

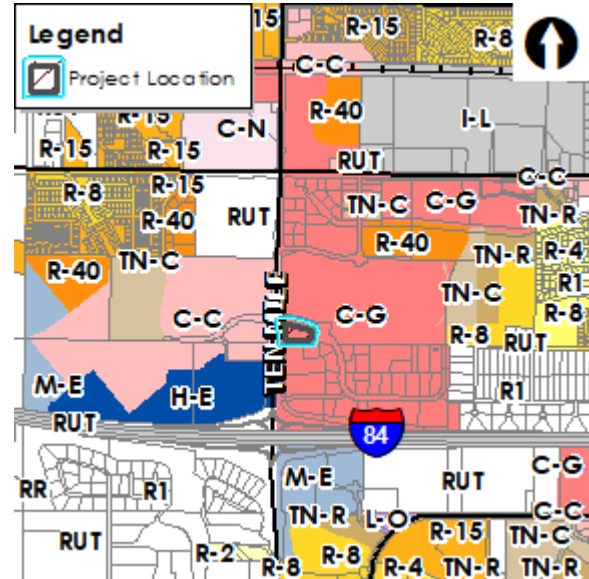
## STAFF REPORT

### COMMUNITY DEVELOPMENT DEPARTMENT



DATE: 9/7/2021  
TO: City Council  
FROM: Sonya Allen, Associate Planner  
208-884-5533  
SUBJECT: H-2021-0045  
TM Crossing Subdivision No. 5

PROPERTY LOCATION:  
Southeast corner of S. Ten Mile Rd. & S.  
Vanguard Way in the NW ¼ of Section  
14, T.3N., R.1W.



#### I. PROJECT DESCRIPTION

The Applicant, Brighton Development, Inc., requests final plat consisting of four (4) building lots on 3.23 acres of land in the C-G zoning district for the fifth phase of TM Crossing Subdivision.

*Note: The proposed final plat is actually the second phase of the TM Center Subdivision preliminary plat (H-2020-0074).*

#### II. APPLICANT INFORMATION

##### A. Applicant

Josh Beach, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

##### B. Owner:

Robert Phillips, DWT Investments, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

