

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



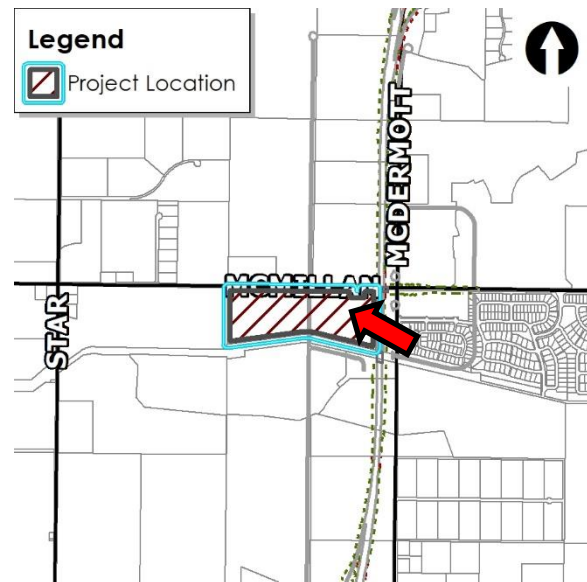
HEARING DATE: 1/4/2022

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: FP-2021-0051
Gander Creek North Subdivision No. 2

LOCATION: The south side of W. McMillan Rd.,
approximately ¼ mile west of N.
McDermott Rd., in the NE ¼ of Section
32, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

Final plat consisting of 48 buildable lots and 9 common lots on 11.71 acres of land in the R-8 zoning district

II. APPLICANT INFORMATION

A. Applicant:

Kent Brown, Kent Brown Planning Services – 3161 E. Springwood Dr., Meridian, ID 83642

B. Owner:

Union Square, LLC. – 1548 W. Cayuse Creek Dr., Ste. 100, Meridian, ID 83656

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2019-0083 – Gander Creek North Subdivision) in accord with the requirements listed in UDC 11-6B-3C.2. Because the number of buildable lots and common area is the same as shown on the approved preliminary plat, staff deems the final plat in substantial compliance with the approved preliminary plat as required.

Note: When the preliminary plat was approved, an overpass was conceptually planned on McMillan Rd. over the future SH-16. Since that time, plans have changed and SH-16 is now planned to go over McMillan Rd. This may enable the out-parcel (Parcel #S0432110050) at the north boundary to

Fencing (chain-link or wrought iron) that complies with the standards listed in UDC 11-3A-6C was required to be constructed on the south side of the multi-use pathway along the Five Mile Creek for public safety per condition #VIII.A.3e of the preliminary plat. The Irrigation District will not allow fencing between the pathway and the creek so that condition has been removed.

