

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



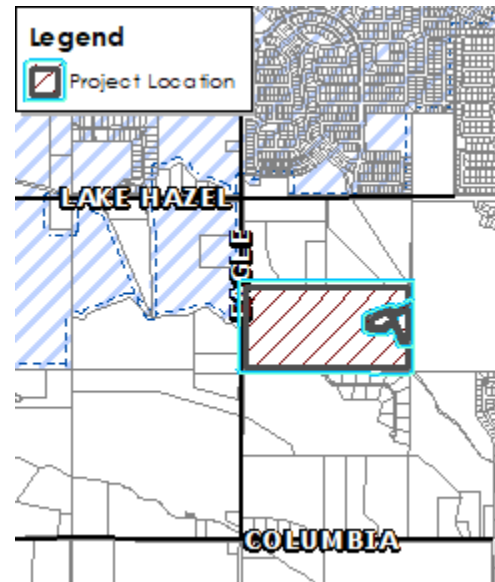
HEARING DATE: 4/5/2022

TO: Mayor & City Council

FROM: Alan Tiefenbach, Associate Planner
208-489-0573

SUBJECT: FP-2021-0058
Skybreak No. 1

LOCATION: 7020 S. Eagle Rd. & 3487 E. Adler Hof Ln., in the south ½ of the NW ¼ of Section 4, T.2N., R.1E. (Parcels # S1404244250 & S1404233650)



I. PROJECT DESCRIPTION

Final plat consisting of 84 lots and 21 common lots on 35.67 acres of land in the R-8 and R-15 zoning districts.

II. APPLICANT INFORMATION

A. Applicant:

Conger Group – 4824 W. Fairview Ave., Boise, ID 83706

B. Owners:

C4 Land LLC – 7020 S. Eagle Rd, Meridian, ID 83642

Peter and Dana Eisenman – 3487 E. Adler Hof Ln., Meridian, ID 83642

III. STAFF ANALYSIS

In 2020, the property received approval of an annexation, zoning to R-8 and R-15, and a preliminary plat to construct 316 single family lots on 80.46 acres of land (H-2020-0127, Instr. # 2021-119175). This included approval for private streets.

A condition of approval of the development agreement required the applicant to submit a wildland safety plan for the hillside area to be approved by the Meridian Fire Department with the first final plat. The applicant did submit this plan and it was deemed to be satisfactory by Meridian Fire.

Another condition of approval of the development agreement required an increased rear setback (as shown in applicant's narrative as a "no-build area" dated June 14, 2021) for Lot 74, Block 5, abutting

Vantage Pointe (now Lot 36, Block 3). This no build area is not indicated on the final plat. Staff has added this as a condition of approval.

At time of annexation and preliminary plat the applicant received the following from the City Council that would apply to this phase:

1. Alternative compliance from UDC 11- 3F4 that limits gated developments to 50 lots, to allow 106 gated lots.
2. Alternative compliance from UDC 11- 3F- 4 prohibiting common driveways off private streets, to allow 3 common driveways.
3. Alternative compliance from UDC 11- 3B- 12 and UDC 11- 3G- 3 requiring minimum landscaping along pathways and within common open space to allow the area surrounding the pathway in Lot 46 of Block 5 to remain in a natural state.
4. A waiver from UDC 11- 6C- 3 limiting block face to no more than seven hundred fifty (750) feet in length without an intersecting street or alley to allow Block 3, along the southern boundary of the property, to be approximately 1,190 feet in length.

Staff notes although the applicant did receive alternative compliance from UDC 11-3B-12 and UDC 11-3G-3 to allow the area surrounding the pathway along Lot 46, Block 5 to remain in a natural state (now indicated as Lot 19, Block 3), this was intended for the area surrounding the natural pathway shown bisecting Lot 19, Block 3 from north to south. This did not extend to the paved golf cart pathway shown in both Lot 18 and 19, Block 3, as the approved preliminary plat landscape plan does show trees along this pathway. Also, the approved preliminary plat and landscape plan indicates sidewalk extending south along Lot 46, Block 3 to the Vantage Pointe subdivision, whereas this is absent on the final plat. Finally, the common drive exhibit indicates a 5 ft. wide landscape strip adjacent to the solid fence as required per UDC11-6C-3C, but this landscape strip is not shown on the landscape plan.