##### C. Representative:

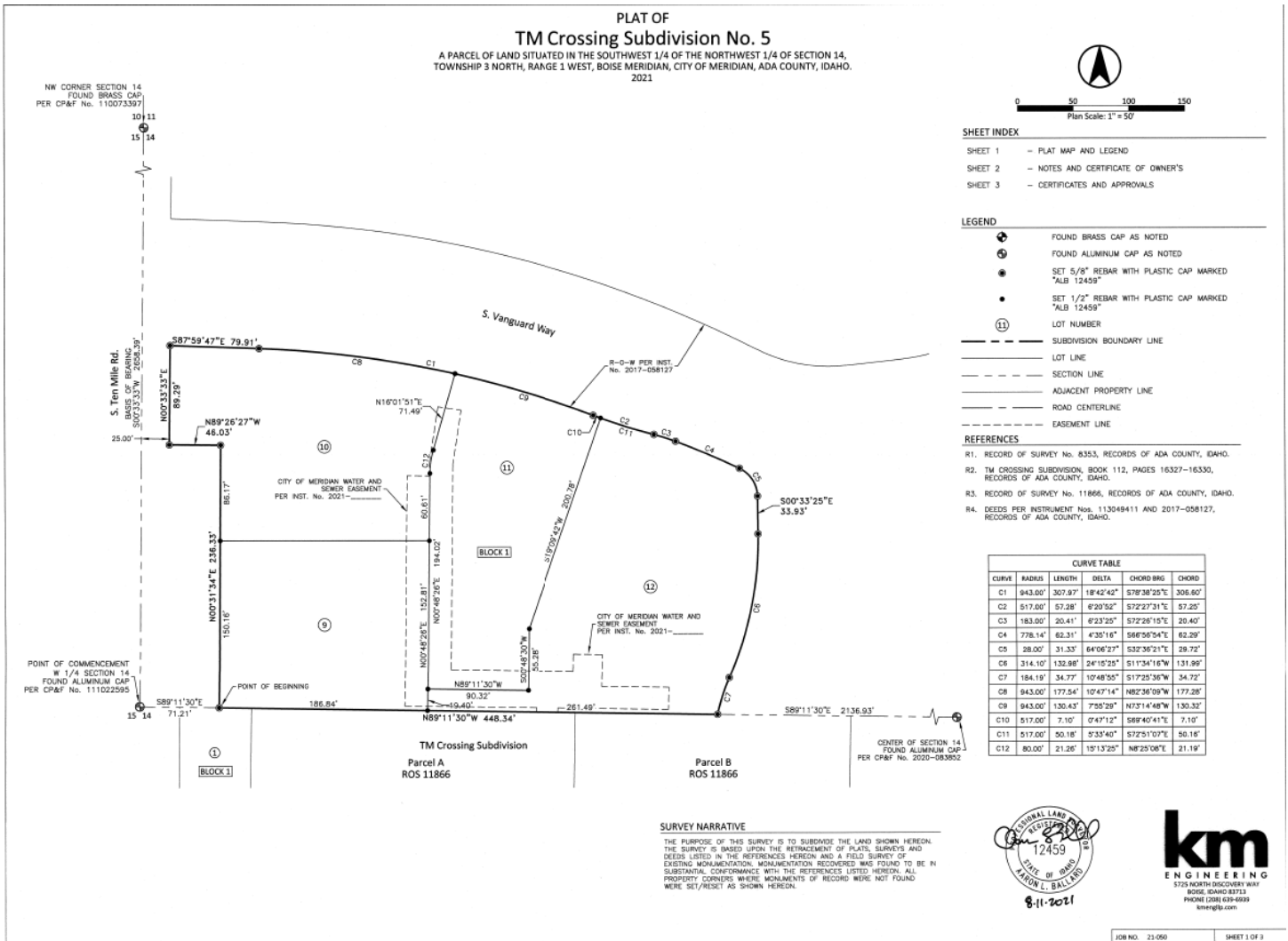
Same as Applicant

#### III. MERIDIAN, ID 83642 STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat (H-2020-0074) as required by UDC 11-6B-3C.2. The proposed final plat depicts the same number of building lots as approved with the preliminary plat. Therefore, Staff finds the proposed final plat is in substantial compliance with the approved preliminary as required.



## B. Final Plat (dated: 8/11/21)



PLAT OF  
TM Crossing Subdivision No. 5

CERTIFICATE OF OWNERS

KNOW ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PROPERTY HEREAFTER DESCRIBED.

A PARCEL OF LAND SITUATED IN A PORTION OF SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MARKING THE WEST 1/4 CORNER OF SAID SECTION 14, WHICH BEARS S00°33'33"W A DISTANCE OF 1,329.19 FEET FROM A BRASS CAP MARKING THE NORTHWEST CORNER OF SAID SECTION 14;

THENCE ALONG THE SOUTHERLY LINE OF THE NORTHWEST 1/4 OF SAID SECTION 14, S89°11'30"E A DISTANCE OF 71.21 FEET TO A SET 5/8-INCH REBAR AND BEING THE POINT OF BEGINNING.

THENCE LEAVING SAID SOUTHERLY LINE, N00°31'34"E A DISTANCE OF 238.33 FEET TO A SET 5/8-INCH REBAR;

THENCE N89°25'27"W A DISTANCE OF 46.03 FEET TO A SET 5/8-INCH REBAR;

THENCE N00°33'33"E A DISTANCE OF 89.29 FEET TO A SET 5/8-INCH REBAR;

THENCE S87°59'47"E A DISTANCE OF 79.91 FEET TO A SET 5/8-INCH REBAR;

THENCE 307.97 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 943.00 FEET, A DELTA ANGLE OF 18°42'42", A CHORD BEARING OF S78°38'25"E, AND A CHORD DISTANCE OF 306.60 FEET TO A SET 5/8-INCH REBAR;

THENCE 57.28 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 517.00 FEET, A DELTA ANGLE OF 6°03'52", A CHORD BEARING OF S72°27'31"E, AND A CHORD DISTANCE OF 57.25 FEET TO A SET 5/8-INCH REBAR;

THENCE 20.41 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 183.00 FEET, A DELTA ANGLE OF 6°23'25", A CHORD BEARING OF S72°26'19"E, AND A CHORD DISTANCE OF 20.40 FEET TO A SET 5/8-INCH REBAR;

THENCE 62.31 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 778.14 FEET, A DELTA ANGLE OF 4°30'16", A CHORD BEARING OF S66°56'54"E, AND A CHORD DISTANCE OF 62.29 FEET TO A SET 5/8-INCH REBAR;

THENCE 31.33 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 28.00 FEET, A DELTA ANGLE OF 84°06'27", A CHORD BEARING OF S32°36'21"E, AND A CHORD DISTANCE OF 29.72 FEET TO A SET 5/8-INCH REBAR;

THENCE 31.33 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 314.10 FEET, A DELTA ANGLE OF 24°15'25", A CHORD BEARING OF S11°34'16"W, AND A CHORD DISTANCE OF 131.99 FEET TO A SET 5/8-INCH REBAR;

