

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: 9/24/2024
ORDER APPROVAL DATE: 10/8/2024

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF SEVEN (7))
BUILDING LOTS AND ONE (1))
COMMON LOT ON 75-ACRES OF)
LAND IN THE M-E, H-E AND C-C)
ZONING DISTRICTS FOR)
VANGUARD VILLAGE NO. 1.)
BY: BALL VENTURES AHLQUIST)
APPLICANT)
_____)

CASE NO. FP-2024-0012

ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on September 24, 2024 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 VANGUARD VILLAGE SUBDIVISION NO. 1, LOCATED IN PORTIONS OF THE NW ¼ OF THE SE ¼ AND THE NE ¼ OF THE SW ¼ , SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO,

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR VANGUARD VILLAGE NO. 1 FP-2024-0012

2024, HANDWRITTEN DATE: 7/25/2024, by ROB O'MALLEY, 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 September 24, 2024, 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 _____, 2024.

By:

Robert E. 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.

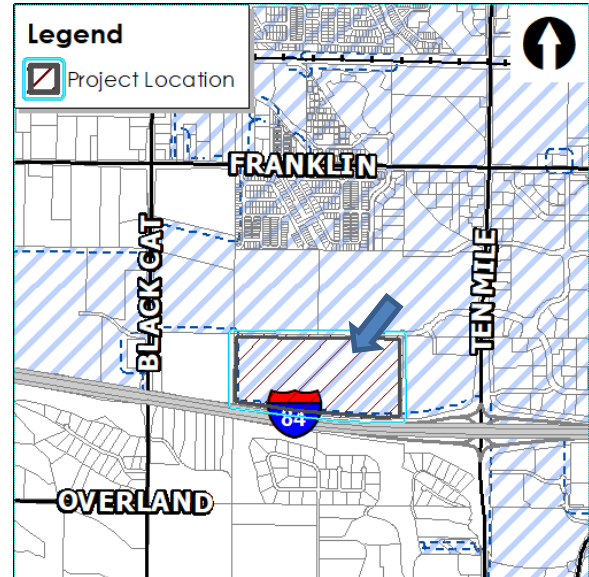
By: _____ Dated: _____

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



DATE: 9/24/2024
TO: City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: FP-2024-0012; A-2024-0088
Vanguard Village No. 1
(aka Meridian 118)

PROPERTY LOCATION:
Generally located a 1/4 mile west of S.
Ten Mile Rd. on the north side of I-84, in
the south 1/2 of Section 15, T.3N.,
R.1W.



I. PROJECT DESCRIPTION

Final plat (FP) consisting of seven (7) building lots and one (1) common lot on 75-acres of land in the M-E, H-E and C-C zoning districts for Vanguard Village No. 1.

An application for approval of private streets (PS) within the development is also proposed.

II. APPLICANT INFORMATION

A. Applicant

Elizabeth Allen, Ball Ventures Ahlquist – 1144 S. Silverstone Way, Ste. 510, Meridian, ID 83642

B. Owner:

Ten Mile West Commercial, LLC – 1144 S. Silverstone Way, Ste. 500, Meridian, ID 83642

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

The preliminary plat (H-2021-0081) for the subject property included a total of eight (8) building lots and six (6) common lots on 115.26-acres of land – six (6) of the building lots were depicted on the subject 75-acre property and two (2) were depicted on the northern 40-acre portion of the property. Public streets were proposed to be constructed within the subdivision as depicted on the preliminary plat.

The proposed final plat depicts seven (7) building lots on the southern 75-acres, which is one (1) fewer than shown on the preliminary plat for the overall property. Because the northern portion of the

subdivision is under different ownership, Staff did verify with the owner's representative that they're amenable to the Applicant using one (1) of the building lots approved with the preliminary plat on their property as they intend to submit a new updated preliminary plat for that property in the future.

Three (3) public streets were proposed with the preliminary plat on this portion of the property (i.e. S. Umbria Hills Way/W. Navigator Dr., Vantage Point Way and Vanguard Trail). Only one (1) public street (i.e. S. Umbria Hills Way/W. Navigator Dr.) is proposed with the final plat; the other two streets are now proposed to be private. West Grand Mogul Dr., an east/west collector street depicted on the preliminary plat along the northern boundary of this phase is being constructed and dedicated via deed to ACHD outside of the platting process; therefore, it's not included in the proposed final plat.

A private street application was submitted for S. La Vista Ln., a north/south street that connects to W. Grand Mogul Dr. In order for the proposed final plat to be consistent with the approved preliminary plat, an east/west street is required between S. Umbria Hills Way and S. La Vista Ln. as depicted on the preliminary plat. Accordingly, Staff is recommending this street is included in the private street application and additional documents are submitted as required for approval of such private street.

Because the number of building lots haven't increased, the street layout approved with the preliminary plat will be provided, and the proposed plat complies with the phasing plan approved with the amended development agreement (H-2023-0072), Staff deems the final plat in substantial compliance with the approved preliminary plat as required by UDC 11-6B-3C.2.

