

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: 10/15/2024
ORDER APPROVAL DATE: 11/6/2024

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 10 BUILDING)
LOTS AND FOUR (4) COMMON)
LOTS ON 2.77-ACRES OF LAND IN)
THE R-8 ZONING DISTRICT FOR)
JULIA SUBDIVISION.)
BY: ACKERMAN-ESTVOLD)
APPLICANT)

)
)
)

CASE NO. FP-2024-0009
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on October 15, 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 JULIA SUBDIVISION, LOCATED IN A PORTION OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 4, T.3N., R.1W., BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2024, HANDWRITTEN DATE: 9/16/2024, by ANTONIO M. CONTI,

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 October 15, 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:

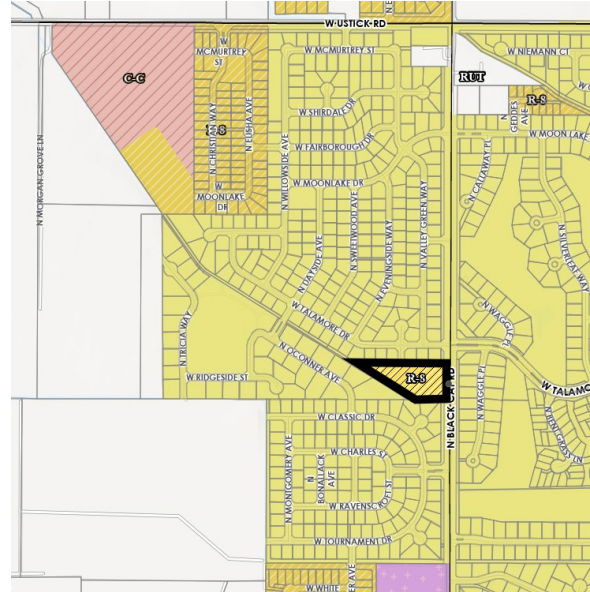
Chris Johnson
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By:_____ Dated:_____

The logo for Meridian, Idaho, features the word "MERIDIAN" in a blue serif font, with a stylized blue wave or ribbon graphic passing through the letters. Below "MERIDIAN" is the word "IDAHO" in a smaller, blue, sans-serif font. A small yellow star is positioned to the right of the word "MERIDIAN".