THENCE 34.77 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 184.19 FEET, A DELTA ANGLE OF 10°48'50", A CHORD BEARING OF S17°29'50"W, AND A CHORD DISTANCE OF 34.72 FEET TO A SET 5/8-INCH REBAR ON SAID SOUTHERLY LINE OF THE NORTHWEST 1/4 OF SECTION 14;

THENCE FOLLOWING SAID SOUTHERLY LINE, N89°11'30"W A DISTANCE OF 448.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A TOTAL OF 3.23 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE SAID LAND IN THIS PLAT. THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS SHOWN ON THIS PLAT. NO STRUCTURES OTHER THAN FOR SUCH UTILITY AND OTHER DESIGNATED PUBLIC USES ARE TO BE ERRECTED WITHIN THE LIMITS OF SAID EASEMENTS UNLESS NOTED OTHERWISE ON THIS PLAT. THE UNDERSIGNED, BY THESE PRESENTS, DEDICATES TO THE PUBLIC ALL PUBLIC STREETS AS SHOWN ON THIS PLAT. ALL LOTS WITHIN THIS PLAT WILL RECEIVE WATER SERVICE FROM THE CITY OF MERIDIAN AND SAID CITY HAS AGREED IN WRITING TO SERVE ALL OF THESE LOTS.

NOTES

1. MINIMUM BUILDING SETBACK LINES SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN IN EFFECT AT THE TIME OF THE RESUBDIVISION.
3. THE BOTTOM OF STRUCTURAL FOOTINGS SHALL BE SET A MINIMUM OF 12-INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUND WATER ELEVATION.
4. THIS SUBDIVISION IS SUBJECT TO A DEVELOPMENT AGREEMENT, RECORDED AS INSTRUMENT No. \_\_\_\_\_ OF ADA COUNTY RECORDS.
5. IRRIGATION WATER HAS BEEN PROVIDED FROM NAMPA-MERIDIAN IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE SECTION 31-3806(1)(b). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM NAMPA-MERIDIAN IRRIGATION DISTRICT.
6. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "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, FACILITY OR EXPANSION 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."
7. THE LOTS WITHIN THIS SUBDIVISION, INCLUDING BUILDING AND OCCUPANCY, ARE SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS THAT ARE FILED FOR RECORD AS INSTRUMENT No. \_\_\_\_\_ OF ADA COUNTY RECORDS AND MAY BE AMENDED FROM TIME TO TIME.
8. UNLESS SHOWN OTHERWISE, ALL LOT LINES COMMON TO THE PUBLIC RIGHTS-OF-WAY CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, CITY OF MERIDIAN STREET LIGHTS, PROPERTY IRRIGATION AND PROPERTY DRAINAGE. SAID PROPERTY IRRIGATION AND PROPERTY DRAINAGE EASEMENTS ARE RESERVED IN FAVOR OF THE OPERATOR, OR ASSIGNS.
9. UNLESS OTHERWISE DIMENSIONED, ALL LOT LINES COMMON TO THE SUBDIVISION BOUNDARY CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, PROPERTY IRRIGATION AND PROPERTY DRAINAGE. SAID PROPERTY IRRIGATION AND PROPERTY DRAINAGE EASEMENTS ARE RESERVED IN FAVOR OF THE OPERATOR, OR ASSIGNS.
10. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY AND THE CITY OF MERIDIAN.
11. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.
12. MAINTENANCE OF ANY IRRIGATION AND DRAINAGE PIPES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSIGNED BY AN IRRIGATION/DRAINAGE ENTITY.
13. DIRECT LOT OR PARCEL ACCESS TO S. TEN MILE ROAD IS PROHIBITED, EXCEPT AT APPROVED ACCESS POINT(S). DIRECT LOT OR PARCEL ACCESS TO S. VANGUARD WAY IS PROHIBITED.
14. LOTS ADJACENT TO S. VANGUARD WAY ARE SUBJECT TO A 25.00 FOOT LANDSCAPE BUFFER AS MEASURED FROM THE BACK OF EXISTING CURB AND GUTTER WITH DETACHED SIDEWALK.
15. IN ACCORDANCE WITH THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS (SEE NOTE 7), ALL LOTS SHOWN HEREON SHALL PROVIDE RECIPROCAL CROSS-ACCESS FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS TO AND FROM THE PUBLIC RIGHT-OF-WAYS AND TO THE UTILITY EASEMENTS AS DELINEATED OR NOTED ON THIS PLAT.