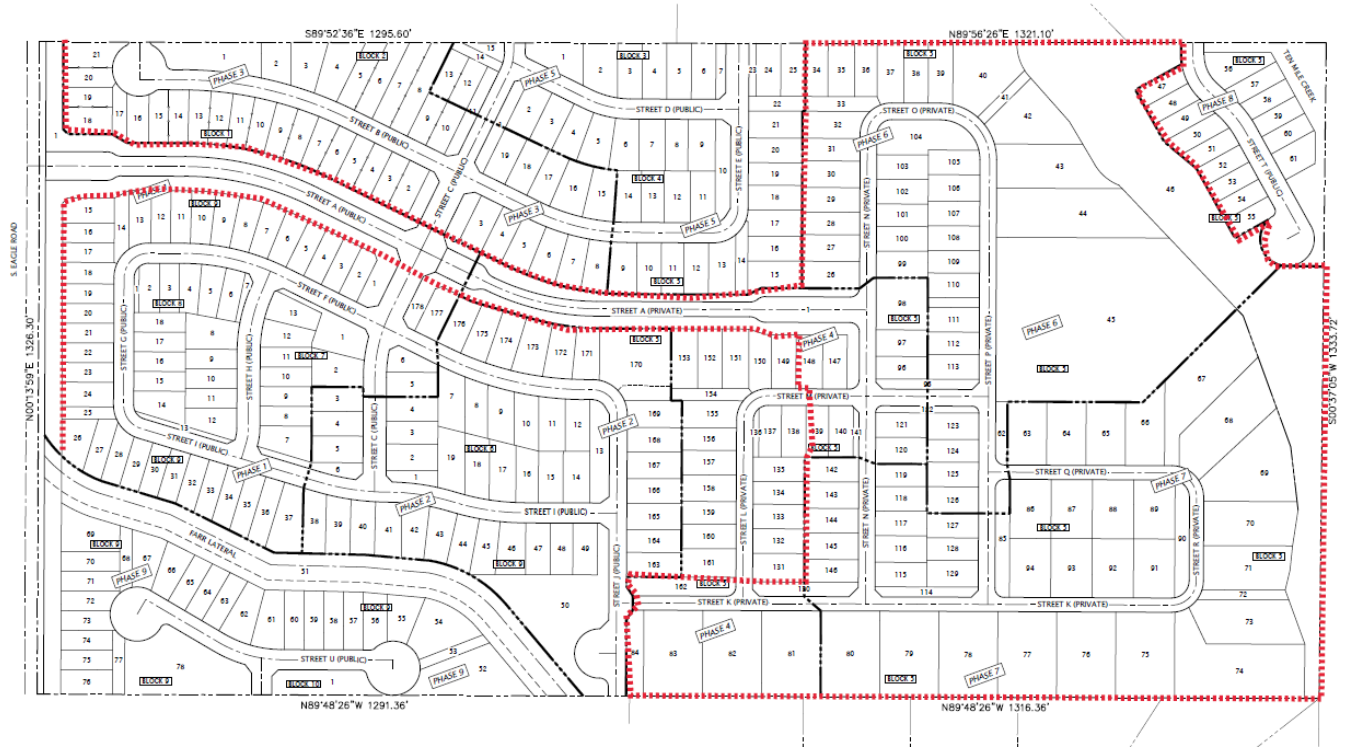
Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat in accord with the requirements listed in UDC 11-6B-3C.2. Because the final plat does not increase the number of building lots and/or decrease the amount of qualified open space as shown on the approved preliminary plat, with the exceptions listed above, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

