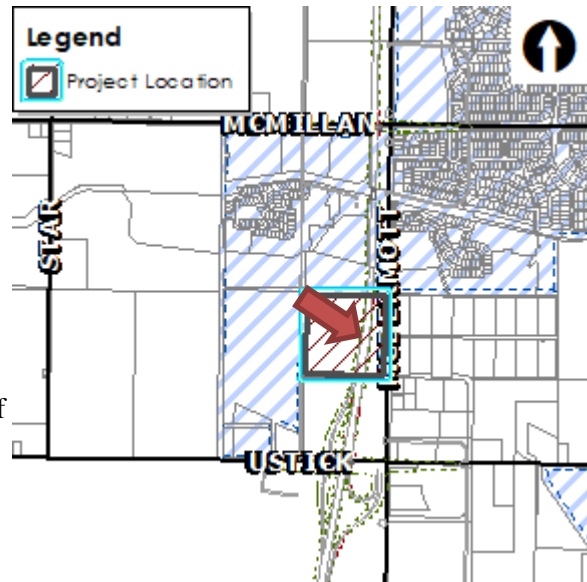


**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 9/6/2022  
TO: Mayor & City Council  
FROM: Sonya Allen, Associate Planner  
208-884-5533  
SUBJECT: FP-2022-0020; A-2022-0150  
Acclima Subdivision (aka Aviator Springs)  
LOCATION: 3235 N. McDermott Rd., in the SE 1/4 of Section 32, T.4N., R.1W.



**I. PROJECT DESCRIPTION**

Final plat consisting of one (1) buildable lot on 6.70 acres of land in the M-E zoning district for Acclima Subdivision. *Note: This is the second phase of the Aviator Springs preliminary plat (H-2021-0065).*

Alternative Compliance is also requested to UDC [11-3B-7C.3](#), which requires street buffers to be planted with a variety of trees, shrubs, lawn or other vegetative groundcover. The Applicant proposes to plant an orchard on the northern 1/3 of the parcel in lieu of providing trees within the street buffers along future SH-16 and N. McDermott Rd. The reasons for the request are contained in the Applicant's [narrative](#). The Director supports the Applicant's request with conditions requiring shrubs and vegetative groundcover to be provided within the 35-foot wide street buffers along N. McDermott Rd. & future SH-16 per the standards listed in UDC [11-3B-7C.3](#); and for the orchard trees to be dispersed evenly over the entire northern portion of the site.