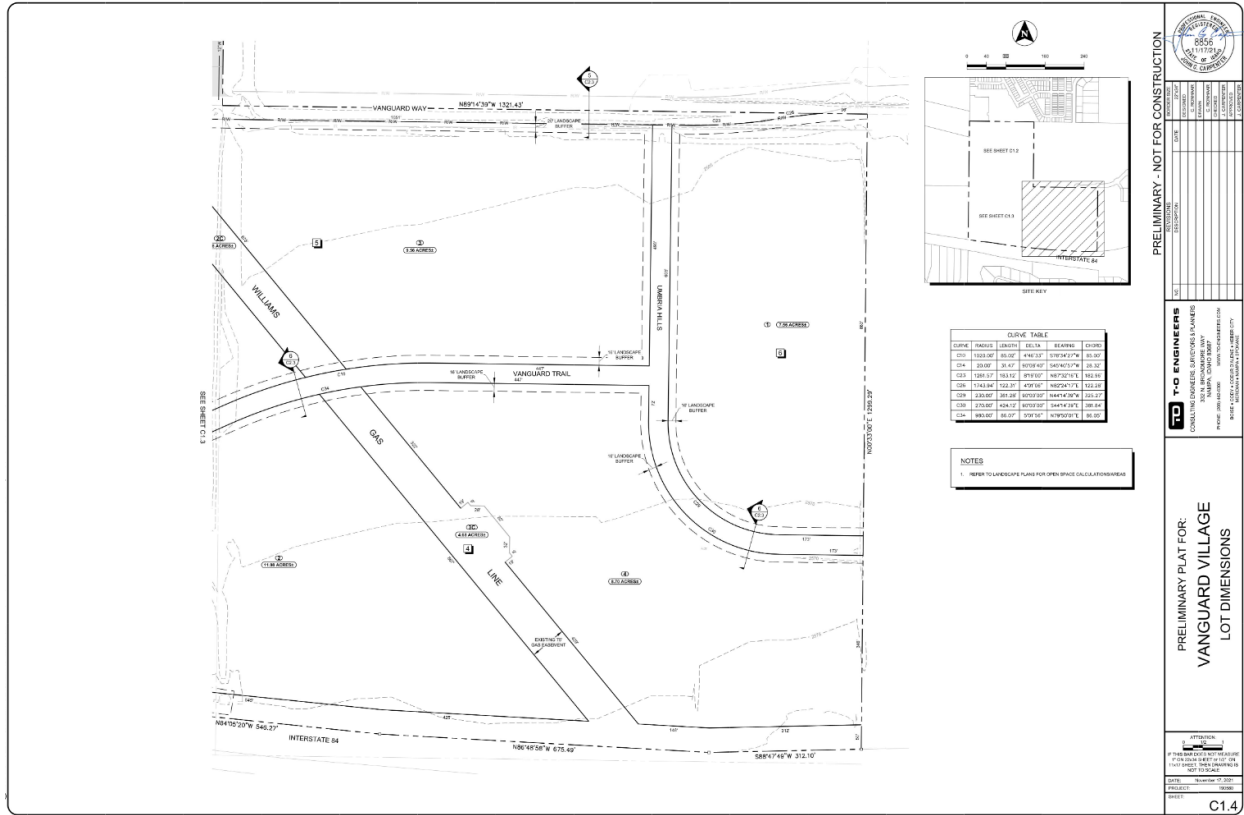
IV. DECISION

A. Staff:

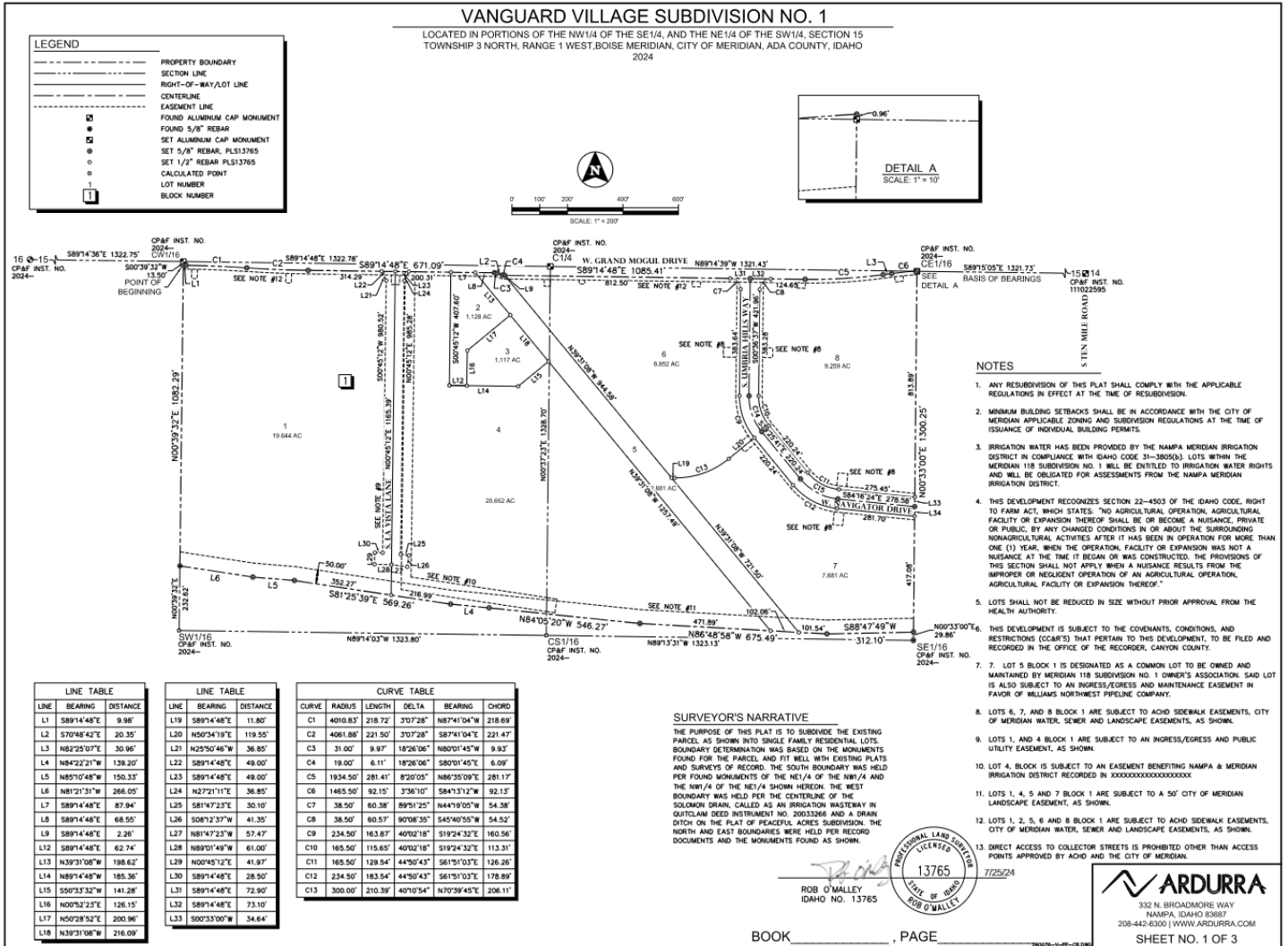
Staff recommends approval of the proposed final plat and private streets with the conditions of approval in Section VI and in accord with the Findings included in Section VII below.

