

**BEFORE THE MERIDIAN CITY COUNCIL**

**HEARING DATE: NOVEMBER 9, 2022**  
**ORDER APPROVAL DATE: NOVEMBER 22, 2022**

**IN THE MATTER OF THE )**  
**REQUEST FOR FINAL PLAT )**  
**CONSISTING OF 56 BUILDING )**  
**LOTS AND 16 COMMON LOTS ON )**  
**11.967 ACRES OF LAND IN THE R- )**  
**8 AND R-15 ZONING DISTRICT )**  
**FOR APEX NORTHWEST )**  
**SUBDIVISION NO. 3 )**  
**BY: BRIGHTON DEVELOPMENT )**  
**APPLICANT )**  
\_\_\_\_\_)  
)

**CASE NO. FP-2022-0032**  
**ORDER OF CONDITIONAL**  
**APPROVAL OF FINAL PLAT**

This matter coming before the City Council on November 9, 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 APEX NORTHWEST SUBDIVISION NO. 3, A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2021, HANDWRITTEN DATE:

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT  
FOR APEX NORTHWEST SUBDIVISION NO. 3 FP-2022-0032

9/7/2022, by AARON L. BALLARD, PLS, SHEET 1 OF 4,” 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 11/9/2022, a true and correct copy of which is attached hereto marked “Exhibit A” 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 \_\_\_\_\_, 2022.

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



## COMMUNITY DEVELOPMENT DEPARTMENT

---

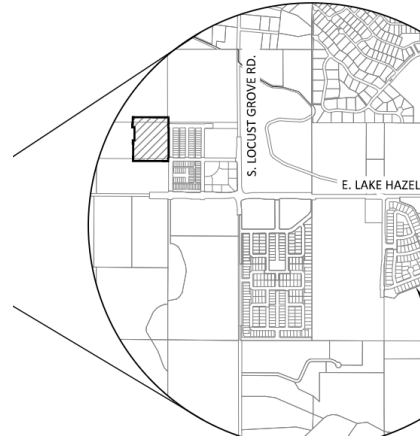
HEARING DATE: November 9, 2022

TO: Mayor & City Council

FROM: Stacy Hersh, Associate Planner  
208-884-5533

SUBJECT: FP-2022-0032  
Apex Northwest No. 3 – FP

LOCATION: Near the northwest corner of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, Township 3N., Range 1E.



### I. PROJECT DESCRIPTION

The Applicant requests approval of a final plat consisting of 56 single-family residential buildable lots and 16 common lots on 11.967 acres of land in the R-8 and R-15 zoning districts.

### II. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

SCS Investments, LLC – 855 W. Broad Street, Suite 300, Boise, ID 83702

C. Representative:

Same as Applicant

### III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2021-0087) and the final plat (FP-2021-0038) for Apex Northwest Subdivision No. 2 in accord with the requirements listed in UDC 11-6B-3C.2.

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Staff has reviewed the proposed final plat and the number of buildable lots and the amount of common open space area is the same.

