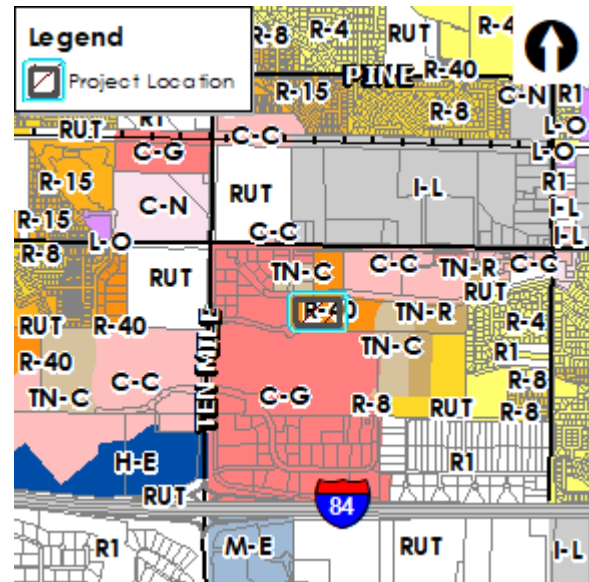


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 5/4/2021
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: FP-2021-0027
TM Creek No. 5
LOCATION: Northeast corner of S. Wayfinder Ave.
and W. Cobalt Dr., in the NW ¼ of
Section 14, T.3N., R.1W. (Parcel
#S1214212802)



I. PROJECT DESCRIPTION

Final plat consisting of one (1) buildable lots on 8.3-acres of land in the R-40 zoning district for the fifth phase of TM Creek Subdivision.

II. APPLICANT INFORMATION

A. Applicant/Representative:

Kody Daffer, Brighton Development – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

B. Owner:

SCS Brighton, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plats for TM Creek East and TM Center and associated conditions of approval as required by UDC 11-6B-3C.2. There are five (5) fewer buildable lots and the same amount of common open space as shown on the approved preliminary plats. Therefore, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plats as required.