A. Preliminary Plat (dated: 11/17/21)

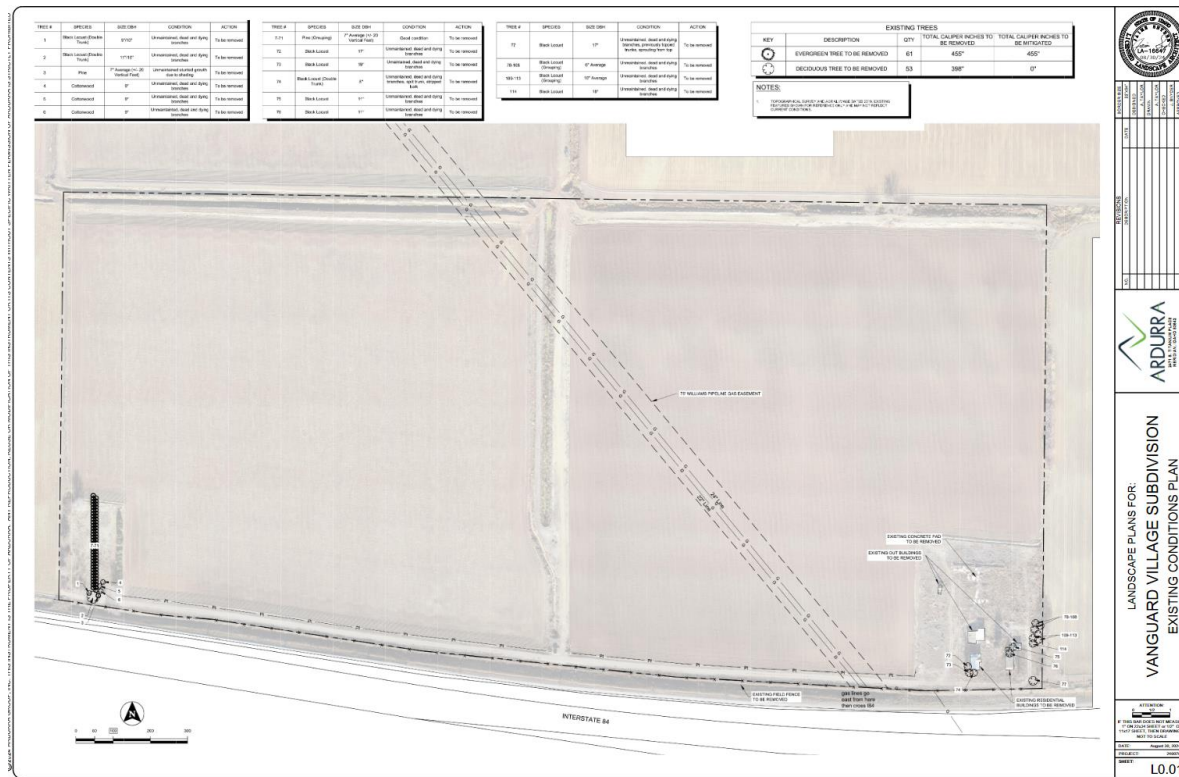
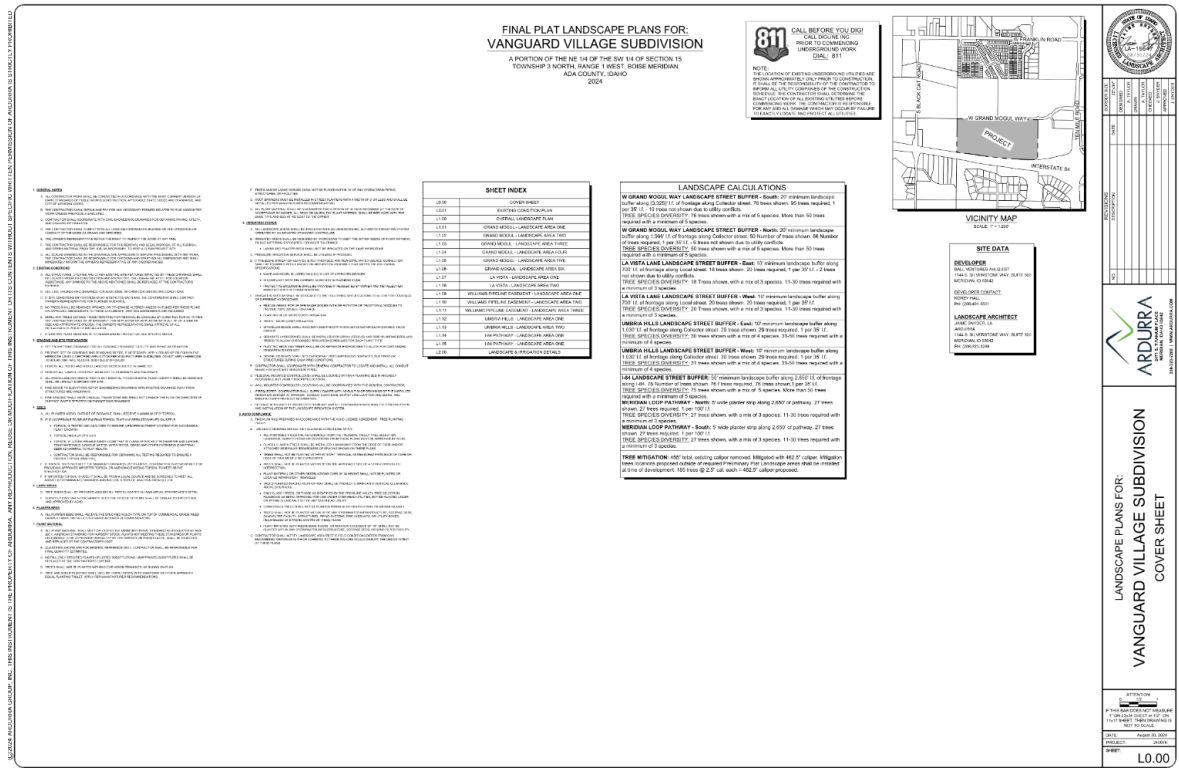