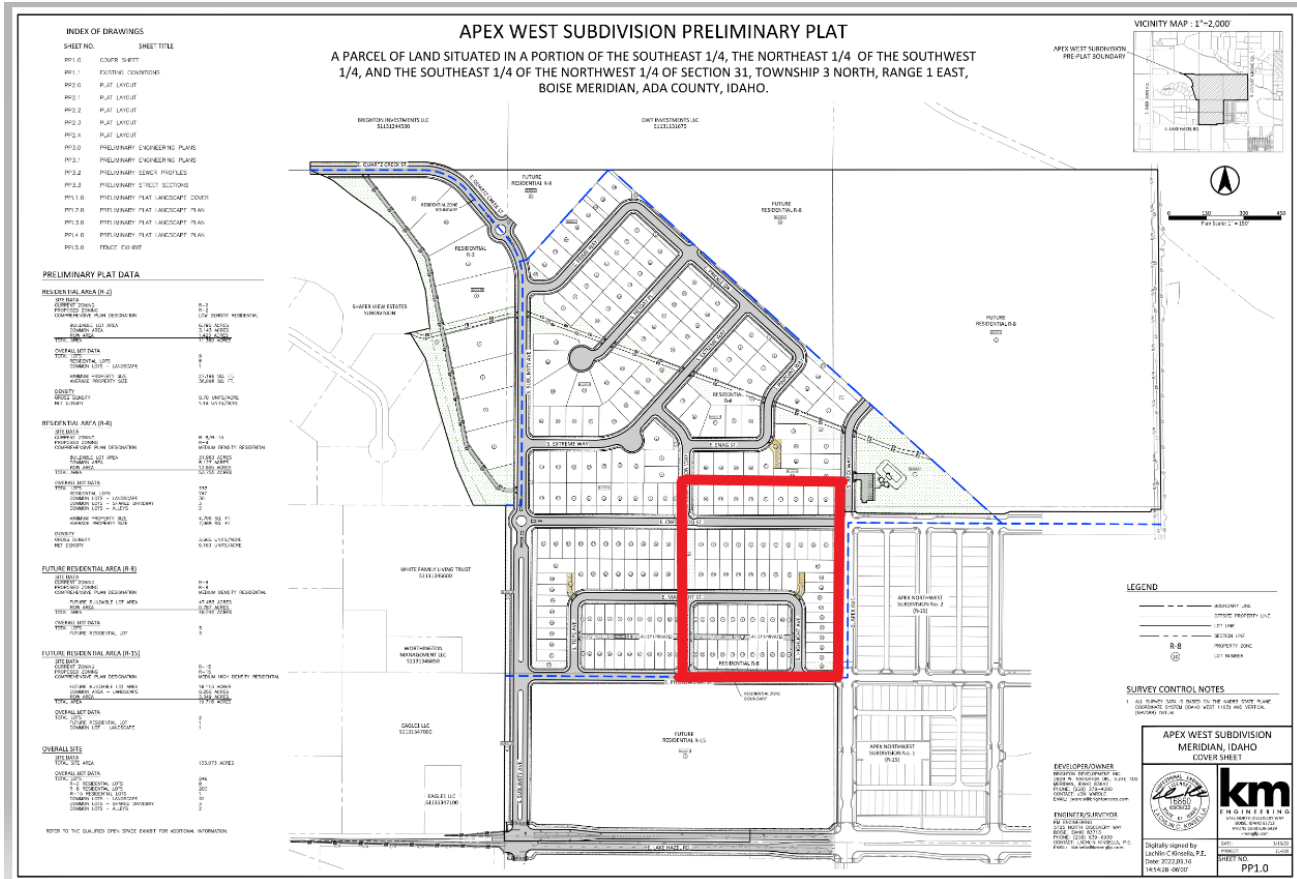
Therefore, Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

