BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: JANUARY 11, 2022 ORDER APPROVAL DATE: JANUARY 25, 2022

IN THE MATTER OF THE)	
REQUEST FOR FINAL PLAT	
CONSISTING OF 49 BUILDING	CASE NO. FP-2021-0056
LOTS AND 10 COMMON LOTS ON	
40.45 ACRES OF LAND IN THE R-2	ORDER OF CONDITIONAL
AND R-4 ZONING DISTRICTS FOR	APPROVAL OF FINAL PLAT
SHAFER VIEW TERRACE.	
BY: BRECKON LAND DESIGN)	
APPLICANT)	
)	
)	
)	

This matter coming before the City Council on January 11, 2022 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 SHAFER VIEW TERRACE

SUBDIVISION, LOCATED IN A PORTION OF LOT 4, BLOCK 1, SHAFER

VIEW ESTATES SUBDIVISION, BOOK 84, PAGES 9403-9404, RECORDS

OF ADA COUNTY, IDAHO, LYING WITHIN THE N ½ OF THE SW ¼ OF

SECTION 31, T.3N., R.1E., B.M. CITY OF MERIDIAN – COUNTY OF ADA – STATE OF IDAHO 20___," 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 January 11, 2022, a true and correct copy of which is attached hereto marked "Exhibit A" and by this reference incorporated herein, and the response letter from Mary Wall, Breckon Land Design, 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 , 2022. By: Robert 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

1/11/2022

DATE:

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner

208-884-5533

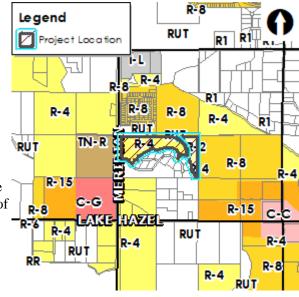
SUBJECT: FP-2021-0056

Shafer View Terrace

LOCATION: South side of W. Overland Rd., 1/4 mile

east of S. Ten Mile Rd., in the NW 1/4 of

Section 23, T.3N., R.1W.



I. PROJECT DESCRIPTION

Final plat consisting of 49 building lots and 10 common lots on 40.45 acres of land in the R-2 and R-4 zoning districts for Shafer View Terrace Subdivision.

II. APPLICANT INFORMATION

A. Applicant:

Claire Smarda, Breckon Land Design – 6661 N. Glenwood St., Garden City, ID 83714

B. Owner:

Jim Chambers, Shafer View North, LLC – 7150 W. Potomac Dr., Boise, ID 83704

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat and associated conditions of approval as required by UDC 11-6B-3C.2. There is the same number of buildable lots and common open space as shown on the approved preliminary plat. Therefore, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

Note: The City Council approved a waiver to UDC 11-3A-6B to allow the McBirney Lateral to remain open and not be piped with H-2020-0117.

