

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



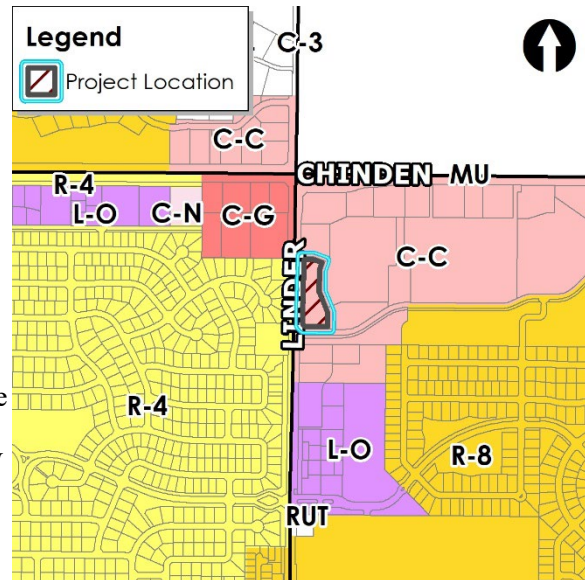
HEARING DATE: 10/4/2022

TO: Mayor & City Council

FROM: Joseph Dodson, Associate Planner
 208-884-5533

SUBJECT: SHP-2022-0011
 Linder Village West Short Plat

LOCATION: Located at 6192 N. Linder Road, near the southeast corner of Linder Rd. and W. Chinden Blvd., in the NW 1/4 of the NW 1/4 of Section 25, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Short Plat request to subdivide an existing commercial lot (Lot 1, Block 1) within the Linder Village Subdivision into two (2) commercial building lots on approximately 2.45 acres of land in the C-C zoning district for ownership purposes, by KM Engineering.

II. APPLICANT INFORMATION

A. Applicant:

Cameron Scott, KM Engineering, LLP – 5725 N Discovery Way, Boise, ID 83713

B. Owner:

High Desert Development, Linder Village LLC – 2537 W. State Street, Ste. 110, Boise, ID 83702

C. Representative:

Same as Applicant

III. NOTICING

	City Council Posting Date
Legal notice published in newspaper	9/18/2022
Radius notice mailed to property owners within 500 feet	9/15/2022

IV. STAFF ANALYSIS

The proposed short plat will split an existing commercial lot in the Linder Village (Orchard Park) Subdivision into two (2) commercial building lots for ownership purposes. The existing lot is along the western perimeter of the overall Linder Village Subdivision and therefore has public road frontage along Linder Road but also abuts the local street, W. Orchard Park Drive, that bisects the Linder Village project. The adjacent public roads (Linder & Orchard Park Drive) are constructed at their full anticipated widths. Access to the subject lots would be from an existing drive aisle on the east property line. The proposed north lot (Lot 1, Block 1) has received Certificate of Zoning Compliance (CZC) and Design Review (DES) approval to construct a commercial building along the north boundary and approximately half of the anticipated parking for the overall site (A-2021-0119). Any future commercial building located on the southern lot (Lot 2, Block 1) will also require CZC and DES approval prior to building permit submittal to establish a use and ensure compliance with development regulations (i.e. pedestrian connectivity, parking, parking lot landscaping, etc.). The Applicant has submitted a concept plan depicting the existing approvals for the north property and a conceptual site plan for the southern lot; Staff has included this in Exhibit VI.B below for informational purposes.

There is an existing cross-parking and cross-access agreement for the Linder Village Subdivision. The submitted landscape plans reference the original subdivision landscaping which includes the Linder Road buffer along the west boundary and the Orchard Park Drive buffer along the southern boundary—these buffers are existing and vegetated adjacent to this site. Any additional landscaping required with future development will be reviewed with administrative applications (i.e. parking lot landscaping).

Staff has reviewed the proposed short plat for substantial compliance with the criteria set forth in UDC 11-6B-5A.2 and the required zoning regulations of the C-C zoning district and deems the short plat to be in substantial compliance with said requirements.

V. DECISION

A. Staff:

Staff recommends approval of the proposed short plat with the conditions noted in Section VII of this report and in accord with the findings in Section VIII.

B. The Meridian City Council heard these items on October 4, 2022. At the public hearing, the Council moved to approve the subject Short Plat request.