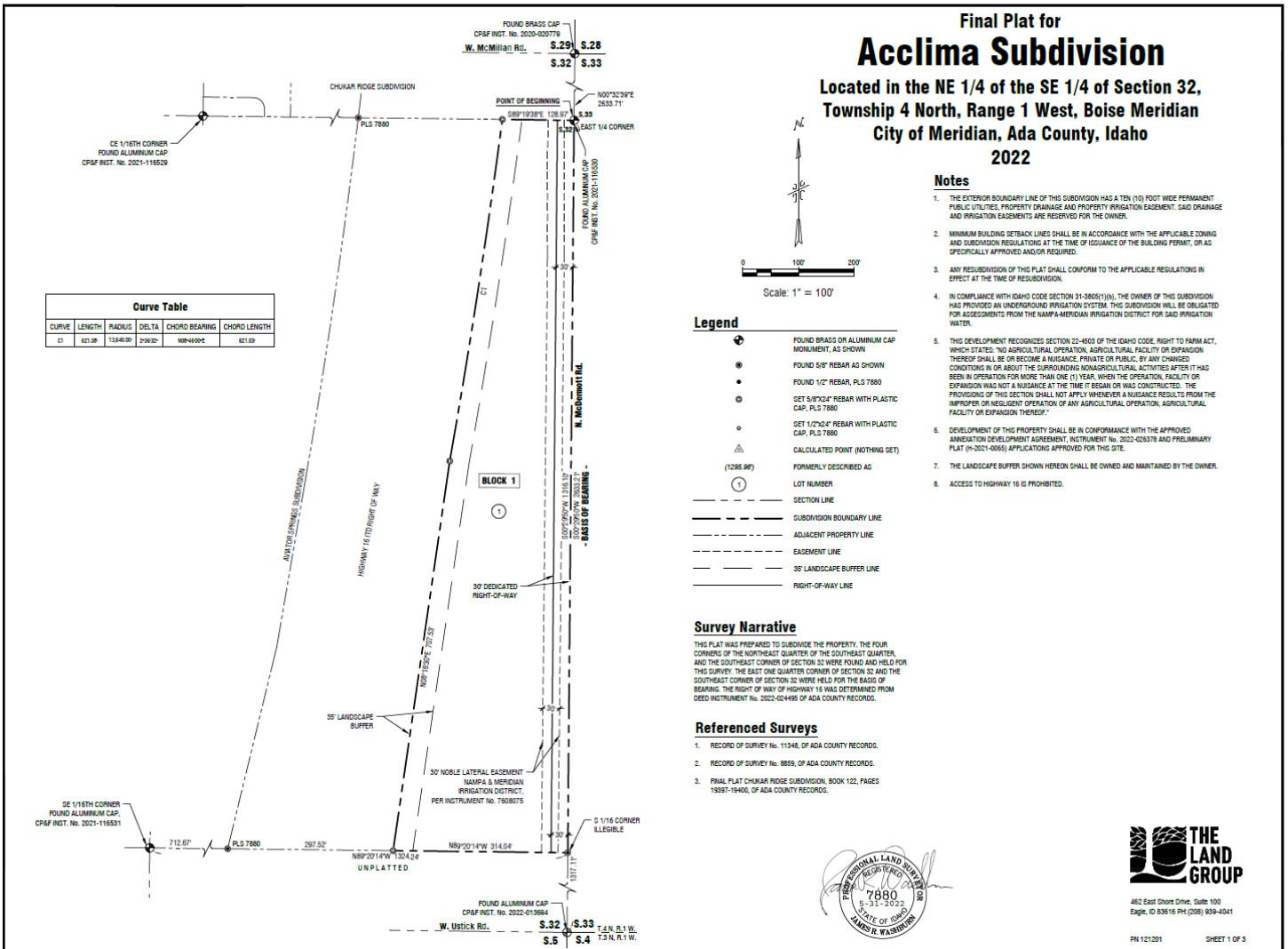
**II. APPLICANT INFORMATION**

- A. Applicant:  
Macy Lui, The Land Group, Inc. – 462 E. Short Drive, Ste. 100, Eagle, ID 83616
- B. Owner:  
Scott Anderson – 500 Riverheights Dr., Meridian, ID 83642
- C. Representative:  
Same as Applicant

**III. STAFF ANALYSIS**



B. Final Plat (dated: 5/31/22)

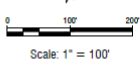


Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	621.09	13446.00	2.9932°	N89°49'00"	621.09

Final Plat for  
**Acclima Subdivision**  
 Located in the NE 1/4 of the SE 1/4 of Section 32,  
 Township 4 North, Range 1 West, Boise Meridian  
 City of Meridian, Ada County, Idaho  
 2022

**Notes**

1. THE EXTERIOR BOUNDARY LINE OF THIS SUBDIVISION HAS A TEN (10) FOOT WIDE PERMANENT PUBLIC UTILITY, PROPERTY DRAINAGE AND PROPERTY IRRIGATION EASEMENT. SAID DRAINAGE AND IRRIGATION EASEMENTS ARE RESERVED FOR THE OWNER.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
3. ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
4. IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(A), THE OWNER OF THIS SUBDIVISION HAS PROVIDED AN UNDERGROUND IRRIGATION SYSTEM. THIS SUBDIVISION WILL BE OBLIGATED FOR ASSESSMENTS FROM THE NAMPA-MERIDIAN IRRIGATION DISTRICT FOR SAID IRRIGATION WATER.
5. THIS DEVELOPMENT RECOGNIZES SECTION 22-4603 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 WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
6. DEVELOPMENT OF THIS PROPERTY SHALL BE IN CONFORMANCE WITH THE APPROVED AMENDMENT DEVELOPMENT AGREEMENT, INSTRUMENT No. 2022-025378 AND PRELIMINARY PLAT (P-2021-0055) APPLICATIONS APPROVED FOR THIS SITE.
7. THE LANDSCAPE BUFFER SHOWN HEREON SHALL BE OWNED AND MAINTAINED BY THE OWNER.
8. ACCESS TO HIGHWAY 16 IS PROHIBITED.



