

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: APRIL 23, 2024
ORDER APPROVAL DATE: MAY 7, 2024

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 30 BUILDING)
LOTS AND 12 COMMON LOTS ON)
8.072 ACRES OF LAND IN THE R-8)
ZONING DISTRICT FOR)
FOXCROFT SUBDIVISION NO. 3.)
BY: KENT BROWN PLANNING)
APPLICANT)

)
)
)

CASE NO. FP-2023-0032

ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on April 23, 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 FOXCROFT SUBDIVISION NO. 3,
LOCATED IN THE SE ¼ OF THE NE ¼ OF SECTION 10, TOWNSHIP 3N.,
RANGE 1W., BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO,
2024, HANDWRITTEN DATE: 2024, by CODY M. MCCAMMON, PLS,

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR (FOXCROFT NO. 3 – FILE #FP-2023-0032)

SHEET 1 OF 4,” 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 April 23, 2024, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from April 11, 2024, 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 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



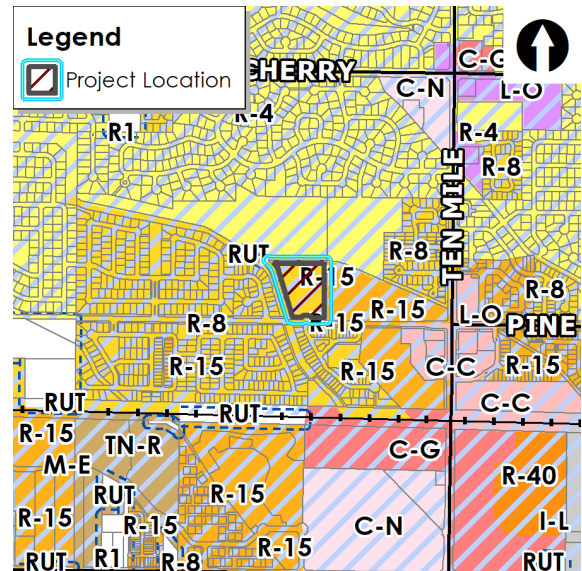
HEARING DATE: 4/23/2024

TO: Mayor & City Council

FROM: Stacy Hersh, Associate Planner
208-884-5533

SUBJECT: Foxcroft No. 3 FP
FP-2023-0032

LOCATION: Phase 3 is located at 3720 W. Pine Avenue, in the SE 1/4 of the NE 1/4 of Section 10, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

Final Plat consisting of 30 residential building lots and 12 common lots on approximately 8.072 acres of land in the R-8 zoning district, by Kent Brown Planning.

