

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: SEPTEMBER 10, 2024
ORDER APPROVAL DATE: SEPTEMBER 24, 2024

IN THE MATTER OF THE	)	
REQUEST FOR FINAL PLAT	)	
CONSISTING OF FOUR (4)	)	CASE NO. FP-2024-0003
BUILDING LOTS AND ONE (1)	)	
COMMON LOT ON 15.99-ACRES	)	ORDER OF CONDITIONAL
OF LAND IN THE R-40 AND C-G	)	APPROVAL OF FINAL PLAT
ZONING DISTRICTS FOR	)	
MCDERMOTT VILLAGE	)	
SUBDIVISION NO. 1.	)	
	)	
BY: KIMLEY-HORN	)	
APPLICANT	)	
_____	)	

This matter coming before the City Council on September 10, 2024 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 MCDERMOTT VILLAGE SUBDIVISION NO. 1, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2024,

HANDWRITTEN DATE: 6/14/24, by MICHAEL S. BYRNS, PLS, SHEET 1 OF 5,” 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 September 10, 2024, 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 _____, 2024.

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



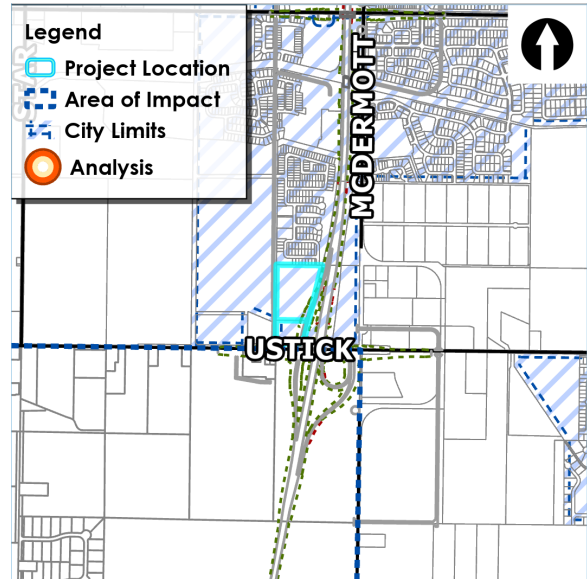
HEARING DATE: 9/10/2024

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: McDermott Village No. 1 – FP, PS
FP-2024-0003; A-2024-0078

LOCATION: Generally located at the NWC of W.
Ustick Rd. and future SH-16 at 3235 N.
McDermott Rd., in the SE 1/4 of Section
32. T.4N., R.W.



I. PROJECT DESCRIPTION

The Applicant requests approval of a final plat (FP) consisting of four (4) building lots and one (1) common lot on 15.99-acres of land in the R-40 and C-G zoning district; and six (6) private streets (PS) within the multi-family portion of the development, by Kimley Horn.

II. APPLICANT INFORMATION

A. Applicant

Nicolette Womack, Kimley-Horn – 950 W. Bannock St., Se. 1100, Boise, ID 83702

B. Owners:

Pacific McDermott Village Apartments, LLC – 430 E. State St., Ste. 100, Eagle, ID 83616

Woodside Avenue Investors, LLC – 1132 E. Laguna Shore Ln., Eagle, ID 83616

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2022-0056) 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. Staff has reviewed the proposed final plat and there is no

increase 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 with the conditions noted in Section VI below.