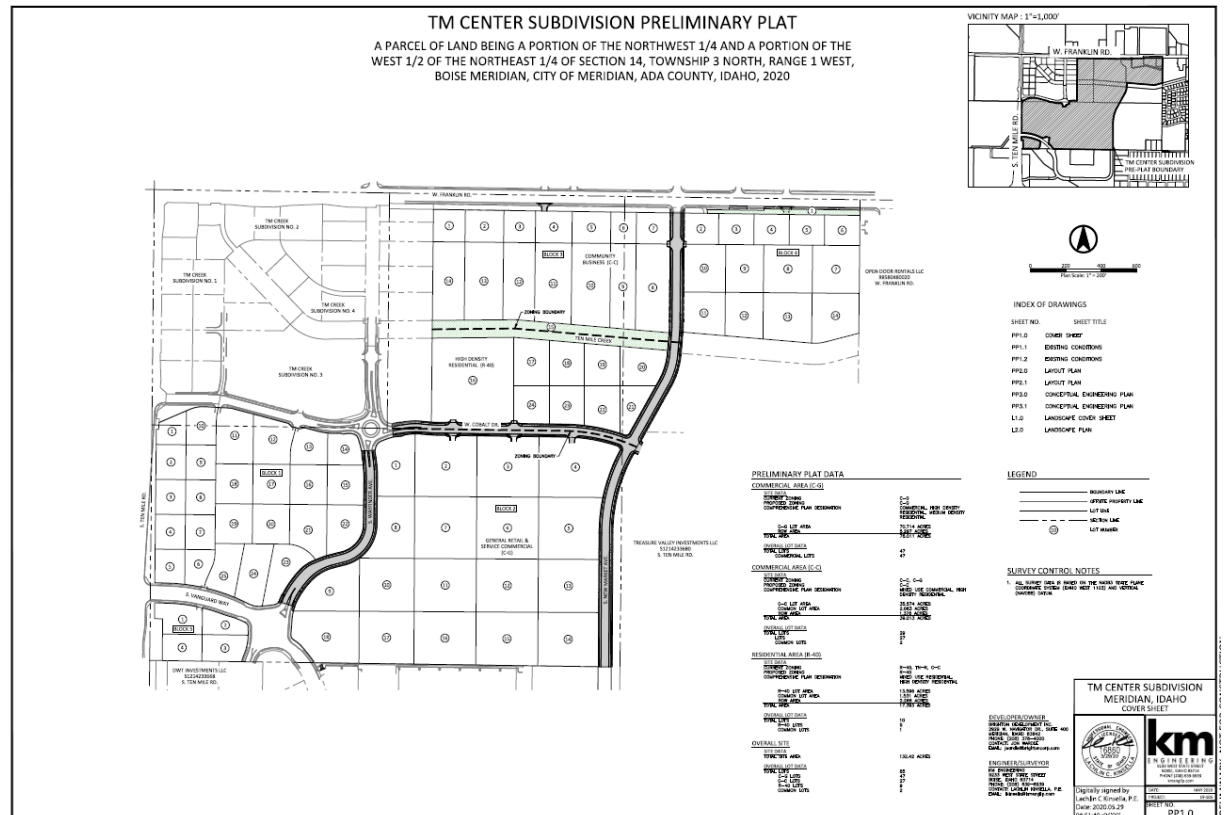
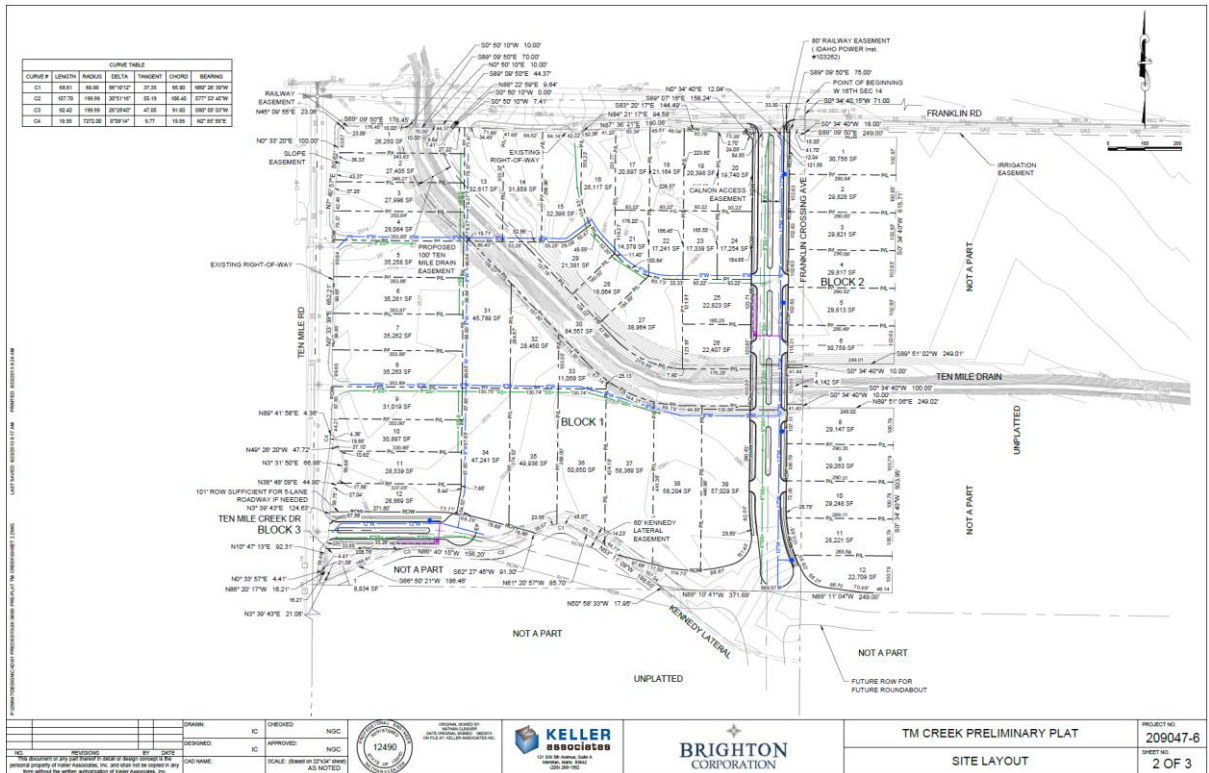
IV. DECISION