COMMUNITY DEVELOPMENT DEPARTMENT



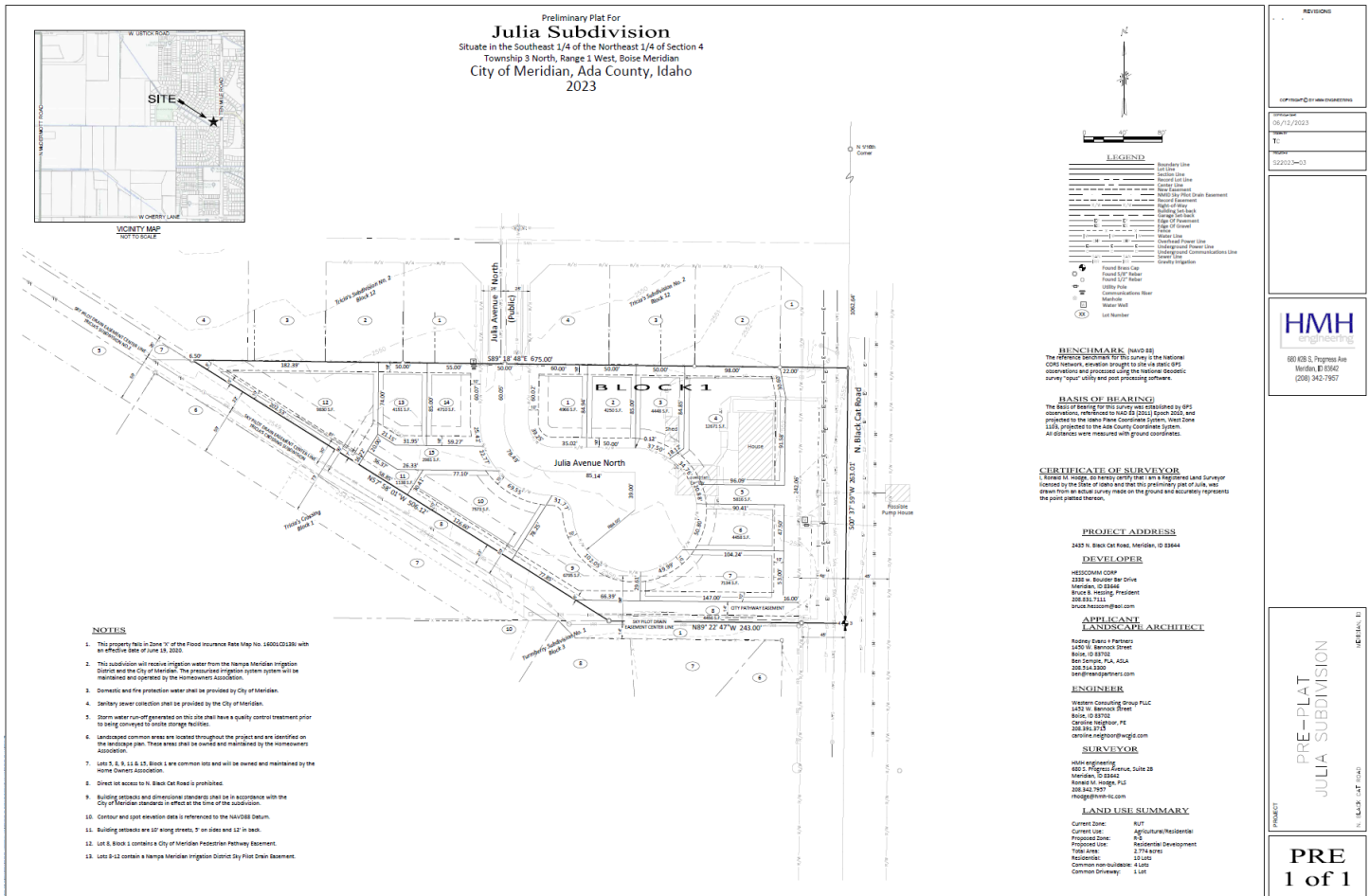
IV. DECISION

A. Staff:

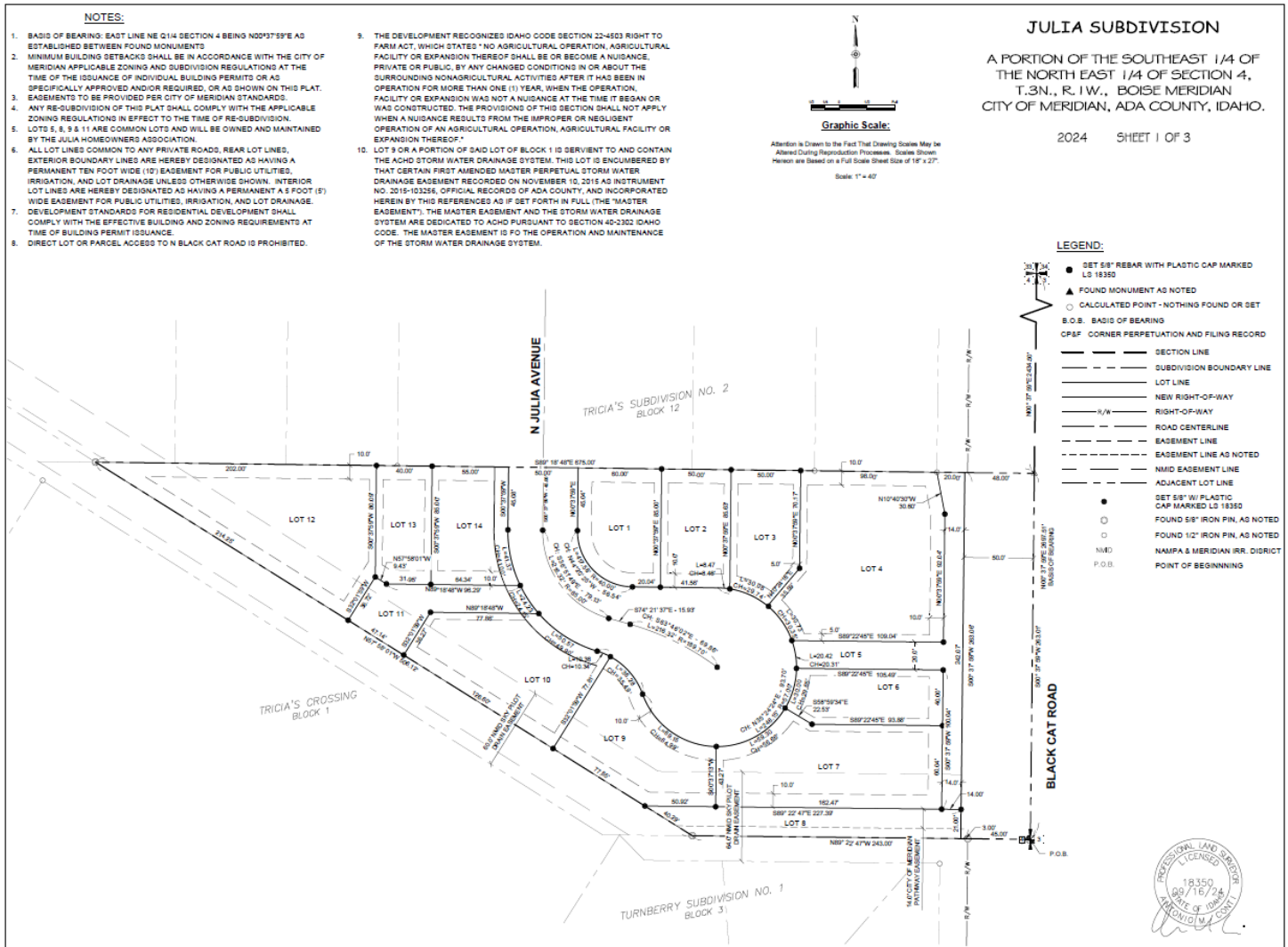
Staff recommends approval of the proposed final plat with the conditions of approval in Section VII of this report.

V. EXHIBITS

A. Preliminary Plat (dated: 6/12/23)



B. Final Plat (dated: 9/16/2024)



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[illegible][illegible]

NOTES:

1. FENCE STYLE MAY VARY SLIGHTLY
2. SLOTTED FENCE OR ORNAMENT OF SIDE OF RAIL
3. MAX. SPACING BETWEEN TOP VERTICAL RAILINGS IS 4"
4. MAXIMUM CLEARANCE BETWEEN VERTICAL RAILINGS IS 4"

10'

4'

10' x 4' TOP RAIL

4" x 4" BOTTOM RAIL

OPEN VERTICAL RAIL TOP

FOOTING BY: [blank]

CONCRETE: [blank]

WOOD: [blank]

STEEL: [blank]

BRICK: [blank]

STONE: [blank]

ROOFING: [blank]

PAINT: [blank]

GLASS: [blank]

OTHER: [blank]

[illegible]

3" x 4" x 12'

SECTION

- * FENCE STYLE MAY VARY SLIGHTLY
- * LIGHTS PRICES AS SHOWN AT END OF FL
- * NATURAL, CEAN WOOD FINISHING, NATURAL COLOR STAIN