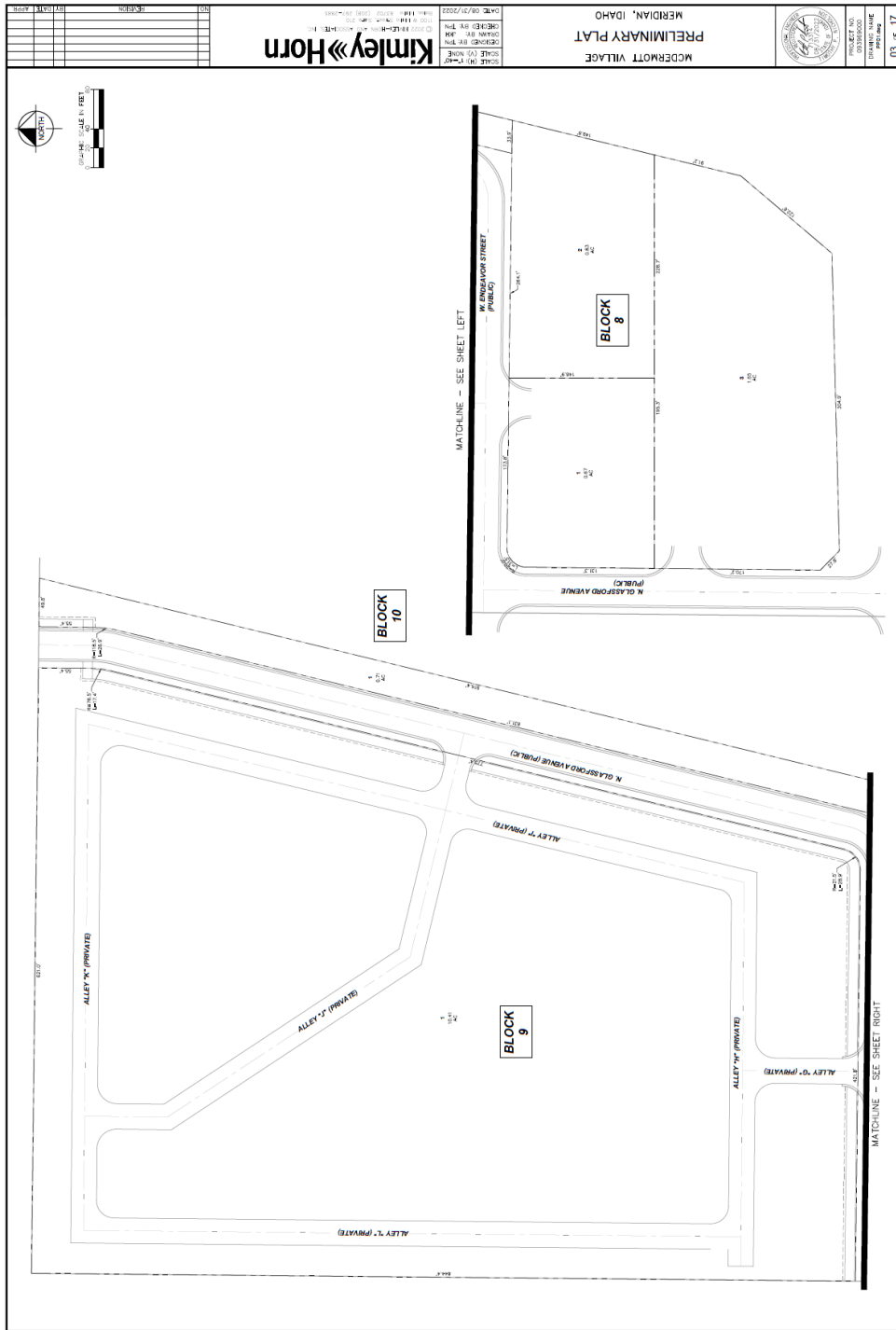
The proposed private streets are depicted on the exhibit in Section V.E.