#### **IV. DECISION**

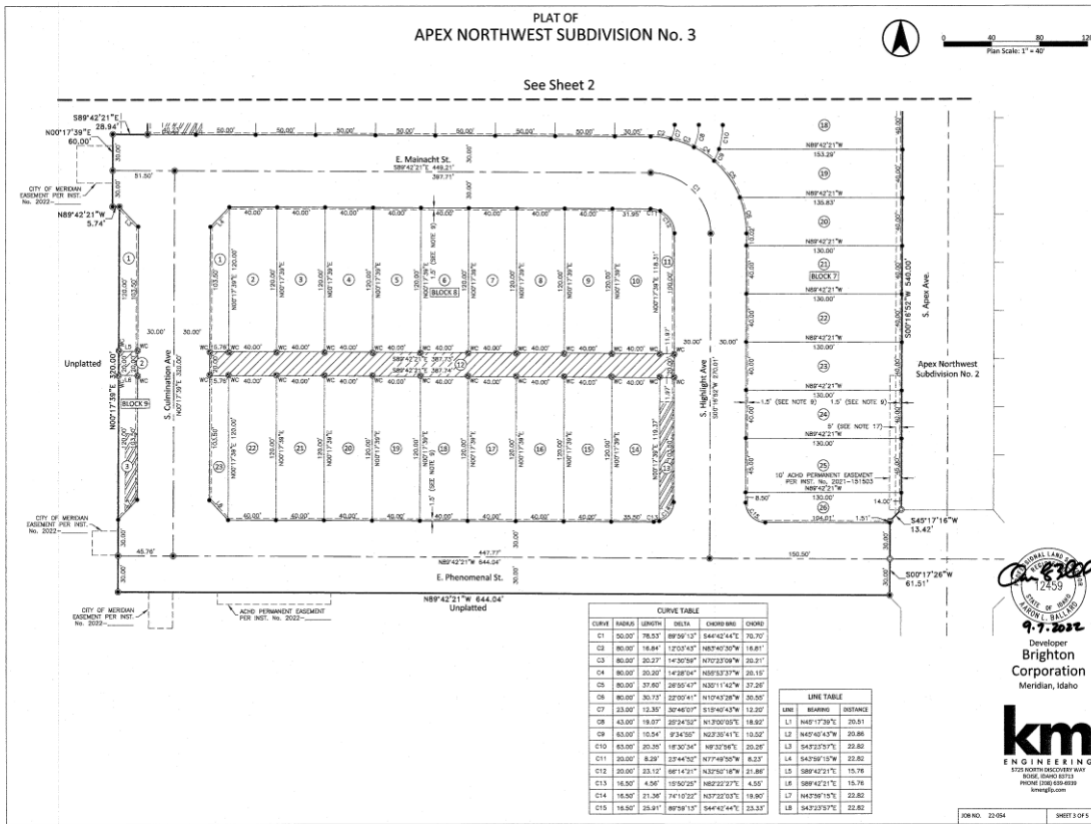
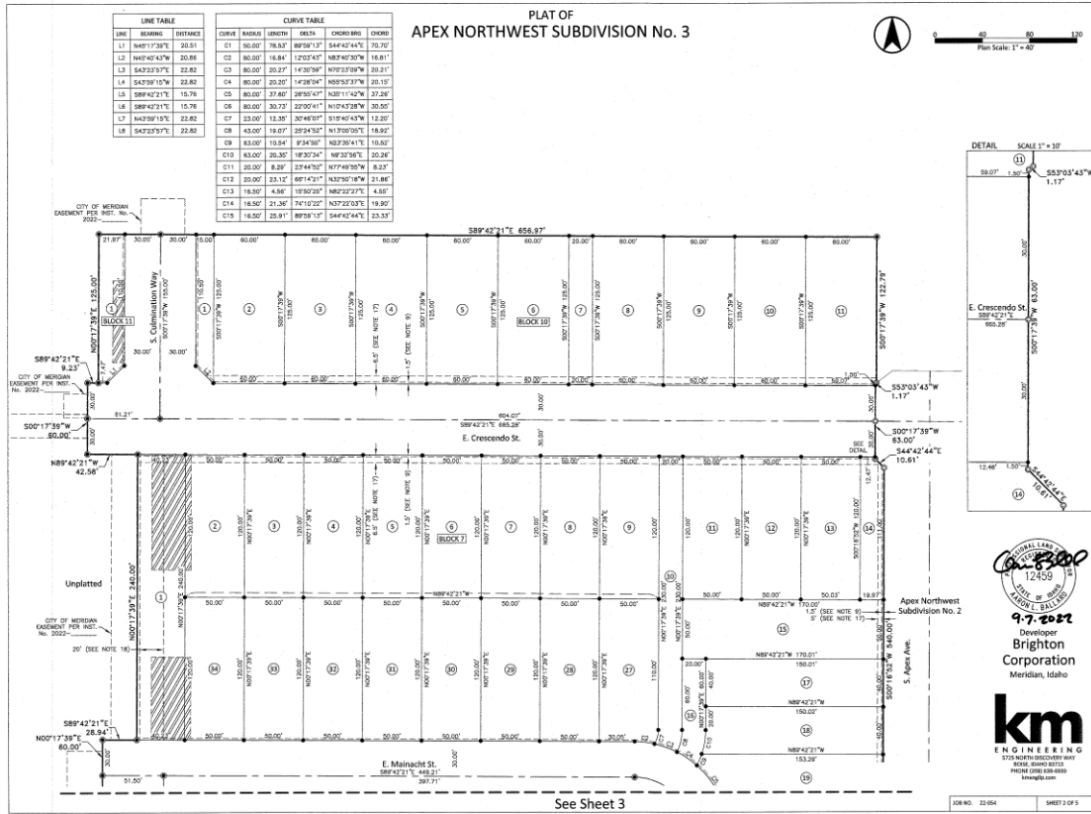
Staff recommends approval of the proposed final plat per the conditions noted in Section VI of this report.