1" x 4" x 8" BOTTOM & TOP RAIL, PROVIDE CENTER RAIL, 6" MINIMUM

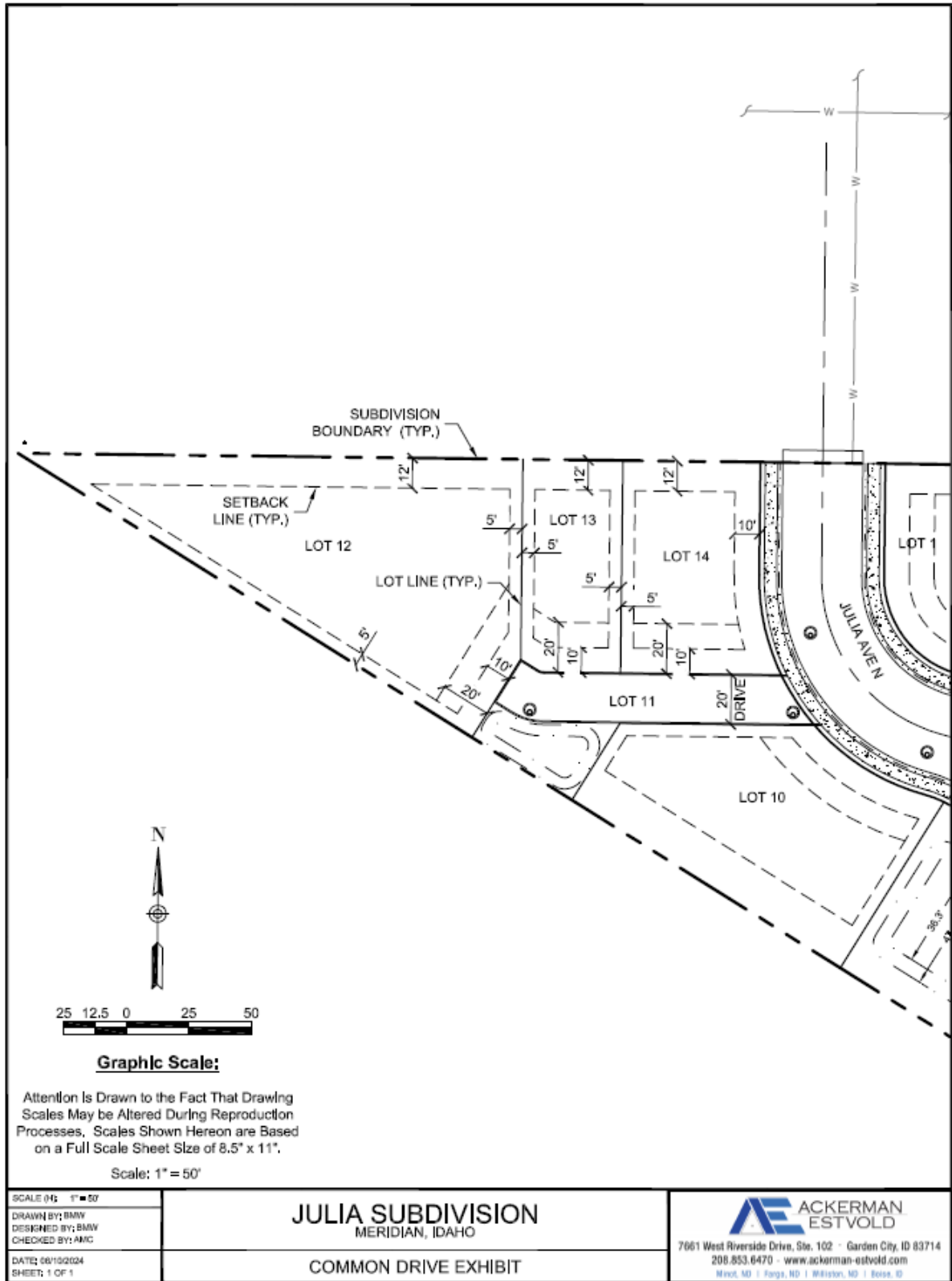
4" x 4" x 12'

POSTING BY CONTRACTOR, PER SPECIFICATIONS

E.O.D.C.