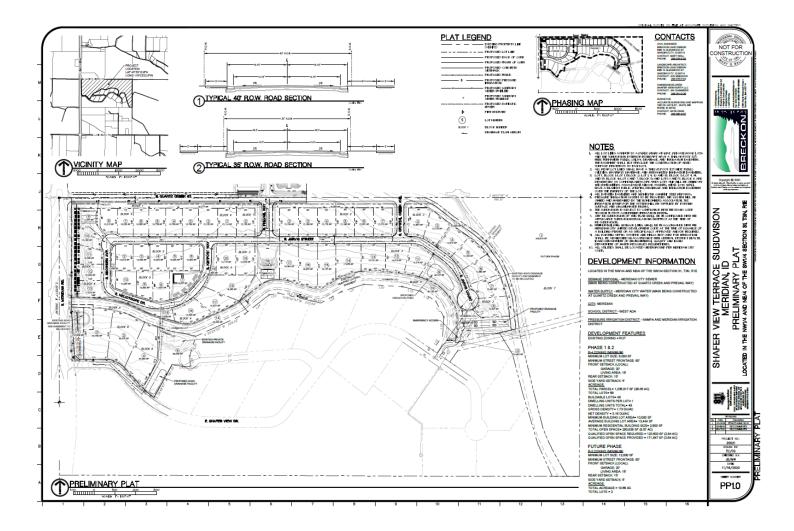
IV. DECISION

A. Staff:

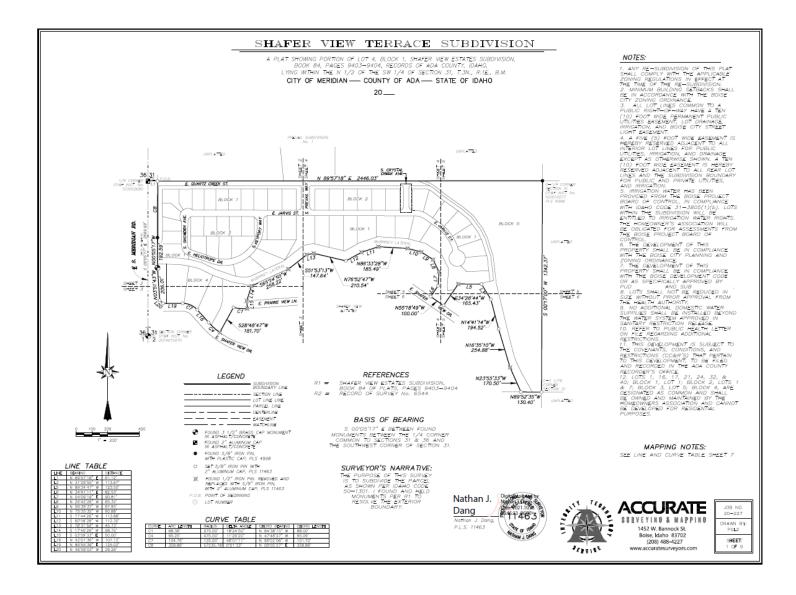
Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report.

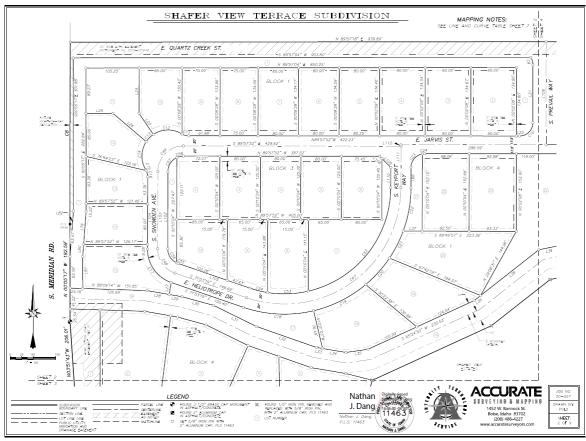
V. EXHIBITS

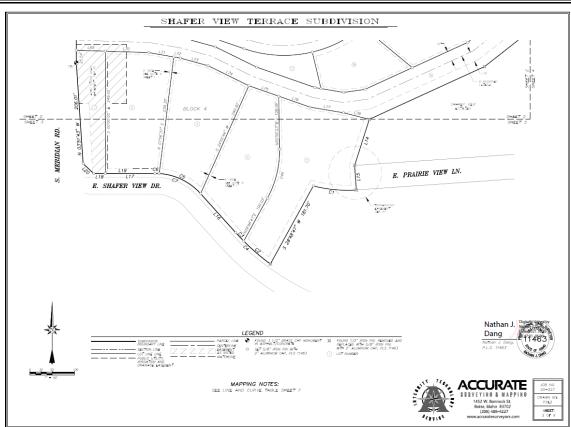
A. Preliminary Plat (date: 5/17/2021)

