UDC 11-6B-3C.2. All development shall comply with the dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district as well as Development Agreement #2019-119405.

Lot 4, Block 1 was initially part of the Victory Commons Phase One Plat. The applicant has reconfigured this lot and incorporated it into Victory Commons Phase No. 2. Other than this, staff finds the size and configuration of the nine lots is consistent with the approved preliminary plat, therefore staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

A condition of approval of the preliminary plat was that prior to signature on the final plat for this phase, the applicant shall grant cross access to parcels #R5915720030, R5915720042 and R6242270030 (parcels to the south and east of the property). The applicant submitted recorded access easements to all three of these properties, but only the access easement to Parcel R6242270030 (500 E. Victory Rd) is shown on the plat. The plat should be revised to show access easements to the other two properties.

A 25' wide buffer is required to be installed along E. Victory Rd prior to occupancy of the first structure per the development agreement. It does not appear this buffer has been completed but a surety has been approved for the improvement. There is also a 35' landscape buffer required along S. Meridian Rd, an entryway corridor. This buffer also does not appear to be completed. The applicant shall be required to obtain a ROW license agreement from ITD to install and maintain this buffer prior to signature on the final plat.

#### **IV. DECISION**

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

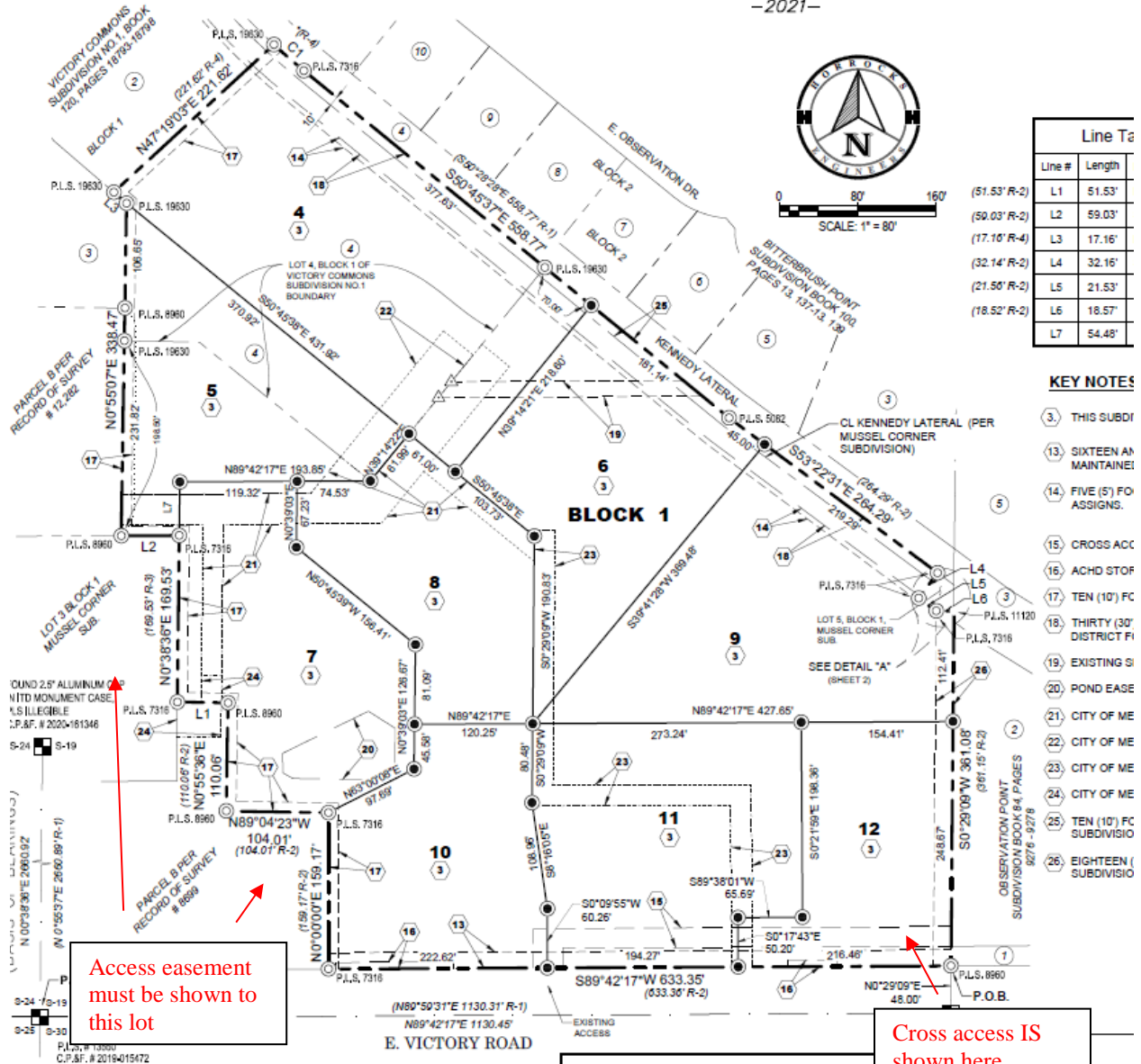
### A. Preliminary Plat (date: 11/20/19)