L150

D. Common Driveway Exhibit (Lots 12, 13 and 14)



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 (TM Center [H-2023-0003](#), DA Inst. #[2024-009150](#)).
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of City Council approval of the preliminary plat (i.e. by July 25, 2025); *or* apply for a time extension, in accord 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 prepared by Ackerman Estvold, stamped on 9/16/24 by Antonio Conti, included in Exhibit B shall be revised as follows:
 - a. If Lot 5 contains an easement, graphically depict it on the plat along with a recorded instrument number, if applicable.
 - b. Depict 30-foot minimum street frontages for Lots 3, 4 and 6, measured as a *chord* measurement, per UDC 11-2A-3B.1.
 - c. Graphically depict and include a note for a perpetual ingress/egress easement for the common driveway on Lot 11 that includes a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D8; or, record a separate easement/agreement and include a reference to the recorded instrument number on the plat.
 - d. Note #2: "Minimum building setbacks shall be in accordance with the City of Meridian applicable zoning and subdivision regulations at the time of issuance of individual building permits ~~or as specifically approved and/or required, or as shown on this plat.~~"
 - e. Note #6: "All lot lines common to any ~~private~~ public roads, rear lot lines, exterior boundary lines are hereby designated as having a permanent ten-foot wide (10') easement for public utilities, irrigation, and lot drainage unless otherwise shown. Interior lot lines are hereby designated as having a permanent ~~a~~ 5-foot (5') wide easement for public utilities, irrigation, and lot drainage."
 - f. Add a new note: "Lot 8 contains a City of Meridian pedestrian pathway easement, recorded as instrument _____."
 - g. Add a new note: "Lots 7-12 contain a Nampa Meridian Irrigation District easement for the Sky Pilot Drain." Also, include information about the anticipated license agreement with NMID, including the recorded instrument number of the agreement, and the specifics of what is and isn't allowed in the easement area.
 - h. Depict a 5-foot wide detached sidewalk along N. Black Cat Rd. as requested by ACHD and agreed up by Planning Staff to match the width of the existing sidewalk to the north & south.
5. The landscape plan prepared by Rodney Evans + Partners, dated 9/18/24 included in Exhibit C, shall be revised as follows:
 - a. Include mitigation information for all existing trees being removed from the site in accord with the standards listed in UDC 11-3B-10C.5.

- b. Depict landscaping along each side of all pathways in accord with the standards listed in UDC 11-3B-12C. *Note: If NMID will not allow trees within the easement for the Sky Pilot Drain adjacent to the multi-use pathway, alternative compliance may be requested to this standard.*
 - c. Change the fencing type along the western boundary of the site adjacent to the common open space in Tricia's Crossing subdivision to open vision or semi-private up to 6-feet in height or if closed vision fencing is proposed, it can't exceed 4-feet in height, as set forth in UDC 11-3A-7A.7b.
 - d. Depict a variety of trees, shrubs, lawn or other vegetative ground cover in Lots 9 & 11 in accord with UDC [11-3G-5B.3](#).
 - e. Depict a 10-foot wide multi-use pathway along the southern boundary of the site on Lot 8 in accord with the Pathways Master Plan.
- 6. The existing home shall connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC [9-1-4](#) and [9-4-8](#) per requirement of the development agreement.
 - 7. The address of the existing home shall change with development of the subdivision per requirement of the development agreement.
 - 8. A new garage with a minimum of two (2) parking spaces shall be constructed for the existing home in accord with the off-street parking standards listed in UDC [Table 11-3C-6](#) for single-family detached dwellings. The garage shall be constructed prior to City Engineer signature on the final plat per requirement of the development agreement.
 - 9. The rear and/or sides of new homes facing N. Black Cat Rd. 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 streets per requirement of the development agreement.
 - 10. All homes shall be limited to a single-story in height with a bonus room above the garage with all windows facing the front of the lots as proposed by the Developer per requirement of the Development Agreement.
 - 11. All homes shall include brick/stone veneer accents on the street-facing elevations, per requirement of the Development Agreement.
 - 12. A license agreement shall be required with Nampa & Meridian Irrigation District in order for future structures (homes and/or fences) on Lots 7-12, Block 1 to encroach within the 50-foot wide Sky Pilot Drain easement, measured from centerline of the pipe per requirement of the Development Agreement. **Submit a recorded copy of the approved license agreement with NMID that details what encroachments (if any) are allowed within the 50-foot wide Sky Pilot Drain easement.**
 - 13. All irrigation ditches, laterals, sloughs or canals, including the Sky Pilot Drain, crossing this site shall be piped or otherwise covered as set forth in UDC 11-3A-6B.3, unless waived by City Council.
 - 14. Except for the existing home, all other existing structures shall be removed from the site prior to submittal of the final plat for City Engineer signature.
 - 15. The common driveway on Lot 11 shall comply with the standards listed in UDC 11-6C-3D and the exhibit in Section VIII.D.

16. 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.

See the Agency Comments folder in the [public record](#) for additional comments applicable to this development.