IV. DECISION

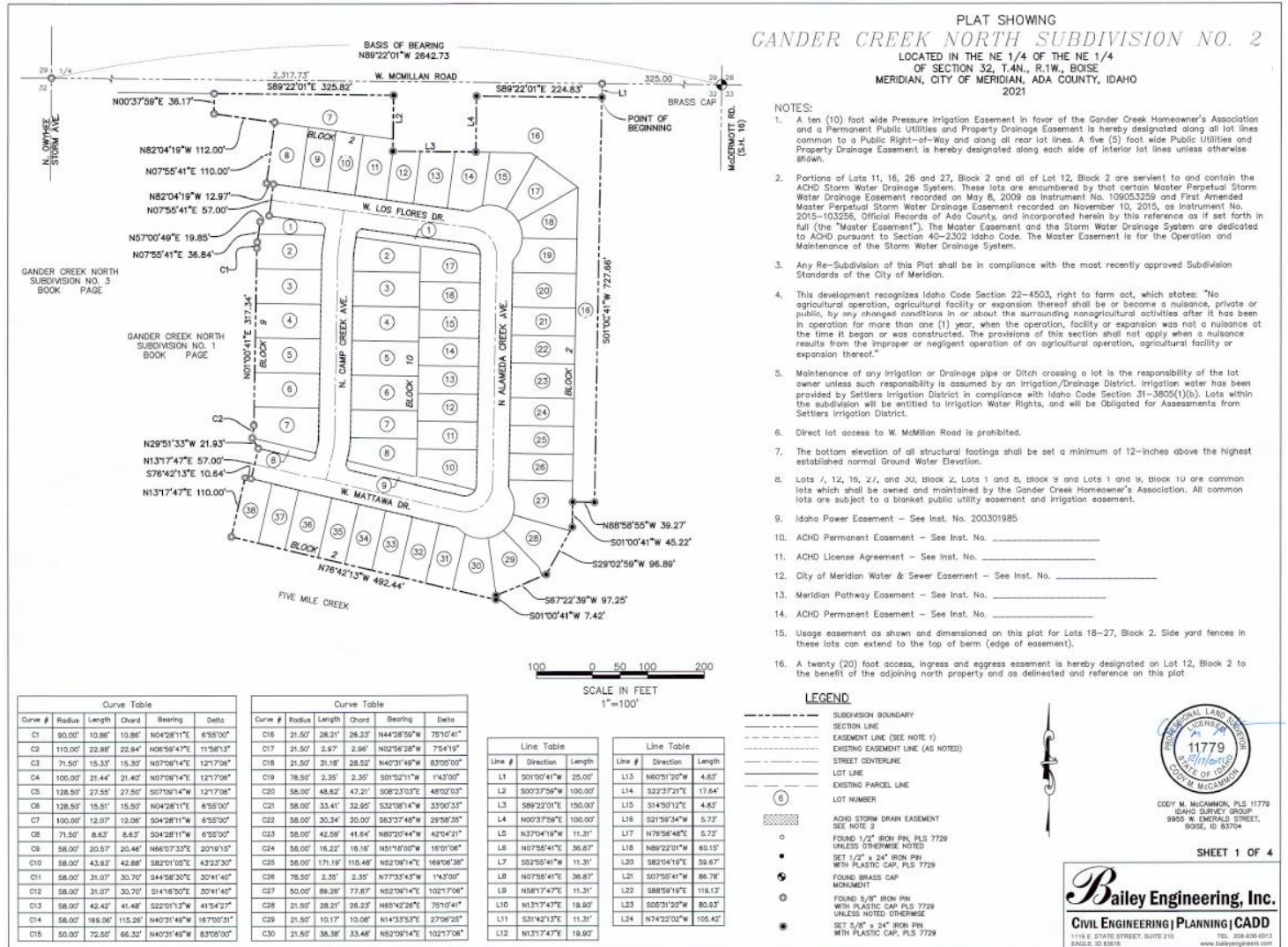
Staff recommends approval of the proposed final plat within the conditions noted in Section VI of this report.