II. APPLICANT INFORMATION

A. Owner:

Corey Barton, Viper Investments – 1977 E. Overland Road, Meridian, ID 83642

B. Applicant Representative:

Kent Brown, Kent Brown Planning – 3161 E. Springwood Drive, Meridian, ID 83642

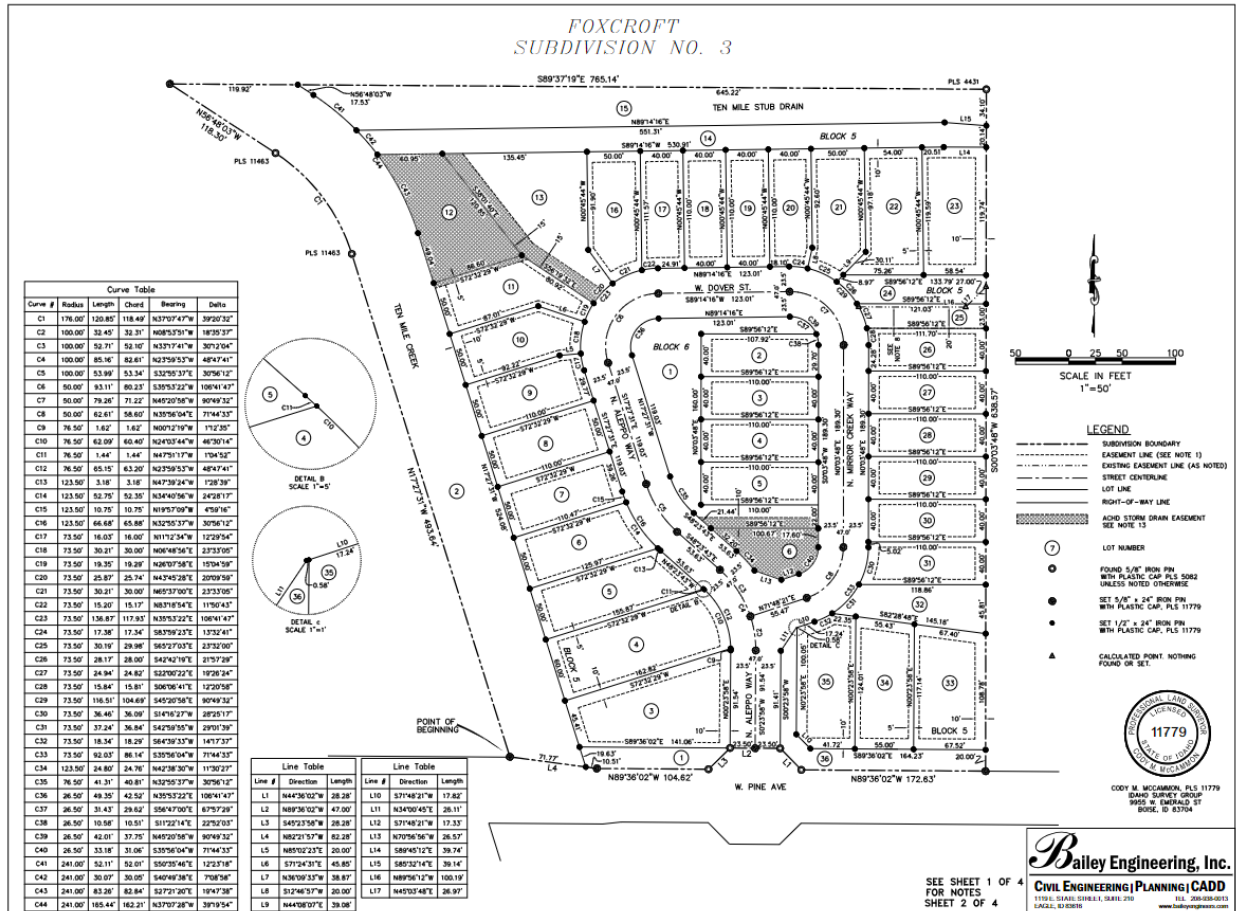
III. STAFF ANALYSIS

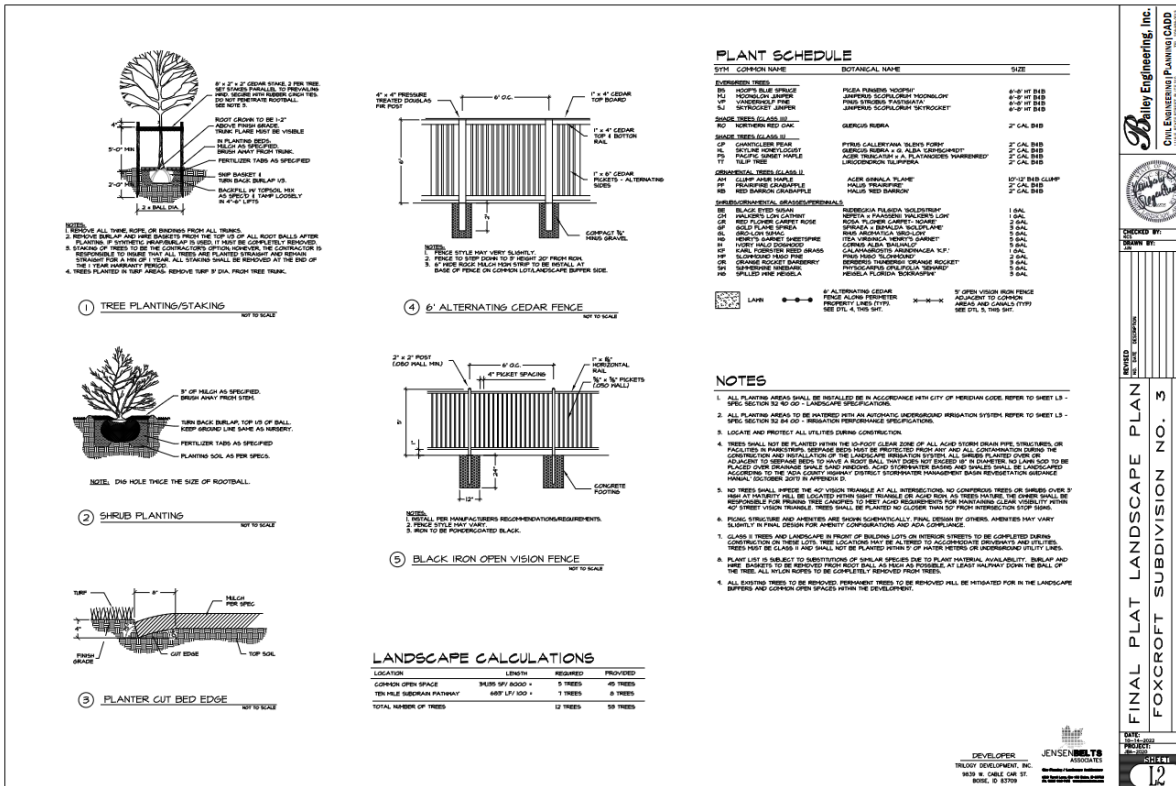
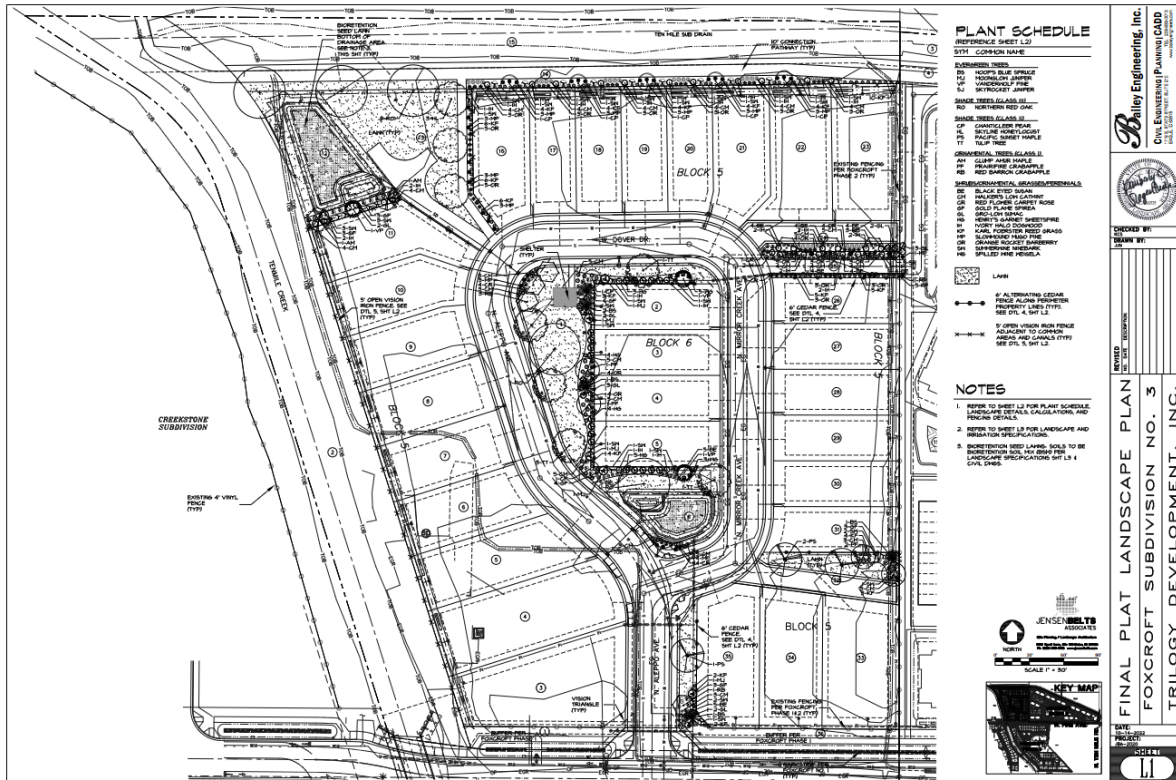
Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2020-0113) and associated conditions of approval as required by UDC 11-6B-3C.2. There are two (2) more building lots depicted on the proposed final plat compared to the number indicated on the approved preliminary plat (32). However, the proposed final plat for Phase 2 depicted eight (8) fewer buildable lots compared to the number indicated on the approved preliminary plat.