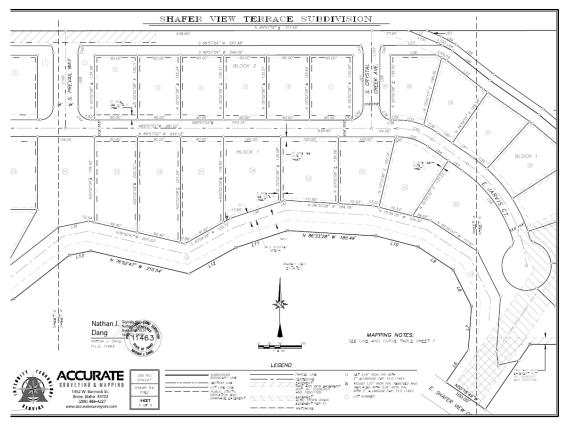


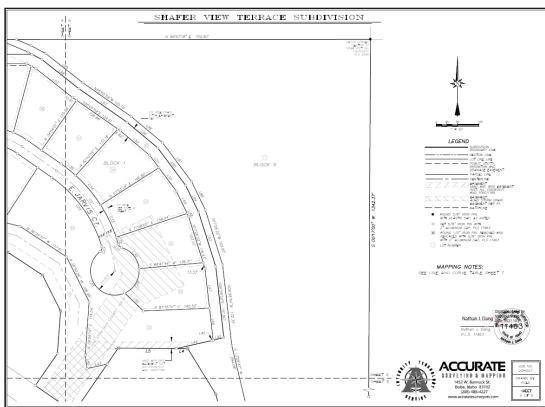
B. Final Plat (date: 10/25/2021)



