

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: 01/14/2025
ORDER APPROVAL DATE: 01/28/2025

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 26 BUILDING)
LOTS AND 3 COMMON LOTS ON)
4.58 ACRES OF LAND IN THE R-8)
ZONING DISTRICT FOR GANDER)
CREEK SOUTH NO. 4.)
BY: KENT BROWN)
APPLICANT)
_____)
)
)

CASE NO. H-2024-0021
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on January 14th, 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:

1. The Final Plat of “PLAT SHOWING GANDER CREEK SOUTH NO.4
SUBDIVISION, LOCATED IN THE NE 1/4 OF SECTION 31, TOWNSHIP 4N,
RANGE 1W, BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO, 2024,
HANDWRITTEN DATE: 2024, by CODY MCCAMMON, 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 January 14th, 2025, a true and correct copy of which is attached hereto marked “Exhibit A” 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 twenty-eight (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:_____

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



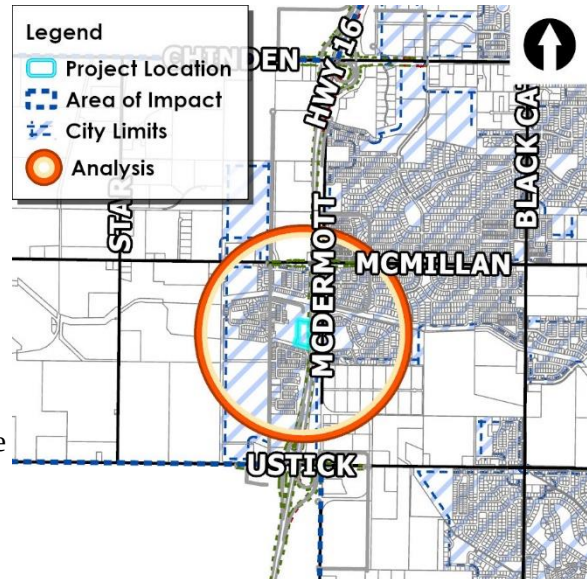
HEARING DATE: 1/14/2025

TO: Mayor & City Council

FROM: Nick Napoli, Associate Planner
208-884-5533

SUBJECT: Gander Creek South No. 4
FP-2024-0021

LOCATION: Generally located south of W. McMillan Road on the south side of the Five Mile Creek, west of N. McDermott Road, I the NE ¼ of Section 31, T.4N., R.1W.



I. PROJECT DESCRIPTION

Final Plat consisting of 26 residential building lots and three (3) common lots on approximately 4.58 acres of land in the R-8 zoning district by Bailey Engineering.

II. APPLICANT INFORMATION

- A. Applicant
Kent Brown, Kent Brown Planning Services – 3161 E. Springwood Drive, Meridian, ID 83642
- B. Owner:
John Laude – 9839 W. Cable Car Street, Boise, ID 83706
- C. Representative:
Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2019-0013) in accord with the requirements listed in UDC 11-6B-3C.2.

This Final Plat is part of Phase Nine (9) of the Gander Creek Development.

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FOR (Gander Creek South No. 4 – FP-2024-0021)