IV. DECISION

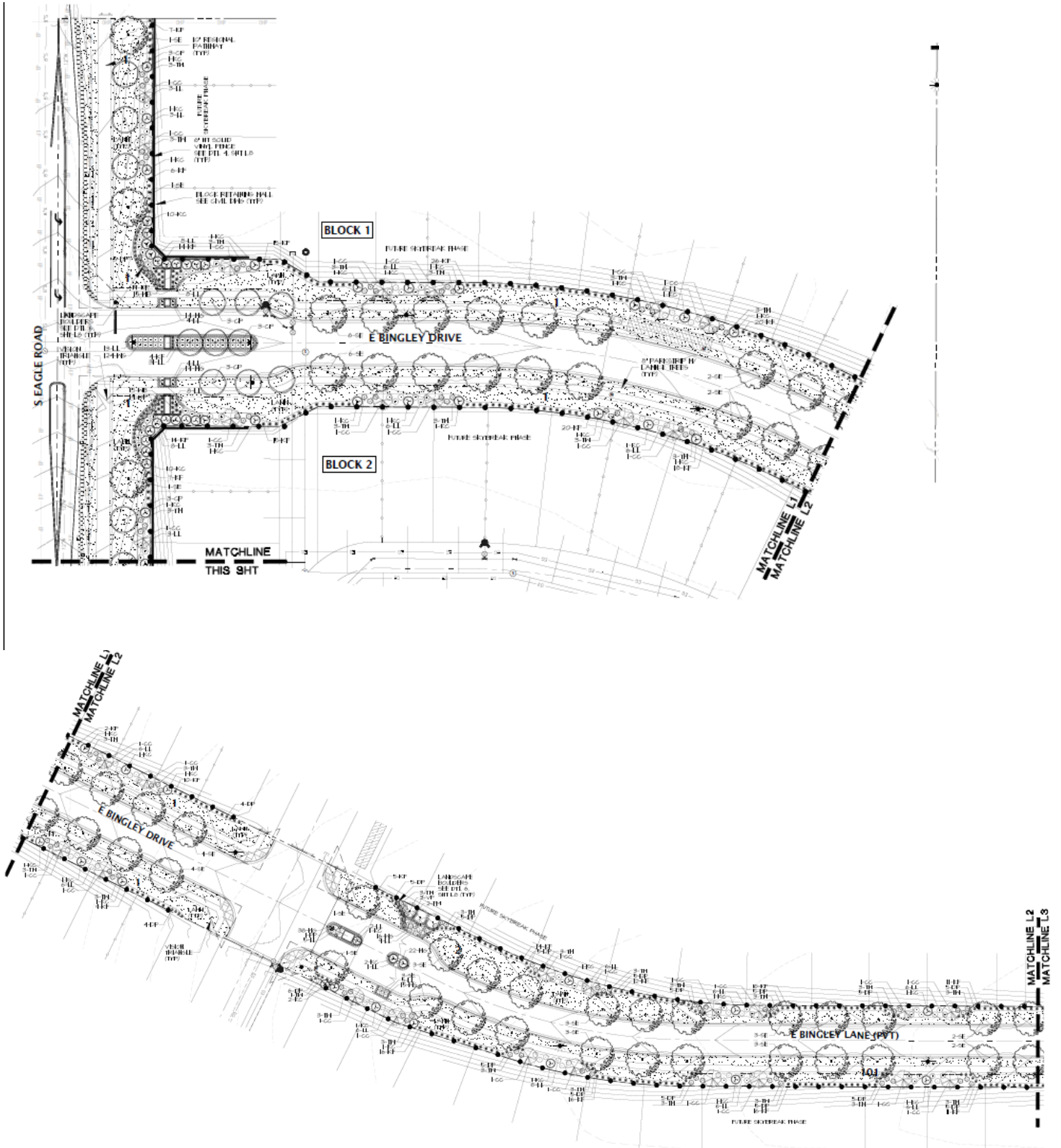
Staff recommends approval of the proposed final plat within the conditions noted in Section VI of this report.