# V. EXHIBITS

## A. Preliminary Plat (dated: 8/16/21)



B. Final Plat (dated: 9/7/2022)



PLAT OF  
APEX NORTHWEST SUBDIVISION No. 3

**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 THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH REBAR MARKING THE SOUTH 1/4 CORNER OF SAID SECTION 31, WHICH BEARS N84°21'21"W A DISTANCE OF 248.00 FEET FROM A BRASS CAP MARKING THE SOUTHWEST CORNER OF SAID SECTION 31;

THENCE FOLLOWING THE WESTERLY LINE OF SAID SOUTHEAST 1/4 OF SECTION 31, N07°19'52"E A DISTANCE OF 629.85 FEET TO A POINT;

THENCE LEAVING SAID WESTERLY LINE, N84°21'21"W A DISTANCE OF 677.96 FEET TO A SET 5/8-INCH REBAR AND BEING THE POINT OF BEGINNING.

THENCE N00°17'39"E A DISTANCE OF 320.00 FEET TO A SET 5/8-INCH REBAR;  
THENCE N84°21'21"W A DISTANCE OF 51.74 FEET TO A SET 5/8-INCH REBAR;  
THENCE N00°17'39"E A DISTANCE OF 80.00 FEET TO A SET 5/8-INCH REBAR;  
THENCE N84°21'21"W A DISTANCE OF 88.84 FEET TO A SET 5/8-INCH REBAR;

THENCE N00°17'39"E A DISTANCE OF 340.00 FEET TO A SET 5/8-INCH REBAR;  
THENCE N84°21'21"W A DISTANCE OF 62.08 FEET TO A SET 5/8-INCH REBAR;  
THENCE N00°17'39"E A DISTANCE OF 80.00 FEET TO A SET 5/8-INCH REBAR;  
THENCE N84°21'21"W A DISTANCE OF 82.03 FEET TO A SET 5/8-INCH REBAR;

THENCE N00°17'39"E A DISTANCE OF 123.00 FEET TO A SET 5/8-INCH REBAR;  
THENCE N84°21'21"W A DISTANCE OF 68.87 FEET TO A SET 5/8-INCH REBAR;  
THENCE N00°17'39"E A DISTANCE OF 122.78 FEET TO A 5/8-INCH REBAR ON THE BOUNDARY LINE OF APEX NORTHWEST SUBDIVISION NO. 2 (BOOK \_\_\_\_\_ OF PLAT/PLATS \_\_\_\_\_ RECORDS OF ADA COUNTY, IDAHO).

THENCE FOLLOWING THE BOUNDARY LINES OF SAID APEX NORTHWEST SUBDIVISION NO. 2 THE FOLLOWING FOUR (4) COURSES:  
1. 00°17'39"W A DISTANCE OF 1.17 FEET TO A 5/8-INCH REBAR;  
2. S00°17'39"W A DISTANCE OF 83.00 FEET TO A 5/8-INCH REBAR;  
3. S44°44'44"E A DISTANCE OF 12.81 FEET TO A 5/8-INCH REBAR;  
4. S00°18'52"W A DISTANCE OF 140.00 FEET TO A 5/8-INCH REBAR ON THE BOUNDARY LINE OF APEX NORTHWEST SUBDIVISION NO. 1 (BOOK 124 OF PLATS, PAGES 19883-19896, RECORDS OF ADA COUNTY, IDAHO).

THENCE LEAVING SAID SUBDIVISION BOUNDARY LINE OF SAID APEX NORTHWEST SUBDIVISION NO. 2 AND FOLLOWING SAID SUBDIVISION BOUNDARY LINE OF SAID APEX NORTHWEST SUBDIVISION NO. 1 THE FOLLOWING TWO (2) COURSES:  
1. S49°17'51"W A DISTANCE OF 13.42 FEET TO A 5/8-INCH REBAR;  
2. S00°17'39"W A DISTANCE OF 61.31 FEET TO A 5/8-INCH REBAR;

THENCE LEAVING SAID SUBDIVISION BOUNDARY LINE, N84°21'21"W A DISTANCE OF 844.84 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINS A TOTAL OF 11,987 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 HEREOFORWARD 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 CREATED WITHIN THE LINES OF SAID EASEMENTS UNLESS NOTES 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 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 RESUBDIVISION.

3. IRRIGATION WATER HAS BEEN PROVIDED FROM BOISE-APEX IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE SECTION 31-2605(1)(b). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE DELIMITED FOR ASSIGNMENTS FROM BOISE-APEX IRRIGATION DISTRICT.

4. THIS DEVELOPMENT RECOGNIZES SECTION 22-4405 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 NEGLIGENCE OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."