IV. DECISION

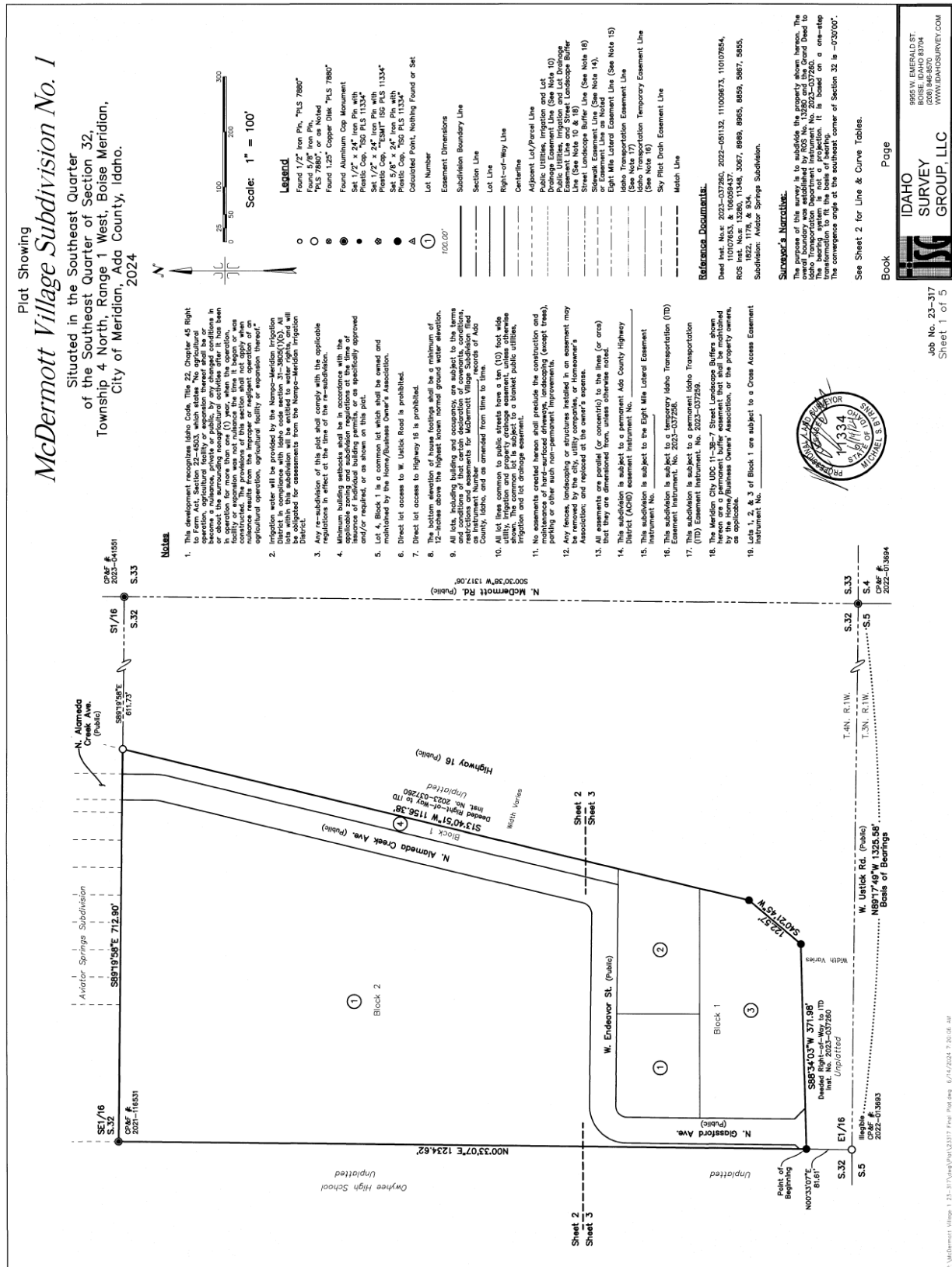
Staff recommends approval of the proposed final plat and tentative approval of the proposed private streets with the conditions noted in Section VI of this report.

V. EXHIBITS

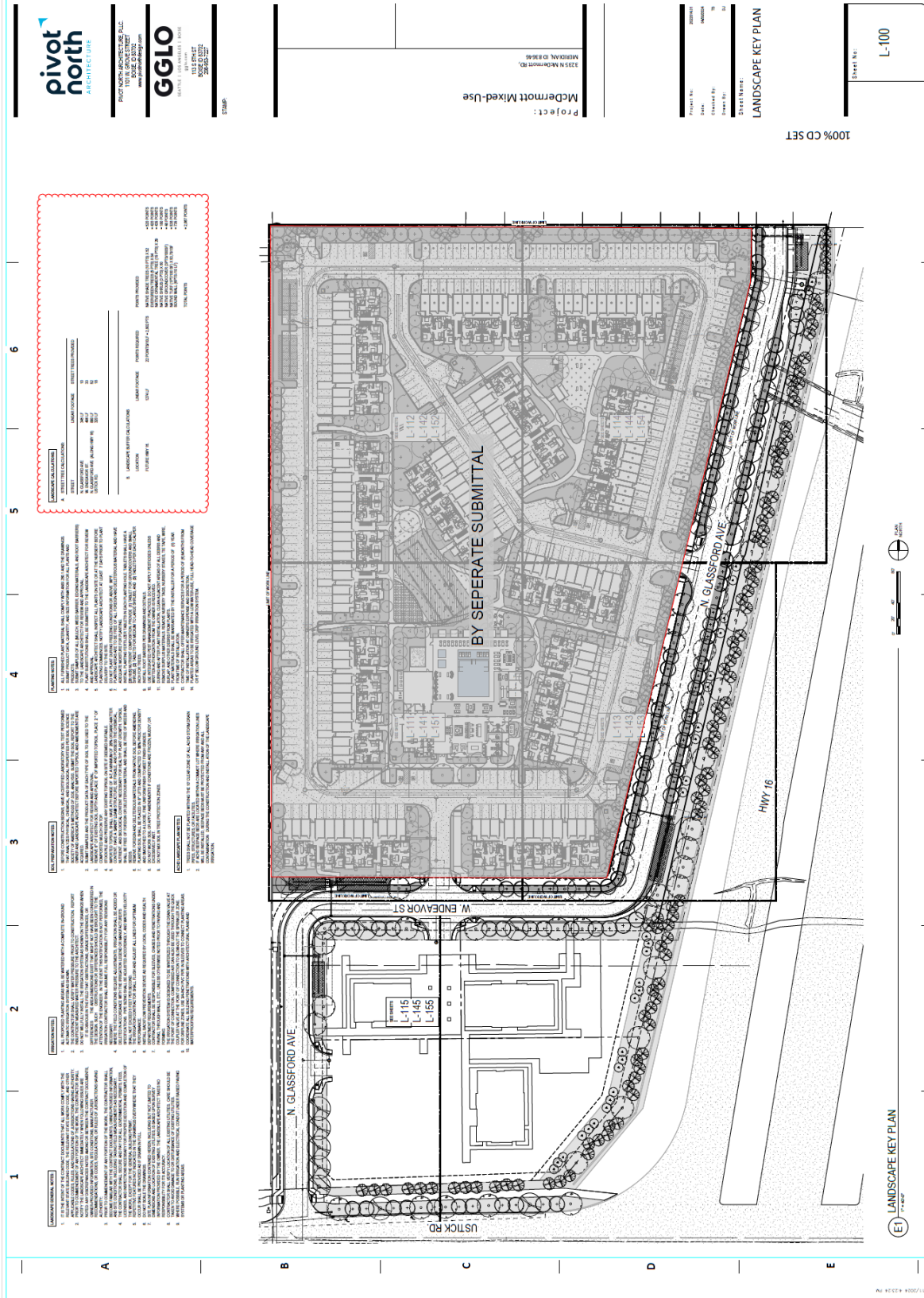
A. Preliminary Plat (dated: 10/25/21)