V. EXHIBITS

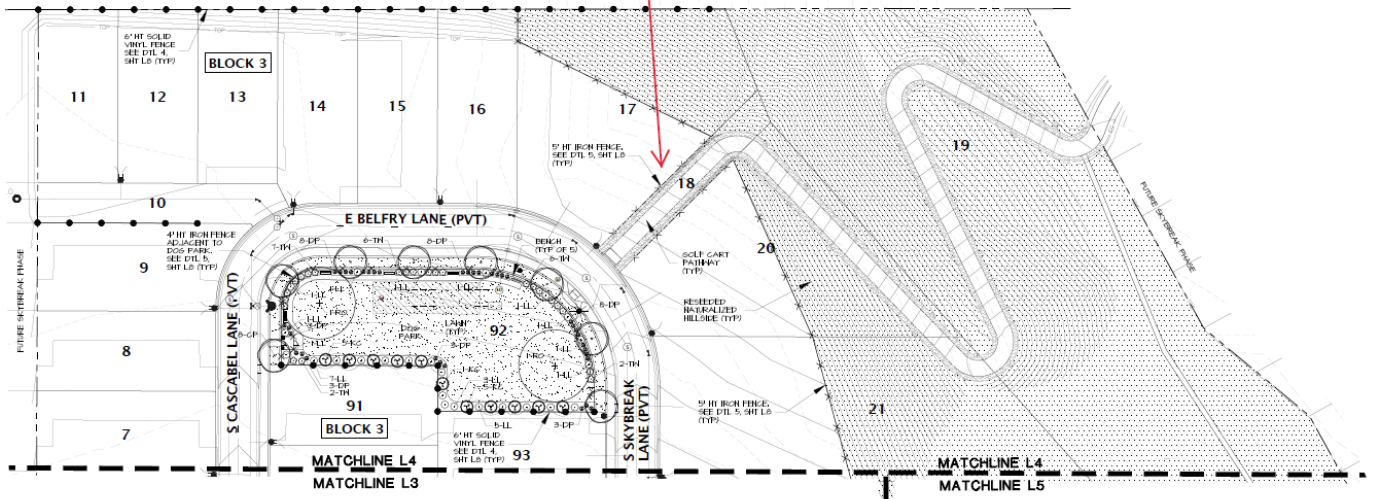
A. Preliminary Plat red-marked to show area of Phase One (date: 6/16/2021)