C. Final Plat (date: 7/03/2021)

## VICTORY COMMONS SUBDIVISION NO. 2

A RE-SUBDIVISION OF PORTIONS OF LOTS 1, 2, AND 4, BLOCK 1, OF MUSSEL CO. SUBDIVISION, ALSO A RE-SUBDIVISION OF LOT 4 BLOCK 1 OF VICTORY COMMONS SUBDIVISION NO. 1, ALSO BEING A PORTION OF PARCEL "A" OF RECORD OF SURVEY NO. 12282, LO A PORTION OF GOVERNMENT LOT 4, SECTION 19, TOWNSHIP 3 NORTH, RANGE 1 EAST BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO  
-2021-



Line To	
Line #	Length
L1	51.53'
L2	59.03'
L3	17.16'
L4	32.16'
L5	21.53'
L6	18.57'
L7	54.48'

### KEY NOTES

3. THIS SUBDI
13. SIXTEEN AN
14. FIVE (5) FO
15. CROSS ACC
16. ACHD STOF
17. TEN (10) FC
18. THIRTY (30)
19. EXISTING SI
20. POND EASE
21. CITY OF ME
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25. TEN (10) FC
26. EIGHTEEN (

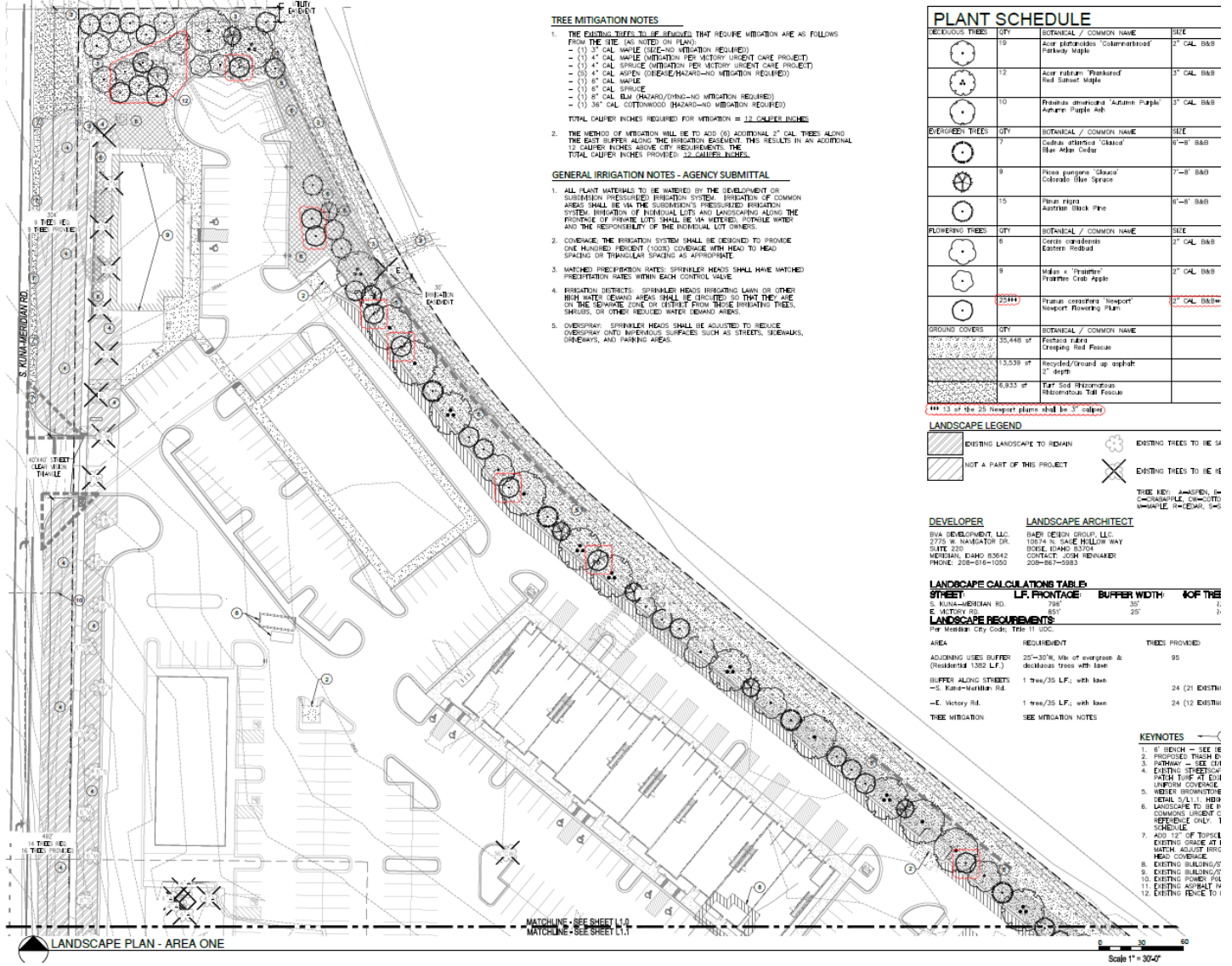
Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	40.32'	655.00'	3°31'38"	S48°59'48"E	40.32'