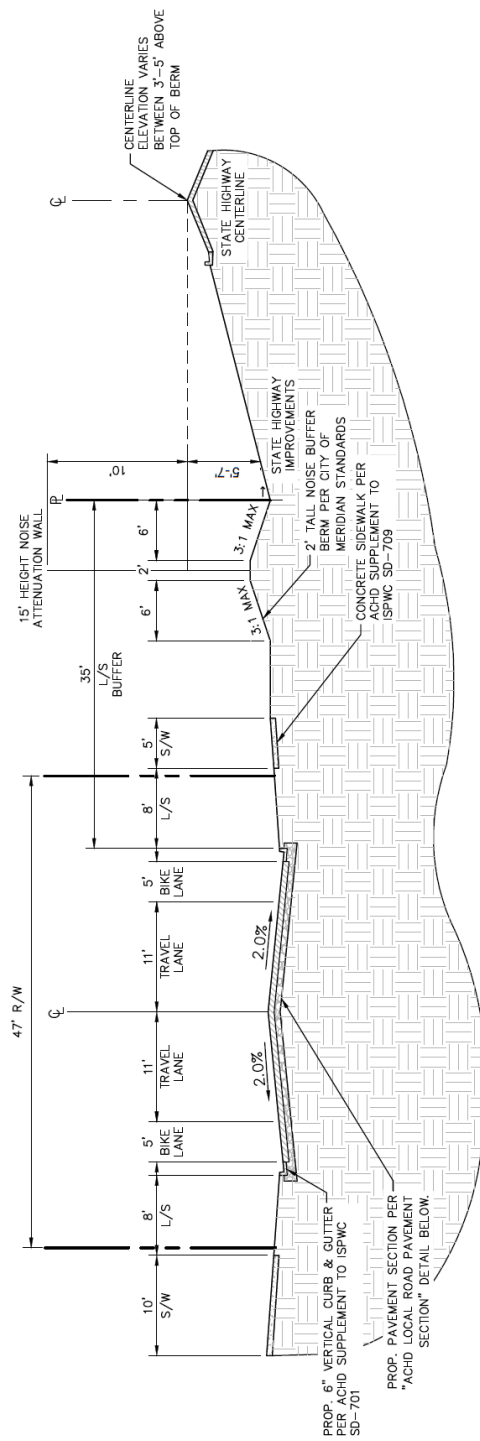
B. Final Plat (dated: 06/14/24)



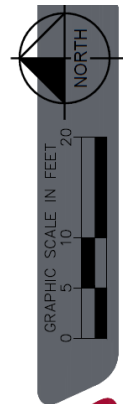
C. Landscape Plan (dated: 04/30/2024)