**Legend**

- FOUND BRASS OR ALUMINUM CAP MONUMENT, AS SHOWN
- FOUND 5/8" REBAR AS SHOWN
- FOUND 1/2" REBAR, PLS 7880
- SET 5/8"x24" REBAR WITH PLASTIC CAP, PLS 7880
- SET 1/2"x24" REBAR WITH PLASTIC CAP, PLS 7880
- △ CALCULATED POINT (NOTHING SET)
- (2026 REF)
- ① FORMERLY DESCRIBED AS LOT NUMBER
- SECTION LINE
- SUBDIVISION BOUNDARY LINE
- ADJACENT PROPERTY LINE
- EASEMENT LINE
- 30' LANDSCAPE BUFFER LINE
- RIGHT-OF-WAY LINE

**Survey Narrative**

THIS PLAT WAS PREPARED TO SUBDIVIDE THE PROPERTY. THE FOUR CORNERS OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST CORNER OF SECTION 32 WERE FOUND AND HELD FOR THIS SURVEY. THE EAST ONE QUARTER CORNER OF SECTION 32 AND THE SOUTHEAST CORNER OF SECTION 32 WERE HELD FOR THE BASIS OF BEARING. THE RIGHT OF WAY OF HIGHWAY 16 WAS DETERMINED FROM DEED INSTRUMENT No. 2022-024495 OF ADA COUNTY RECORDS.