### BASIS OF BEARINGS:

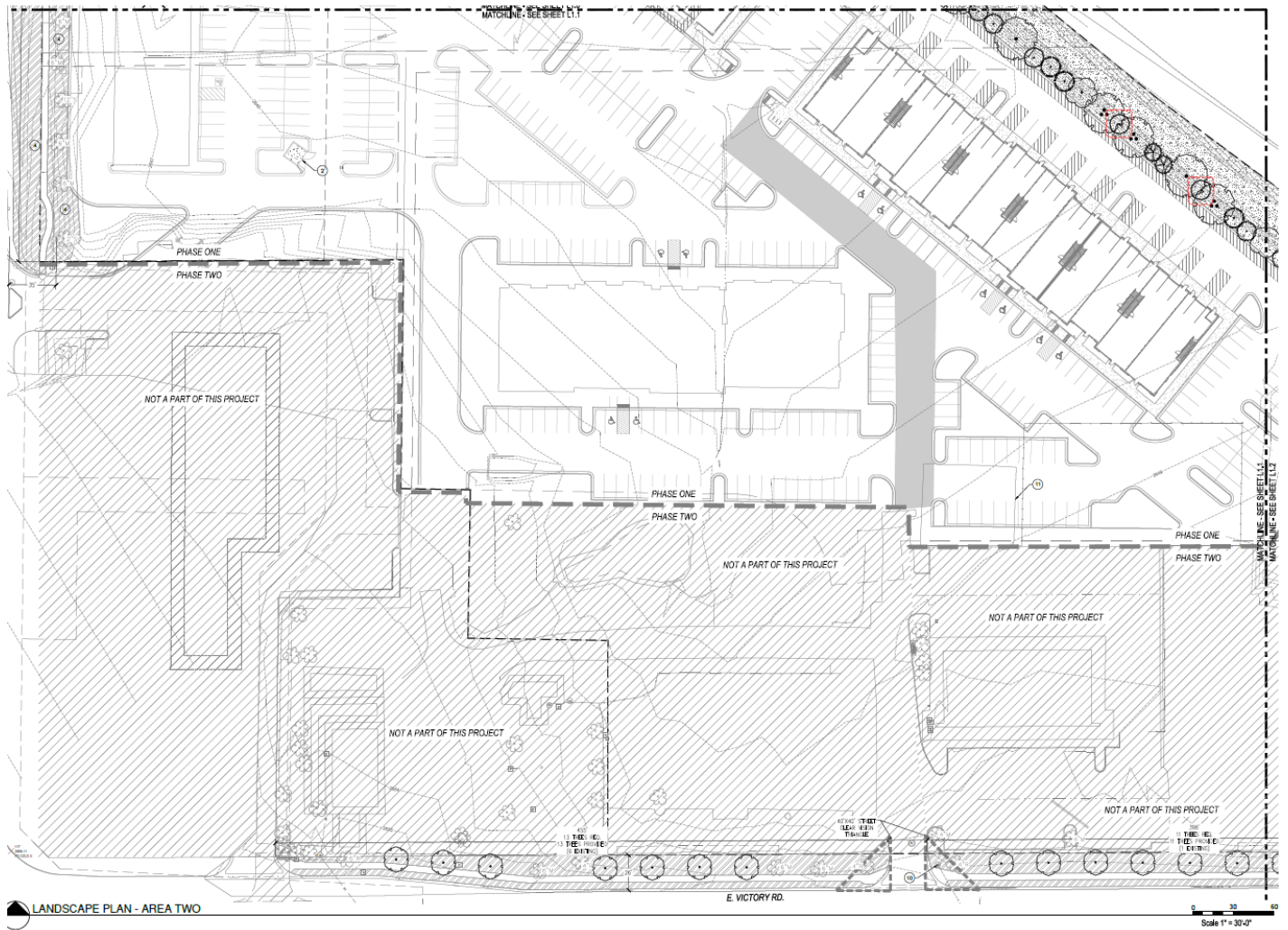
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WEST BOUNDARY OF GOVERNMENT LOT 4, TAKEN AS N00°38'36"E PER RECORD OF SURVEY # 12,282. BEARINGS ARE GRID.



