

**BEFORE THE MERIDIAN CITY COUNCIL**

**HEARING DATE: FEBRUARY 22, 2022**  
**ORDER APPROVAL DATE: MARCH 8, 2022**

**IN THE MATTER OF THE )**  
**REQUEST FOR FINAL PLAT )**  
**CONSISTING OF 55 BUILDING )**  
**LOTS AND 9 COMMON LOTS ON )**  
**8.69 ACRES OF LAND IN THE R-15 )**  
**ZONING DISTRICT FOR )**  
**IMPRESSIVE EAST RIDGE NO. 3. )**  
)  
**BY: SOPHIA DURHAM )**  
**APPLICANT )**  
\_\_\_\_\_)  
)  
)  
)

**CASE NO. FP-2022-0003**  
**ORDER OF CONDITIONAL**  
**APPROVAL OF FINAL PLAT**

This matter coming before the City Council on **FEBRUARY 22, 2022** for final plat approval pursuant to Unified Development Code (UDC) 11-6B-3 and the Council finding that the Administrative Review is complete by the Planning and Development Services Divisions of the Community Development Department, to the Mayor and Council, and the Council having considered the requirements of the preliminary plat, the Council takes the following action:

**IT IS HEREBY ORDERED THAT:**

1. The Final Plat of “PLAT SHOWING **IMPRESSIVE EAST RIDGE NO 3** SUBDIVISION, LOCATED IN THE **SW ¼ OF THE SE 1/4 OF SECTION 32,** TOWNSHIP **3N,** RANGE **1E,** BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO, **2022,** HANDWRITTEN DATE: **JANUARY 17, 2022,** by

JEFF BEAGLEY, PLS, SHEET 1 OF 3,” is conditionally approved subject to those conditions of Staff as set forth in the staff report to the Mayor and City Council from the Planning and Development Services divisions of the Community Development Department dated February 22, 2022, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from Sophia Durham, a true and correct copy of which is attached hereto marked “Exhibit B” and by this reference incorporated herein.

2. The final plat upon which there is contained the certification and signature of the City Clerk and the City Engineer verifying that the plat meets the City’s requirements shall be signed only at such time as:
  - 2.1 The plat dimensions are approved by the City Engineer; and
  - 2.2 The City Engineer has verified that all off-site improvements are completed and/or the appropriate letter of credit or cash surety has been issued guaranteeing the completion of off-site and required on-site improvements.

### **NOTICE OF FINAL ACTION**

### **AND RIGHT TO REGULATORY TAKINGS ANALYSIS**

The Applicant is hereby notified that pursuant to Idaho Code § 67-8003, the Owner may request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

**Please take notice** that this is a final action of the governing body of the City of Meridian, pursuant to Idaho Code § 67-6521. An affected person being a person who has an interest in real property which may be adversely affected by this decision may, within twenty-eight (28) days after the date of this decision and order, seek a judicial review pursuant to Idaho Code § 67-52.

By action of the City Council at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, [YEAR].

By:

\_\_\_\_\_  
Robert Simison  
Mayor, City of Meridian

Attest:

\_\_\_\_\_  
Chris Johnson  
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