V. EXHIBITS

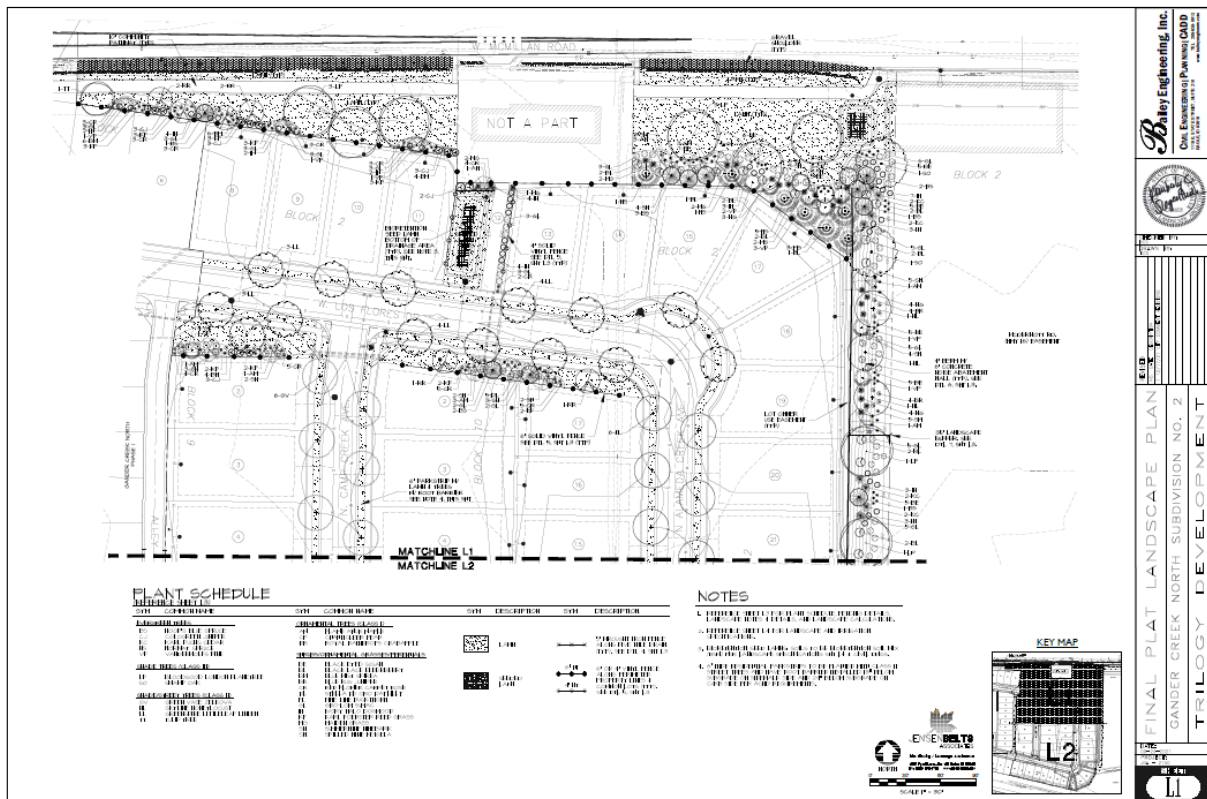
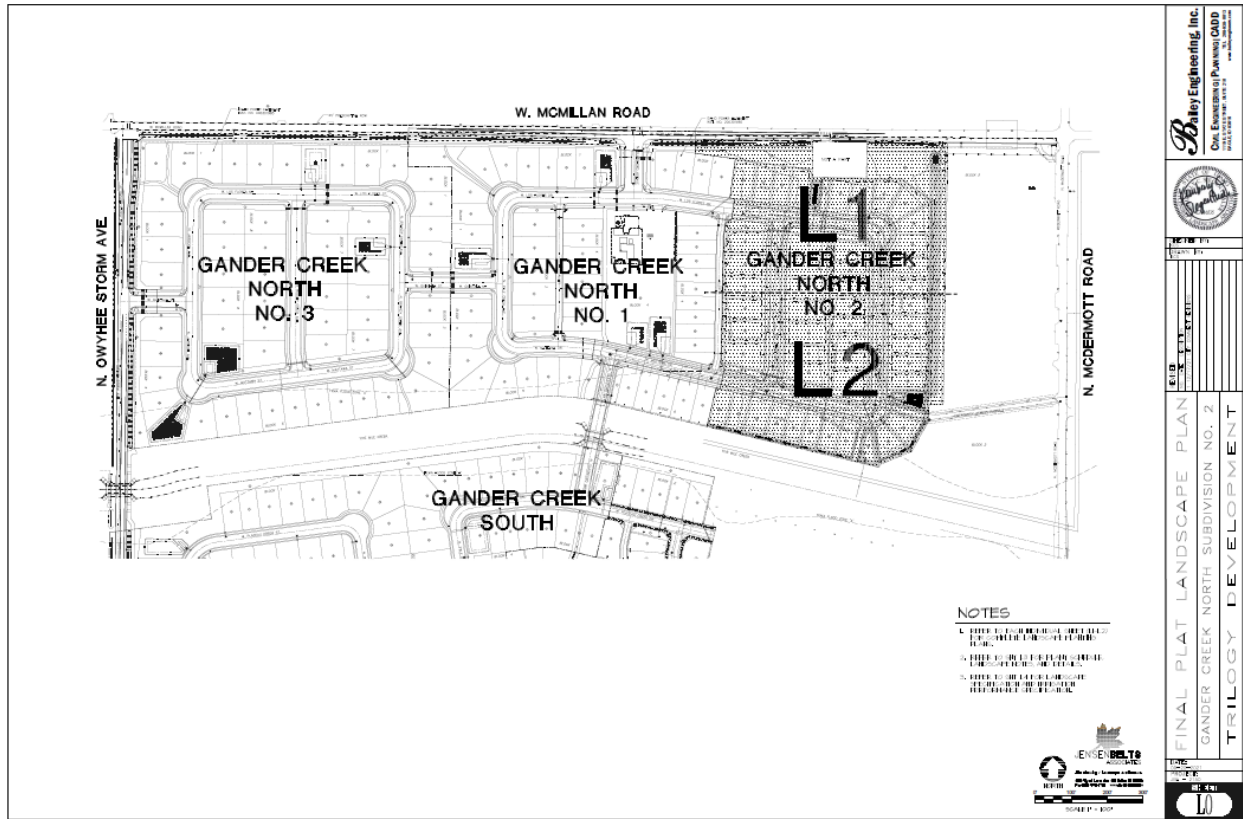
A. Preliminary Plat (dated: 5/13/2019)



