

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: JUNE 6, 2023
ORDER APPROVAL DATE: JUNE 20, 2023

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 53 BUILDING)
LOTS AND 5 COMMON LOTS ON)
7.47 ACRES OF LAND IN THE R-15)
ZONING DISTRICT FOR)
STAPLETON NO. 4.)
)
BY: C4 LAND, LLC)
APPLICANT)
_____)
)
)

CASE NO. FP-2023-0006

ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on June 6, 2023 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 STAPLETON SUBDIVISION NO. 4,
LOCATED IN THE NE ¼ OF THE SE 1/4 OF SECTION 25, TOWNSHIP 3N.,
RANGE 1W., BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO,
2023, HANDWRITTEN DATE: 5/4/2023, by Jeff Beagley, PLS, SHEET 1 OF

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR (STAPLETON NO. 4 – FP-2023-0006)

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 June 6, 2023, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from Laren Bailey, 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 _____, 2023.

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



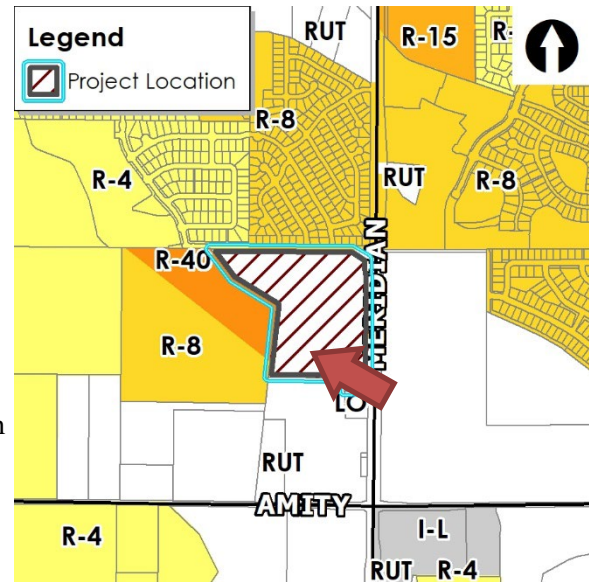
HEARING DATE: June 6, 2023

TO: Mayor & City Council

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

SUBJECT: FP-2023-0006
Stapleton No. 4

LOCATION: Generally located in the NE ¼ of Section
SE ¼ of Section 25, Township 3N.,
Range 1W (Parcel #S1225417245)



I. PROJECT DESCRIPTION

The Applicant proposes a Final Plat consisting of 53 building lots and 5 common lots on 7.47 acres of land in the R-15 zoning district.

II. APPLICANT INFORMATION

A. Applicant:

C4 Land, LLC – 4824 W. Fairview Ave., Boise, ID 83706

B. Owner:

Same as Applicant

C. Representative:

Laren Bailey, Conger Group – 4824 W. Fairview Ave., Boise, ID 83706

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat in accordance with the requirements listed in UDC 11-6B-3C.2. There are seven (7) fewer lots depicted in Blocks 2 and 3 as shown on the approved preliminary plat and substantially the same amount of common area; therefore, staff deems the final plat in substantial compliance with the approved preliminary plat as required.