5. ALL LOT LINES COMMON TO THE PUBLIC RIGHTS-OF-WAY AND ALLEYS CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, CITY OF MERIDIAN STREET LIGHTS, HOMEOWNER'S ASSOCIATION PRESSURIZED IRRIGATION AND LOT DRAINAGE.

6. UNLESS OTHERWISE DIMENSIONED, ALL LOT LINES COMMON TO THE SUBDIVISION BOUNDARY AND ALL REAR LOT LINES CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, HOMEOWNER'S ASSOCIATION PRESSURIZED IRRIGATION AND LOT DRAINAGE.

7. ALL INTERIOR LOT LINES CONTAIN A 5.00 FOOT WIDE EASEMENT, EACH SIDE, FOR PUBLIC UTILITIES, HOMEOWNER'S ASSOCIATION PRESSURIZED IRRIGATION AND LOT DRAINAGE.

8. THIS PLAT IS SUBJECT TO AN ACHD LANDSCAPE LICENSE AGREEMENT PER INSTRUMENT NO. 2022-017743 OF ADA COUNTY RECORDS.

9. THIS PLAT IS SUBJECT TO AN ACHD PUBLIC RIGHT-OF-WAY EASEMENT (SIDEWALK) PER INSTRUMENT NO. 2022-\_\_\_\_\_, RECORDS OF ADA COUNTY, IDAHO.

10. LOT 12, BLOCK 8 AND LOT 2, BLOCK 9 ARE SUBJECT TO A CITY OF MERIDIAN EASEMENT PER INSTRUMENT NO. 2022-\_\_\_\_\_, RECORDS OF ADA COUNTY, IDAHO.

11. DIRECT LOT OR PARCEL ACCESS TO S. APEX AVE. IS PROHIBITED.

12. THE BOTTOM OF STRUCTURAL FOOTINGS SHALL BE SET A MINIMUM OF 12-INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUND WATER ELEVATION.

13. 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 OR HOMEOWNER'S ASSOCIATION.

14. PORTIONS OF LOTS 1, 2, 23, 24, 25, 26, AND 34, BLOCK 7; LOTS 13, BLOCK 8; LOT 3, BLOCK 9; AND LOT 1, BLOCK 11 ARE SUBJECT TO AND CONTAIN THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2010, AS INSTRUMENT NO. 2010-102000, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 45-2302, IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.

15. THIS SUBDIVISION IS SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS THAT ARE FILED FOR RECORD AT THE ADA COUNTY RECORDER'S OFFICE AS INSTRUMENT NO. 2022-031823, AND MAY BE AMENDED FROM TIME TO TIME.

16. THE WITNESS CORNERS SHOWN HEREON ARE 0.50' WITNESS CORNERS AND ARE SET AS FOLLOWS:  
A) THE WITNESS CORNERS FOR LOTS 1-11, BLOCK 8 ON THE SOUTH SIDE OF SAID LOTS ARE SET S00°17'39"W A DISTANCE OF 0.50 FEET FROM CALCULATED POSITION.  
B) THE WITNESS CORNERS FOR LOTS 12-13, BLOCK 8 ON THE NORTH SIDE OF SAID LOTS ARE SET N00°17'39"E A DISTANCE OF 0.50 FEET FROM CALCULATED POSITION.

17. ALL LOTS ADJACENT TO S. APEX AVE. ARE SUBJECT TO A 5.00' LANDSCAPE BUFFER EASEMENT. ALL LOTS ADJACENT TO S. APEX AVE. SHALL BE SUBJECT TO A 5.00' LANDSCAPE BUFFER EASEMENT. SEE COVENANTS, CONDITIONS AND RESTRICTIONS FOR LANDSCAPE MAINTENANCE REQUIREMENTS.

18. A PORTION OF LOT 1, BLOCK 7 IS SUBJECT TO A CITY OF MERIDIAN EASEMENT PER INSTRUMENT NO. 2022-\_\_\_\_\_, RECORDS OF ADA COUNTY, IDAHO.

