## BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: 03/18/2025 ORDER APPROVAL DATE: 04/01/2025

)
) CASE NO. FP-2024-0024
)
ORDER OF CONDITIONAL
) APPROVAL OF FINAL PLAT
)
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This matter coming before the City Council on March 18<sup>th</sup>, 2025 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:

The Final Plat of "PLAT SHOWING BRUNDAGE ESTATES SUBDIVISION
 NO. 1, LOCATED IN THE WEST 1/2 OF SECTION 25, TOWNSHIP 3
 NORTH, RANGE 1 WEST, BOISE MERIDIAN, MERIDIAN, ADA COUNTY,
 IDAHO, 2025, HANDWRITTEN DATE: 03/04/2025, by CLINTON W.

HANSEN, 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 March 18<sup>th</sup>, 2025, a true and correct copy of which is attached hereto marked "Exhibit A" and by this reference incorporated herein, and the response letter from Becky McKay, 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 twentyeight (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 \_\_\_\_\_\_, 2025. 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:\_\_\_\_

### Exhibit A

## STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



**HEARING** 

03/18/2025

DATE:

TO: Mayor & City Council

FROM: Nick Napoli, Associate Planner

208-884-5533

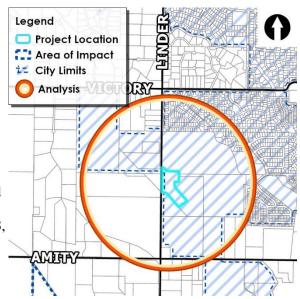
SUBJECT: Brundage Estates Subdivision No. 1

FP-2024-0024

LOCATION: Generally located east of S. Linder Road

midway between W. Victory and W. Amity Roads, in Section 25, Township 3,

Range 1 West.



### I. PROJECT DESCRIPTION

Final Plat consisting of 29 residential building lots and six (6) common lots on approximately 11.62 acres of land in the R-4 zoning district by L.C Development.

### II. APPLICANT INFORMATION

A. Applicant:

Shari Stiles, Engineering Solutions – 1029 N. Rosario, Suite 100, Meridian, ID 83642

B. Owner:

Lee Centers, L.C. Development, Inc. – P.O. Box 518, Meridian, ID 83680

C. Representative:

Same as applicant

#### III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2016-0001) in accord with the requirements listed in UDC 11-6B-3C.2.

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Since there is no change to the number of buildable lots and the amount of common open space has remained consistent with the pre-plat, therefore, Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

#### IV. DECISION

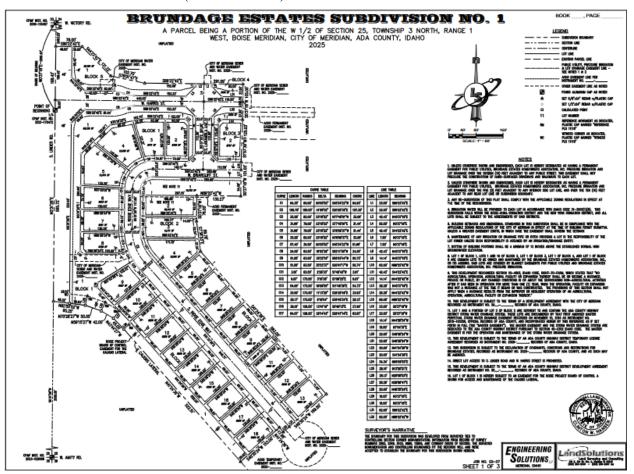
Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

# V. EXHIBITS

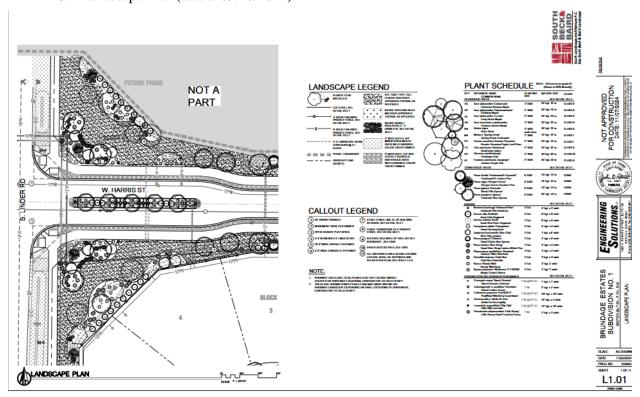
A. Preliminary Plat (dated: 01/06/16)