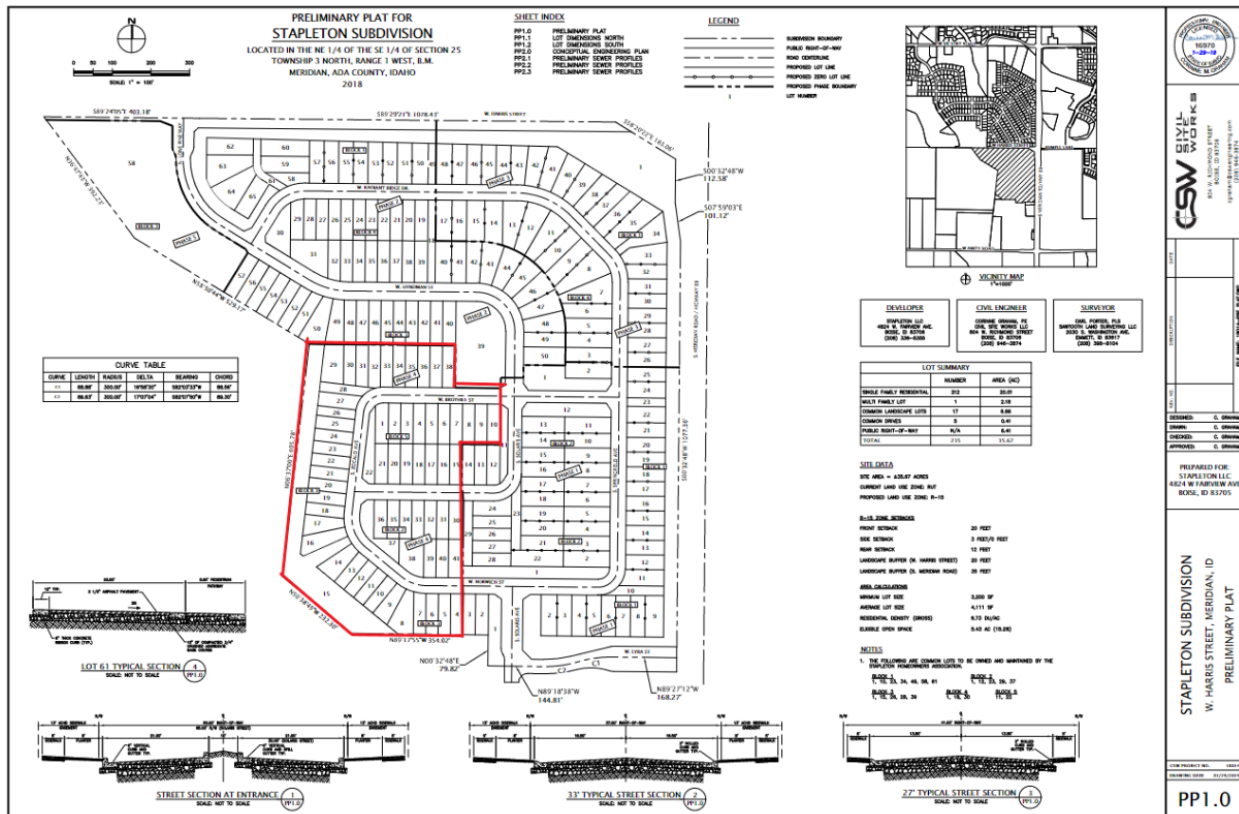
IV. DECISION

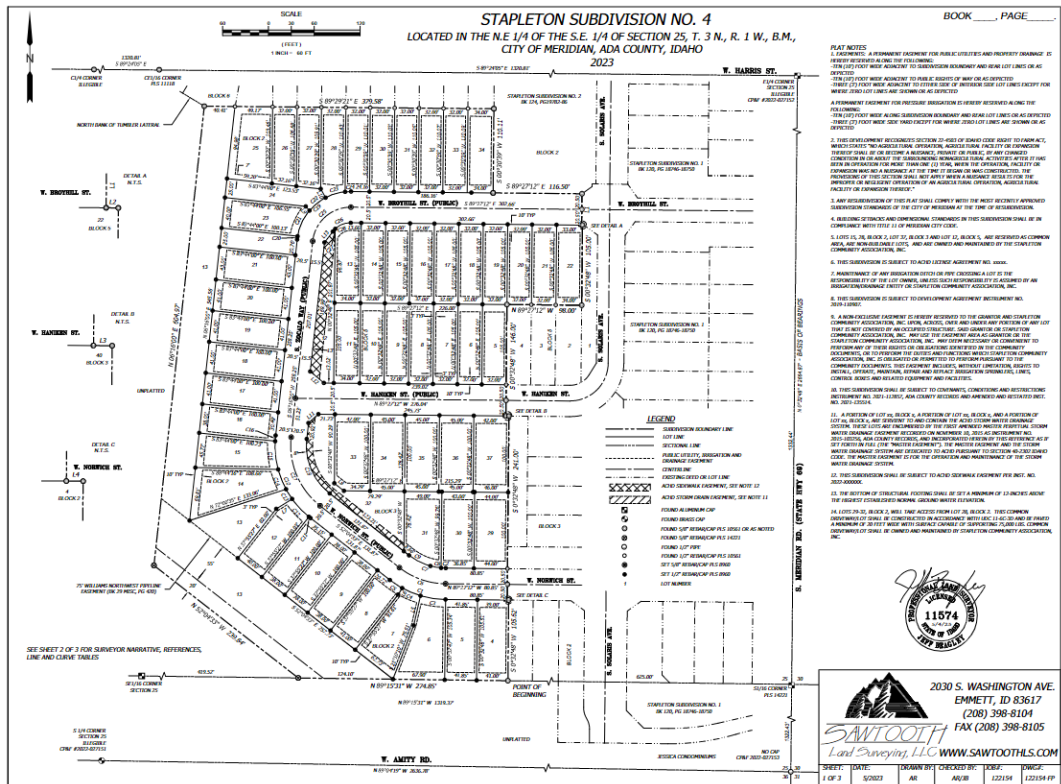
Staff:

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

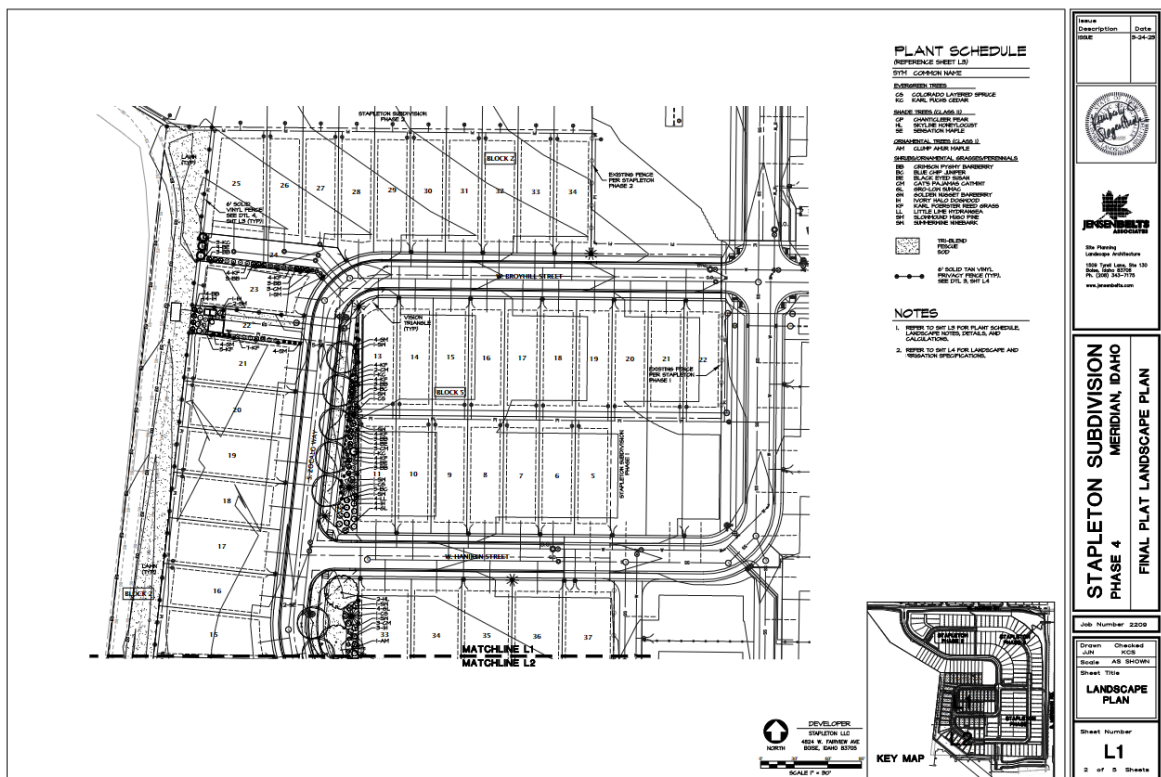
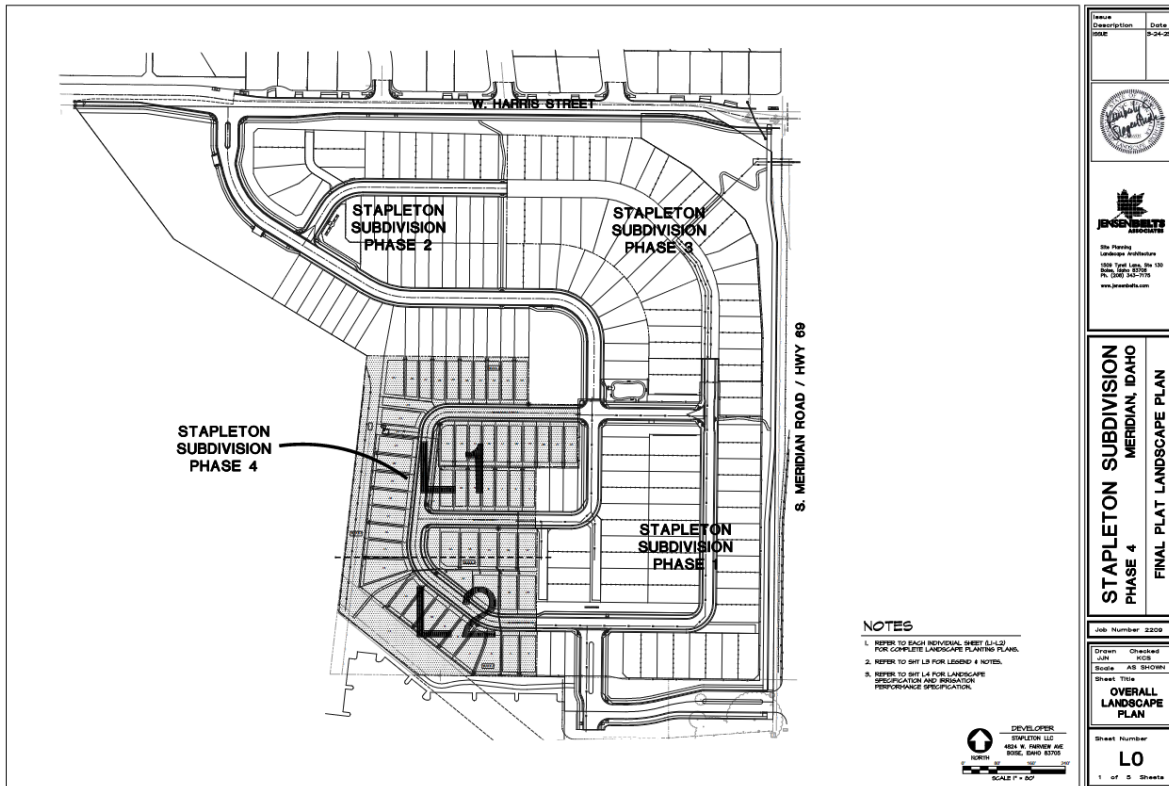
V. EXHIBITS