**Referenced Surveys**

1. RECORD OF SURVEY No. 11348, OF ADA COUNTY RECORDS.
2. RECORD OF SURVEY No. 8659, OF ADA COUNTY RECORDS.
3. FINAL PLAT CHUKAR RIDGE SUBDIVISION, BOOK 122, PAGES 19397-19400, OF ADA COUNTY RECORDS.



462 East Shore Drive, Suite 100  
 Eagle, ID 83616 PH: (208) 809-4041





**Keynotes:**

- 1. PLANT MATERIALS LOCATED TO
- 2. PLANT MATERIALS TO BE PLANTED
- 3. PLANT MATERIALS TO BE MAINTAINED
- 4. PLANT MATERIALS TO BE REMOVED

**Material Legend:**

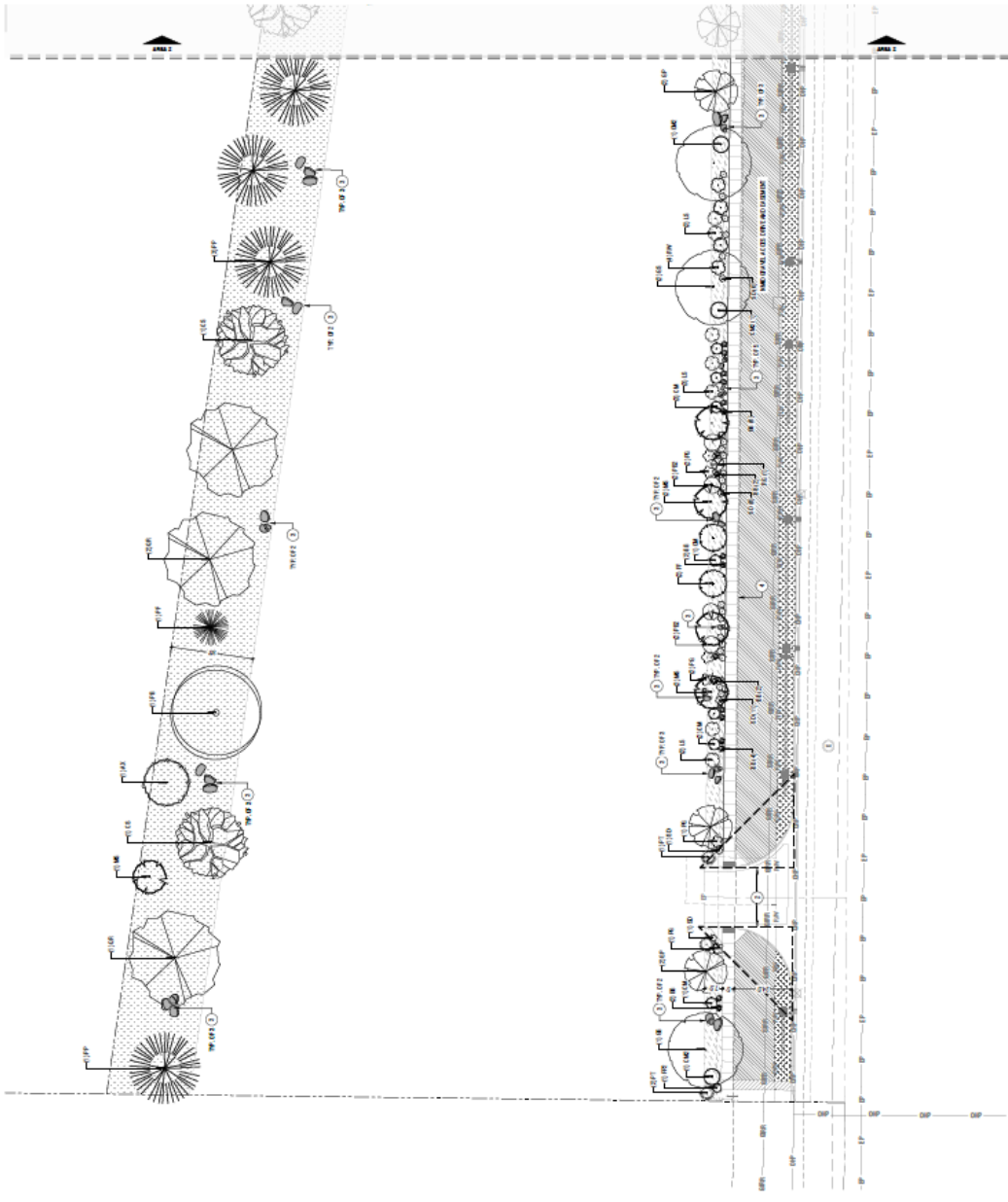
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[Symbol]	4" SAND	[Symbol]	6" SAND
[Symbol]	12" SAND	[Symbol]	18" SAND
[Symbol]	24" SAND	[Symbol]	36" SAND
[Symbol]	48" SAND	[Symbol]	72" SAND
[Symbol]	144" SAND	[Symbol]	288" SAND
[Symbol]	576" SAND	[Symbol]	2304" SAND