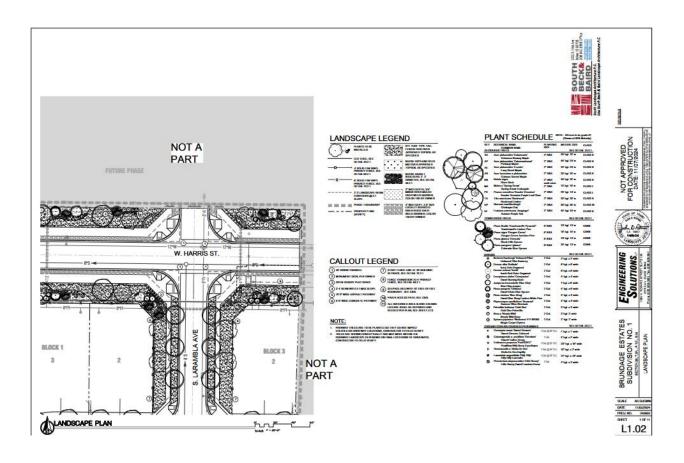


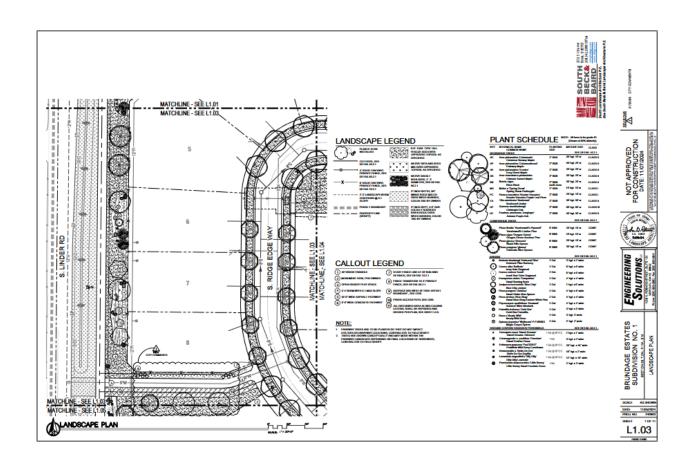
# B. Final Plat (dated: 10/18/24)