19. LOT 16, BLOCK 7 (COMMON LOT) IS SUBJECT TO A BLANKET EASEMENT FOR A COMMON DRIVE TO PROVIDE ACCESS TO LOTS 15, 17, AND 18, BLOCK 7 ONLY. SAID COMMON LOT SHALL BE PAVED AND CAPABLE OF SUPPORTING EMERGENCY VEHICLES AND EQUIPMENT AS REQUIRED BY MERIDIAN CITY CODE. THE COMMON DRIVES SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

**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 APEX NORTHWEST SUBDIVISION NO. 3 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 THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

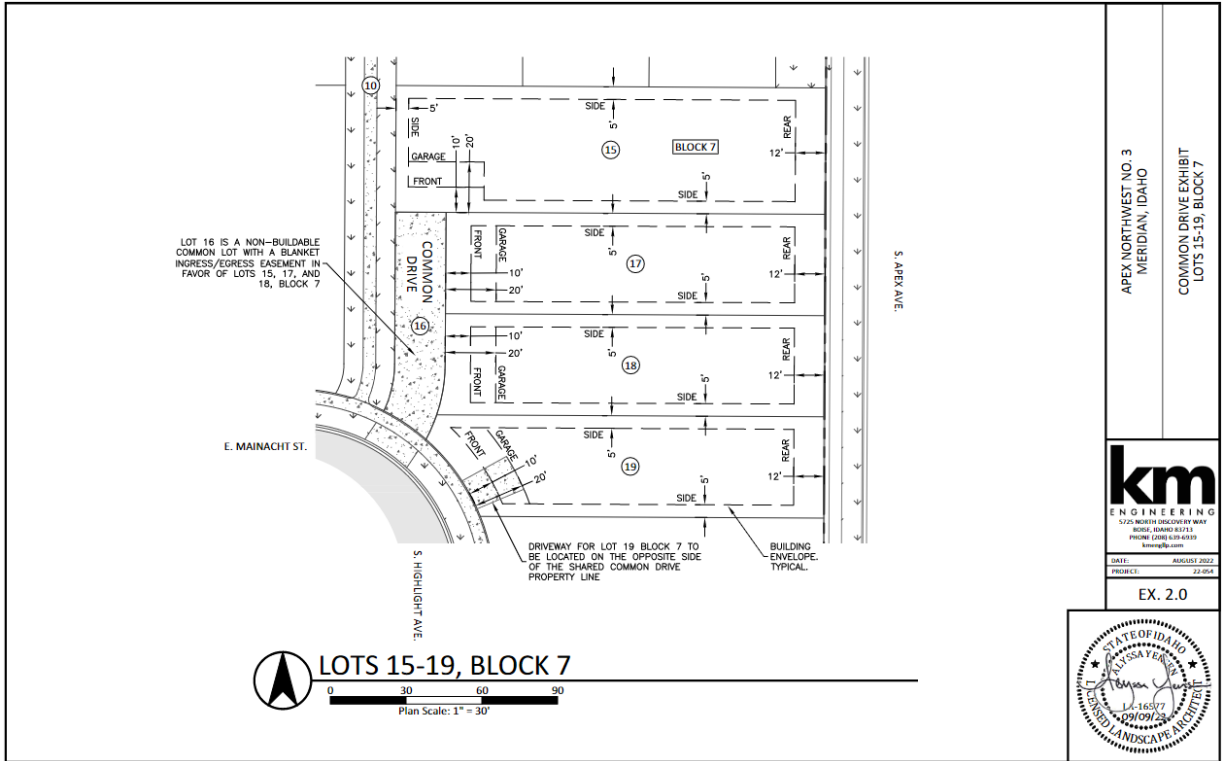
AARON L. BALLARD, P.L.S. 12459



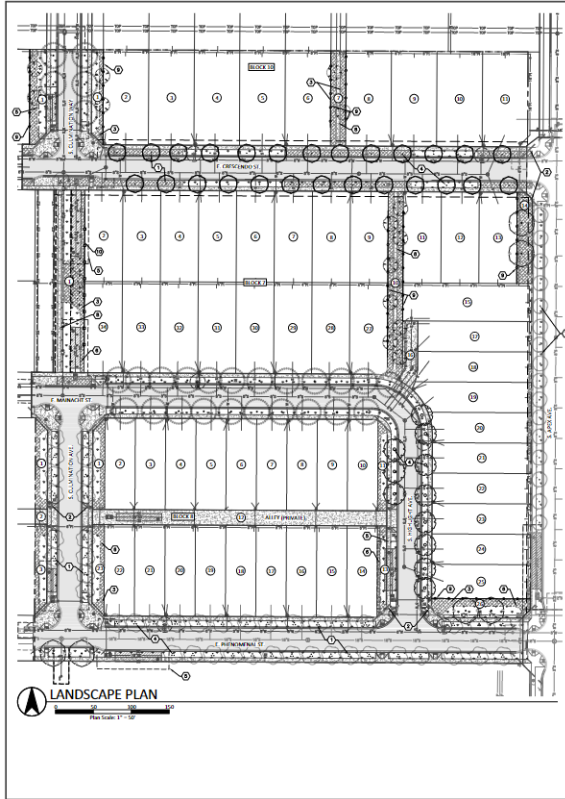
JOB NO. 23-054 SHEET 4 OF 5



# C. Common Driveway Exhibit



D. Landscape Plan (dated: 9/9/22)



- KEY NOTES (TYPICAL)**
- 1. REMOVE ALL EXISTING VEGETATION FROM THE AREA WITHIN THE BOUNDARIES OF ALL PLANTING AREAS.
  - 2. CLEAR VISIBLE TRUNKS OF TREE SPALLS WITH BARE EARTH SURFACE AT ALL PLANTING LOCATIONS.
  - 3. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 4. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 5. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 6. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 7. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 8. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 9. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 10. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 11. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 12. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 13. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 14. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 15. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 16. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 17. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.