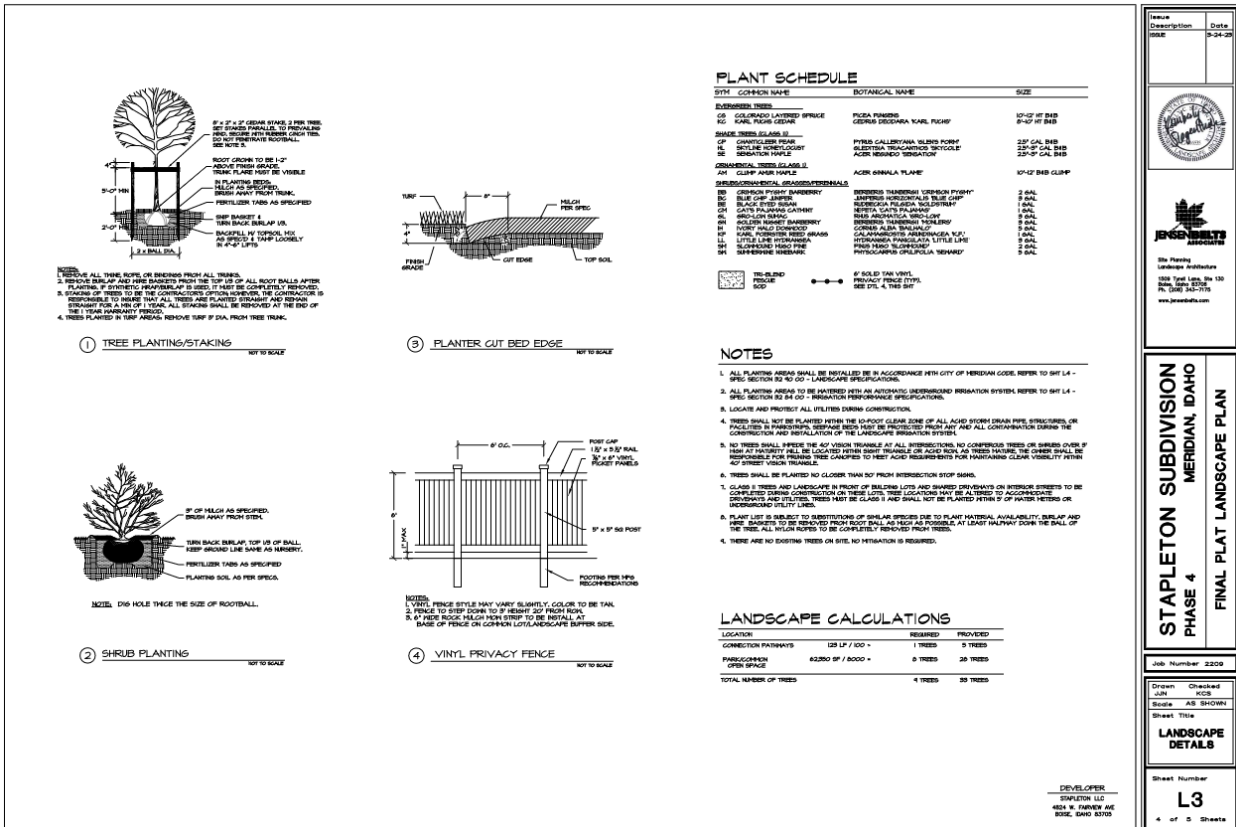
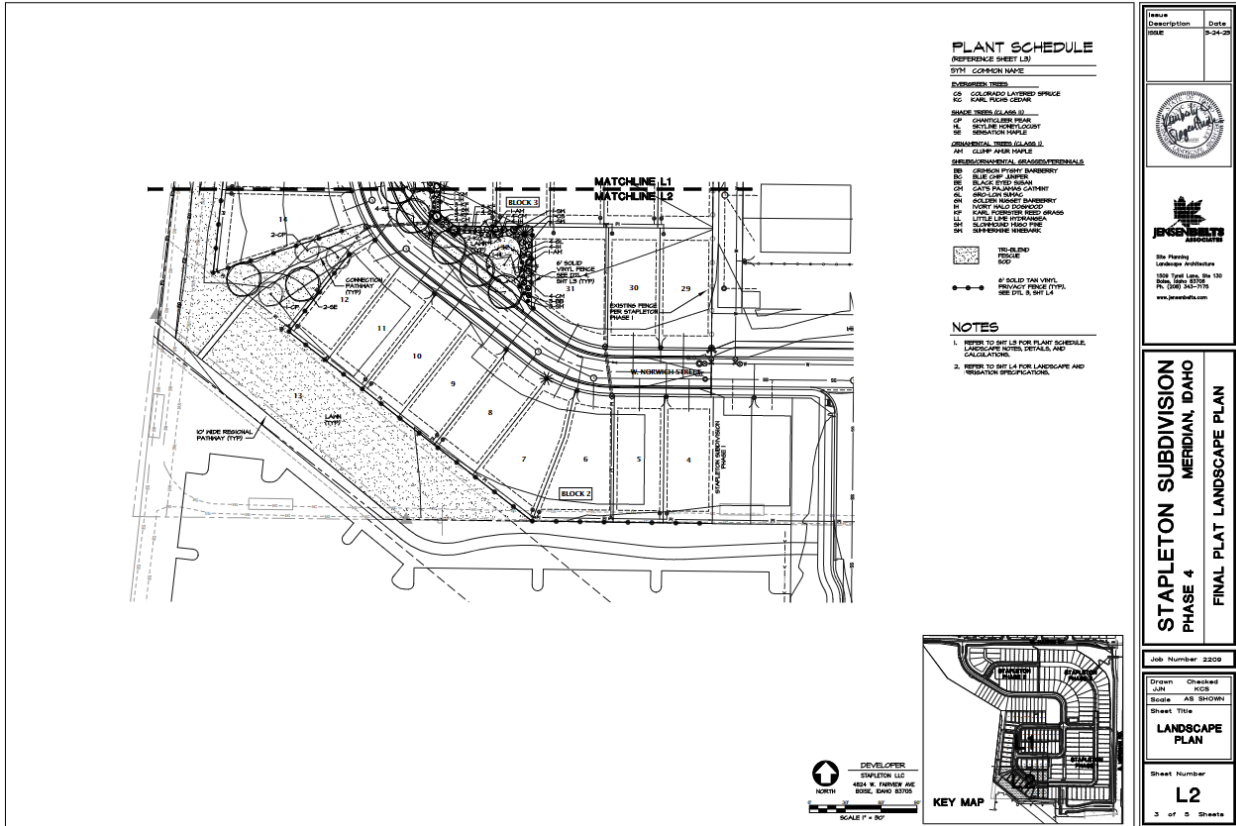
A. Preliminary Plat (date: 1/29/2019)