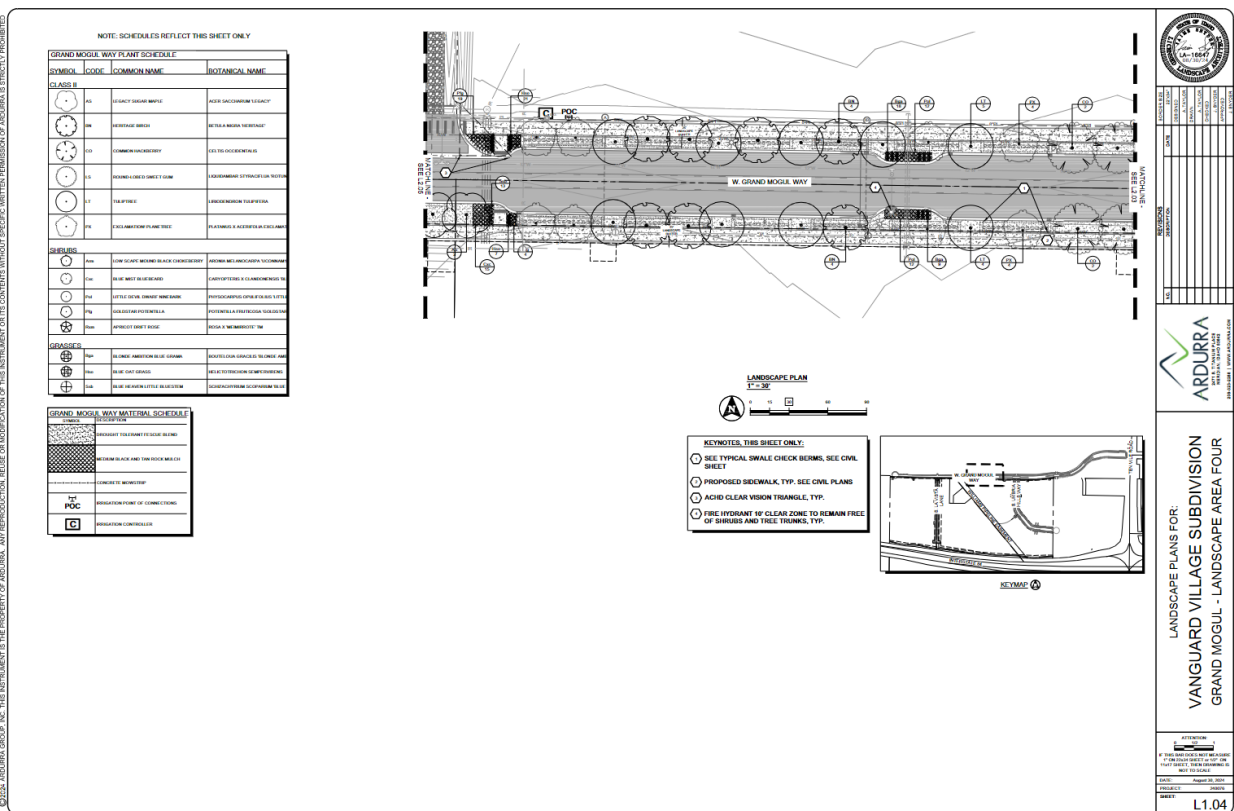
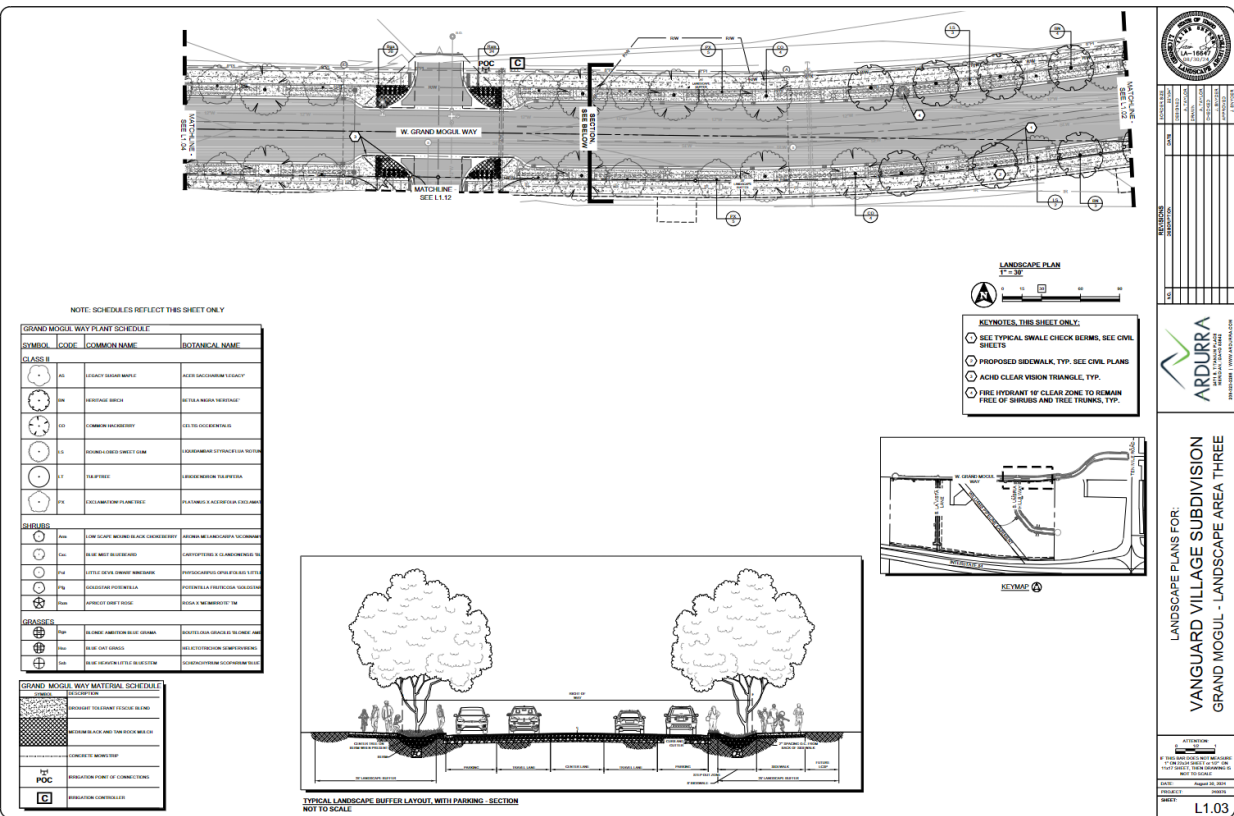