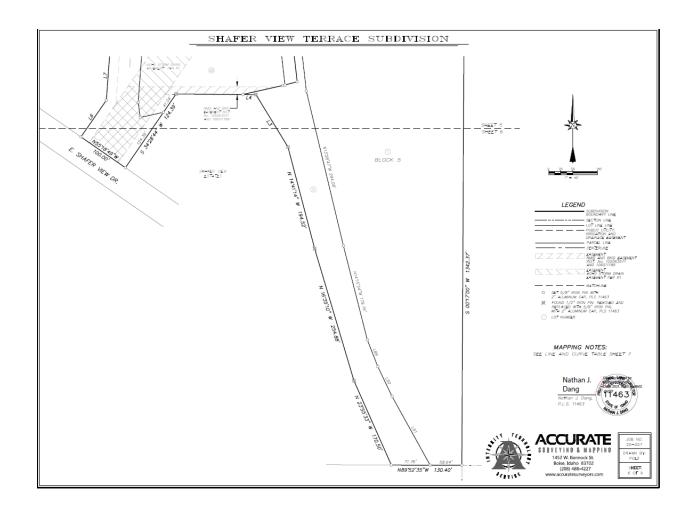




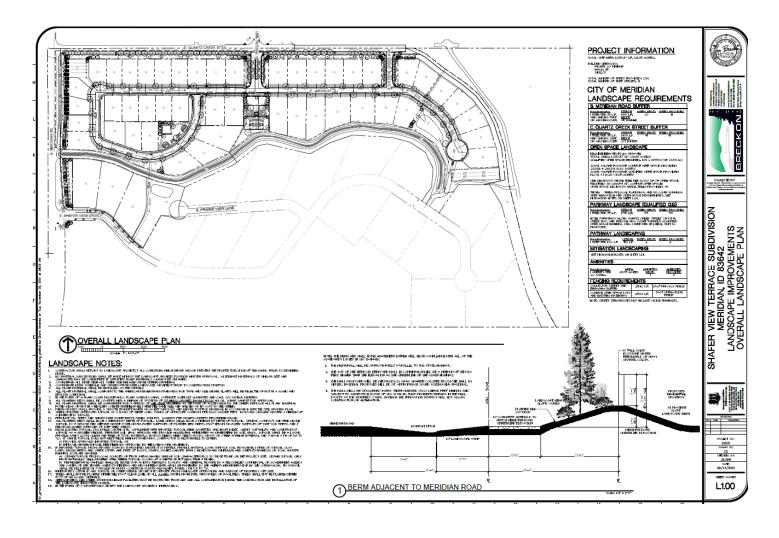


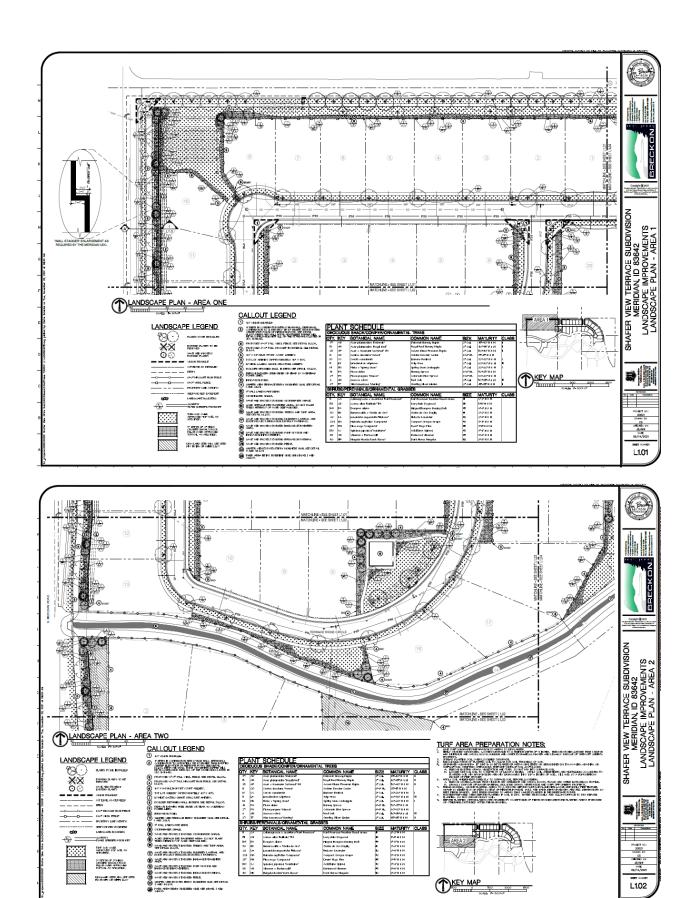


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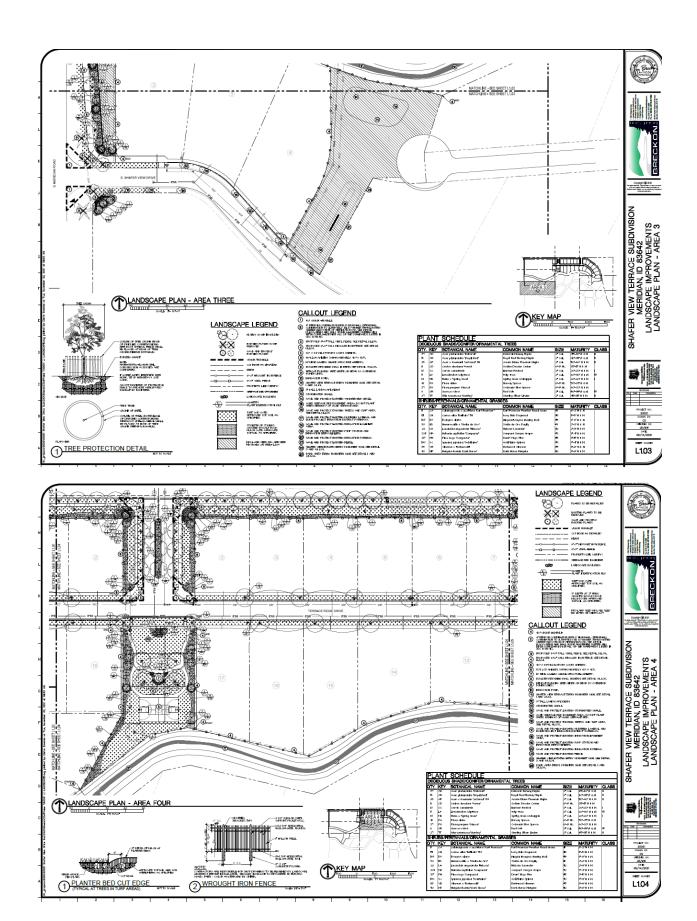