D. Final Plat Landscape Plan North (date: 7/28/2020)



E. Final Plat Landscape Plan (E. Victory Rd (date: 7/28/2020)



## **VI. CITY/AGENCY COMMENTS & CONDITIONS**

### **A. Planning Division**

1. All development shall comply with the terms of the approved preliminary plat (H-2019-0150), Development Agreement (Inst. 2019-119405) and any future amendments to that agreement as applicable.
2. Direct lot access is prohibited to S. Meridian Road and E. Victory Road.
3. Prior to signature on the plat, the applicant shall show on the plat recorded cross agreements or add a plat note that grants cross access to parcels #R5915720030 and R5915720042 in accord with the amended development agreement.
4. The 25-foot wide landscape buffer along E. Victory Road shall be completed prior to occupancy of the first structure in accord with the amended development agreement. The landscape buffer shall be installed in accord with UDC 11-3B-7C.
5. The 35-foot wide landscape buffer along S. Meridian Rd shall be completed prior to occupancy of the first structure. The landscape buffer shall be installed in accord with UDC 11-3B-7C.
6. The landscape plan prepared by Baer Design Group, dated 7/28/2020, is approved as submitted.
7. The final plat prepared by Ron Wright, Horrocks Engineers, dated 7/03/2121 is approved with the following comments:
  - a. Notes #15, 20, 2, 23 and 24 – insert instrument numbers.
  - b. Landscape buffer along E. Victory Rd shall be on a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association per UDC 11-3B-7.
8. If the City Engineer's signature has not been obtained on the final plat within two (2) years of the City Council's approval of the subject preliminary plat (June 23, 2022), the preliminary plat shall become null and void unless a time extension is obtained as set forth in UDC 11-6B-7.
9. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
10. All future structures constructed within the development shall to comply with the elevations in the amended development agreement, the design standards listed in UDC 11-3A-19 and those in the Architectural Standards Manual.
11. Certificate of Zoning Compliance and Administrative Design Review applications are required to be submitted to the Planning Division for approval of all future buildings on the site prior to applying for a building permit.

## B. Public Works

### SITE SPECIFIC CONDITIONS:

1. The bottom of structural footing shall be set a minimum of 12-inches above the highest established normal ground water elevation.
2. After consultation with the applicant regarding the Geo Technical investigation, it is highly recommended that slab on grade foundations be installed within this development to avoid any groundwater intrusion.
3. Sanitary sewer mains outside of right-of-way need a 20-foot-wide easement for sewer depths 0 to 15 feet, 30-foot-wide for sewer depths 16 to 20 feet, and 40-foot-wide for depths greater than 20 feet.
4. Right-of-way lines should be clearly marked on the plan sheet.
5. It is unclear if the existing 8-inch sewer stub from Victory Road is intended to be private or public main. If private, the manhole lid shall be labelled "private" and the plan set should indicate that the main is private.
6. Sewer mains must end in a manhole with the last run being a minimum 0.60 percent slope.
7. Sewer mains must have a minimum 3 foot of cover, manhole SSMH-4 does not meet this requirement.

### 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 then 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](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.