C. Landscape Plan (date: 11/17/2021)

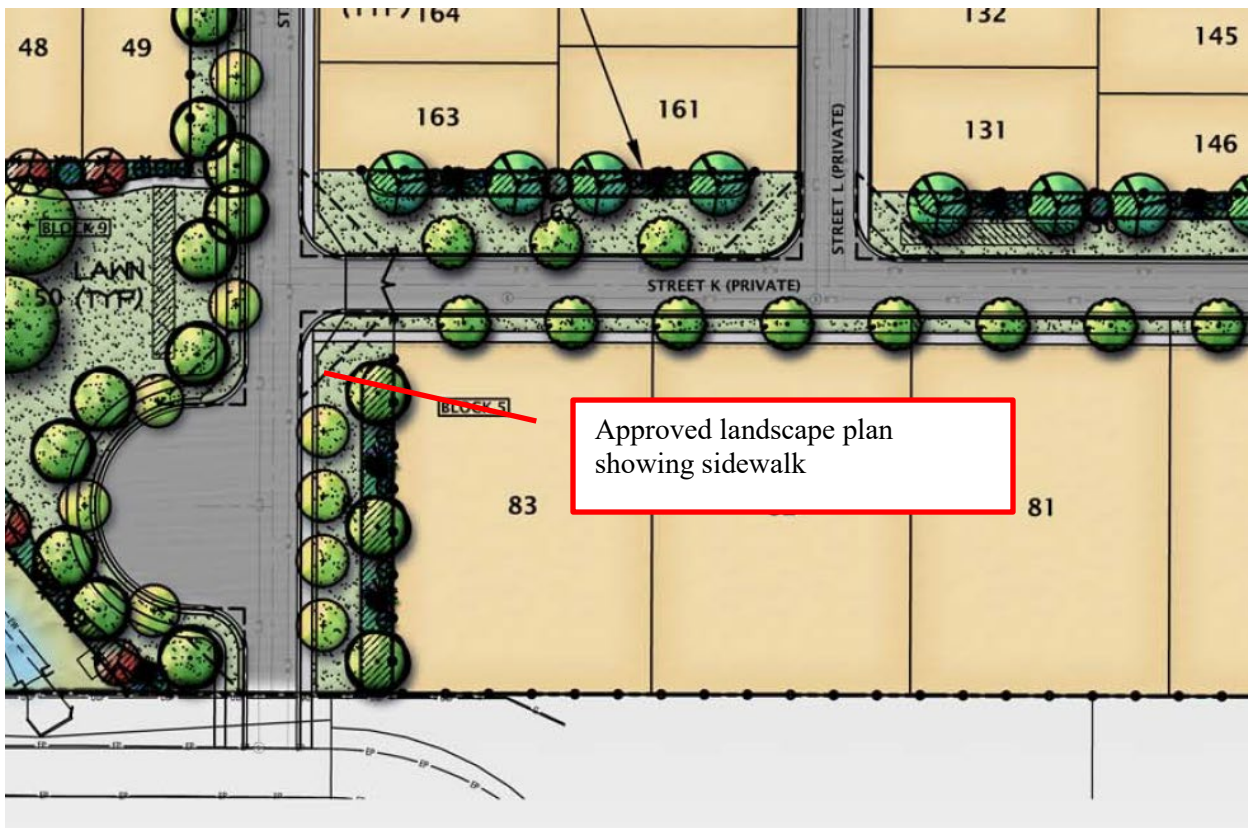
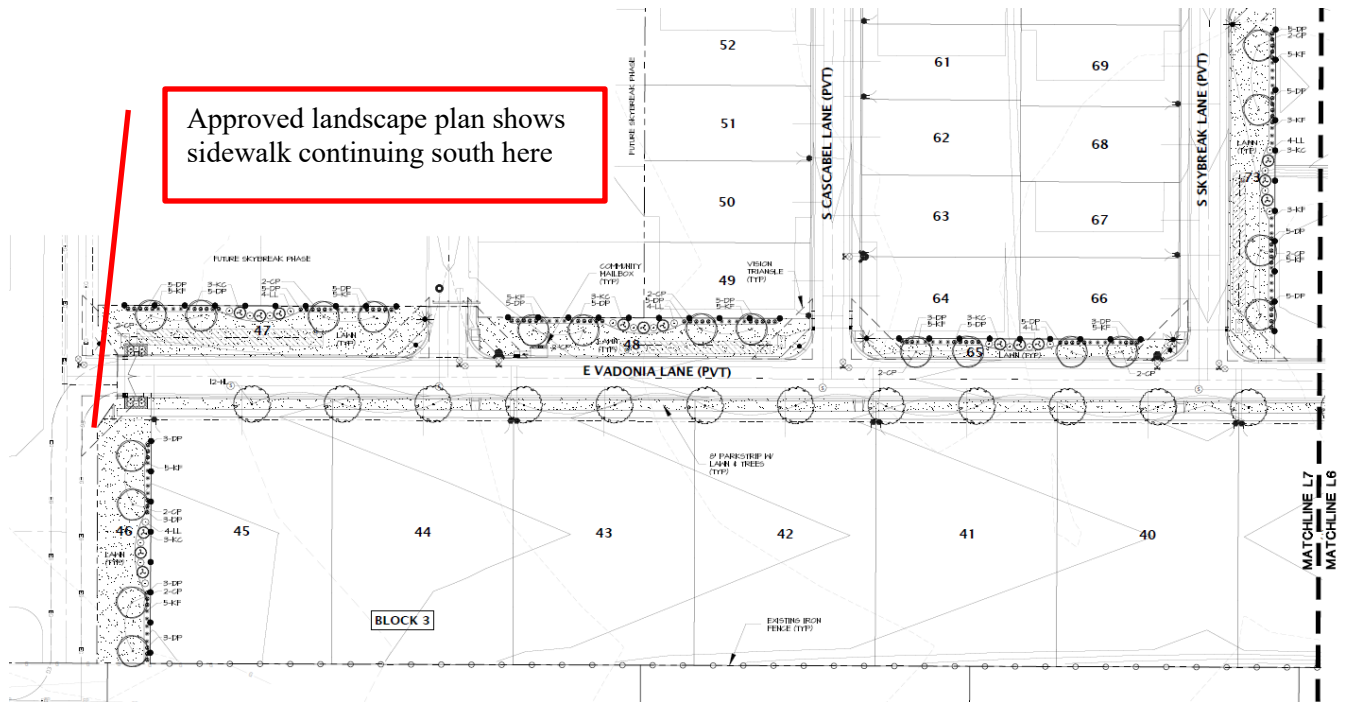