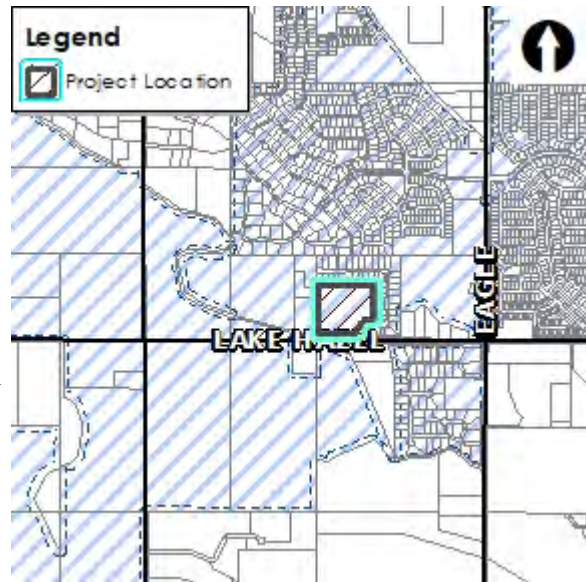
By: \_\_\_\_\_ Dated: \_\_\_\_\_

# EXHIBIT A

## STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 2/22/2022  
TO: Mayor & City Council  
FROM: Alan Tiefenbach, Associate Planner  
208-489-0573  
SUBJECT: FP-2022-0003  
Impressive East Ridge No. 3  
LOCATION: North side of E. Lake Hazel Rd. between  
S. Locust Grove Rd. and S. Eagle Rd. in  
the southeast ¼ of Section 32, Township  
3N., Range 1E.



### I. PROJECT DESCRIPTION

Final plat consisting of 55 buildable lots, 6 common lots, 1 private street and 3 common drive lots on 8.69 acres of land in the R-15 zoning district. NOTE: The Director approved a private street application which includes the private streets for the entire R-15 portion of the development with Impressive East Ridge No 2.

### II. APPLICANT INFORMATION

#### A. Applicant / Representative

Sophia Durham, The Conger Group – 4824 W. Fairview Ave., Boise ID 83706

#### B. Owner:

C4 Land LLC – PO Box 1610, Eagle ID 83616

### III. STAFF ANALYSIS

The annexation, preliminary plat and development agreement for this development was approved by City Council on November 2017 as the East Ridge Estates Subdivision (H-2017-0129). The approved project allows the construction of a residential subdivision consisting of one hundred thirty-nine (139) residential lots and seven (7) common lots. The Final Plat for Phase One was approved by the Council on July 17, 2019. The Final Plat for Phase Two was approved by the Council on March 2, 2021.

In November of 2020, the City Council approved an amendment to the development agreement (H-2020-0096). This was due to a request of the applicant to make changes to the configuration of the

plat and landscape plan, replace a required clubhouse amenity with a dog park, outdoor ramada (shade structure), and water feature, and eliminate a number of requirements that were originally established to address concerns of an adjacent property owner to the west who has since sold their property. The ramada and water feature are being constructed with the second phase.

Gated private streets are proposed with Phase Three. UDC 11-3F-4 lists the design standards which are required for private streets. The preliminary plat proposed common driveways off private streets, whereas this is prohibited by UDC 11-3F-4-6. Alternative compliance is allowed from the design and construction standards, and at the time of the preliminary plat the applicant was granted alternative compliance to allow the common driveways. It should be noted the road configuration with the preliminary plat proposed numerous common driveways off private streets, whereas the current proposal only includes three common drives. The applicant submitted private street sections that comply with all remaining requirements of UDC 11-3F4. A complete maintenance agreement that met the requirements of UDC 11-3F-3B.4 was submitted with reviewed and approved with the second phase.

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat and modified development agreement in accord with the requirements listed in UDC 11-6B-3C.2. Because the final plat matches what was approved with the modified development agreement, does not increase the number of building lots and contains the same amount of qualified open space, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