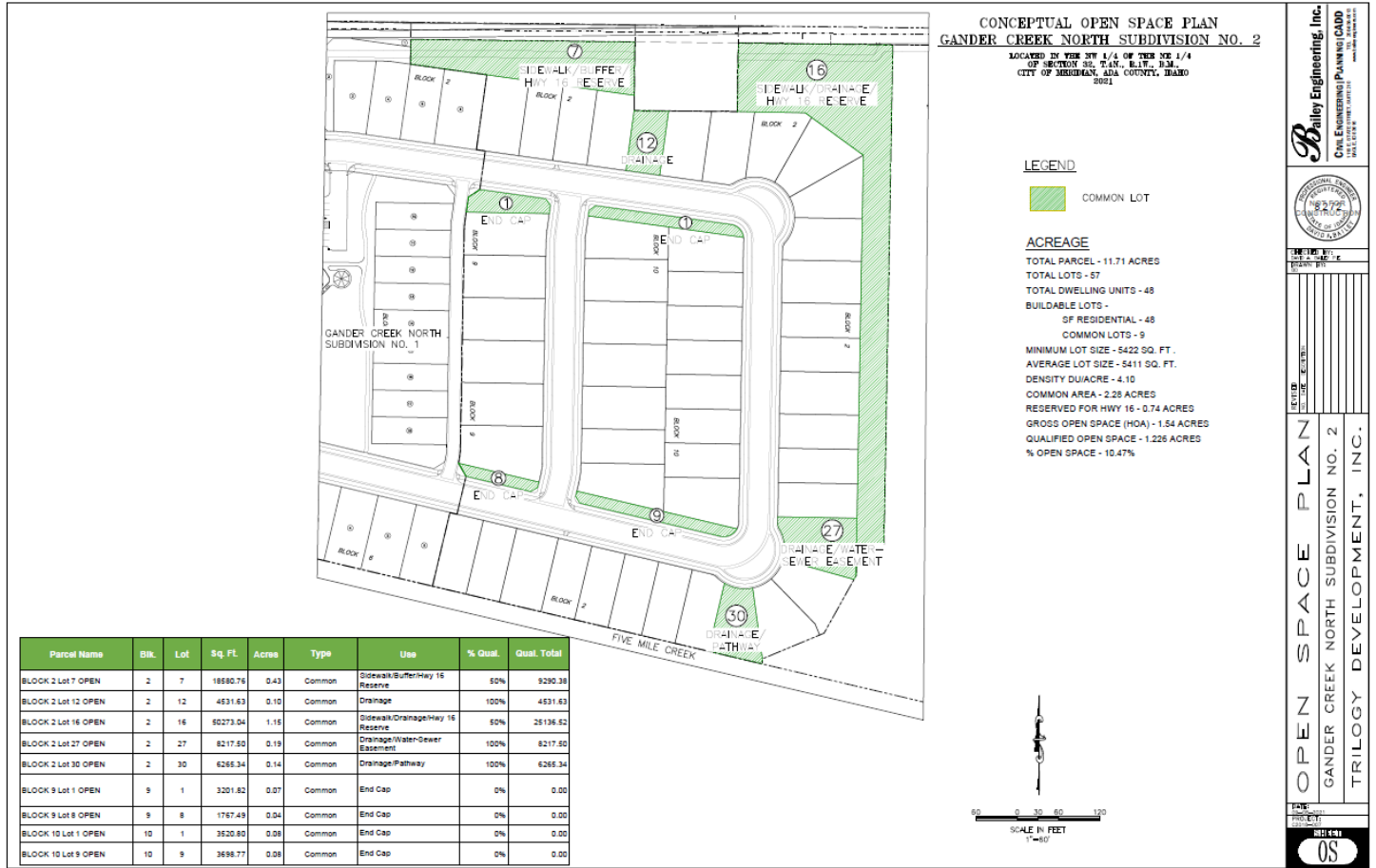
B. Final Plat (12/17/2021)