**ACCLIMA RESEARCH AND DEVELOPMENT FACILITY**  
**Acclima LLC**  
 10000 Macomber Rd  
 Macomber, Ohio



David J. ...  
 License No. ...  
 State of Ohio

**L1.01**  
 Landscape Plan Area 1



**PLANT SCHEDULE**

PLANT	COMMON NAME	SIZE	QUANTITY	NOTES
1	... ..	...	...	...
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3	...	...	...	...
4	...	...	...	...
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**Landscape Plan Area 1**  
 10/20/2020



**Notes:**

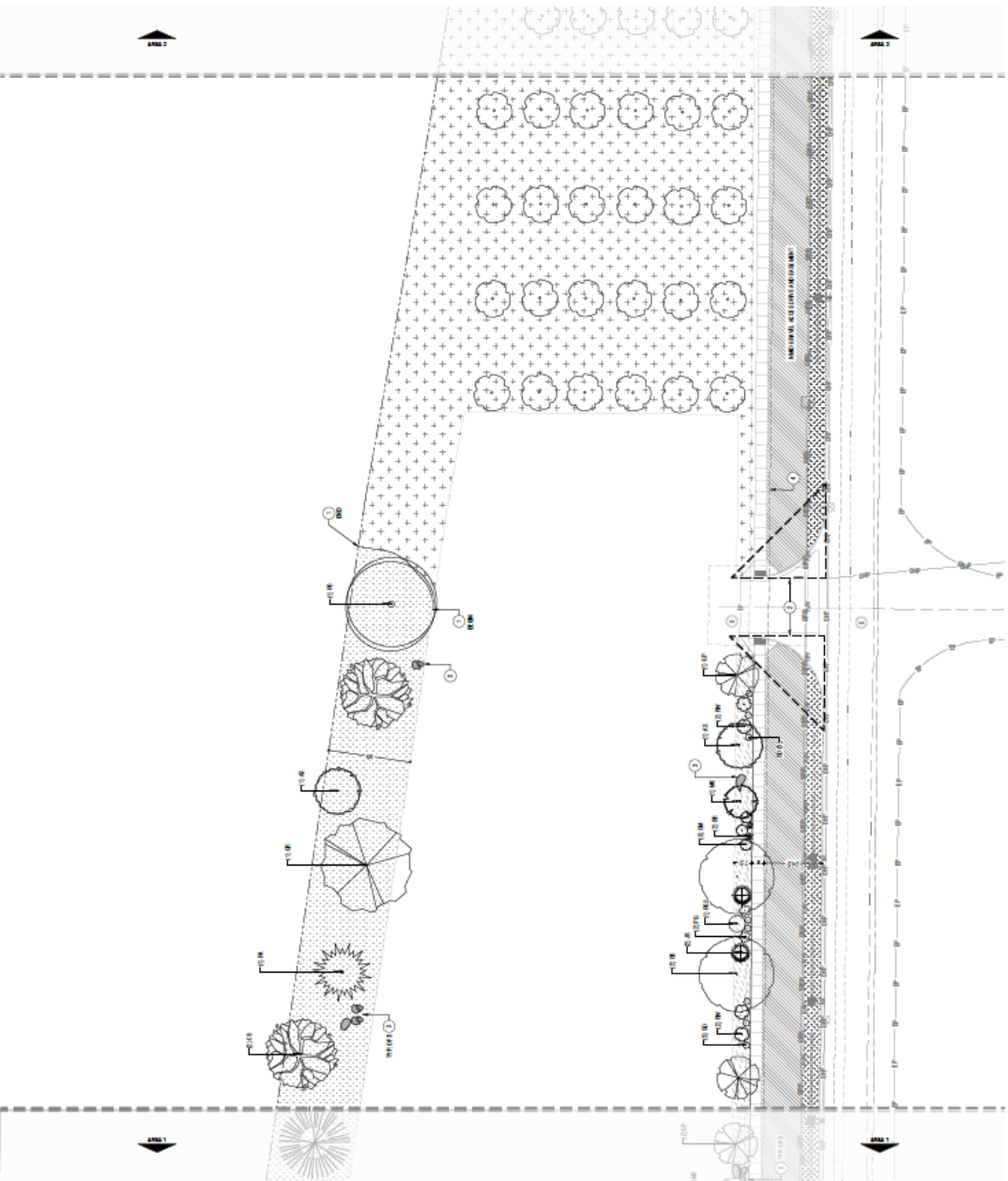
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED
2. ALL DIMENSIONS UNLESS OTHERWISE NOTED
3. ALL DIMENSIONS UNLESS OTHERWISE NOTED
4. ALL DIMENSIONS UNLESS OTHERWISE NOTED

**Material Legend:**

[Symbol]	ASPHALT	[Symbol]	GRAVEL
[Symbol]	CONCRETE	[Symbol]	PAVED DRIVEWAY
[Symbol]	PAVED DRIVEWAY	[Symbol]	PAVED DRIVEWAY
[Symbol]	PAVED DRIVEWAY	[Symbol]	PAVED DRIVEWAY
[Symbol]	PAVED DRIVEWAY	[Symbol]	PAVED DRIVEWAY
[Symbol]	PAVED DRIVEWAY	[Symbol]	PAVED DRIVEWAY

**PLANT SCHEDULE**

PLANT	COMMON NAME	SEX	HEIGHT	SPACING
1	PLANT 1	M	10 FT	10 FT
2	PLANT 2	F	8 FT	8 FT
3	PLANT 3	M	12 FT	12 FT
4	PLANT 4	F	6 FT	6 FT
5	PLANT 5	M	15 FT	15 FT
6	PLANT 6	F	9 FT	9 FT
7	PLANT 7	M	11 FT	11 FT
8	PLANT 8	F	7 FT	7 FT
9	PLANT 9	M	13 FT	13 FT
10	PLANT 10	F	5 FT	5 FT
11	PLANT 11	M	14 FT	14 FT
12	PLANT 12	F	4 FT	4 FT
13	PLANT 13	M	16 FT	16 FT
14	PLANT 14	F	3 FT	3 FT
15	PLANT 15	M	17 FT	17 FT
16	PLANT 16	F	2 FT	2 FT
17	PLANT 17	M	18 FT	18 FT
18	PLANT 18	F	1 FT	1 FT
19	PLANT 19	M	19 FT	19 FT
20	PLANT 20	F	0 FT	0 FT