#### **IV. DECISION**

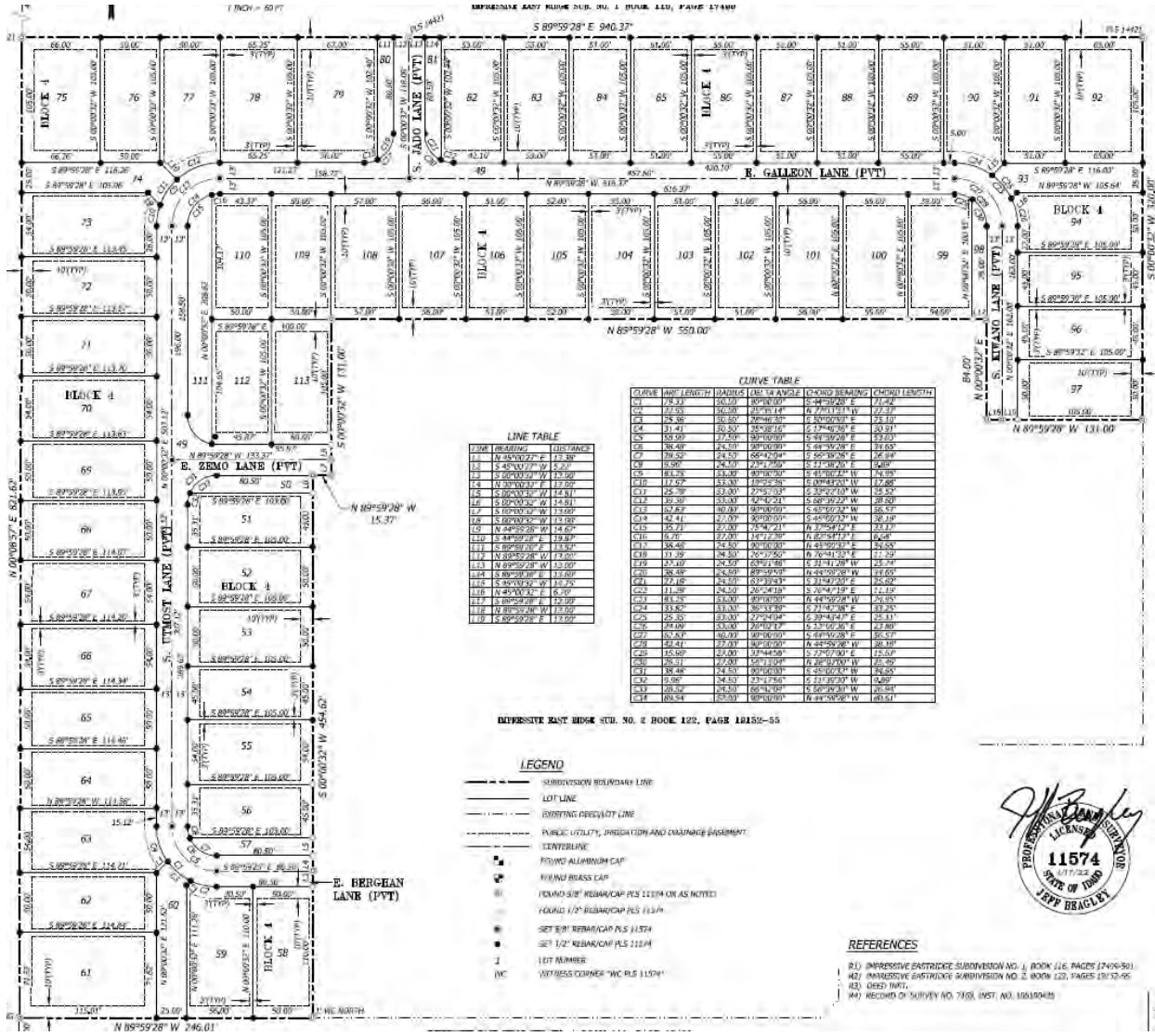
Staff recommends approval of the proposed final plat within the conditions noted in Section VI of this report.