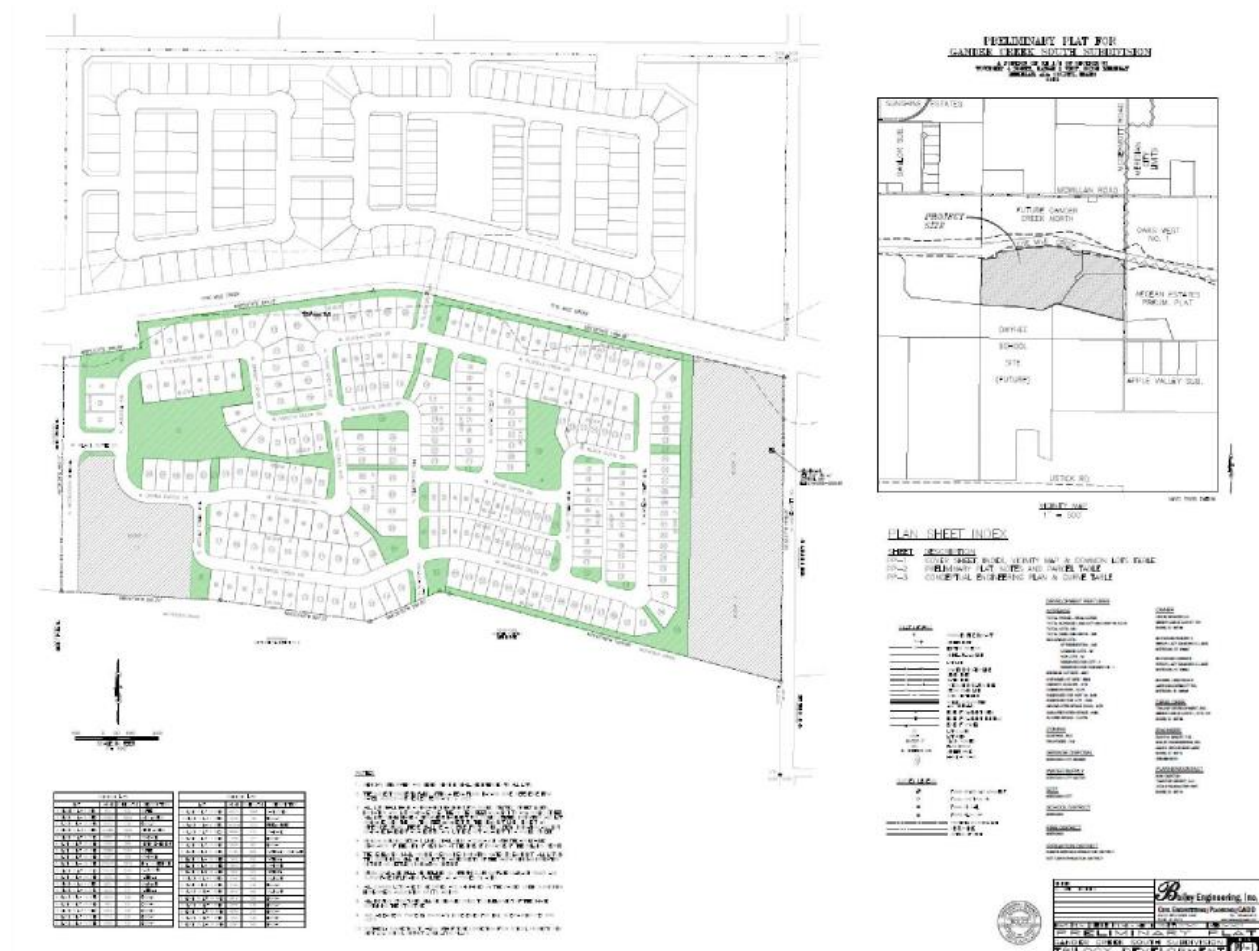
In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Since there is no change to the number of buildable lots and the amount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