CERTIFICATE OF SURVEYOR

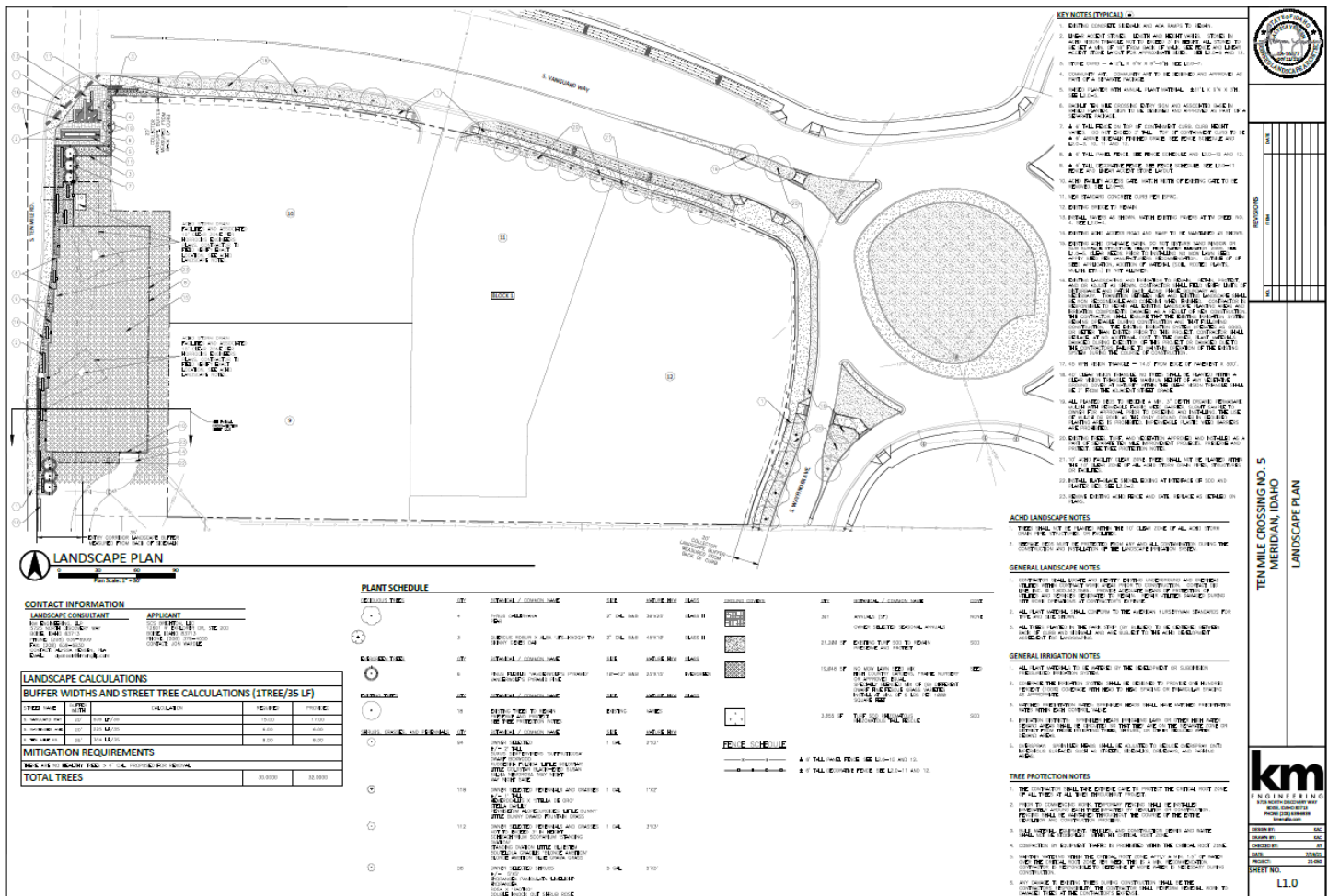
I, AARON L. BALLARD, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF TM CROSSING SUBDIVISION No. 5 AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" AND AS SHOWN ON THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