  - 18. PLANTS ARE TO BE PLANTED WITH PLANT MATERIAL QUALIFIED ON PLANT SCHEDULE.

**PLANT SCHEDULE**

NO.	SYMBOL	PLANT NAME	QTY	REVISION
1	1	... ..	...	...
2	2	... ..	...	...
3	3	... ..	...	...
4	4	... ..	...	...
5	5	... ..	...	...
6	6	... ..	...	...
7	7	... ..	...	...
8	8	... ..	...	...
9	9	... ..	...	...
10	10	... ..	...	...
11	11	... ..	...	...
12	12	... ..	...	...
13	13	... ..	...	...
14	14	... ..	...	...
15	15	... ..	...	...
16	16	... ..	...	...
17	17	... ..	...	...
18	18	... ..	...	...

- FENCE SCHEDULE**
- | NO. | SYMBOL | FENCE NAME | QTY | REVISION |
|-----|--------|------------|-----|----------|
| 1   | 1      | ... ..     | ... | ...      |
| 2   | 2      | ... ..     | ... | ...      |

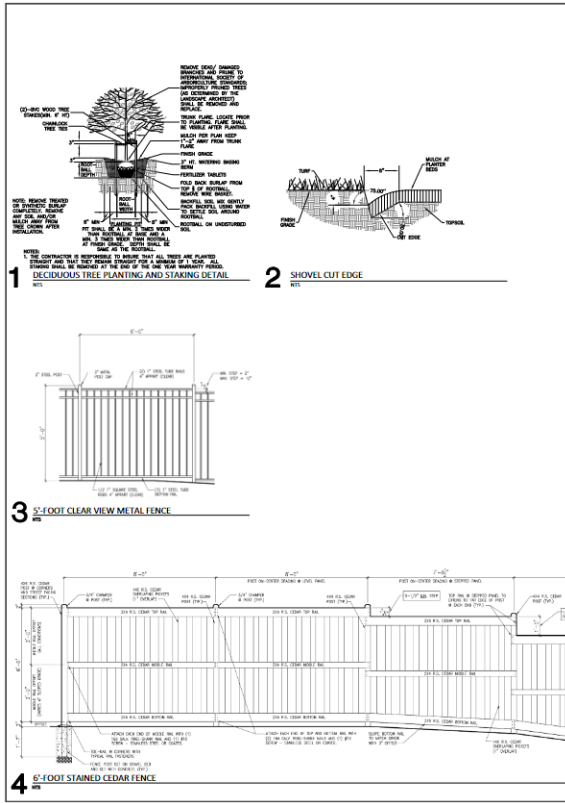
Project title: APEX NORTHWEST NO. 3 MERIDIAN, IDAHO

Scale: 1/4" = 1'-0"

Sheet number: L2.0

Scale: 1/4" = 1'-0"

Scale: 1/4" = 1'-0"



- GENERAL LANDSCAPE NOTES**
- 1. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 2. MAINTENANCE SHALL BE PROVIDED THROUGHOUT THE PROJECT PERIOD TO MAINTAIN THE LANDSCAPE AS SHOWN ON THE PLANS.
  - 3. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 4. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 5. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 6. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 7. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 8. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 9. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 10. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.