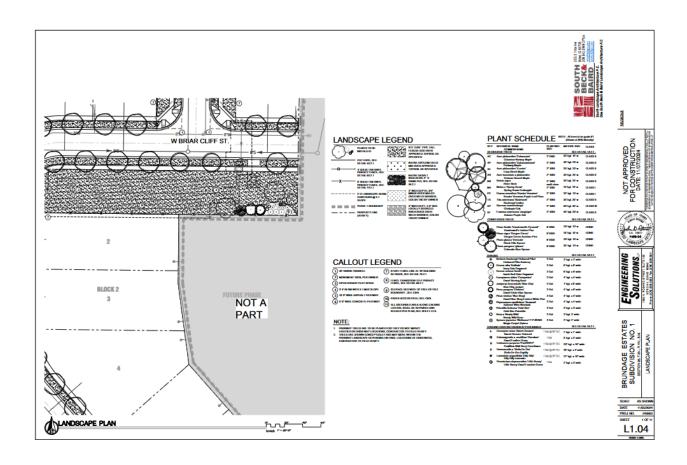


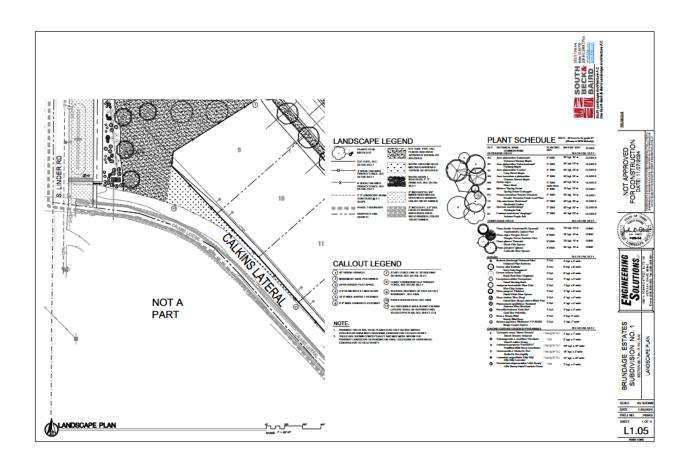
# C. Landscape Plan (dated: 09/10/2024)

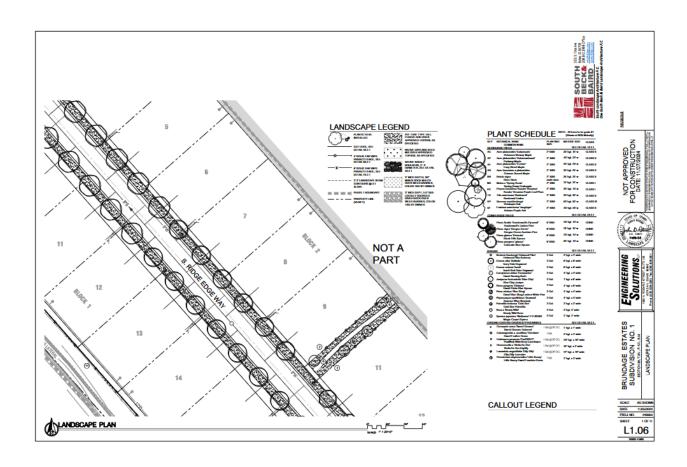


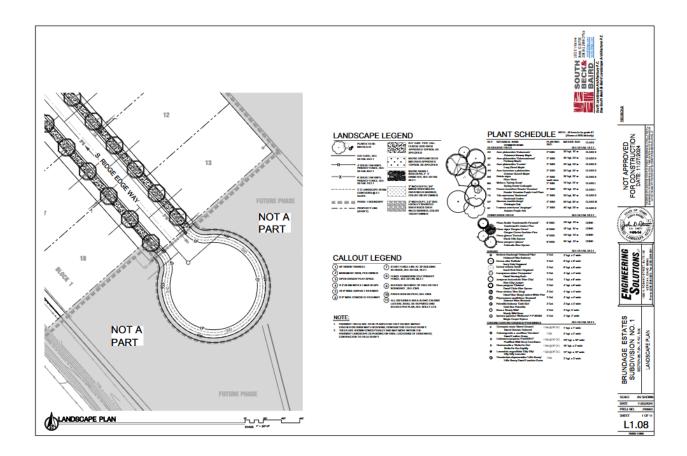












### VI. CITY/AGENCY COMMENTS & CONDITIONS

#### A. Planning Division

- 1. Applicant shall comply with all previous conditions of approval associated with this development [AZ-13-014; H-2016-0001; A-2018-0231; TECC-2020-0001; TECC-2022-0001; TECC-2024-0002; DA Inst# 2024-070384]
- 2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of the preliminary plat time extension findings on September 3<sup>rd</sup>, 2024 as set forth in 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, the Certificate of Owners and the accompanying acknowledgement signed and notarized.
- 4. The final plat shown in Section V.B prepared by Engineering Solutions, stamped on 10/18/2024 by Clint Hansen, shall be revised as follows:
- Note #10: Include the recorded instrument number of the Development Agreement.
- Note #12: Include the recorded instrument number for the ACHD license agreement.

- Note #13: Include the recorded instrument number for Ada County.
- Note #15: Include the recorded instrument number of the Development Agreement.