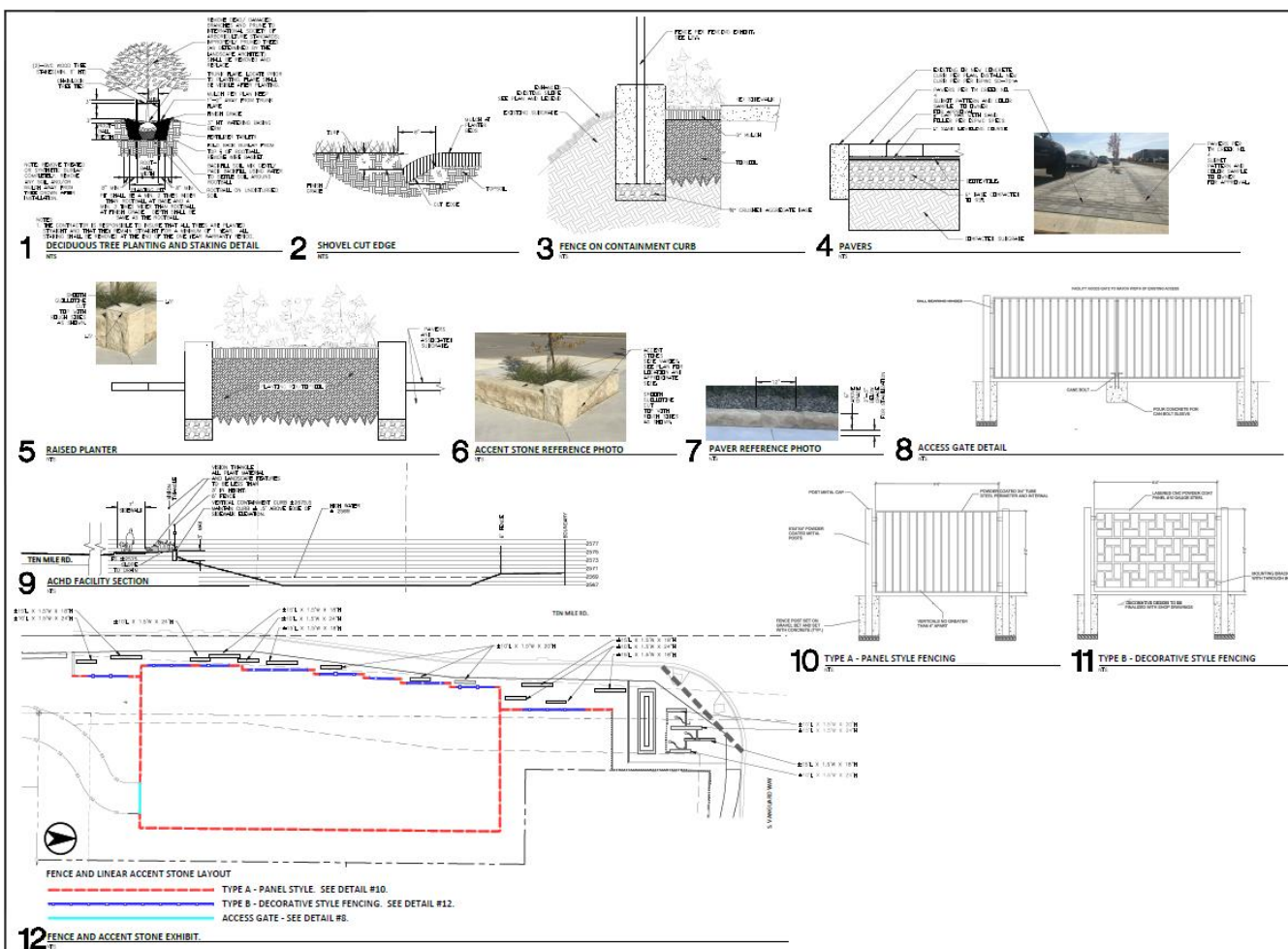
AARON L. BALLARD, P.L.S. 12459



JOB NO. 21-050 SHEET 2 OF 3

### C. Landscape Plan (dated: 7/21/21)





- b. Note #7: Include the recorded instrument number of CC&R's.
- 5. The landscape plan prepared by KM Engineering, dated 7/21/21 included in Exhibit C, is approved as submitted.
- 6. The subject property shall be subdivided prior to issuance of any Certificates of Occupancy for the site per requirement of the Development Agreement.
- 7. 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 - General Conditions:**

- 1. Sanitary sewer service to this development is available via existing mains. 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. **Unless sewer line will be extended in the future, main to SSMH-03 should be 0.6% slope.**
- 2. Water service to this site is available via existing mains. 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.

8. 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.
9. 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.
10. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
11. Developer shall coordinate mailbox locations with the Meridian Post Office.
12. All grading of the site shall be performed in conformance with MCC 11-1-4B.
13. 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.
14. 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.
15. 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.
16. 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.
17. Street light plan requirements are listed in section 6-5 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.
18. 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.

19. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
20. Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Water Department at (208)888-5242 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources.
21. 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.
22. 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.
23. 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 tiled 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.