D. Noise Abatement Berm/Wall Details & Cross-section



N. GLASSFORD AVE/COMMON LOT CROSS SECTION



MCDERMOTT VILLAGE
MERIDIAN, IDAHO

Kimley»Horn

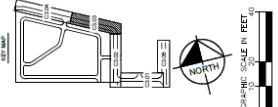
July 18, 2024

[illegible]

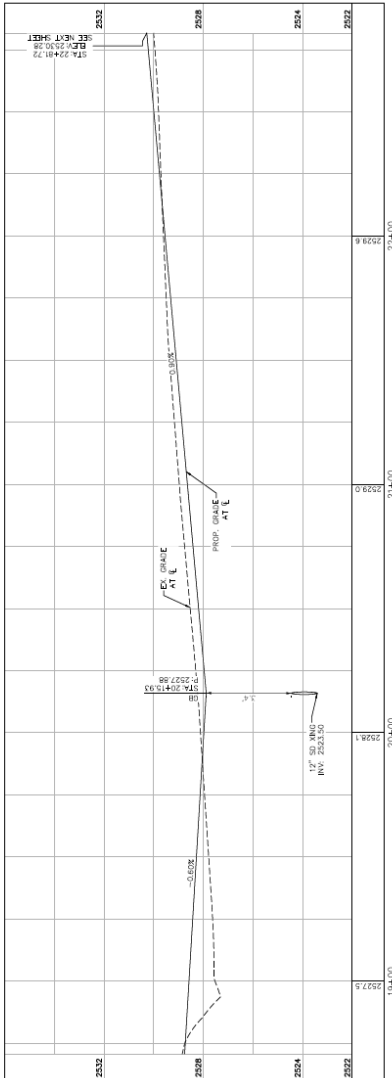
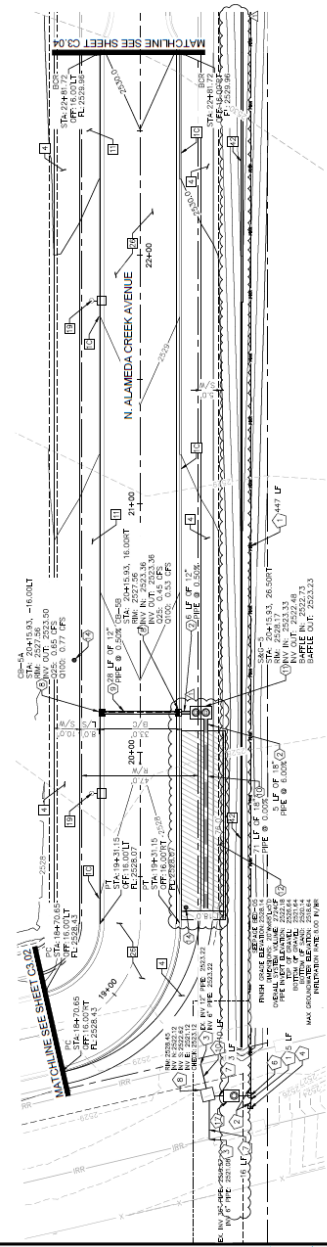
1. CONTRACTOR TO VERIFY EXISTING IMPROVEMENTS SHOWN ON THE PLAN.
2. CONTRACTOR TO PROTECT IN PLACE, DURING DEMOLITION AND CONSTRUCTION, ALL EXISTING IMPROVEMENTS THAT ARE TO REMAIN AS NOTED ON THE PLAN.
3. ANY EXISTING STRUCTURE, IMPROVEMENT OR APPURTENANCE TO REMAIN THAT IS DAMAGED DURING DEMOLITION OR CONSTRUCTION SHALL BE IMMEDIATELY REPAIRED OR REPLACED BY THE CONTRACTOR AT THE CONTRACTORS EXPENSE.

- ② INSTALL HOPE STORM DRAIN LINE, LENGTH AND SIZE PER PLAN.
- ③ INSTALL CATCH BASIN PIPE PER ACO DETAIL, SD-461.
- ④ INSTALL C-300 STORM DRAIN LINE, LENGTH AND SIZE PER PLAN.
- ⑤ INSTALL 18" HALF PERFORATED HOPE STORM DRAIN PIPE PER ACO BMP 20.
- ⑥ LENGTH PER PLAN.
- ⑦ INSTALL 1000 GALLON SAND AND GRAVEL TRAP PER SPWIC DETAIL SD-424 AND ACO BMP 20.
- ⑧ INSTALL SEEPAGE BED PER ACO BMP 20.