# V. EXHIBITS

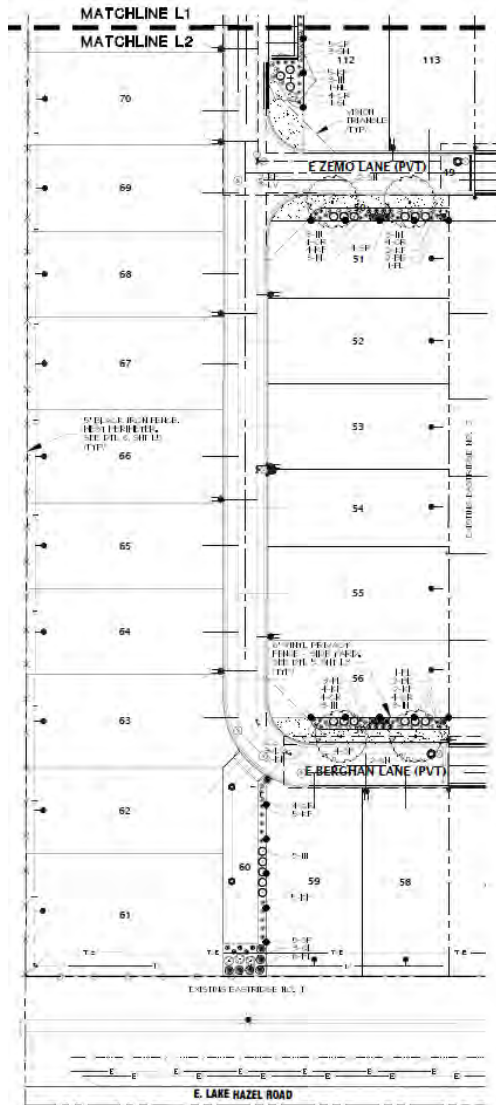
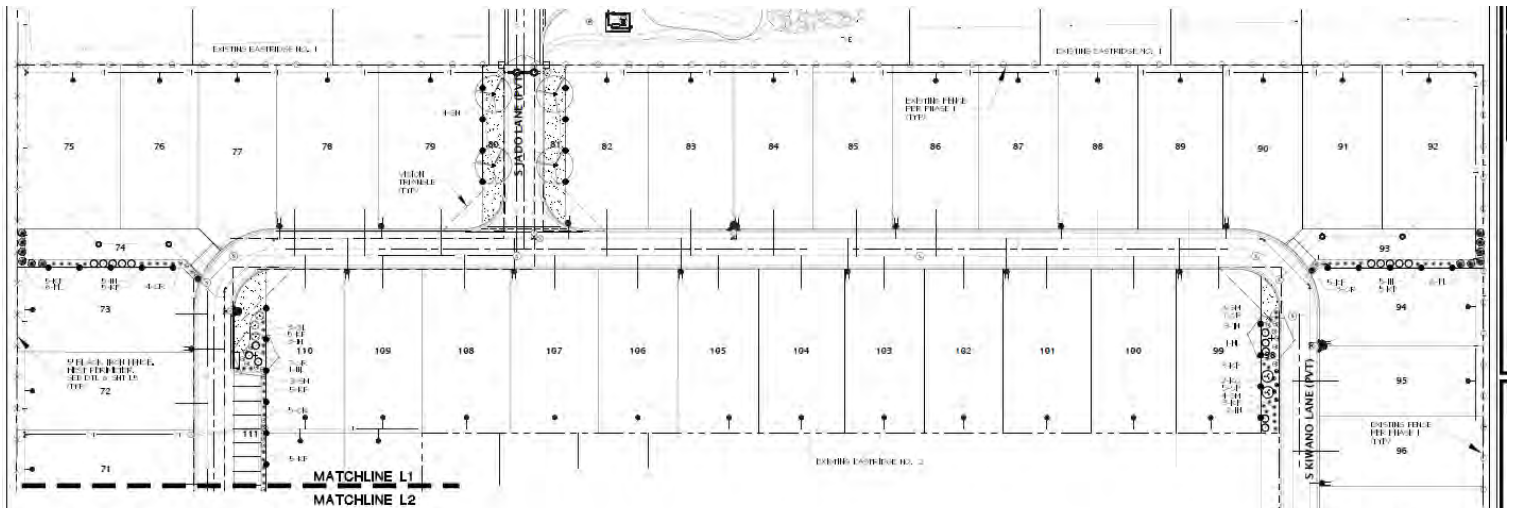
## A. Preliminary Plat as Approved with Amended DA (date: 10/23/2020)