1. Summary of the City Council public hearing:

- a. In favor: Cameron Scott, Applicant Representative
- b. In opposition: None
- c. Commenting: Cameron Scott
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by City Council:

- a. None

4. City Council change(s) to Staff recommendation:

PLAT OF

CERTIFICATE OF OWNERS

UNKNOWN ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PROPERTY HEREINAFTER DESCRIBED.

[illegible]

THENCE FOLLOWING THE BOUNDARY OF LOT 1, BLOCK 1 OF SAID UNDER VILLAGE SUBDIVISION THE FOLLOWING ELEVEN (11) COURSES:

1. S80°74'23"E A DISTANCE OF 96.57 FEET TO A 5/8-INCH REBAR;
 2. S70°37'29"E A DISTANCE OF 94.13 FEET TO A 5/8-INCH REBAR;
 3. S70°37'29"E A DISTANCE OF 94.13 FEET TO A 5/8-INCH REBAR;
 4. S00°72'34"E A DISTANCE OF 163.24 FEET TO A 5/8-INCH REBAR;
 5. S22°08'E A DISTANCE OF 173.78 FEET TO A 5/8-INCH REBAR;
 6. N00°00'00"W A DISTANCE OF 100.00 FEET TO A 5/8-INCH REBAR;
 7. N00°00'00"W A DISTANCE OF 100.00 FEET TO A 5/8-INCH REBAR;
 8. N44°15'-48"W A DISTANCE OF 42.56 FEET TO A BRASS PILE;
 9. N00°00'00"E A DISTANCE OF 383.4 FEET TO BRASS CAP.
 10. N00°00'00"E A DISTANCE OF 383.4 FEET TO BRASS CAP.
 11. THE NORTH-ACESS AT A DISTANCE OF 188.11 FEET TO THE POINT OF BEGINNING.
- THE TOTAL DISSECTION CORNER IS EQUAL TO 2,646 ACRES, 50 SQ. FT. AND IS SUBDIVIDED INTO SEVEN (7) LOTS OR PARCELS OF ANY SIZE.

10. S88°04'50"E A DISTANCE OF 4.50 FEET TO A BRASS CAP;
11. THENCE N00°55'10"E A DISTANCE OF 169.11 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINS A TOTAL OF 2.654 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EXISTING EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD OR IMPLIED.

[illegible]

JOSEPH D. HUARTE, MANAGER
 LG- DESERT DEVELOPMENT UNDER VILLAGE, LLC.

ACKNOWLEDGMENT

STATE OF IDAHO } SS

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON _____, 2022, BY _____ AS MANAGER OF _____

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES _____

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 UNDER VILAGE WEST SUBDIVISION 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 PLATED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