Additionally, there was one (1) less lot in Phase 1 than originally planned. The submitted final plat depicts the required street buffers and pathways as required by the Development Agreement (Inst. # 2021-126693) and the same amount of common open space as previously approved.

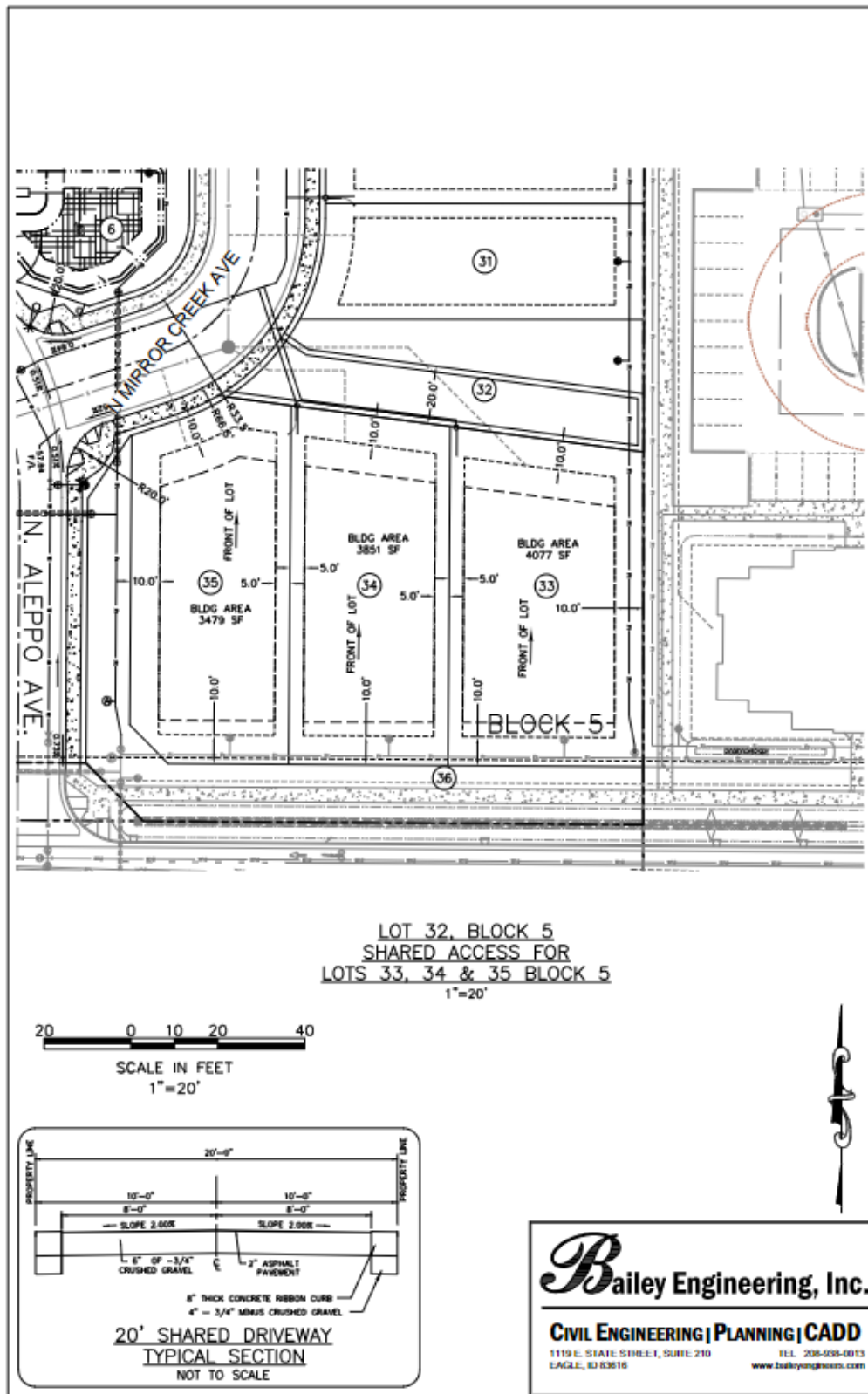
Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat as required.