C. Landscape Plan (dated: 12/17/2021)



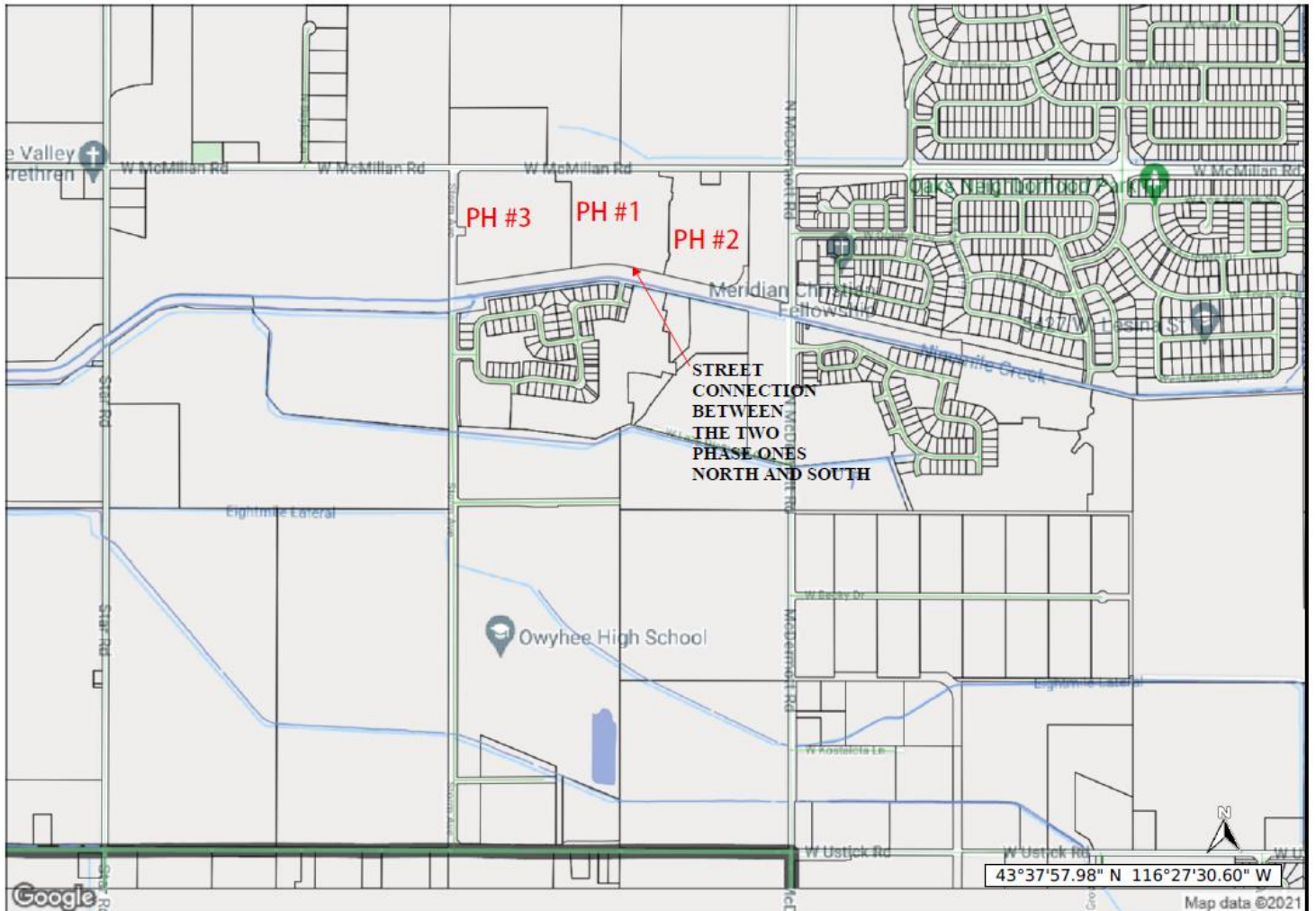
D. Open Space Exhibit



E. Emergency Access Exhibit Approved by Fire Dept.



GANDER CREEK NORTH PHASING PLAN



Sep 23, 2021 - landproDATA.com
Scale: 1 inch approx 1000 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