B. Final Plat (date: 1/2022)



C. Landscape Plan (date: 10/1/2021)

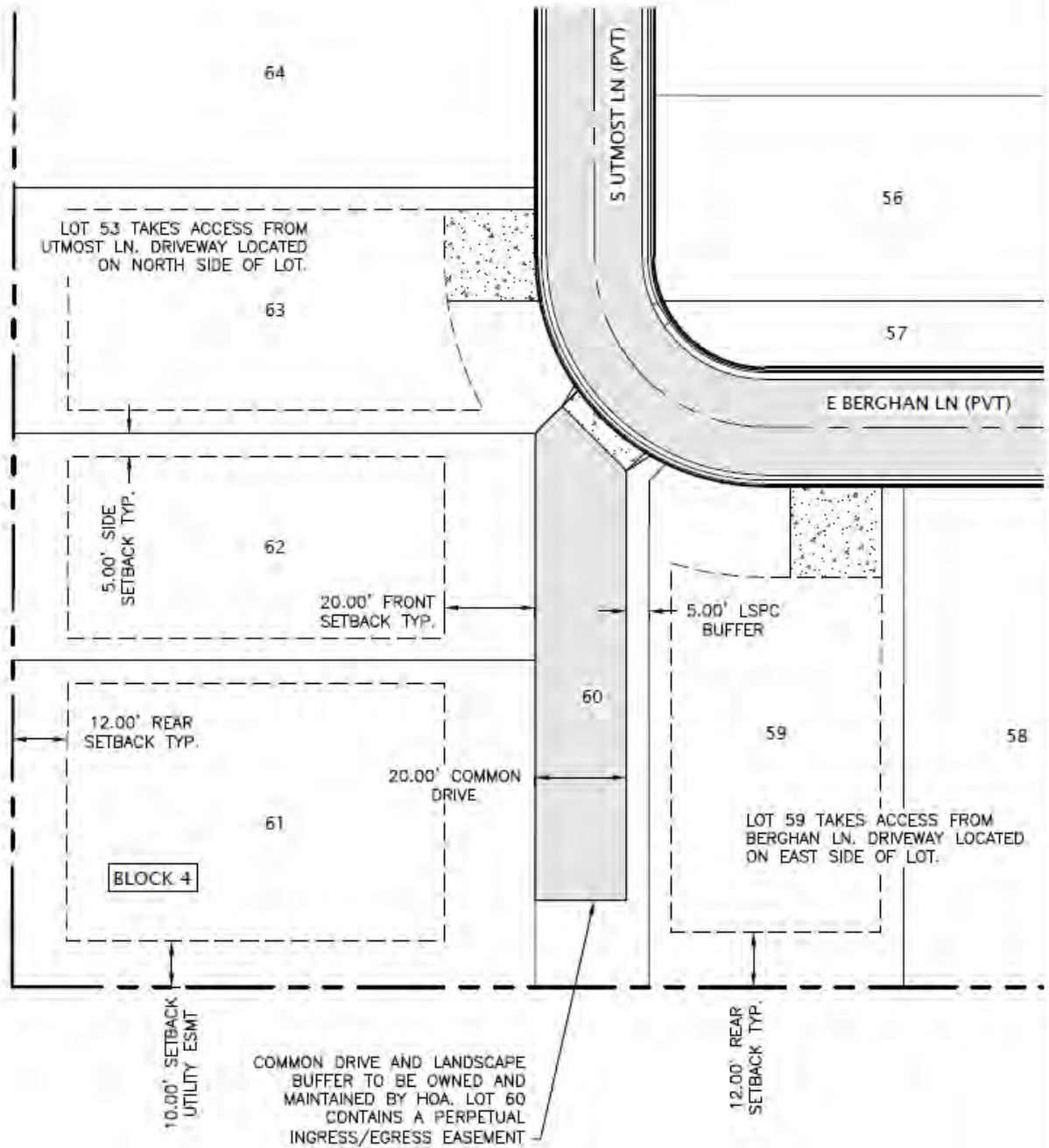