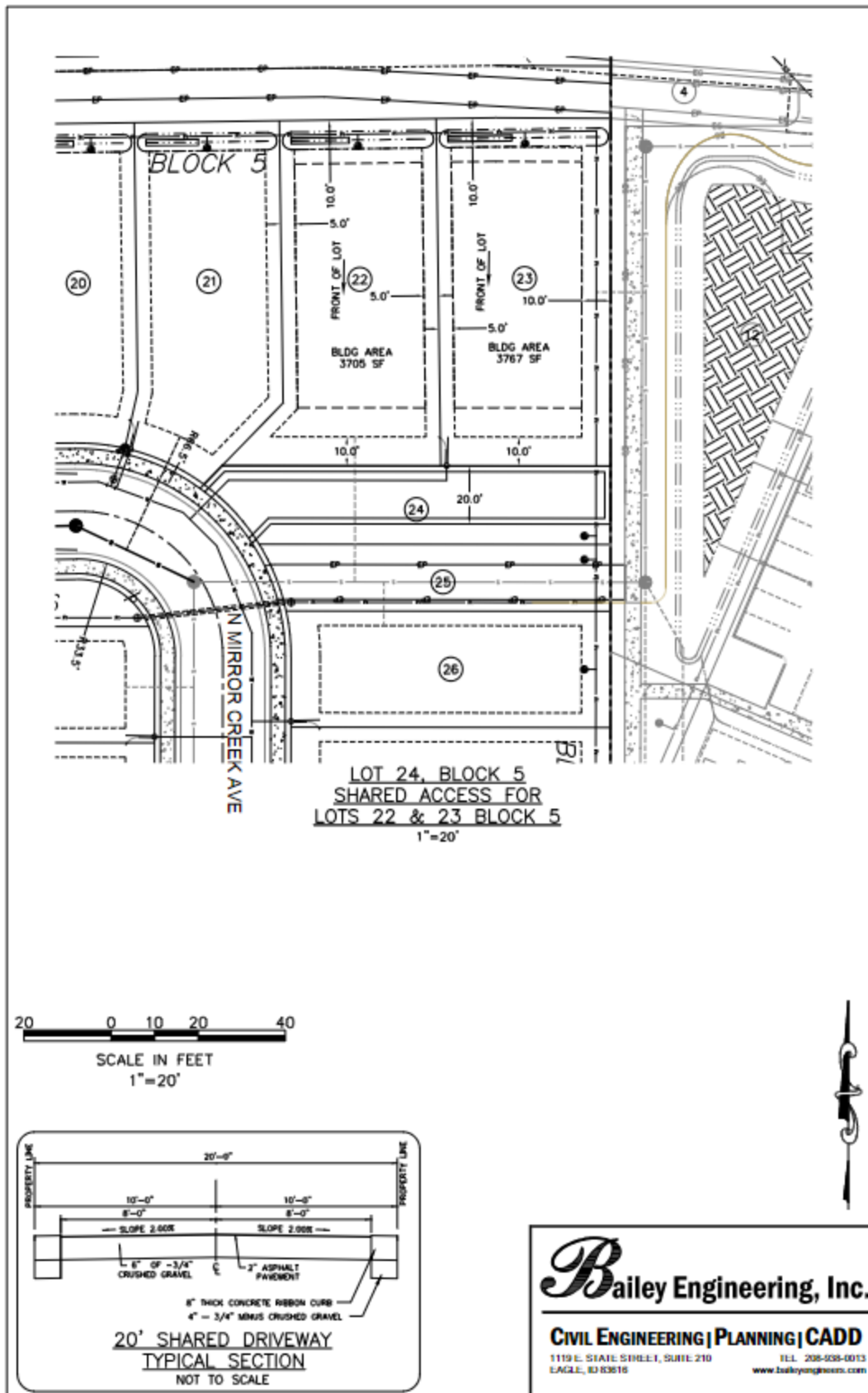
B. Final Plat





D. Common Driveway Exhibits





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-2020-0113 (DA Inst. #2021-126693); A-2022-0088 (Foxcroft No. 1 Pathway ALT); FP-2021-0049; A-2022-0184 (CZC and DES); A-2022-0224 (Foxcroft No. 2 pathway ALT); ; FP-2023-0031; ESMT-2024-0043 (Pedestrian Pathway Easement).
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Engineer's signature on the previous phase final plat (i.e. by February 13, 2026); or apply for a time extension, in accordance with UDC 11-6B-7.
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 Bailey Engineering, by Cody M. McCammon, is approved with the following conditions to be completed at the time of Final Plat Signature:
 - a. Plat Note #11, add a reference regarding the maintenance of the common drives.
 - b. Plat Note #12, include recorded instrument number.
 - c. Plat Notes #14, include recorded instrument number.
 - d. Add Note #15, include the recorded instrument number of the existing City of Meridian Development Agreement.
 - e. Add Note #16, include the recorded pathway easement number (ESMT-2024-0043) on the plat.
5. The submitted landscape plans, as shown in Section V.C, prepared by Bailey Engineering, with a revision date of 2/12/2024, is approved as submitted shall be revised prior to submittal of the final plat for City Engineer signature, as follows:
 - a. Stormwater swales incorporated into required areas shall be vegetated with grass or other appropriate plant materials. Such swales shall also be signed to accommodate the required number of trees as per Section 11-3B-7 if located in a street buffer or other required landscape area in accordance with UDC 11-3B-11.
 - b. The Ten Mile Drain shall be protected during construction of the subdivision in accordance with UDC 11-3A-6.