- 1 INSTALL 6" SCHEDULE 40 PVC PRESSURE IRRIGATION PIPE.
- 2 INSTALL 6" GATE VALVE.
- 3 CONNECT TO EXISTING IRRIGATION PIPE.
- 4 INSTALL 6" CAP FOR FUTURE CONNECTION.
- 5 INSTALL 4" PWT TEL.
- 6 INSTALL 12" REINFORCED CONCRETE PIPE.
- 7 INSTALL IRRIGATION BOX WITH WHEEL GATE AND VIEW PER DETAILS 1, 2, AND C751 AND MMD STANDARDS AND SPECIFICATIONS.
- 8 INSTALL 6" PVC ORD IRRIGATION PIPE.
- 9 INSTALL INLETWELL AND PUMP STATION PER RAINBOW DETAIL ON SHEET C752.



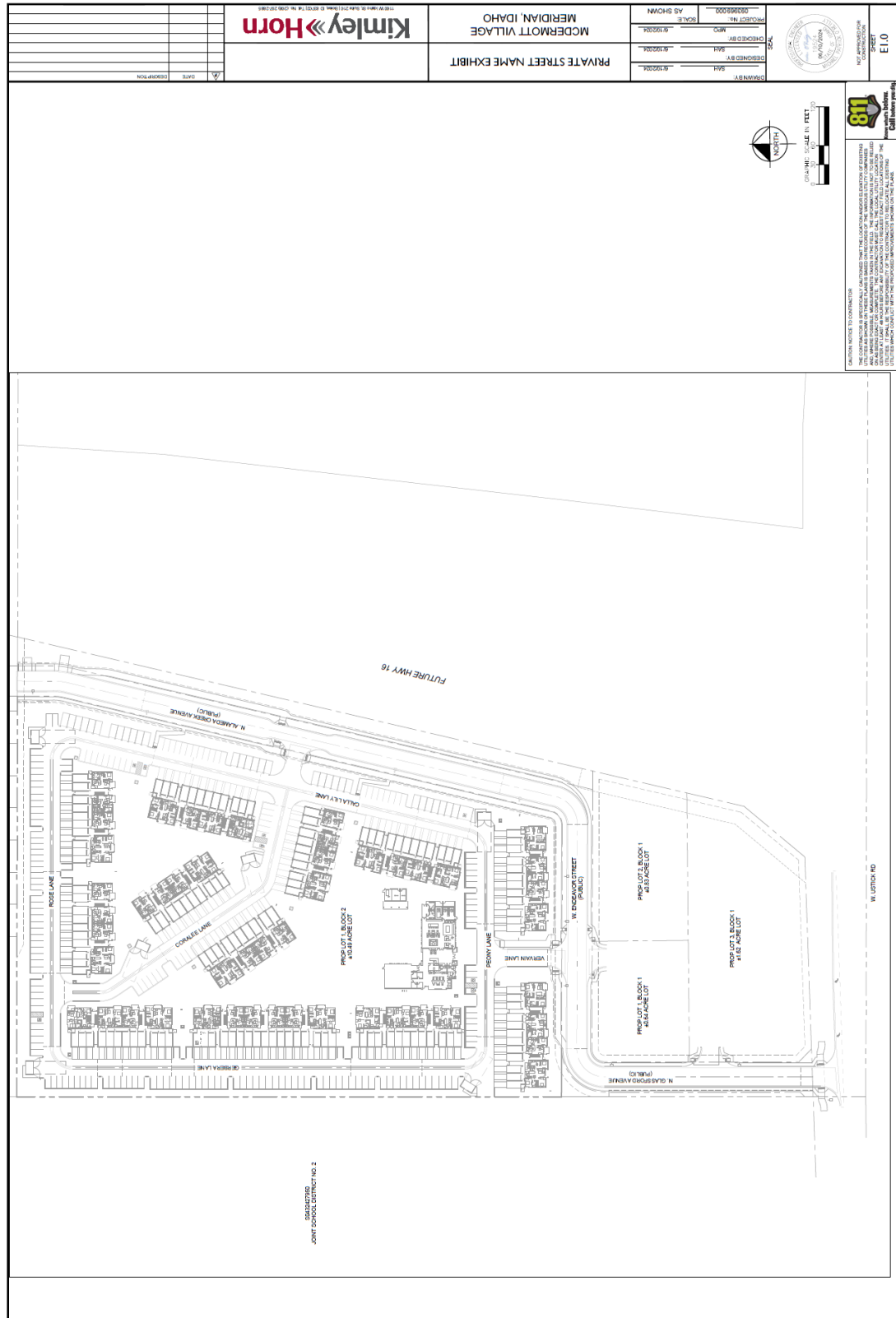
10. INSTALL 6" VERTICAL CURB WITH GUTTER PER ACHO STANDARDS AND SPECIFICATIONS STD DWG 50-701.
11. INSTALL CONCRETE SIDEWALK PER ACHO SUPPLEMENTAL SPECIFICATIONS STD DWG 50-103.
12. INSTALL LANDSCAPE AREA PER LANDSCAPE PLANS.