IV. DECISION

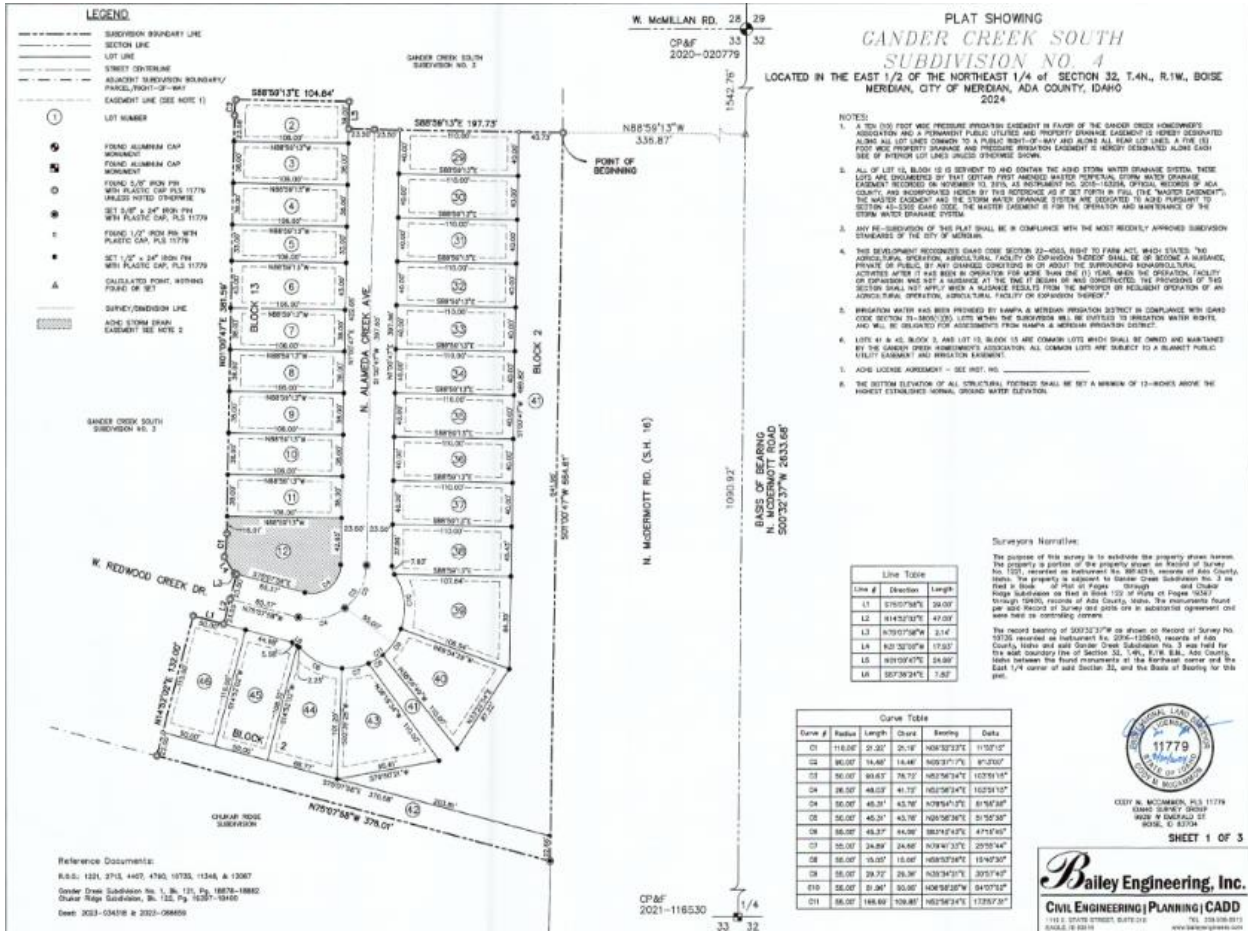
Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