**Landscape Plan Area 2**

SCALE: 1" = 10'

**ACCLIMA RESEARCH AND DEVELOPMENT FACILITY**

Acclima LLC



Michael J. Kelly  
Professional Engineer  
State of Florida  
License No. 12512

Landscape Plan Area 2

**L1.02**



**Keynotes:**

1. CALCULATED CORRECTED TO 5-DIGIT ROUNDING ERROR
2. 100% FINISHED SURFACE
3. 100% FINISHED SURFACE
4. 100% FINISHED SURFACE

**Material Legend:**

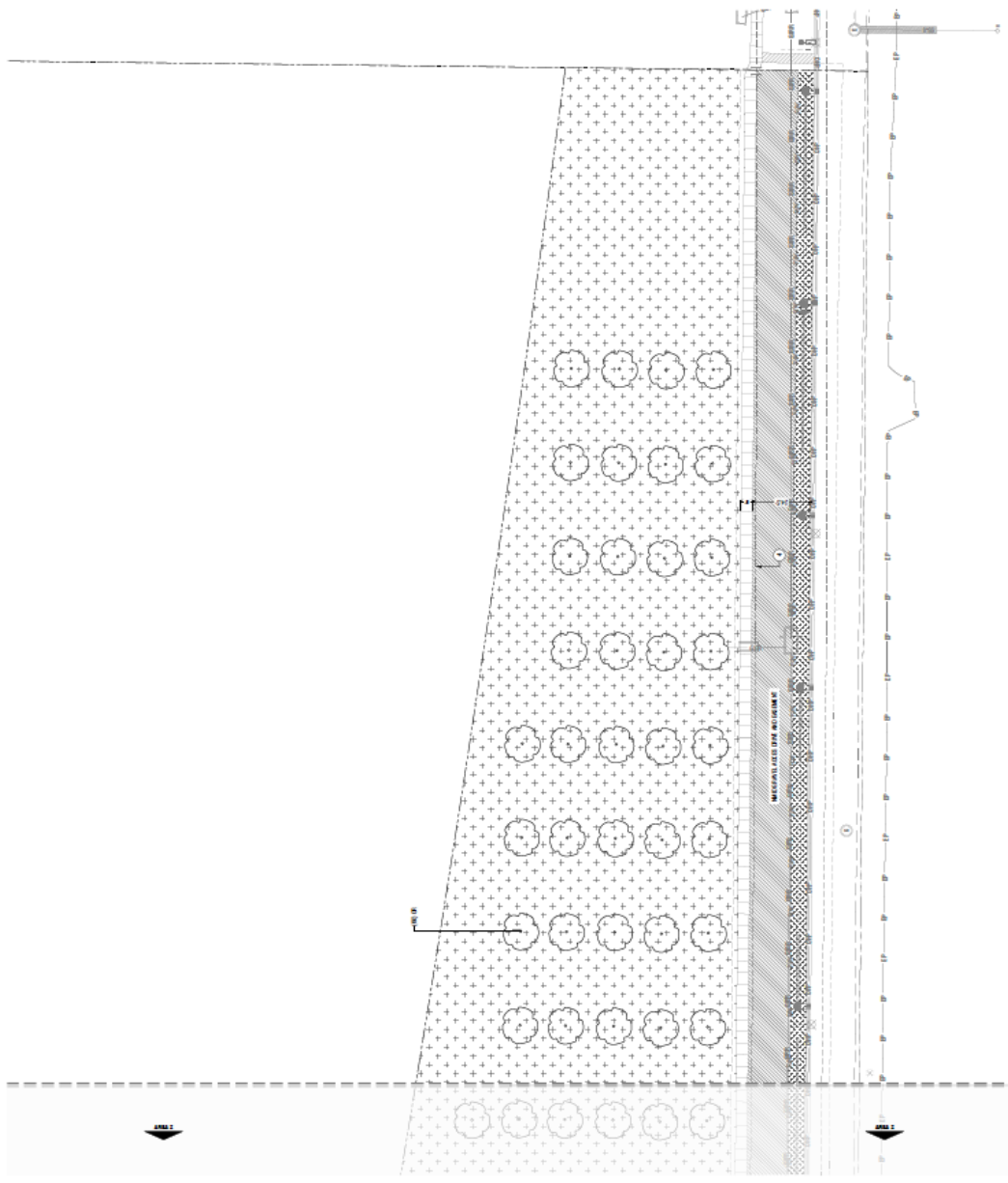
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	1/2\"/>		1/2\"/>
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**ACCLIMA RESEARCH AND DEVELOPMENT FACILITY**  
**Acclima LLC**  
 McCreary, Idaho