A. Staff:

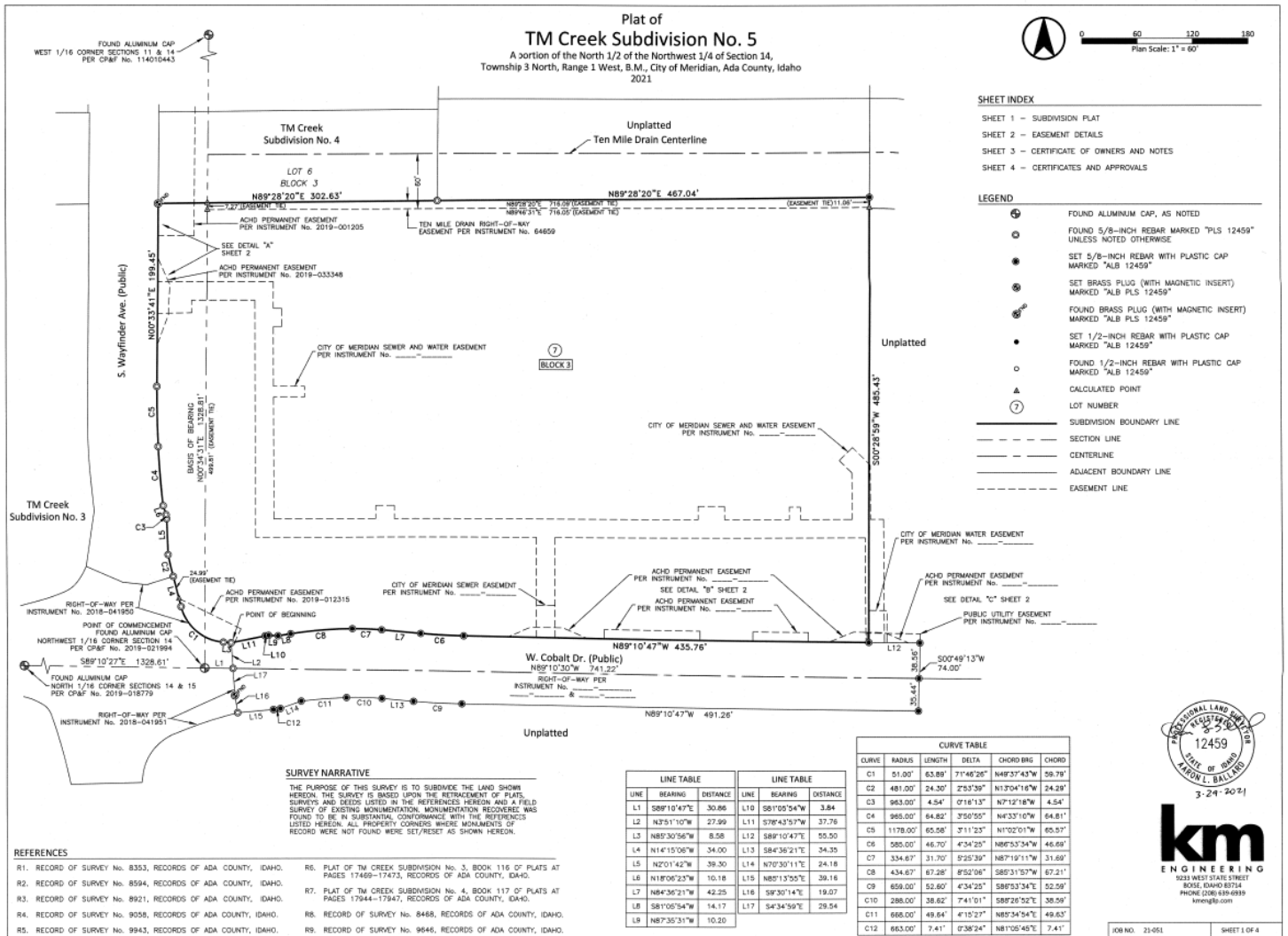
Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report.