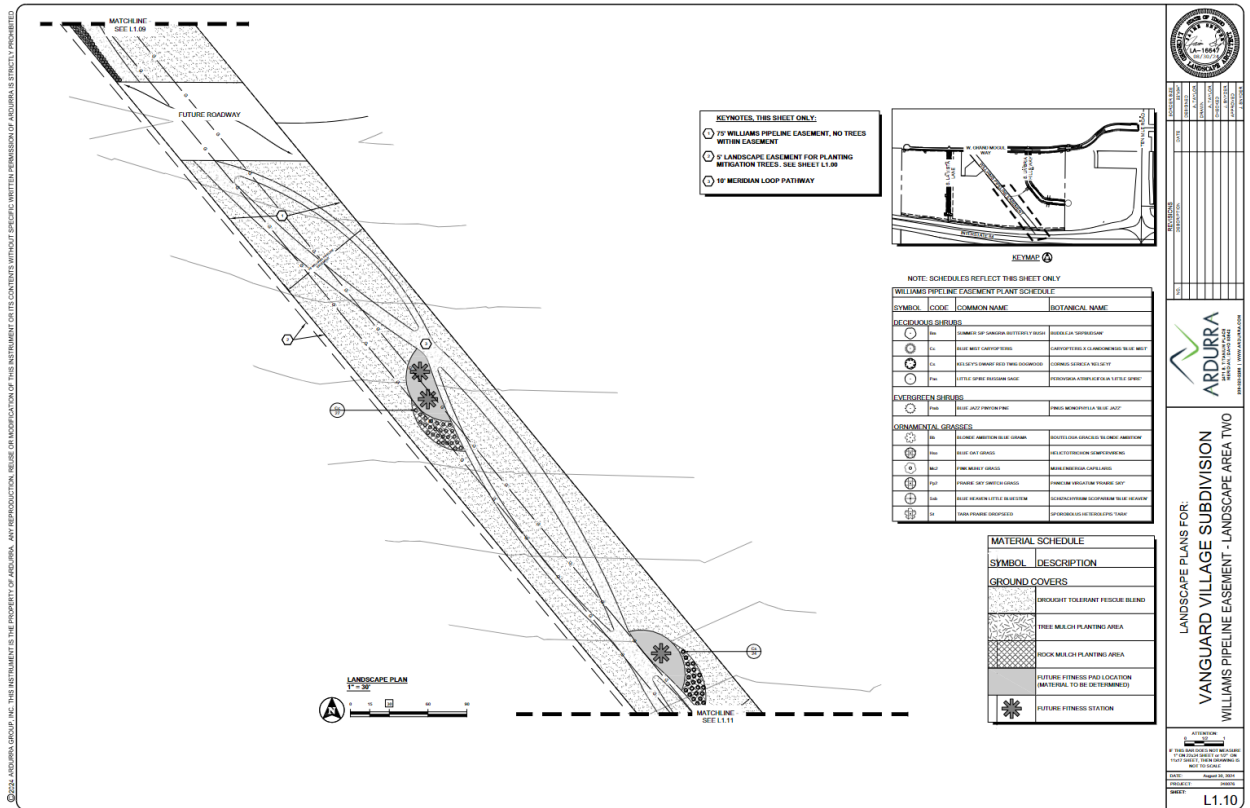
B. Final Plat (dated: 7/25/24)