V. EXHIBITS

A. Preliminary Plat (dated: 12/22/19)

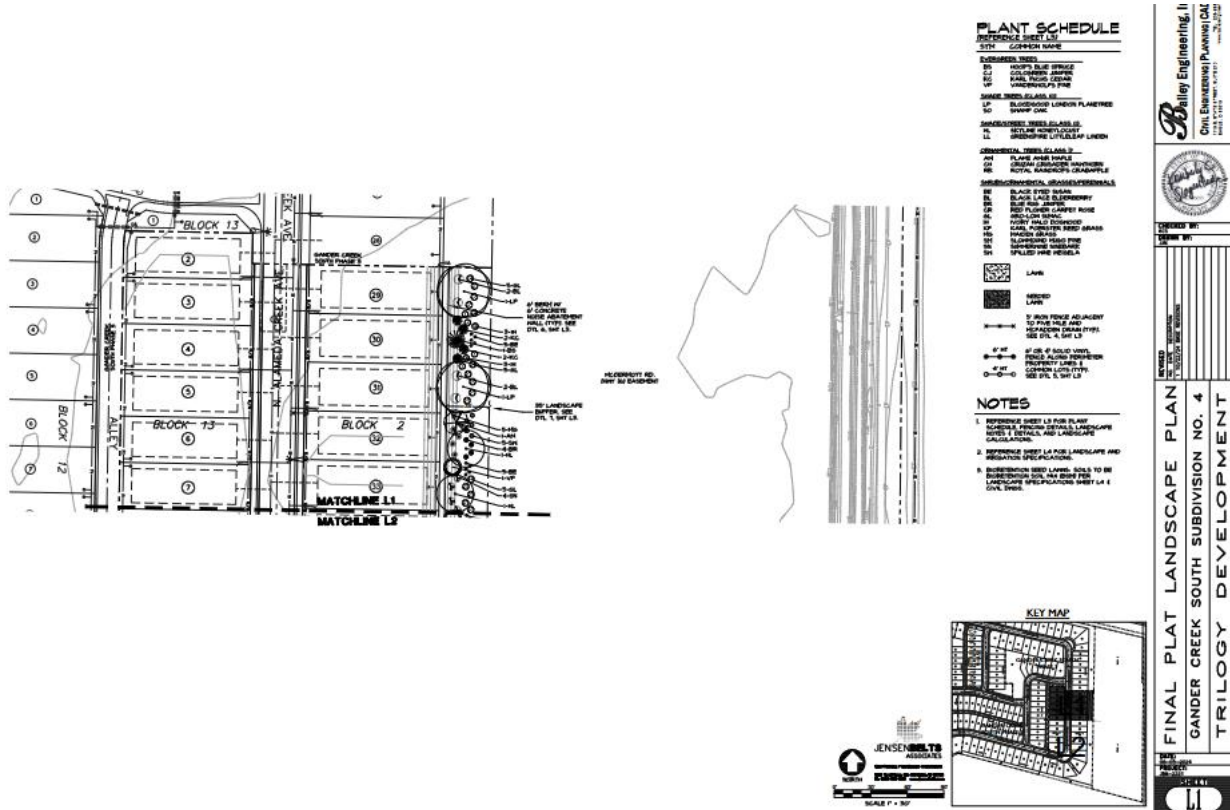


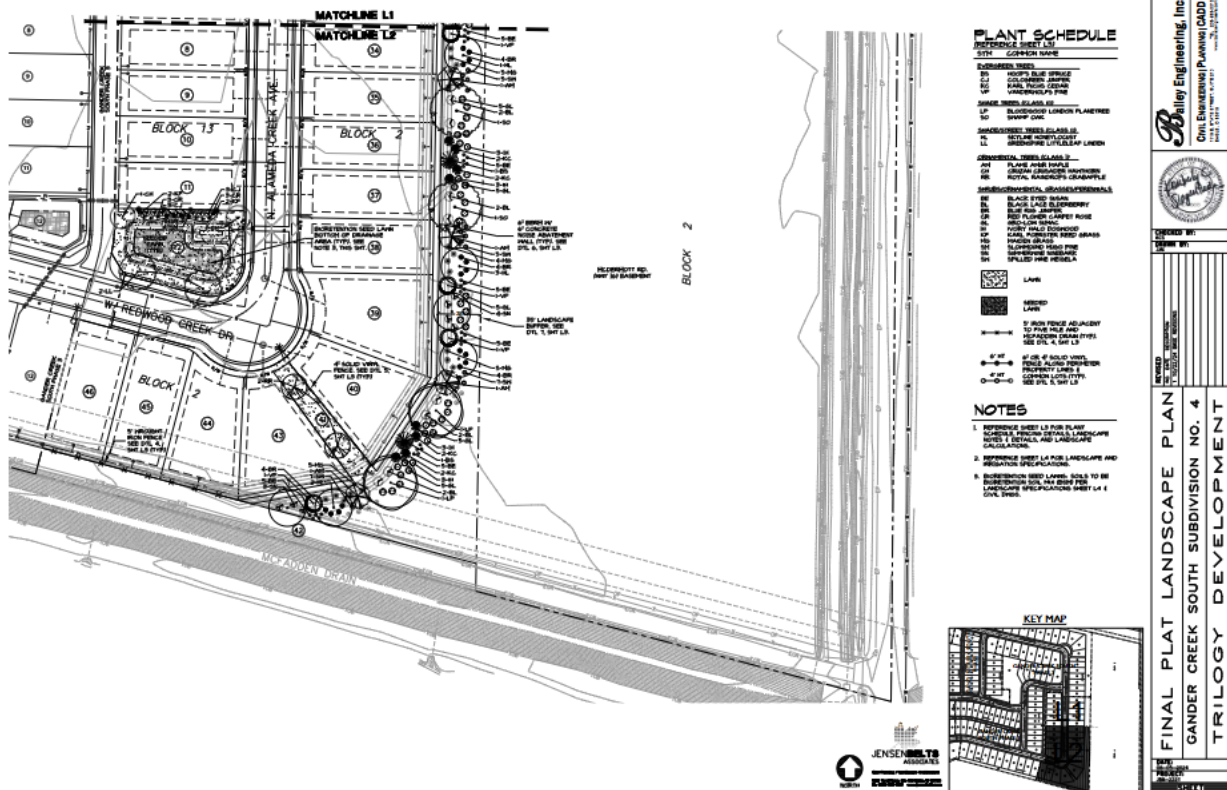
B. Final Plat (dated: 08/30/24)



ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT FOR (Gander Creek South No. 4 – FP-2024-0021)

C. Landscape Plan (dated: 7/12/2024)





4. The final plat shown in Section V.B prepared by Bailey Engineering Inc., stamped on 08/20/2024 by Cody M. McCammon, shall be revised as follows:
 - a. Note #7: Include the recorded instrument number for the ACHD license agreement.
 - b. W. Redwood Creek Drive shall have an arrow showing the location on the plat.

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 08/05/24, is approved as shown in Exhibit C.
 - a. A detail shall be included that depicts the centerline (or estimated centerline) of the future SH-16 in relation to the top of the berm/wall verifying it's a minimum of 12-feet higher than the elevation at the centerline of the state highway as required by UDC 11-3H-4D.2. The Director may approve alternative compliance as set forth in UDC 11-5B-5 where the Applicant has a substitute noise abatement proposal in accord with ITD standards and prepared by a qualified sound engineer as set forth in UDC 11-3H-4D.4.
 - b. The 6-foot tall closed vision fence along the east boundary of the subdivision adjacent to N. McDermott Rd./future SH-16 shall be removed and either a use easement recorded across the back side of the berm along McDermott/SH-16 benefitting adjacent building lots with allowance for side yard fences to be constructed to the wall on top of the berm; or, an open vision, 4-foot tall closed vision, or 4-foot tall closed vision with 2 foot open vision fencing on top could be constructed for visibility of the common area between the fence and wall on top of the berm.
6. Prior to the issuance of any new building permit, the property shall be subdivided in accordance with the UDC.
7. All fencing shall comply with the standards of UDC 11-3A-7C.
8. The rear and/or sides of structures that face future SH-16 (Lots 29-40, Block 2), 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.*
9. All development shall comply with the dimensional standards for the R-8 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. # 2019-060657).
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, Matthew Peterson, at 208-887-1620 or Matthew.W.Peterson@usps.gov for more information.

12. 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.