David L. ...  
 License No. ...  
 State of Idaho

**L1.03**  
 Landscape Plan Area 3



**Landscape Plan Area 3**  
 1/8" = 1'-0"

## VI. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning Division

#### Site Specific Conditions:

1. Applicant shall meet all terms of the approved annexation (Development Agreement - Inst. #[2022-026378](#)) and preliminary plat ([H-2021-0065](#)) applications approved for this site.
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 (Aviator Springs No. 1 FP-2022-0013); *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 The Land Group, stamped by James R. Washburn, dated: 5/31/2022, included in Section V.B shall be revised as follows:
  - a. Depict a minimum 35-foot wide street buffer along N. McDermott Rd., an entryway corridor, in a common lot or a permanent dedicated buffer in accord with UDC 11-3B-7C.2a.
  - b. Modify plat note #7 as follows: "The landscape buffers shown hereon shall be ~~owned and~~ maintained by the property owner."

*A copy of the revised plat shall be submitted with the final plat for City Engineer signature.*

5. The landscape plan prepared by The Land Group, Inc., dated 7/12/2022, included in Section V.C, shall be revised as follows:
  - a. Depict shrubs and vegetative groundcover within the 35-foot wide street buffers along N. McDermott Rd. and future SH-16 in accord with the standards listed in UDC [11-3B-7C.3a](#). *Alternative compliance was approved to the standards in UDC 11-3B-7C.3b, which require trees within the street buffer, to allow an orchard in lieu of street trees on the northern 1/3 of the property within the street buffers along future SH-16 and N. McDermott Rd.*
  - b. Evenly disperse the trees in the orchard over the entire northern portion of the property. *The orchard trees are not required to be installed until the time of lot development.*

*A copy of the revised landscape plan shall be submitted with the final plat for City Engineer signature.*

6. All stormwater swales incorporated into required landscape areas shall comply with the standards listed in UDC 11-3B-11C.
7. Future development shall be consistent with the minimum dimensional standards listed in UDC Table [11-2B-3](#) for the M-E zoning district.
8. All fencing shall comply with the standards of UDC 11-3A-7C.
9. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council.
10. A Certificate of Zoning Compliance and Design Review applications shall be submitted for the non-residential portions of the development and approved prior to submittal of applications for building permits. All non-residential structures shall comply with the design standards listed in the Architectural Standards Manual.
11. 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**

### **1. Site Specific Conditions:**

- 1.1 The applicant shall be required to pay the Oaks Lift Station and Pressure Sewer Reimbursement Fees in the amount of \$265.25 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid with the first final plat application.
- 1.2 The applicant shall be required to pay the Oaks Lift Station Pump Upgrades Reimbursement Fees in the amount of \$185.43 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid with the first final plat application.
- 1.3 Sewer/water easement widths varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Adjust easements accordingly.
- 1.4 Ensure no sewer services pass through infiltration trenches.
- 1.5 Water Main blow-off required on W. Becky Dr per City standard drawing W12.
- 1.6 Unless there are approved development plans for parcels R0486000210 and R0486000450 do not provide water service stubs. If these are not located correctly the developer of those lots just end up having to pay to abandon them.
- 1.7 Crosses and tees in arterial road (McDermott) are required to have valves in all direction. Add a valves where missing.

### **2. General Conditions:**

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. 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.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 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-foot wide for a single utility, or 30-foot 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 development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). 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 receiving development plan approval.

- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 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.
- 2.7 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.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 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.
- 2.12 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.
- 2.13 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.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.17 The design 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.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.20 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse 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 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.
- 2.22 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, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate 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.

## **VII. 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

*The Director finds strict adherence to the requirements in UDC 11-3B-7C are feasible.*

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

*The Director finds the Applicant's proposal to provide an orchard on the northern 1/3 of the site in lieu of street trees within the street buffers along future SH-16 and N. McDermott Rd. a superior means of meeting the intent of the standards in UDC 11-3B-7C.*

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

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