V. EXHIBITS

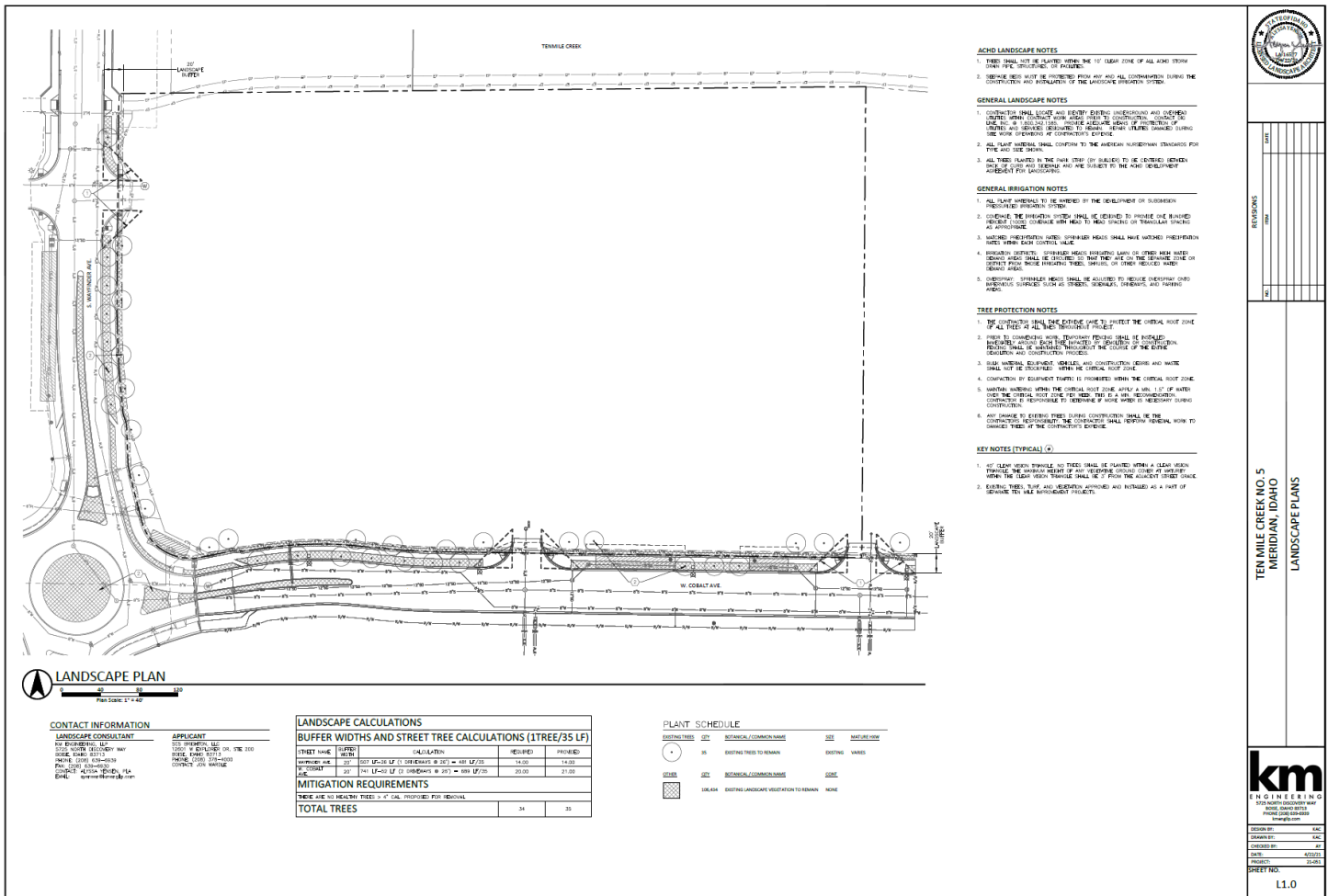
A. Preliminary Plats (TM Creek PP-13-030 & TM Center H-2020-0074)



B. Final Plat (date: 3/29/2021)



C. Landscape Plan (date: 4/22/2021)



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 [TM Creek: AZ-13-015 (DA Inst. #114045759; 1st Addendum Inst. 2016-073497; and 2nd Addendum Inst. #2017-113747 and preliminary plat (PP-13-030); Calnon (H-2015-0017, DA Inst. #2016-030845); Ten Mile Center (H-2020-0074), DA Inst. TBD].
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of City Council's approval (by January 9, 2022) of the previous phase final plat (i.e. TM Creek No. 4) in accord with UDC 11-6B-7 in order for the preliminary plat to remain valid; or, a time extension may be requested.
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 shown in Section V.B prepared by KM Engineering, stamped on 3/29/2021 by Aaron L. Ballard, shall be revised as follows:
 - a. Graphically depict the location of the ACHD storm water drainage system on Lot 7, Block 3 referenced in Note #9.
 - b. Minimum 20-foot wide street buffers are required along S. Wayfinder Ave. and W. Cobalt Dr., both collector streets, placed in common lots maintained by the homeowner's association as set forth in UDC 11-3B-7C.2a; revise note #13 accordingly. *Street buffers shall be measured from back of curb as set forth in UDC 11-3B-7C.1a(2).*
 - c. Include recorded instrument numbers for easements graphically depicts on Sheets 1 and 2.

An electronic copy of the revised plat shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.

5. The landscape plan shown in Section V.C, prepared by KM Engineering, dated 4/22/21, shall be revised as follows:
 - a. Depict street buffers in common lots along S. Wayfinder Ave. and W. Cobalt Ave. in accord with condition #4b above.
 - b. Add shrubs within the street buffers along S. Wayfinder Ave. and W. Cobalt Ave. along with the trees and vegetative groundcover as set forth in UDC [11-3B-7C.3a](#).

An electronic copy of the revised landscape plan shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.

6. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the multi-use pathway along the Ten Mile Creek prior to signature on the final plat by the City Engineer.
7. The property shall be subdivided prior to the issuance of any Certificates of Occupancy for the site in accordance with the Development Agreement.
8. 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.

9. All future development shall comply with the minimum dimensional standards listed in UDC Table 11-2A-8 for the R-40 zoning district and UDC 11-4-3-27B.1.
10. 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

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). 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 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.

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.