C. Landscape Plan (date: 9/14/2021)

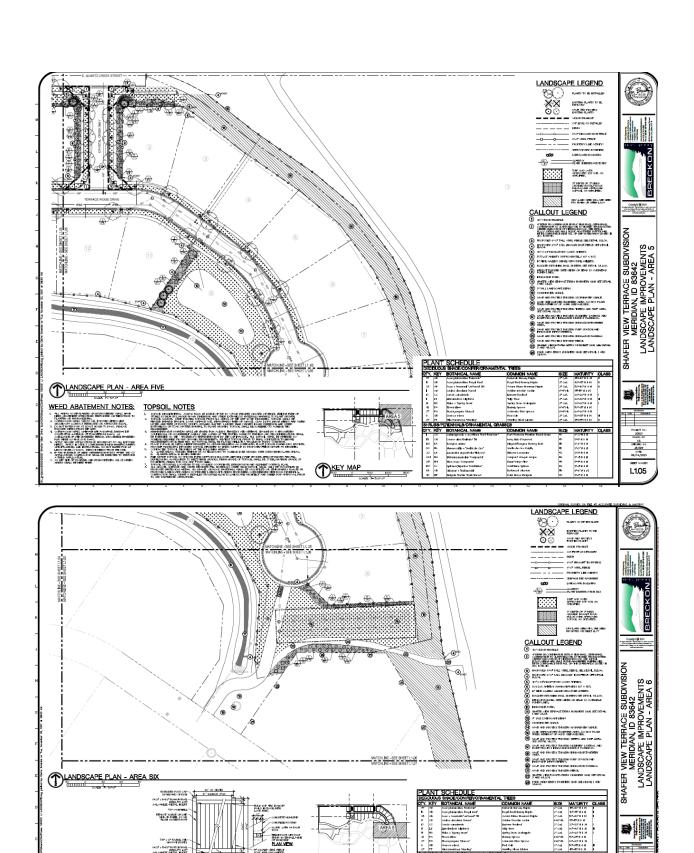




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KEY MAP

COMMON NAME

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SIZE MATURITY CLAS

20021

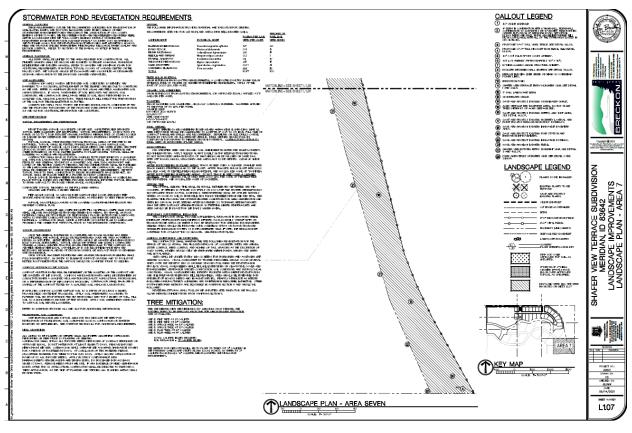
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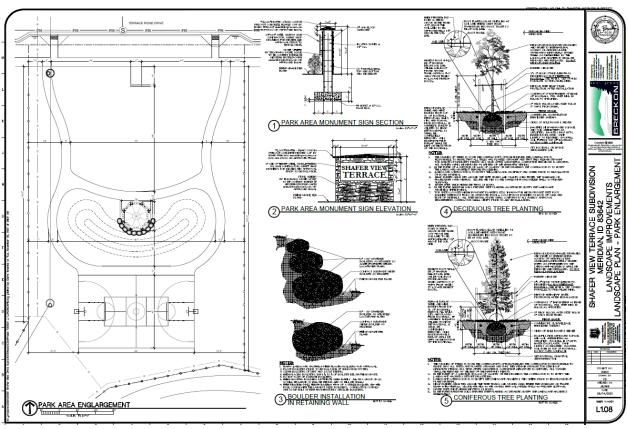
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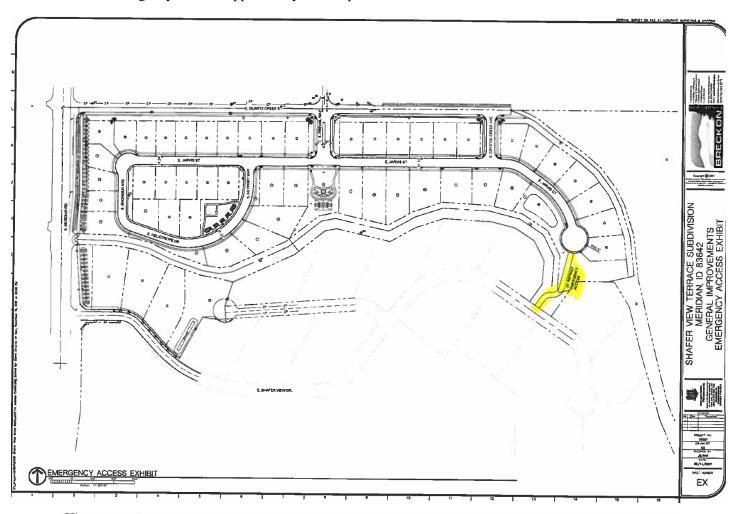
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D. Emergency Access Approved by Fire Dept.



The emergency access shall require Knock-over bollards or a chain, knox padlock and bollards approved by the fire department.

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 [H-2020-0117, Development Agreement Inst. #2021-102396.
- 2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of City Council's approval of the preliminary plat (by June 15, 2023) 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 Accurate Surveying & Mapping, stamped on 10/25/2021 by Nathan J. Dang, shall be revised as follows:
 - a. Include a note prohibiting direct lot access via S. Meridian Rd./SH-69 and E. Quartz Creek St.
 - b. Note #2: "Minimum building setbacks shall be in accordance with the Boise Meridian City Zoning Ordinance."
 - c. Note #6: "The development of this property shall be in compliance with the Boise Meridian City Planning and Zoning ordinance."