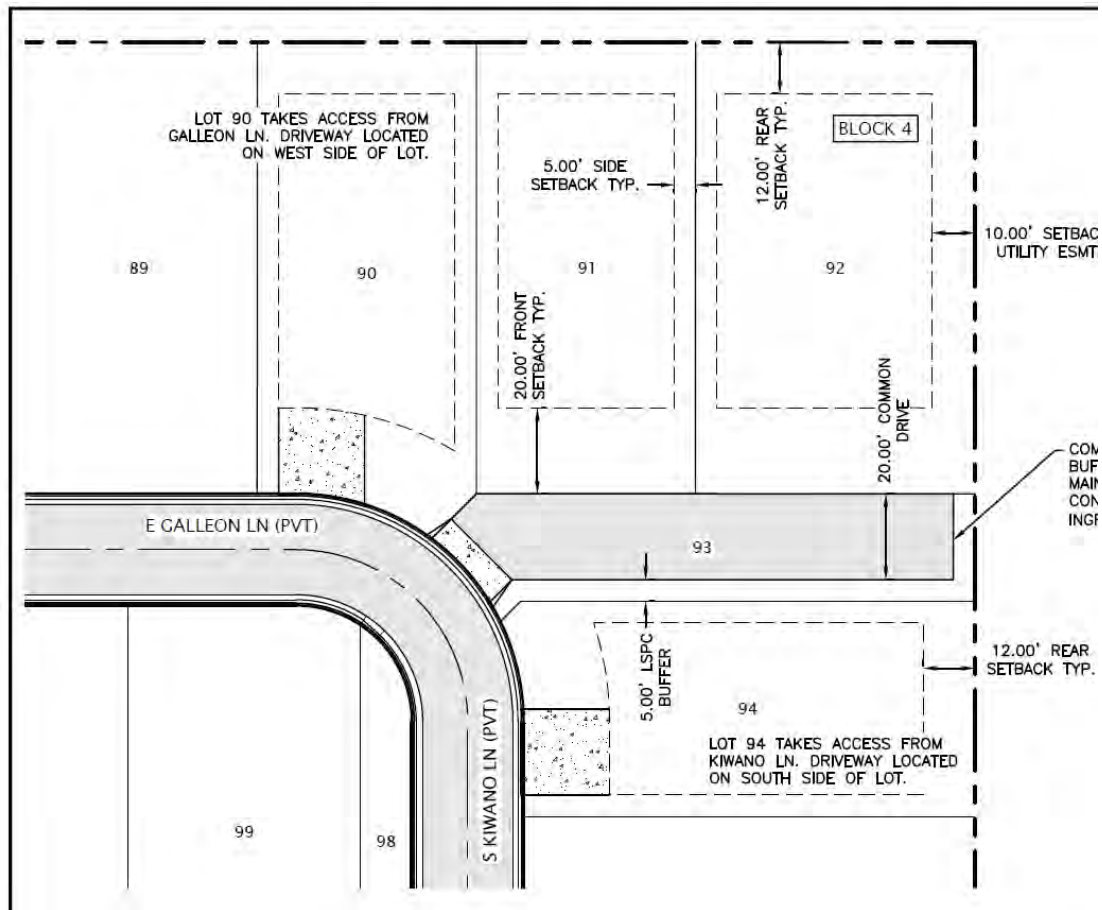
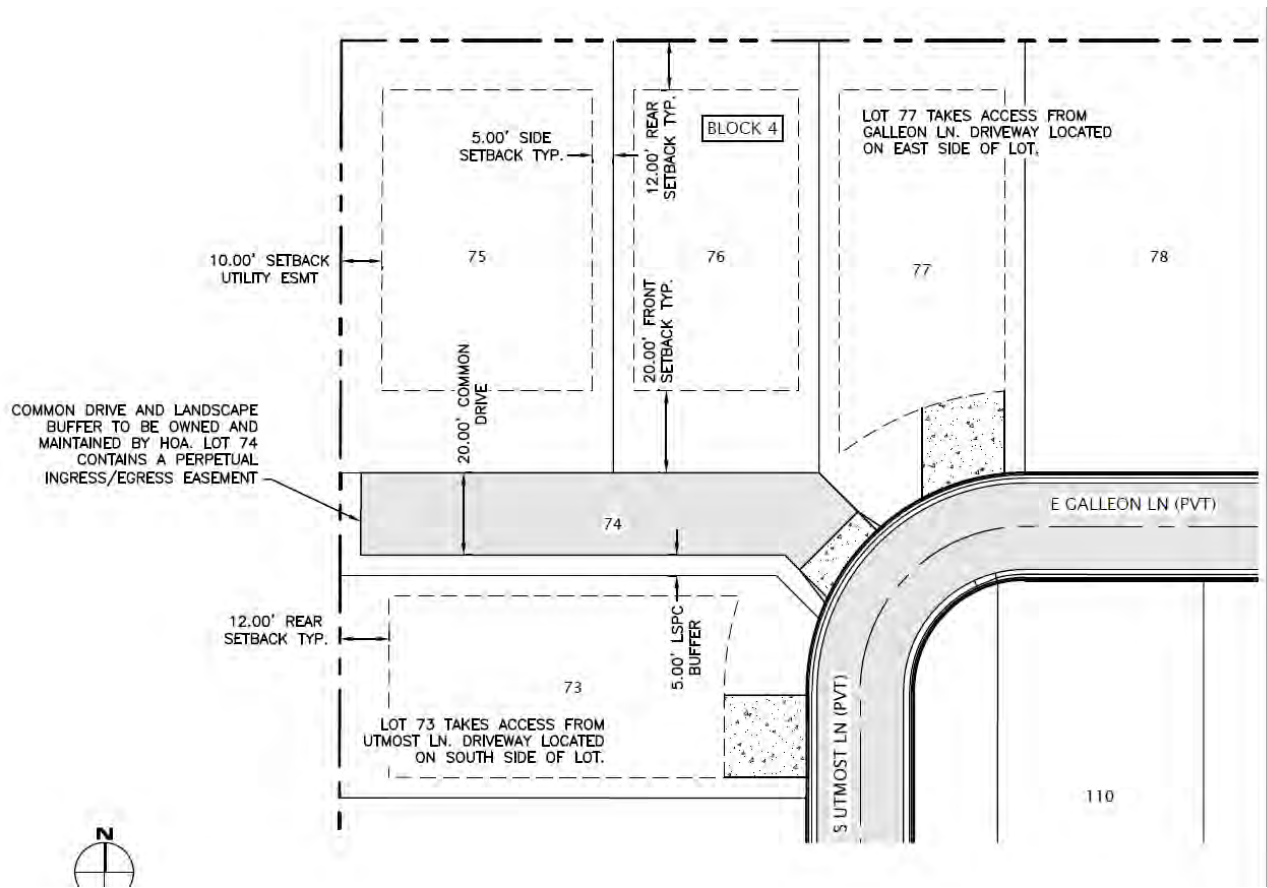