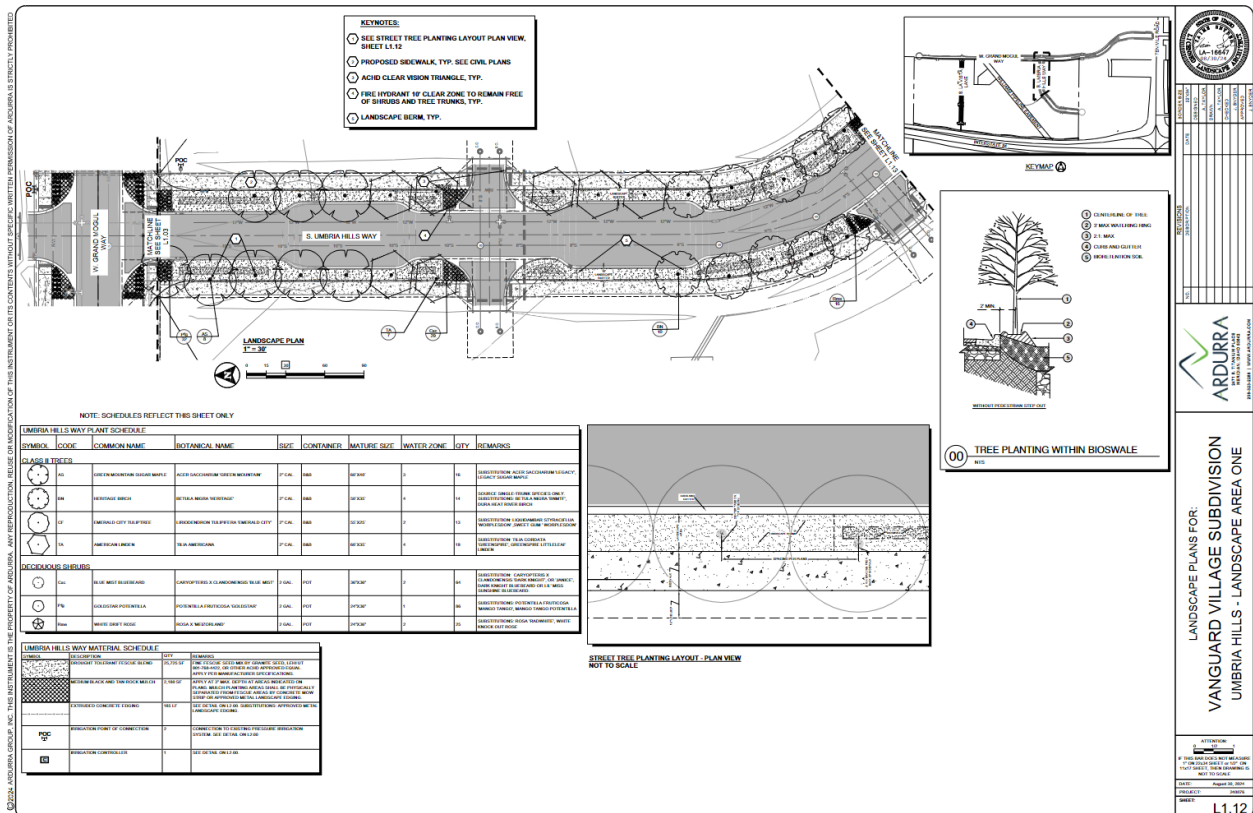


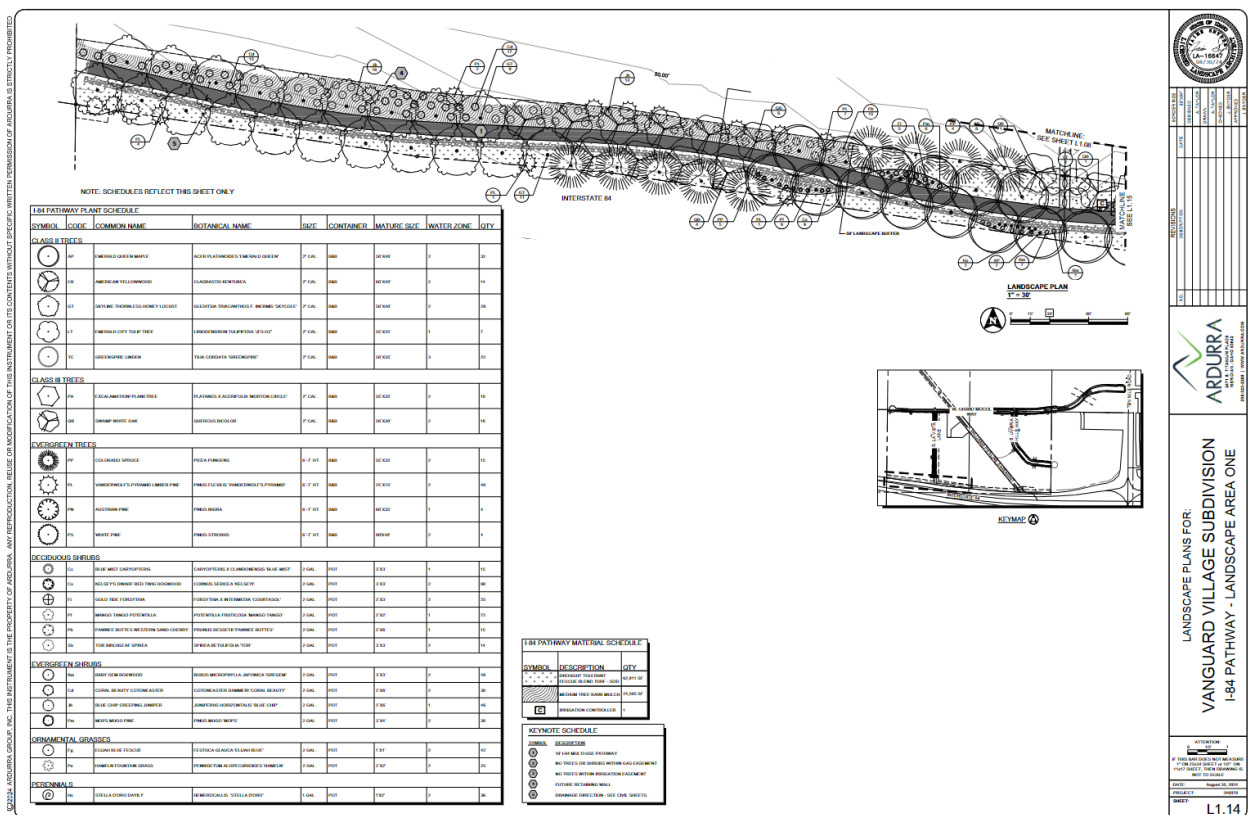
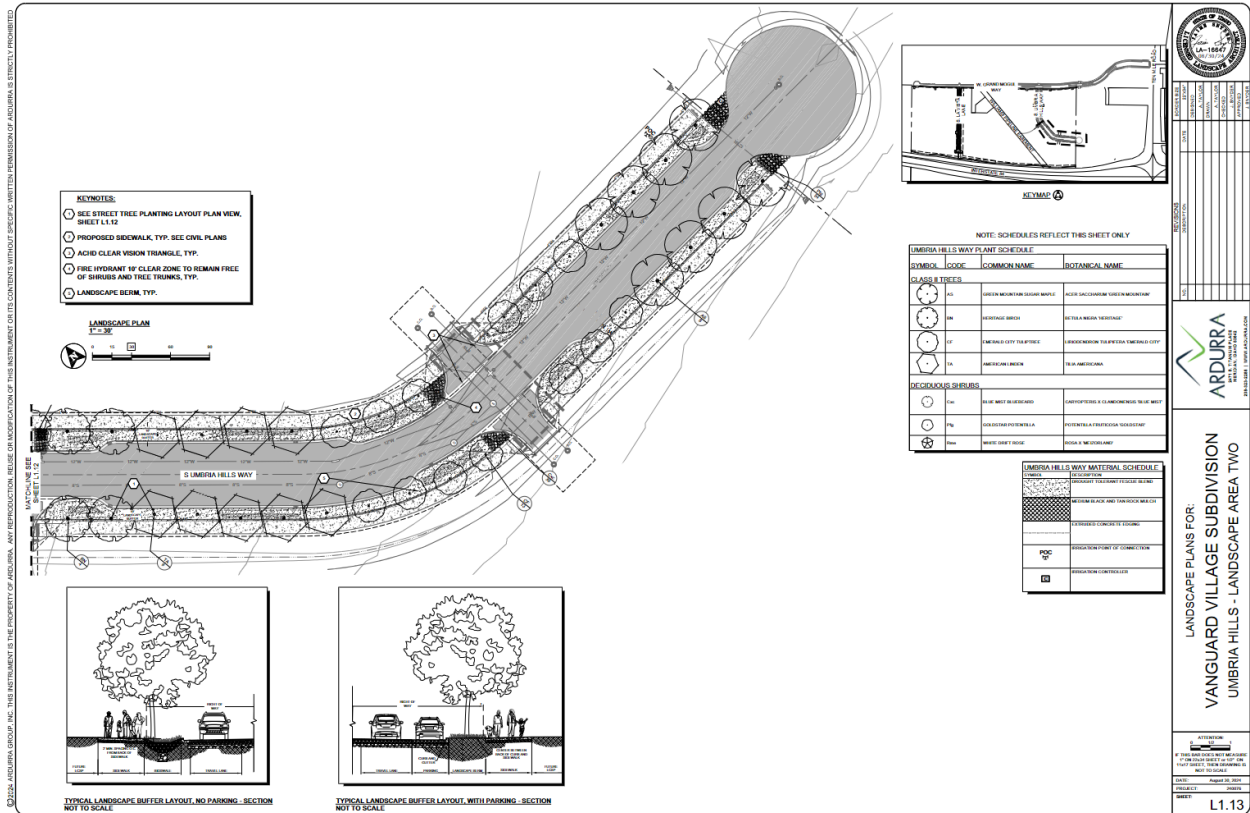
C. Landscape Plan (dated: 8/30/24)