Approved landscape plan shows trees along this pathway



Same area from approved landscape plan

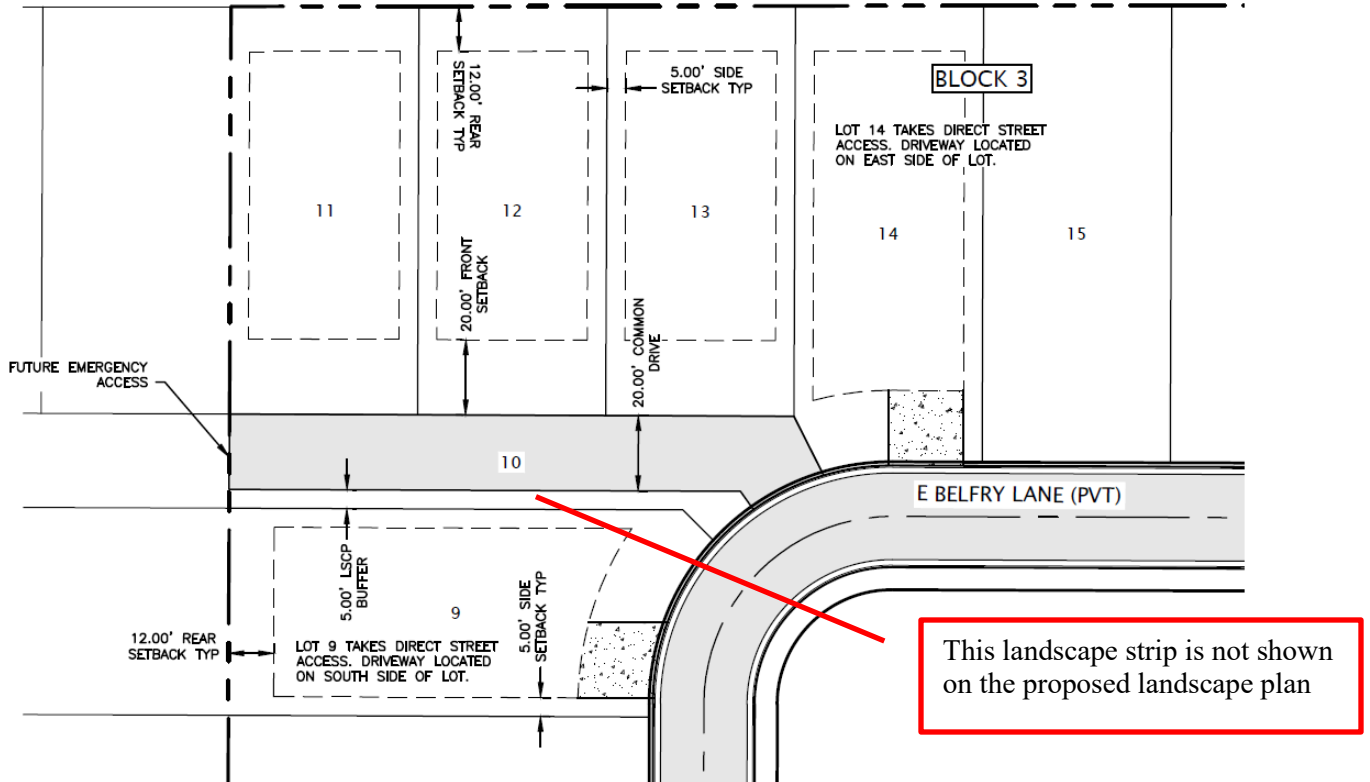




D. Approved Landscape Plan (date: 6/16/2021)



E. Common Drive Exhibit (date: 11/22/2021)



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Applicant shall meet all terms of the approved annexation and preliminary plat applications (Development Agreement - Inst. #2021-119175, AZ, PP H-2020-0127) approved for this site.
2. The applicant shall construct the street buffers and pathway along S. Eagle Rd. with the first phase of development.
3. The existing residence at 3487 E. Adler Hof Ln. (Lot 23, Block 3) will be required to abandon the well and septic system and connect to City water and sewer prior to the first building permit.
4. Per UDC 11-3F-3, the applicant or owner shall provide documentation of a binding contract that establishes the party or parties responsible for the repair and maintenance of the private street, including regulations for the funding thereof.
5. Prior to City Engineer signature on the final plat, the final plat prepared by Civil Site Works, stamped by Corinne Graham, dated: 11/12/21, included in Section V.B shall be revised as follows:
 - a. A 15 ft. side yard setback and no build area (as shown in Exhibit V.B) shall be indicated on the plat for Lot 36, Block 3, abutting Vantage Pointe.
 - b. A 30 ft. rear yard setback (as shown in Exhibit V.B) shall be indicated on the plat along Lots 36-45, Block 3.
 - c. Plat Note No. 5 – add instrument number.
 - d. Plat Note No. 14 – add instrument number.
6. Prior to City Engineer signature on the final plat, the landscape plan, prepared by Jensen Belts Associates on 11/17/21 included in Section V.B shall be revised as follows:
 - a. Sidewalk meeting the requirements of UDC 11-3A-17 shall be added within Lot 46, Block 3 as shown on the approved preliminary plat landscape plan.
 - b. Trees meeting the requirements of UDC 11-3B-12 shall be provided along the golf cart path in Lots 18 and 19, Block 3 shown on the approved preliminary plat landscape plan.