 - c. Provide a detail of the covered shelter on the landscape plans submitted with the final plat for signature.
6. 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=341644&dbid=0&repo=MeridianCity>

C. IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=343053&dbid=0&repo=MeridianCity>

D. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=341787&dbid=0&repo=MeridianCity>

Charlene Way

From: kent brown <kentlkb@gmail.com>
Sent: Thursday, April 11, 2024 11:58 AM
To: Stacy Hersh
Cc: Bill Parsons; Bill Nary; Kurt Starman; Chris Johnson; Tina Lomeli; Charlene Way
Subject: Re: Foxcroft Subdivision No. 3 Final Plat Staff Report - FP-2023-0004

External Sender - Please use caution with links or attachments.

We have reviewed the conditions of approval and can comply with these requirements

Kent Brown

On Thu, Apr 11, 2024 at 9:49 AM Stacy Hersh <shersh@meridiancity.org> wrote:

Good Morning,

Attached is the staff report for the final plat for Foxcroft Subdivision No. 3. This item is scheduled to be on the consent agenda at the City Council work session on April 23, 2024. The meeting will be held at City Hall, 33 E. Broadway Avenue, beginning at 4:30 pm. Please call or e-mail with any questions.

If you are *not* in agreement with the provisions in the staff report, please submit a written response to the staff report to the City Clerk's office (comment@meridiancity.org) and me as soon as possible and the item will be placed on the regular meeting agenda at a subsequent meeting for discussion.

Best regards,

Stacy Hersh | Associate Planner

City of Meridian | Community Development Department

33 E. Broadway Ave., Meridian, Idaho 83642

Phone: (208)-489-0576, Fax: (208)-887-1297



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Kent Brown

Kent Brown Planning Services

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Meridian, ID 83642

P: 208-871-6842