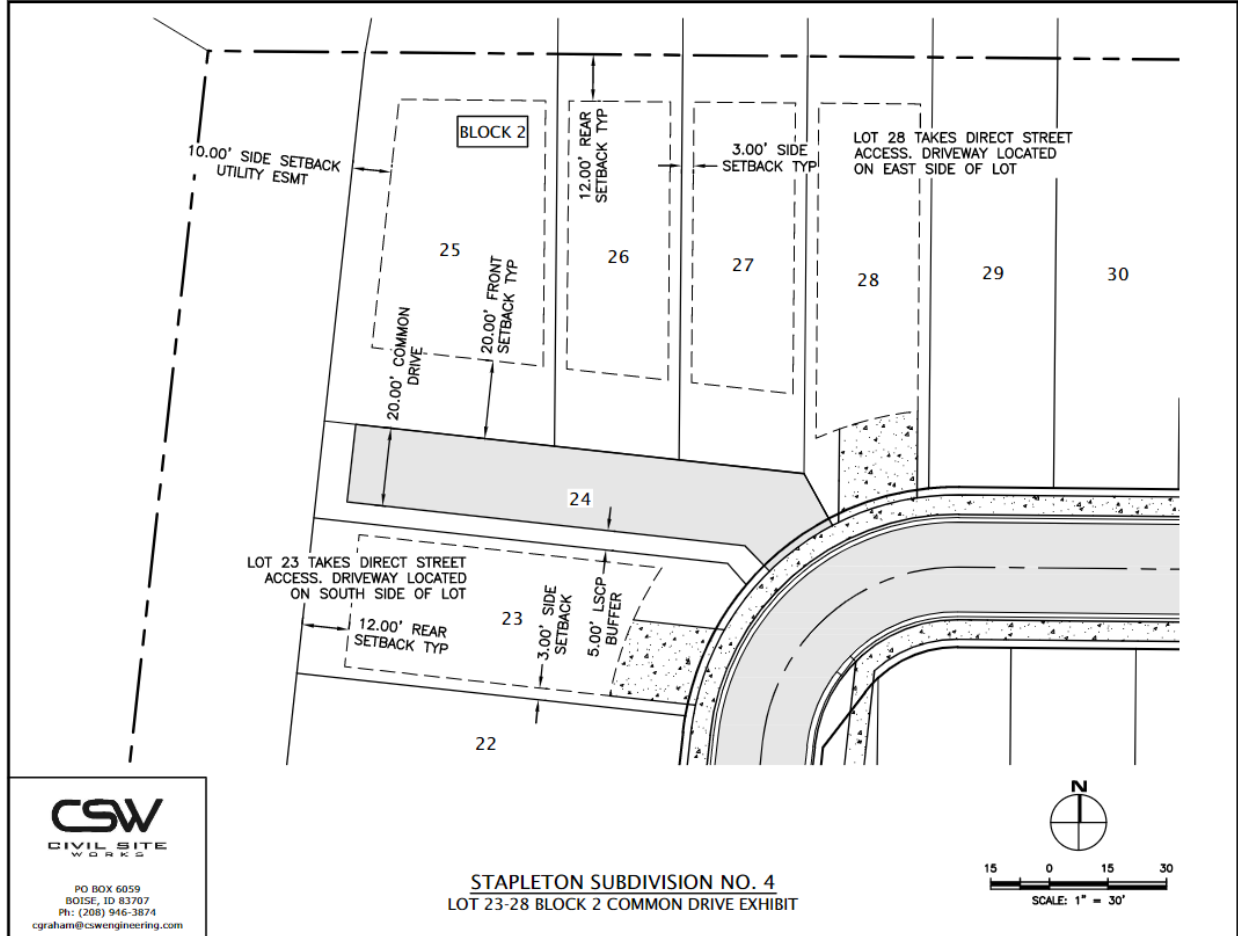
[illegible]