 - d. Delete note #7 (Note #6 is sufficient as there is no PUD for this development and no variances or exceptions were approved to the UDC).
 - e. Note #8: "Lots shall not be reduced in size without prior approval from the health authority and the City of Meridian."
 - f. Include the PLS's signature and date on each sheet.
 - g. Include the year the plat will be recorded in the situate statement on Sheet 1.
 - h. The ACHD storm drainage easement should not encroach onto building lots (i.e. Lots 33-35, Block 1 and Lot 2, Block 4.

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 2/7/20, is approved as shown.
- 6. Prior to the issuance of any new building permit, the property shall be subdivided in accordance with the UDC.
- 7. All development shall comply with the dimensional standards for the R-2 and R-4 zoning districts listed in UDC Tables 11-2A-4 and 11-2A-5, respectively.
- 8. A 14-foot wide public pedestrian easement for the multi-use pathway along S. Meridian Rd./SH-69 shall be submitted to the Planning Division in accord with the Park's Department requirements per the Pathways Master Plan for the portion of the pathway that is outside the public right-of-way. A copy of said easement shall be submitted to the Planning Division prior to submittal of the final plat for City Engineer signature.
- 9. A final plat shall be recorded that includes Lot 1, Block 5 prior to any development occurring on the property as set forth in the Development Agreement.