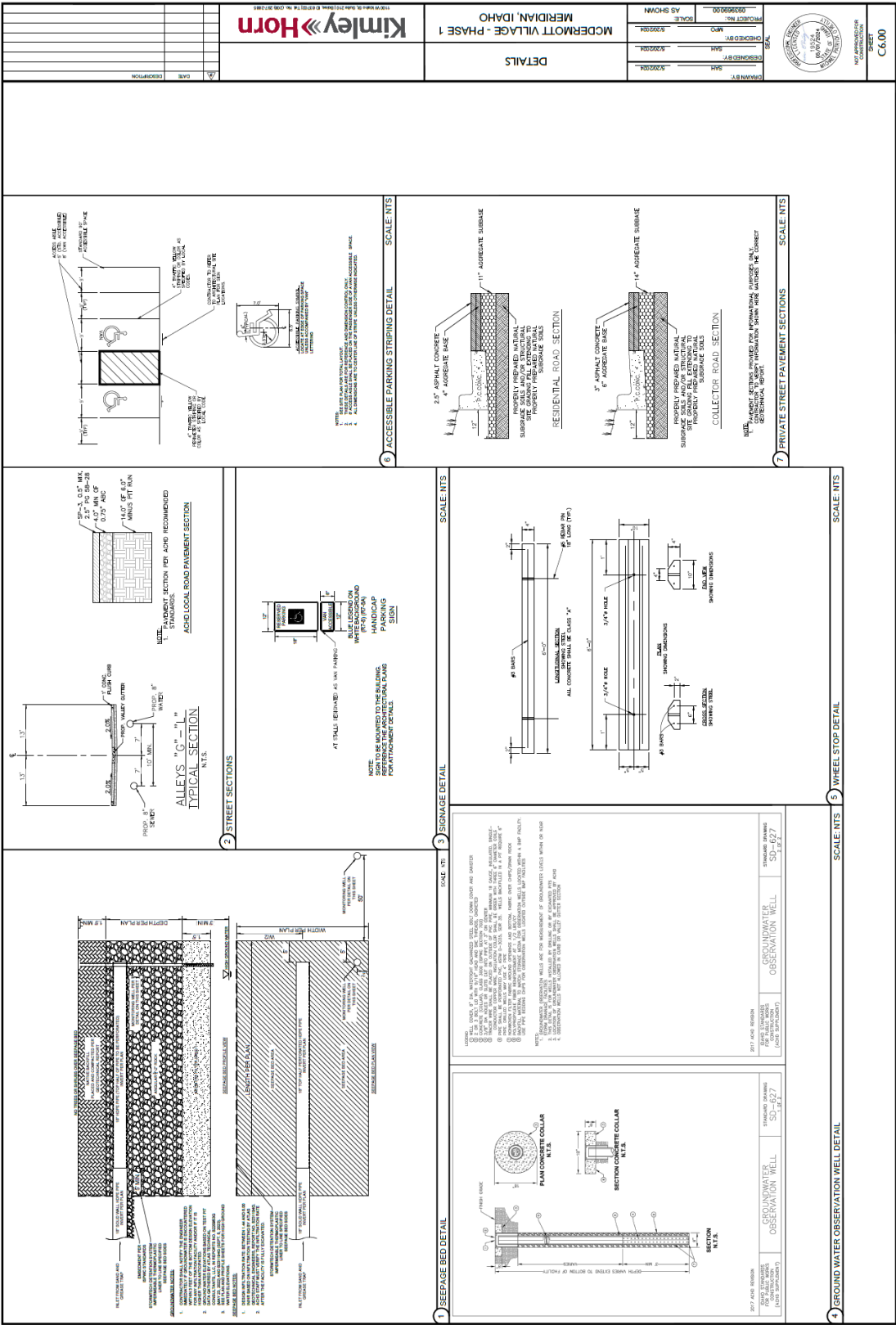


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**Know what's below.
Call before you dig.**

E. Private Street





Note: Detail #2 depicted as "alley" should be private street (no alleys are approved).

VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

1. The Applicant shall comply with all previous conditions of approval associated with [H-2022-0056](#) (McDermott Village – AZ, CUP, PP, VAR), including the provisions in the Development Agreement (Inst. #[2023-019413](#)), for this site.
2. **The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of the date of approval of the preliminary plat (i.e. by December 20, 2024), 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 acknowledgment signed and notarized.
4. The final plat prepared by Idaho Survey Group, LLC, dated: 06/14/2024, included in Section V.B shall be revised as follows:
 - a. Note #9: Include the recorded instrument number of the CC&R's.
 - b. Note #14: Include the recorded instrument number of the ACHD permanent easement.
 - c. Note #15: Include the recorded instrument number of the Eight Mile Lateral easement.
 - d. Note #19: Include the recorded instrument number of the cross-access easement.
 - e. If the 10-foot wide multi-use pathway along N. Alameda Creek Ave. adjacent to future SH-16 is located outside of the public right-of-way, graphically depict a 14-foot wide public use easement for the pathway and include the recorded instrument number of the easement.
 - f. Depict common lot(s) for the proposed private streets that provides access to all properties served by such private streets, in accord with UDC 11-3F-4A.1.

A copy of the revised plat shall be submitted with the final plat for City Engineer signature.

5. The landscape plan prepared by Pivot North Architecture, dated 4/30/2024, included in Section V.C, shall be revised as follows:
 - a. Depict landscaping within street buffers in accord with the standards listed in UDC [11-3B-7C.3](#). *See standards for specific requirements.*
 - b. Depict landscaping along all pathways as set forth in UDC [11-3B-12C](#); include a calculations table that demonstrates compliance. *See standards for specific requirements.*
 - c. Include tree classifications and size of trees and shrubs in the plant legend in accord with the minimum standards listed in UDC Table 11-3B-5-2 and 11-3B-7C.3.

A copy of the revised plan shall be submitted with the final plat for City Engineer signature.

6. Noise mitigation shall be provided within the street buffer along future SH-16 in accord with the standards listed in UDC [11-3H-4D](#) for residential uses adjoining a state highway. The wall shall be staggered every 300 linear feet as proposed. **Prior to signature on the final plat, the Applicant shall submit manufacturer specifications demonstrating the wall is of a sound attenuating material appropriate adjacent to a state highway. A colored detail of the wall shall also be provided that demonstrates an aesthetic quality appropriate next to a state highway.**
7. The proposed private streets are tentatively approved. **The Applicant shall have one (1) year (by 9/4/25) to complete the tasks listed in UDC [11-3F-3B](#). Upon completion of these tasks, the Director shall issue a letter stating that the private street has been approved. No**

building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.

8. All private streets shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red in accord with UDC 11-3F-4B.2d.
9. All private streets shall have a travel lane width of 26-feet and shall comply with the design and construction standards listed in UDC [11-3F-4](#).
10. Alleys are *not* approved with this application; all access drives within the multi-family portion of the development in Lot 1, Block 2 shall be constructed as private streets.
11. A 14-foot wide public use easement shall be submitted to the Planning Dept. for the 10-foot wide multi-use pathway located within the street buffers along N. Alameda Creek Ave. adjacent to SH-16 if the pathway is located outside the adjacent right-of-way prior to submittal of the final plat for City Engineer signature.
12. The subject final plat shall be recorded prior to issuance of building permits for any structures within this development per requirement of the development agreement.
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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=357362&dbid=0&repo=MeridianCity>

C. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=359200&dbid=0&repo=MeridianCity>

F. Idaho Transportation Department (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=360549&dbid=0&repo=MeridianCity>

VII. PRIVATE STREET FINDINGS:

In order to approve the application, the Director shall find the following:

1. The design of the private street meets the requirements of this Article;

The Director finds the design of the proposed private streets comply with the standards listed in UDC 11-3F-4.

2. Granting approval of the private street would not cause damage hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and

The Director does not anticipate the proposed private streets would cause any hazard, nuisance or other detriment to persons, property or uses in the vicinity if they are designed as proposed and constructed in accord with the standards listed in UDC 11-3F-4B.

- 3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.**

The Director finds the use and location of the private streets within the multi-family development does not conflict with the Comprehensive Plan and/or the regional transportation plan.

- 4. The proposed residential development (if applicable) is a new or gated development.**

This finding is not applicable as the proposed private streets are for a multi-family development.