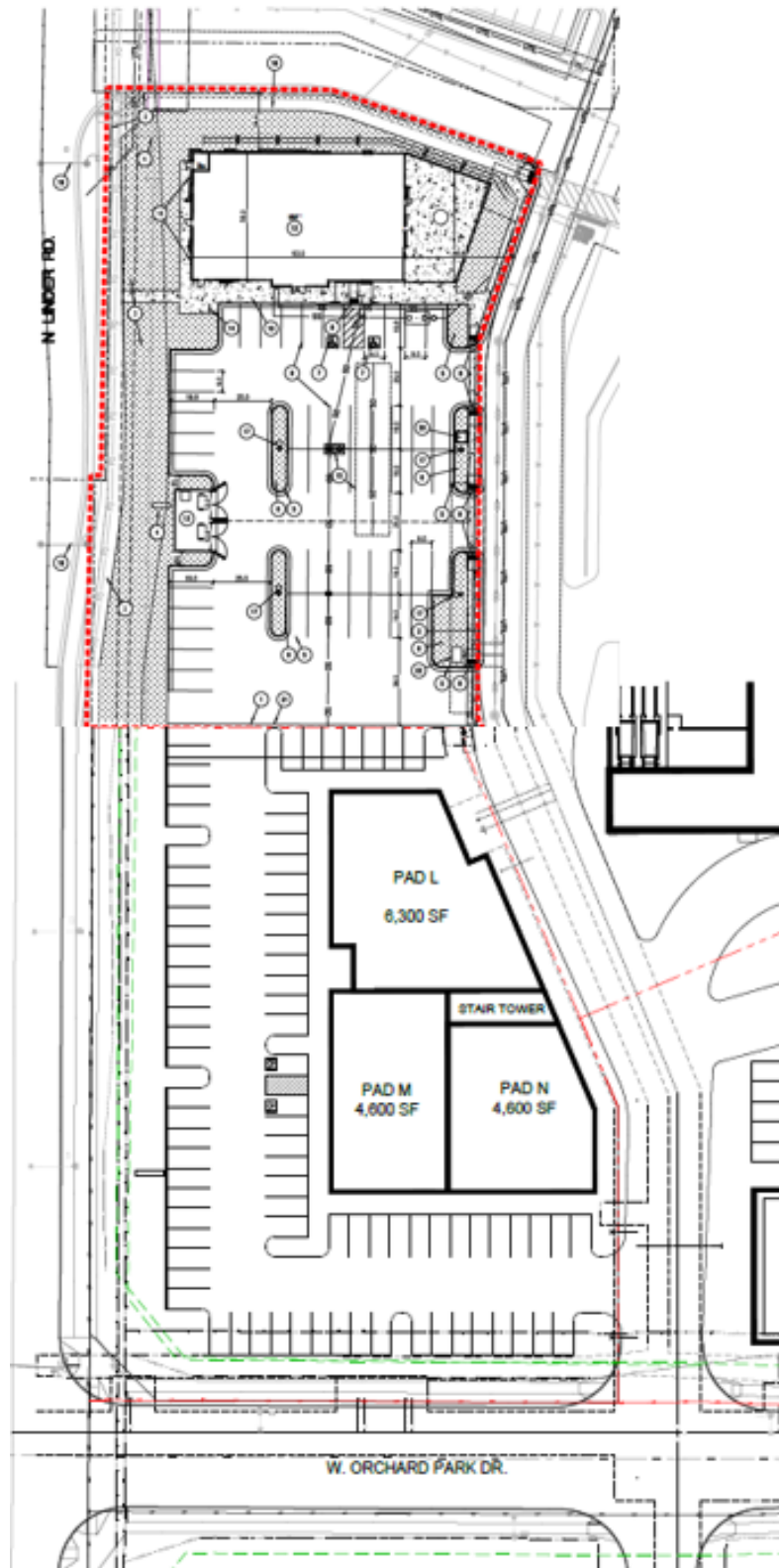
MARON L. BALLARD, P.L.S. 12459

7.7.2.2022

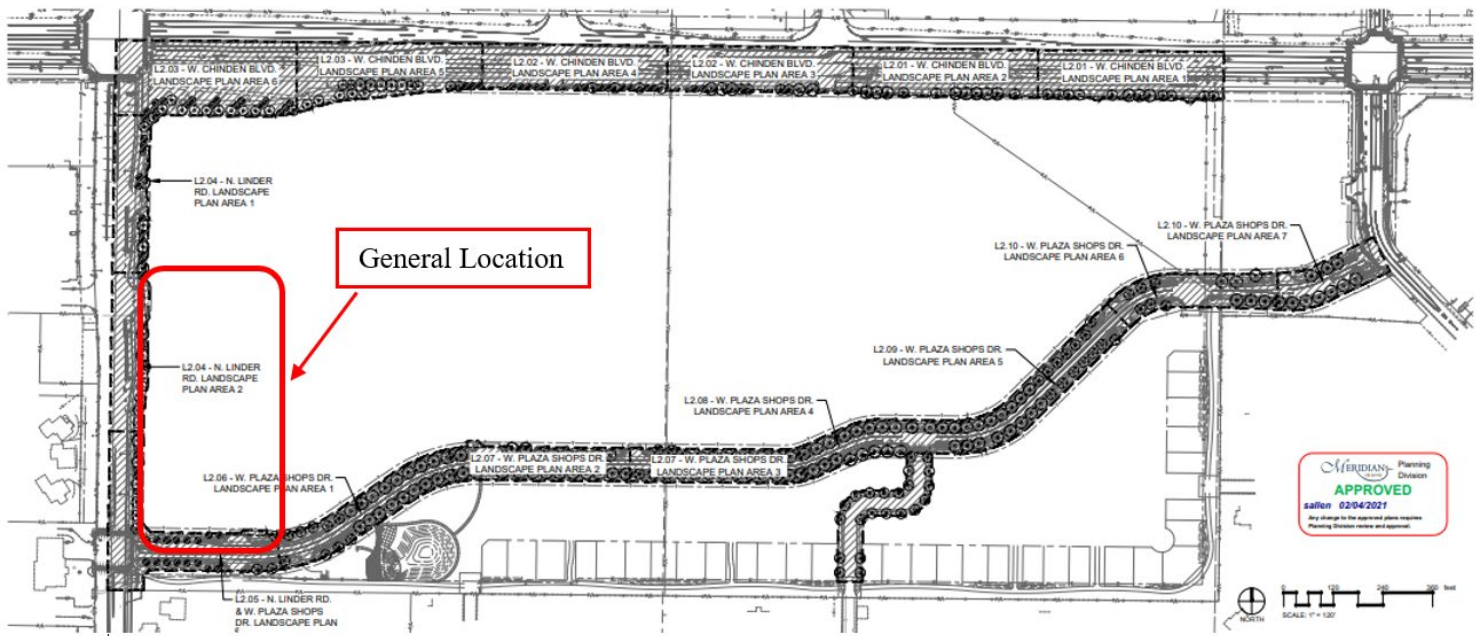


JOA NO. 21-267 SHEET 2 OF 3

B. Overall Concept Plan (information only):



C. Landscape Plan (previously approved with Linder Village Sub.)



C. 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-2017-0088(AZ, PP, VAR; DA Inst. # 2019-028376); FP-2020-0004; H-2021-0034 (DA Inst. #2021-102392); A-2021-0119.
2. If the City Engineer's signature has not been obtained within two (2) years of the City Council's approval of the short plat, the short plat shall become null and void unless a time extension is obtained, per UDC 11-6B-7.
3. Prior to submittal for the City Engineer's signature, obtain the signatures from the Ada County Highway District and Central District Health Department.
4. The short plat prepared by KM Engineers on July 22, 2022 by Aaron L. Ballard, included in Section VII.A, shall be revised as follows:
 - a. Add the latest DA instrument number (DA Inst. #2021-102392) to plat note #4 for the latest DA Modification that includes the subject area.
5. Approved lots within this short plat shall be subject to the existing cross-access and cross-parking agreements for the overall Linder Village Subdivision noted in the recorded covenants, conditions, restrictions, and easements (Inst. #2020-035128).
6. Prior to building permit submittal for each new commercial building, Certificate of Zoning Compliance and Design Review approval shall be obtained.
7. Staff's failure to cite specific ordinance provisions or conditions from the previous approvals noted above does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. No changes in public sewer infrastructure shown in record. Any changes must be approved by public works.
2. Ensure no sewer services pass through infiltration trenches.
3. No changes to public water infrastructure shown in plans. Any changes must be approved by public works.
4. Both of the new parcels have existing meters to the site. Any unused meters must be abandoned.

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 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.

D. REQUIRED FINDINGS FROM THE UNIFIED DEVELOPMENT CODE

In consideration of a short plat, the decision-making body shall make the following findings:

A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;

The Comprehensive Plan designates the future land use of this property as Mixed Use Community and the current zoning district of the site is C-C. City Council finds the proposed short plat complies with the Comprehensive Plan and is being developed in accord with UDC standards for the existing zoning district and previous approvals.

B. Public services are available or can be made available and are adequate to accommodate the proposed development;

City Council finds that public services will be provided to this property and are adequate to serve the future commercial building sites.

C. The plat is in conformance with scheduled public improvements in accord with the City's capital improvements program;

City Council finds that the development will not require the expenditure of capital improvement funds. All required utilities were provided with the development of the property at the developer's expense.

D. There is public financial capability of supporting services for the proposed development;

City Council finds that the development will not require major expenditures for providing supporting services as services are already being provided to the immediate area.

E. The development will not be detrimental to the public health, safety or general welfare; and

City Council finds the proposed short plat to create new commercial building lots will not be detrimental to the public health, safety or general welfare.

F. The development preserves significant natural, scenic or historic features.

City Council is not aware of any significant natural, scenic or historic features associated with short platting this site.