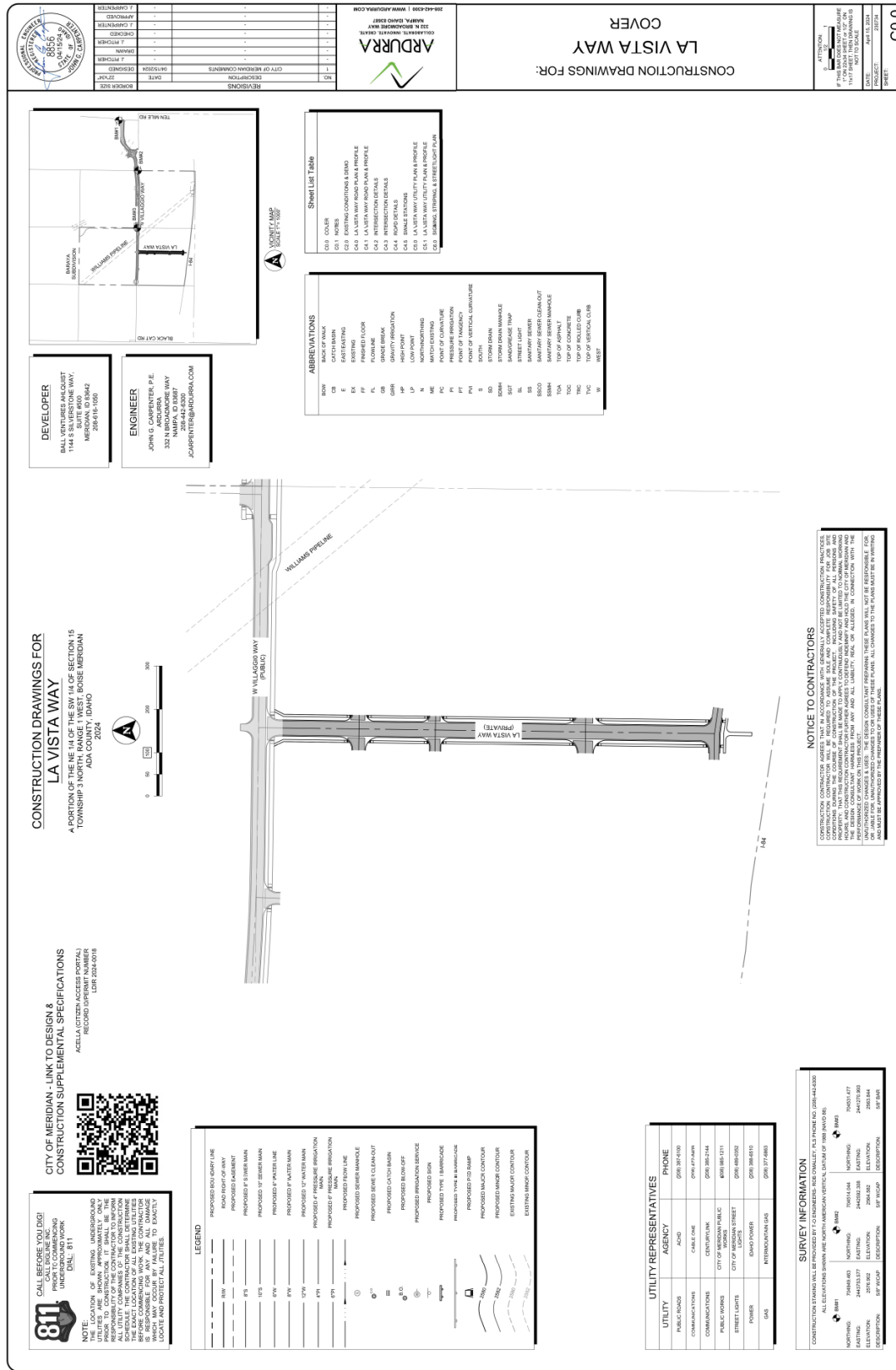




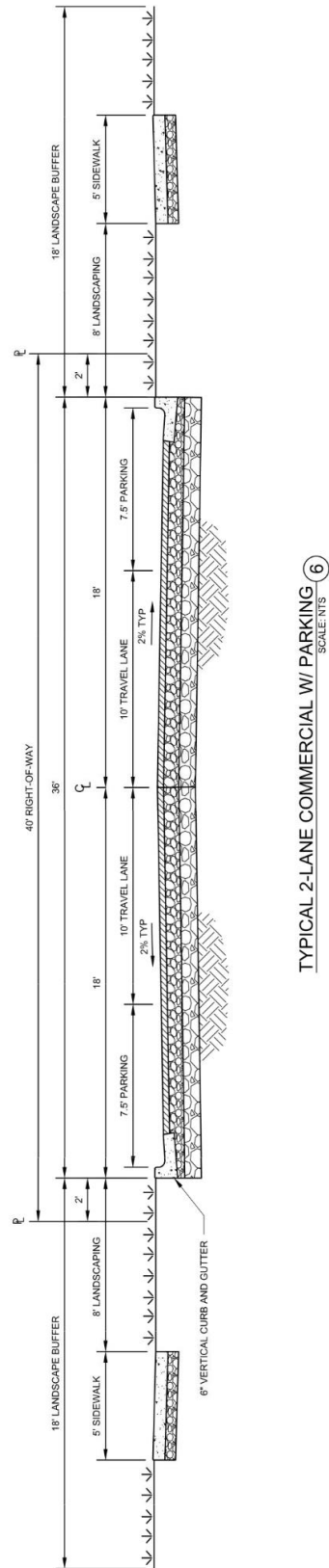








E. Street Section (2-Lane Commercial Street) – Not Approved



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 (Vanguard Village MDA, RZ, PP, CUP [H-2021-0081](#), DA Inst. #[2022-049799](#); H-2023-0072 (amended DA Inst. #[2024-050341](#)); TED-2024-0001).
2. The applicant shall obtain the City Engineer's signature on the subject final plat on or before May 3, 2026, or apply for a Council level 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 Ardurra, stamped on 7/25/24 by Rob O'Malley, included in Exhibit B shall be revised as follows:
 - a. Revise the boundary of the La Vista Way Sewer and Water Easement on Lots 1 and 4, Block 1 per [ESMT-2024-0080](#); include the recorded instrument number (i.e. #2024-046602) of the easement in Note #9.
 - b. Note #7: Change "Meridian 118" to "Vanguard Village"; delete the extra #7; include a statement that an encroachment permit shall be required for any improvements proposed within the Williams pipeline easement.
 - c. Note #10: Include the recorded instrument number of the NMID easement.
 - d. Note #12: Revise to include Lot 4 as being subject to the easements noted.
 - e. Include the CP&F recorded instrument numbers graphically depicted on Sheet 1 of the plat.
 - f. Revise notes #8, 11 and 12 to state landscaping within street buffers shall be maintained by the property owner or business owner's association, as applicable.
 - g. Depict the east/west private street required between S. La Vista Ln. and S. Umbria Hills Way/W. Navigator Dr. in a perpetual ingress/egress easement. *The easement width shall be wide enough to accommodate a travel lane width of 26-feet in accord with UDC 11-3F-4B.2b and 9-foot wide parallel parking on both sides of the street.*
 - h. Widen the north/south perpetual ingress/egress easement for S. La Vista Ln, a private street, to accommodate a travel lane width of 26-feet in accord with UDC 11-3F-4B.2b and 9-foot wide parallel parking on both sides of the street.
 - i. Include a new note (or modify existing note #9) stating that all ingress/egress easements for private streets provide access to all properties served by such private streets.
 - j. Depict the location of the Watkins Lateral easement *if* it lies on this site.
5. The landscape plan prepared by Ardurra, dated 8/30/24 included in Exhibit C, shall be revised as follows:
 - a. Depict the east/west private street with a minimum 10-foot wide street buffer along both sides between S. La Vista Ln. and S. Umbria Hills Way/W. Navigator Dr., landscaped in accord with the standards listed in UDC 11-3B-7C; include

calculations in the Landscape Calculations table demonstrating compliance with the standards listed in UDC 11-3B-7C.