D. Open Space Exhibit (date: 10/23/2020)

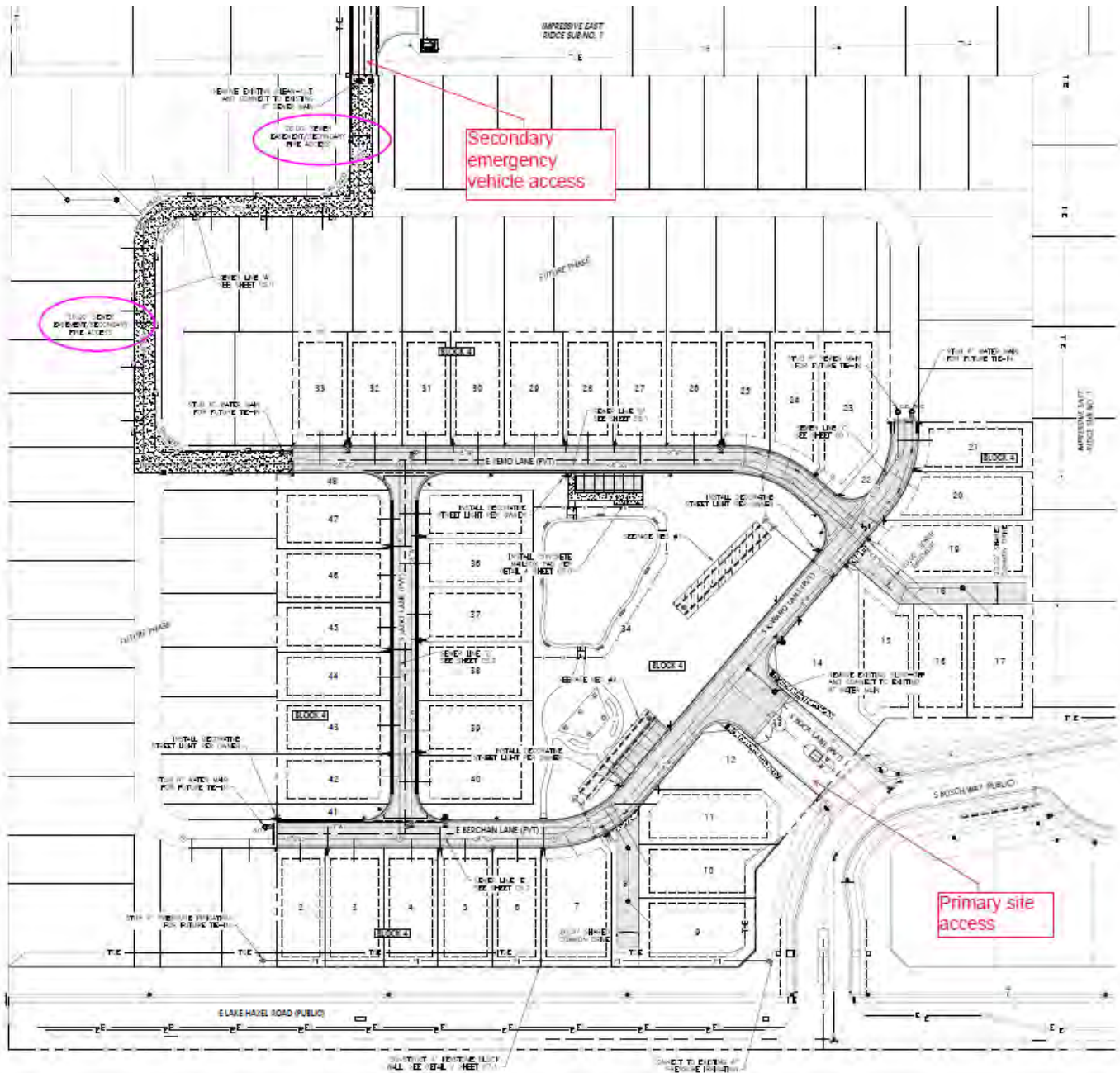


E. Common Drive Exhibit (date: 1/24/2021)





Emergency Access Exhibit (date: 1/5/2021)



F. Amenity Details (date: 1/5/2021)



Ramada / Open-Air Clubhouse



Water Feature



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

### **A. PLANNING DIVISION**

1. Applicant shall meet all terms of the approved annexation, preliminary plat (H-2017-0129) applications approved for this site and development agreements (Inst. #2018-052339 and H-2020-0096, Instr. No 2021-025636).
2. The applicant shall obtain the City Engineer's signature on the final plat by August 10, 2023 in accord with UDC 11-6B-7 in order for the preliminary plat to remain valid or a time extension may be requested.
3. The final plat prepared by Sawtooth Land Surveying, LLC., dated January 2021 by Jeff Beagley, shall be revised as follows:
  - a. Note #4: remove the reference to a conditional use permit.
  - b. Notes #19 & 20: add instrument numbers.
  - c. There shall be a note added to the plat which indicates which lots access the common driveways, and the entity responsible for the maintenance of these driveways.
4. All fencing installed on the site shall be consistent with the standards listed in UDC 11-3A-7. If permanent fencing does not exist at the subdivision boundary, temporary construction fencing to contain debris shall be installed around this phase prior to release of building permits.
5. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat does not relieve the Applicant of responsibility for compliance.
6. Future homes constructed in this phase shall be consistent with the approved elevations contained in modified development agreement H-2020-0096, Instr No. 2021-025636.
7. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
8. Prior to the City Engineer's signature, the applicant shall obtain approval from the Post Master of the proposed mailbox location(s).
9. All private streets shall be constructed in compliance with UDC 11-3F-4. For the purposes of this application, the applicant shall only construct the portion of the private street in accord with this phase. The remainder of the streets shall be constructed with a subsequent phase.

### **B. PUBLIC WORKS**

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](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.