C. Landscape Plan (dated: 3/24/23)





D. Common Driveway Exhibit



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-2018-0129, Development Agreement #2019-110907; FP-2020-0010; FP-2020-0014; Design Review A-2019-0246).
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 (by September 12, 2024); 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 Jeff Beagley, Sawtooth Land Surveying, LLC, dated 5/4/2023, included in Section VII.B shall be revised as follows:
 - a. Note #5: Revise the plat note to include the correct common lots and blocks on the plat.
 - b. Note #6: Include recorded instrument number for ACHD license agreement.
 - c. Note #11: Include the Lots # and Blocks # that are servient to and contain the ACHD Storm Water Drainage System.
 - d. Note #12: Include the recorded instrument number for ACHD sidewalk easement.
 - e. Note #14: Revise the to read "Lots 25-27, Block 2 will take access from Lot 24, Block 2."
5. The landscape plan prepared by Jensen Belts Associates, dated 3/24/2023, shall be revised as follows:
 - a. Depict fencing adjacent to Lot 15, Block 3 in accord with the standards listed in UDC 11-3A-7A.7B.
 - b. Depict landscaping along both sides of the micro pathway on Lot 13, Block 2 adjacent to Lots 14 & 12 Block 2 with a mix of trees, shrubs, lawn, and/or another vegetative ground cover in accordance with UDC 11-3B-12C.1.2 prior to reaching the 75-foot wide easement.
6. Future homes constructed in this development shall substantially comply with the conceptual elevations approved with H-2018-0129 included in the Development Agreement.
7. **All development within the Northwest gas pipeline easement shall comply with the Williams Gas Pipeline Developer's Handbook.**
8. 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. A streetlight plan will be required for the development of this property.
2. Flow is committed.
3. Ensure no sewer services pass through infiltration trenches.
4. If the water main is crossing infrastructure owned by an irrigation district, and not the Home

Owner's Association, it must have a steel casing per City requirements.

General Conditions:

5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

16. Developer shall coordinate mailbox locations with the Meridian Post Office.
17. All grading of the site shall be performed in conformance with MCC 11-1-4B.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
25. 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.
26. 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.
27. 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.

28. 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.

VII. Findings

Alternative Compliance (UDC 11-5B-5E)

Required Findings: In order to grant approval for an Alternative Compliance application, the Director shall determine the following:

1. Strict adherence or application of the requirements are not feasible; or

Staff finds that strict adherence or application of the requirements of UDC 11-3H-4D.3b, which prohibit intermittent breaks in the berm/wall along SH-69, is not feasible due to the requirement for pathways to be provided for pedestrian connectivity and for block faces to extend up to 1,000 feet in length.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

Staff finds the proposed alternative means of compliance (wrapping the sound wall inward 60 feet along each side of the common lot containing the pathway to shield adjacent building lots) provides an equal means for meeting the requirements in UDC 11-3H-4D.3b.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.

Staff finds the alternative means of complying with UDC 11-3H-4D.3b will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties and will allow for pedestrian access to the multi-use pathway along SH-69 in more locations other than just at the quarter mile.

EXHIBIT B

From: [Laren Bailey](#)
To: [Stacy Hersh](#)
Subject: RE: Stapleton No. 4 FP-2023-0006
Date: Tuesday, May 30, 2023 1:54:43 PM

External Sender - Please use caution with links or attachments.

Stacy,

This looks good to us. Please let us know if you need anything else from us. Thank you

From: Stacy Hersh <shersh@meridiacity.org>
Sent: Tuesday, May 30, 2023 1:07 PM
To: Bill Parsons <bparsons@meridiacity.org>; Bill Nary <bnary@meridiacity.org>; Chris Johnson <cjohnson@meridiacity.org>; Joy Hall <jhall@meridiacity.org>; Charlene Way <cway@meridiacity.org>; Kurt Starman <kstarman@meridiacity.org>; Laren Bailey <laren@congergroup.com>
Subject: Stapleton No. 4 FP-2023-0006
Importance: High

Good Afternoon,

Attached is the staff report for the final plat for Stapleton No. 4 FP-2023-0006. This item is scheduled to be on the consent agenda at the City Council work session on June 6, 2023. The meeting will be held at City Hall, 33 E. Broadway Avenue, beginning at 4:30 pm. Please call or e-mail with any questions.

If you are *not* in agreement with the provisions in the staff report, please submit a written response to the staff report to the City Clerk's office (comment@meridiacity.org) and me as soon as possible and the item will be placed on the regular meeting agenda at a subsequent meeting for discussion.

Best regards,

Stacy Hersh | Associate Planner

City of Meridian | Community Development Department

33 E. Broadway Ave., Meridian, Idaho 83642

Phone: (208)-489-0576, Fax: (208)-887-1297



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