- b. Depict an additional minimum 5-foot wide area outside of the easement along W. Grand Mogul Way to accommodate the required street buffer landscaping as set forth in UDC 11-3B-7C.1b *if* the buffer is encompassed by an easement that prohibits trees; 19 additional trees shall be depicted in this area.
 - c. Depict an additional minimum 5-foot wide area outside of the easement along the east side of S. La Vista Ln. to accommodate the required street buffer landscaping as set forth in UDC 11-3B-7C.1b.2 *if* the buffer is encompassed by an easement that prohibits trees; two (2) additional trees shall be depicted in this area.
 - d. Correct the width of the street buffer for S. Umbria Hills Way/W. Navigator Dr. in the Landscape Calculations table; the width should be 20-feet on the east and west sides as it's a collector street.
 - e. Depict a variety of trees, shrubs, lawn or other vegetative ground cover in all street buffers as set forth in UDC 11-3B-7C.3a. Lawn and other grasses requiring regular mowing shall comprise no more than sixty-five (65) percent of the vegetated coverage of a landscape buffer as set forth in UDC 11-3B-7C.3e. This maximum area excludes landscaped parkway with trees. All other vegetated coverage shall be mulched and treated as planting area for shrubs or other vegetative cover.
 - f. Correct the tree mitigation note on Sheet L0.00 to read that the proposed mitigation trees totaling 462.5 caliper inches will all be provided *within* the boundary of the plat. **Landscape plans submitted with Certificate of Zoning Compliance applications for development within this site shall depict these mitigation trees in addition to required trees.** *The majority of these trees will need to be installed within developed parcels at the time of construction because they won't all fit within the common lots or street buffers. Proposed locations are depicted on the plan; final location may need to be adjusted slighting during construction documents based on the future development plan for each lot.*
 - g. Depict dedicated crosswalks at the intersection with all streets with changes in color, markings, materials, texture and/or surface to distinguish them from the surrounding pavement as set forth in the TMISAP as allowed by ACHD (see pg. 3-28, Crosswalks).
 - h. Depict minimum 6-foot wide detached sidewalks along all streets in accord with the street sections (i.e. C and D) in the TMISAP, except for where multi-use pathways are required (i.e. along Grand Mogul and I-84).
 - i. Depict a berm in the street buffer along I-84 in accord with the TMISAP for street buffers along transportation corridors (3.07.01C); depict contours and/or include a note with the slope ratio of the berm.
6. Streetlights shall be required along S. Umbria Hills Way/W. Navigator Dr. and W. Grand Mogul Dr. in the tree lawn area at a pedestrian scale (see pg. 3-20, 3-22, 3-23) per preliminary plat condition #2.2d.
7. All streets shall be constructed as complete streets as defined in the TMISAP (see pg. 3-19 & 3-20). *The following lists features that should be considered as a starting pint for each street: sidewalks, bike lanes, wide shoulders, crosswalks, refuge medians, bus pullouts, special bus lanes, raised crosswalks, audible pedestrian signals, sidewalk bulb-outs, street*

furnishings, on-street parking. Features demonstrating compliance with this requirement shall be depicted on the plans.

8. Future development of the proposed lots is required to comply with the dimensional standards of the applicable zoning district in UDC Table 11-2B-3.
9. A 14-foot wide public use easement for the multi-use pathways within this site (i.e. along Vanguard, I-84 and the Williams Pipeline) shall be submitted to the Planning Division prior to submittal for City Engineer signature on the final plat(s).
10. The private streets constructed within this subdivision shall comply with the standards listed in UDC 11-3F-4. *Note: On-street parallel parking is allowed without approval of alternative compliance.*
11. The private streets within this development shall be constructed within an easement wide enough to accommodate a travel lane width of 26-feet in accord with UDC 11-3F-4B.2b, 9-foot wide parallel parking on both sides of the street and bulb-outs. A revised street section shall be submitted for S. La Vista Ln. and for the east/west private street required between La Vista and S. Umbria Hills Way/W. Navigator Dr. that demonstrates compliance with this requirement.
12. The private streets shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the City of Meridian based on plans submitted by a certified engineer as set forth in UDC 11-3F-4B.2a
13. A final street name approval letter shall be submitted for the east/west 2-lane commercial private street between S. La Vista Ln. and S. Umbria Hills Way/W. Navigator Dr.
14. A revised maintenance agreement shall be submitted that includes the east/west private street required between S. La Vista Ln. and S. Umbrian Hills Way/W. Navigator Dr.
15. All waterways on this site shall be piped as set forth in UDC 11-3A-6B unless otherwise waived by City Council.
16. Public art in a high quality of design shall be provided in shared spaces and incorporated into the design of streetscapes as set forth in the TMISAP (see pg. 3-47), as required by the development agreement. The Applicant shall submit a plan that depicts general locations of public art along with examples of the art proposed. *Note: If a portion of the subject property is included in a subsequent plat, the public art planned in that portion may be provided with that plat.*
17. Per requirement of the development agreement, an encroachment permit shall be required for any improvements proposed within the Williams pipeline easement. A copy of the executed encroachment agreement shall be submitted to the City prior to issuance of any Certificate of Zoning Compliance for this site.
18. All existing structures on the site shall be removed prior to City Engineer signature on the final plat.
19. The Applicant may submit a Design Review, Certificate of Zoning Compliance, and building permit application(s) prior to recordation of the final plat(s) for the lot on which a building is located; however, the Applicant will not receive the Certificate of Occupancy for any buildings prior to the recordation of the final plat for the lot on which the building is located per the amended Development Agreement.

20. 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.

See the [Agency Comments](#) folder in the public record for additional comments applicable to this development.

VII. FINDINGS

In order to approve the application, the Director shall find the following:

- A. The design of the private street meets the requirements of this Article;

The Director finds if the Applicant complies with the conditions of approval contained herein, the design of the private streets will meet the requirements of this Article.

- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and

The Director finds granting approval of the private streets should not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity.

- C. The use and location of the private street shall not conflict with the Comprehensive Plan and/or the Regional Transportation Plan.

The Director finds the use and location of the private streets shall not conflict with the Comprehensive Plan and/or the Regional Transportation Plan.

- D. The proposed residential development (if applicable) is a new or gated development.

This finding is not applicable.