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

- 5. The landscape plan shown in Section V.C, dated 11/05/24, shall be revised as follows:
- Include mitigation calculations on the plan for existing trees that are proposed to be removed in accordance with the standard listed in UDC 11-3B-10C.5.
- Depict and dimension the 10-foot multi-use pathway that has been rerouted in front of Lots 9-18, Block 1. *NOTE: With a future phase, this pathway must extend and connect with the pathway location on the east side of the Calkins Lateral approved with Windrow Subdivision.*
- Add vegetation coverage that meets UDC 11-3B-7 requirements on the west side of the ten (10) foot multi-use pathway along S. Linder Road. A 10-foot gravel shoulder is allowed to remain, but the rest must be vegetated in accord with UDC 11-3B-7-5.
- 6. Prior to the issuance of any new building permit, the property shall be subdivided in accordance with the UDC.
- 7. A 14-foot-wide public use easement for the multi-use pathways within this site (i.e. along S. Ridge Edge Way, and S. Linder Road) shall be submitted to the Planning Division prior to submittal for City Engineer signature on the final plat(s).
- 8. All fencing shall comply with the standards of UDC 11-3A-7C.
- 9. All development shall comply with the dimensional standards for the R-4 zoning district listed in UDC *Table 11-2A-6*.
- 10. All homes constructed shall be generally consistent with the conceptual elevations included with the development agreement (inst. #2024-070384).
- 11. The rear and/or sides of homes visible from S. Linder Road (Lots 2-8, Block 1) and the new collector W. Harris Street (Lot 2, Block 3) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.
- 12. 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, Matthew Peterson, at 208-887-1620 or *Matthew.W.Peterson@usps.gov* for more information.
- 13. 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

Wastewater	
<ul> <li>Distance to Sewer</li> </ul>	Available to site
Services	
<ul> <li>Sewer Shed</li> </ul>	
<ul> <li>Estimated Project</li> <li>Sewer ERU's</li> </ul>	See application
<ul> <li>WRRF Declining Balance</li> </ul>	
Project Consistent     with WW Master  Plant Consistent  Plan	Yes
Plan/Facility Plan	
<ul> <li>Impacts/concerns</li> </ul>	•
	See Public Works Site Specific Conditions
Water	
Distance to Water	Water Available at Site
Services	
<ul> <li>Pressure Zone</li> </ul>	
<ul> <li>Estimated Project Water ERU's</li> </ul>	See application
Water Quality	None
<ul> <li>Project Consistent with Water Master Plan</li> </ul>	Yes
<ul> <li>Impacts/Concerns</li> </ul>	None -

#### SITE SPECIFIC CONDITIONS:

- Provide email or letter from Idaho Power stating that they will provide design and installation of the City requirements for power to the Water Control Valve (WCV) site. Requirements are:
  - Install a transformer within 120 ft of the WCV and a 200 amp service shall be installed
    on a standard meter pedestal within 10 ft of the edge of the vault.
  - Provide an email or letter from the developer that they understand the cost for power to the WCV is the responsibility of the developer and approval of construction will not be granted until it is installed.
- Water mains require a casing when crossing irrigation that limits access to times of the year. For existing water mains where irrigation lines cause a sleeve to be required, the sleeve can be two pieces bolted together.
- Provide 20' Easements for mains, hydrant laterals and water services. Easements should extend up to the end of main/hydrant/water meter and 10' beyond it.
- No permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) to be built within the utility easement.

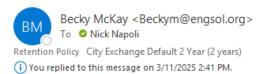
## GENERAL CONDITIONS:

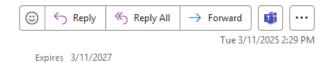
- Sanitary sewer service to this development is available via extension of existing mains adjacent to
  the development. The applicant shall install mains to and through this subdivision; applicant shall
  coordinate main size and routing with the Public Works Department, and execute standard forms
  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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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 contractors work and materials shall conform to the ISPWC and 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 81/2" 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.
- 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 (UDC 11-3B-6.). 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.

## Exhibit B

# RE: Brundage Estates No. 1 Final Plat





External Sender - Please use caution with links or attachments.

Nick:

Thanks for the clarification. We agree with the staff report and the conditions of approval.

Have a good day.

Becky McKay, Partner Engineering Solutions LLP 1029 N Rosario St. #100 Meridian, ID 83642. 208-938-0980