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-2019-0013; DA instrument number 2019-060657).
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Engineer's signature on the previous phase final plat, *or* apply for a time extension, in accord with UDC 11-6B-7. *Gander Creek North and Gander Creek South preliminary plats are allowed to develop as one project in accord with the phasing plan for the overall development, per the DA.*
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 prepared by Bailey Engineering, Inc. by Cody McCammon, included in Section V.B shall be revised as follows:
 - a. Note #2: Include Lot 12, Block 2 as also containing the ACHD storm water drainage system.
 - b. Note #10: Include the recorded Instrument Number for the ACHD Permanent Easement.
 - c. Note #11: Include the recorded Instrument Number of the ACHD License Agreement.
 - d. Note #12: Include the recorded Instrument Number of the City of Meridian Water & Sewer Easement.
 - e. Note #13: Include the recorded Instrument Number of the Meridian pathway easement.
 - f. Note #14: Include the recorded Instrument Number for the ACHD Permanent Easement. *Is this a duplicate note (see Note #10)?*
 - g. Berm detail on Sheet 3.4 of the construction drawings: Increase the height of the berm to 6-feet per requirement of the development agreement.
 - h. Depict local street access as set forth in UDC 11-3A-3 or a common driveway meeting the standards listed in UDC 11-6C-3D to the out-parcel (Parcel #S0432110050) on W. McMillan Rd. per condition #VIII.A.2k of the preliminary plat.
 - i. The use easement described in Note #15 and graphically depicted on the plat is supposed to go to the top of the berm to the wall; it appears to stop short of that location – revise accordingly.
5. The landscape plan prepared by Jensen Belts Associates, dated 09/20/2021, included in Section V.C, shall be revised as follows:
 - a. A minimum 35-foot wide street buffer is required along future SH-16 measured from edge of right-of-way to the wall/fence (typically fences are required to be placed on the interior edge of the street buffer per UDC [11-3B-7C.2c](#) but in this case the wall needs to be installed at the top of the berm in order to comply with the noise abatement standards in UDC 11-3H-4D). *If the common lot needs to be widened to accommodate this requirement, the plat shall be amended accordingly. Depict the edge of right-of-way on the plan.*
 - b. Increase the height of the berm along the east boundary of the site from 4-feet to 6-feet tall with a 6-foot tall wall on top of the berm as proposed per requirement of the development agreement.

- c. Depict local street access as set forth in UDC 11-3A-3 or a common driveway that complies with the standards listed in UDC 11-6C-3D to the out-parcel (Parcel #S0432110050) on W. McMillan Rd. per condition #VIII.A.2k of the preliminary plat.
 - d. Include a detail that depicts the centerline (or estimated centerline) of future SH-16 in relation to the top of the berm/wall verifying it's a minimum of 12 feet higher than the elevation at the centerline of the state highway as required by UDC 11-3H-4D.2, per preliminary plat condition VIII.A.3b. *The Director may approve alternative compliance as set forth in UDC 11-5B-5 where the Applicant has a substitute noise abatement proposal in accord with ITD standards and prepared by a qualified sound engineer as set forth in UDC 11-3H-4D.4.*
 - e. Depict a use easement across the back side of the berm on Lot 16, Block 2 adjacent to future SH-16 benefitting adjacent building lots with allowance for side yard fences to be constructed to the wall on top of the berm per preliminary plat condition #VIII.A.3f. *The use easement depicted on the plan doesn't appear to go to the top of the berm.*
 - f. Depict off-site landscaping on NMID's property at the southeast corner of the site as depicted on the landscape plan submitted with the preliminary plat if allowed by NMID through a license agreement.
6. Prior to signature of the final plat by the City Engineer, 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.
 7. The rear and/or sides of structures that face W. McMillan Rd., an arterial street, and N. McDermott Rd./future SH-16, an arterial street/future state highway and entryway corridor, 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.*
 8. All stormwater detention facilities counted toward qualified open space are required to be designed in accord with the standards listed in UDC [11-3B-11C](#).
 9. All fencing shall comply with the standards of UDC 11-3A-7C.
 10. A floodplain development permit is required to be obtained from the Public Work's Department prior to any and all development within the floodplain.
 11. A 14-foot wide public pedestrian easement is required to be submitted to the Planning Division for the multi-use pathway; coordinate the details of the easement with Kim Warren, Park's Department.
 12. The Five Mile creek, which lies on land owned by Nampa & Meridian Irrigation District between the north and south portions of this development, shall be protected during construction.
 13. All homes constructed shall be generally consistent with the conceptual elevations included with the development agreement (inst. # 2019-060657).
 14. 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. The submitted streetlight plan does not meet the requirements of section 6 of the Meridian Design Standards. A legend needs to be added to the streetlight plan.

2. Streetlights are required on McMillan Road. Spacing and type must be approved by the Transportation Coordinator prior to approval of the construction plans.

General Conditions:

3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.

13. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
14. Developer shall coordinate mailbox locations with the Meridian Post Office.
15. All grading of the site shall be performed in conformance with MCC 11-1-4B.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
23. 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.
24. 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.

25. 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.
26. 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.