 - c. A landscape strip meeting the requirements of 11-6C-3D shall be provided on the south side of the common drive in Lot 10, Block 3.
 - d. The landscape plan shall indicate any existing trees on the subject property that are four-inch caliper or greater; or mitigate for the loss of such trees as set forth in UDC 11-3B-10C.
7. Pathways and adjoining fencings and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A7, 11-3A-8 and 11-3B-12C.
8. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
9. Developer shall comply with all ACHD conditions of approval.
10. The plat shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6.

11. 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.
12. The applicant shall obtain the City Engineer's signature on the subject final plat by July 20, 2023, within two years of the City Council's approval of the preliminary plat; or apply for a time extension, in accord with UDC 11-6B-7.
13. Staff's failure to cite specific ordinance provisions does not relieve the applicant of responsibility for compliance.

B. PUBLIC WORKS

SITE SPECIFIC CONDITIONS:

1. Applicant may consider adding a valve cluster at any location along the water main that will be connected to a future phase because hot tap water connections will not be allowed.
2. Ensure that future sewer connections into manholes are installed at a minimum 90 degrees.
3. The City does not want manholes in sidewalks because they can be a tripping hazard. Sanitary Sewer Manhole A-3 and A-11 are currently shown in the sidewalk and will need to be moved into the right of way. This may require reconfiguration of the water line and additional manholes.
4. A 30-foot Type 1 streetlight with an 8 foot mast arm is needed 220 feet south of the southernmost existing streetlight on South Eagle Road on your plans.
5. Call out the LED fixtures that will be used for both types of streetlights.

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 then 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.