- 10. The developer shall construct a northbound right-turn lane on S. Meridian Rd./SH-69 onto E. Quartz Creek St. prior to issuance of the first building permit in this development in accord with ITD standards as set forth in the Development Agreement.
- 11. Noise abatement shall be provided along S. Meridian Rd./SH-69 in accord with Detail #1 "Berm Adjacent to Meridian Road" depicted on Sheet L1.00 of the landscape plan as set forth in the Development Agreement.
- 12. The rear and/or sides of structures on lots that abut S. Meridian Rd./SH-69 and E. Quartz Creek St. 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*.
- 13. The pond shall have recirculated water and shall be maintained such that it doesn't become a mosquito breeding ground as set forth in UDC <u>11-3G-3B.6</u>.
- 14. 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
- 15. 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

Site Specific Conditions:

- 1. The angle at manhole SSMH #14 must be a minimum 90 degrees. Add additional manhole(s) as needed. An access pathway must be added between SSMH #11 and SSMH #14 per Meridian Standards. Sewer and Water in the common lot between SSMH #11 and SSMH #14 requires a 30' easement per General Condition #25 below. Ensure that no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.
- 2. Applicant shall be required to comply with the "to and through" policy of the city of Meridian. A 12-inch water main must be constructed from the existing blow off west of 12-inch water main located at Prevail Way to the eastern right-of way of SH-1669 via a route through the Shafer View Terrace subdivision which is acceptable to the Meridian City Engineering Department. Water line easements shall be provided to the City of Meridian as required. Provide a 20-foot wide water easement for future water connection from the west end of E Prairie View Drive west to the proposed water main.

General Conditions:

- 3. 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.
- 4. 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.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. 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.
- 12. 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.
- 13. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 14. Developer shall coordinate mailbox locations with the Meridian Post Office.
- 15. All grading of the site shall be performed in conformance with MCC 11-1-4B.
- 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.
- 17. 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.
- 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.
- 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.
- 20. 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.
- 21. 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.
- 22. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
- 23. 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.
- 24. 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.
- 25. 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.
- 26. 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

From: Mary Wall

To: Sonya Allen; City Clerk

Cc: Tyler Chambers; Jim Chambers; Claire Smarda; Kyle Radek

Subject: RE: Shafer View Terrace FP-2021-0056 Staff Report for Jan. 11th Council Mtg

Date: Tuesday, January 11, 2022 11:29:12 AM

Attachments: <u>image006.png</u>

External Sender - Please use caution with links or attachments.

Sonya,

We are in agreement with the "revised2" staff report.

We will have someone from Breckon Land Design attend tonight's meeting virtually just in case any discussion is opened up on this final plat approval.

Thanks for your help! Have a great day.

Mary Wall, PE

MAIN (208) 376-5153 x104 | CELL (406) 600-6218

BRECKONlanddesign.com

From: Sonya Allen <sallen@meridiancity.org> Sent: Tuesday, January 11, 2022 10:12 AM

To: Mary Wall <mwall@breckonld.com>; City Clerk <CityClerk@meridiancity.org>

Cc: Tyler Chambers <tchambers@breckonld.com>; Jim Chambers

<jamesdchambers1952@yahoo.com>; Claire Smarda <csmarda@breckonld.com>; Kyle Radek

<kradek@meridiancity.org>

Subject: RE: Shafer View Terrace FP-2021-0056 Staff Report for Jan. 11th Council Mtg

I made the requested change for the typo, thanks.

From: Mary Wall < mwall@breckonld.com Sent: Tuesday, January 11, 2022 10:01 AM

To: Sonya Allen <<u>sallen@meridiancity.org</u>>; City Clerk <<u>CityClerk@meridiancity.org</u>>

Cc: Tyler Chambers < tchambers Jim Chambers

<<u>iamesdchambers1952@yahoo.com</u>>; Claire Smarda <<u>csmarda@breckonld.com</u>>; Kyle Radek

< kradek@meridiancity.org>

Subject: RE: Shafer View Terrace FP-2021-0056 Staff Report for Jan. 11th Council Mtg

External Sender - Please use caution with links or attachments.

Sonya,

I forgot to change the SH-16 to SH-69 (it was incorrect on the original report). If that change can be made then we are in agreement with the revised staff report.