- TREE PROTECTION NOTES**
- 1. THE CONTRACTOR SHALL TAKE EXTRA CARE TO PROTECT THE ORIGINAL ROOT ZONE OF ALL TREES IN ALL TREE THROUGHOUT PROJECT.
  - 2. THE CONTRACTOR SHALL TAKE EXTRA CARE TO PROTECT THE ORIGINAL ROOT ZONE OF ALL TREES IN ALL TREE THROUGHOUT PROJECT.
  - 3. THE CONTRACTOR SHALL TAKE EXTRA CARE TO PROTECT THE ORIGINAL ROOT ZONE OF ALL TREES IN ALL TREE THROUGHOUT PROJECT.
  - 4. THE CONTRACTOR SHALL TAKE EXTRA CARE TO PROTECT THE ORIGINAL ROOT ZONE OF ALL TREES IN ALL TREE THROUGHOUT PROJECT.

- GENERAL INSTALLATION NOTES**
- 1. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 2. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 3. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 4. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 5. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 6. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 7. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 8. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 9. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.
  - 10. THE CONTRACTOR SHALL MAINTAIN SUFFICIENT QUANTITIES OF GRASS SEED ON THE SITE AT ALL TIMES TO RESEED ANY AREAS THAT BECOME BARE DURING THE COURSE OF THE PROJECT.

Project title: APEX NORTHWEST NO. 3 MERIDIAN, IDAHO

Scale: 1/4" = 1'-0"

Sheet number: L3.0

Scale: 1/4" = 1'-0"

Scale: 1/4" = 1'-0"

## 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-2020-0066 (Development Agreement Inst. #2020-178120 (Apex); H-2020-0117, Development Agreement Inst. #2021-102396 (Schafer View Terrace); Preliminary Plat H-2021-0087; Apex Northwest Subdivision No. 2 FP-2021-0038].
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of City Council's approval of the previous phase final plat; *or* apply for a time extension, in accord with UDC 11-6B-7.
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 KM Engineering stamped by Aaron L. Ballard, dated: 9/9/2022, included in Section V.B shall be revised as follows:
  - a. Include the recorded instrument number of the City of Meridian easement graphically depicted and noted on Sheet 2 and 3.
  - b. Note #9: Include the recorded instrument number of the ACHD public right-of-way easement (sidewalk).
  - c. Note #10: Include the recorded instrument number of the City of Meridian easement.
  - d. Note #18: Include the recorded instrument number of the City of Meridian easement.
  - e. Depict an easement or a common lot for the portion of the 20-foot wide street buffer on the west side of Apex Avenue along the rear of Lots 15-25, Block 7 per the conditions listed in the preliminary plat (H-2021-0087).
5. The landscape plan prepared by KM Engineering, dated 9/9/22, included in Section V.C, shall be revised as follows:
  - a. Include calculations in the Project Calculations table that demonstrate compliance with the standards for pathway ([11-3B-12C](#)) landscaping; include required vs. provided number of trees. Landscaping is required along *all* pathways.
  - b. Depict a portion of the 20-foot wide street buffer or common lot on the west side of Apex Avenue along the rear of Lots 15-25, Block 7 with landscaping in accord with the standards listed in UDC [11-3B-7C](#) per the conditions listed in the preliminary plat (H-2021-0087).
6. The rear and/or side of structures on lots that face E. Crescendo St. and S. Apex Ave., collector streets, 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.*
7. All alleys shall comply with the standards listed in UDC [11-6C-3B.5](#). The construction drawings shall reflect compliance with these standards.
8. Off-street parking is required to be provided for all residential units in accord with the standards listed in [UDC Table 11-3C-6](#) based on the number of bedrooms per unit.

9. 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.
10. All fencing shall comply with the standards of UDC 11-3A-7C.
11. Revise the common driveway (Lot 16, Block 7) on Exhibit C. Extend the common drive on Lot 15, Block 7 and depict identical building setback envelope show on the adjacent lots to prevent homeowners from backing down the common driveway in accord with UDC 11-6C-3D.
12. All alleys shall serve as fire lanes and be signed "No Parking Fire Lane".
13. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6 and 11-2A-7 for the R-8 and R-15 zoning districts.
14. Off-street parking is required to be provided for residential uses in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit.

## **B. Public Works**

**Site Specific Conditions:** None

### **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 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.