

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: JANUARY 10, 2023
ORDER APPROVAL DATE: JANUARY 24, 2023

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 56 BUILDING)
LOTS AND 16 COMMON LOTS ON)
11.967 ACRES OF LAND IN THE R-)
8 AND R-15 ZONING DISTRICTS)
FOR SKYBREAK SUBDIVISION)
NO. 1.)
)
BY: CONGER GROUP)
APPLICANT)
_____)
)

CASE NO. MFP-2022-0002

ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on January 10, 2023 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 SKYBREAK SUBDIVISION NO. 1,
LOCATED IN THE SOUTH 1/4 OF THE NW ¼ OF SECTION 4, TOWNSHIP
2N., RANGE 1E., CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2022,
HANDWRITTEN DATE: 11/30/22, by JEFF BEAGLEY, PLS, SHEET 1 OF 7,”

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR (SKYBREAK SUBDIVISION NO. 1 MFP-2022-0002)

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 10, 2023, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from Laren Bailey, 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 _____, 2023.

By:

Robert 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



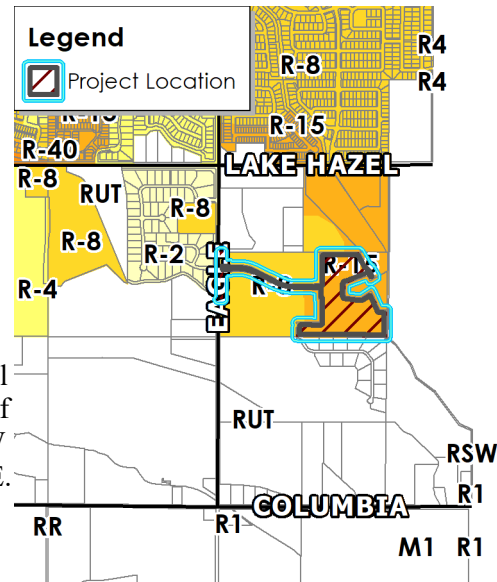
HEARING DATE: 1/10/2022

TO: Mayor & City Council

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

SUBJECT: MFP-2022-0002
Skybreak No. 1

LOCATION: Generally located between E. Lake Hazel Road and E. Columbia Road, East side of S. Eagle Road, in the South ¼ of the NW ¼ of Section 4, Township 2N., Range 1E.



I. PROJECT DESCRIPTION

Modification to the final plat for Skybreak Subdivision No. 1 to remove the lot line between Lots 31 and 32, Block 3 creating a single larger 31,734 square foot lot R.

II. APPLICANT INFORMATION

A. Applicant/Representative:

Laren Bailey, Conger Group – 4824 W. Fairview Avenue, Boise ID 83706

B. Owner:

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

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

The proposed final plat modification is to consolidate Lots 31 and 32, Block 3 to create a single lot to accommodate a +/- 4,000 square foot home for a future home buyer. Because the plat has received Council approval and has yet to record, staff has informed the applicant that a final plat modification is the preferred option to consolidate the lots rather than achieving the same result through a property boundary adjustment and vacation application after the plat records.

The Applicant has discussed the revisions with the Ada County Surveyor to determine the most efficient way to revise the plat resulting in minimal changes. To satisfy the County requirements, the

Applicant is proposing to divide a common lot into two lots to minimize the amount of lot re-numbering that would be required. The Applicant is proposing to divide Common Lot 34, Block 3 into two lots (Lot 33 and 34, Block 3) so the total number of lots on the plat remains the same thereby resulting in a decrease in the number of buildable lots and increase in the number of common lots. The revised plat now has 82 residential lots and 22 common lots respectively. The proposed modifications to the lot configurations comply with the dimensional standards of the R-15 zoning district.

Because the number of building lots has not increased and the amount of common open space has not decreased, Staff recommends approval of the proposed modification. Compliance with the previous conditions of approval is required.

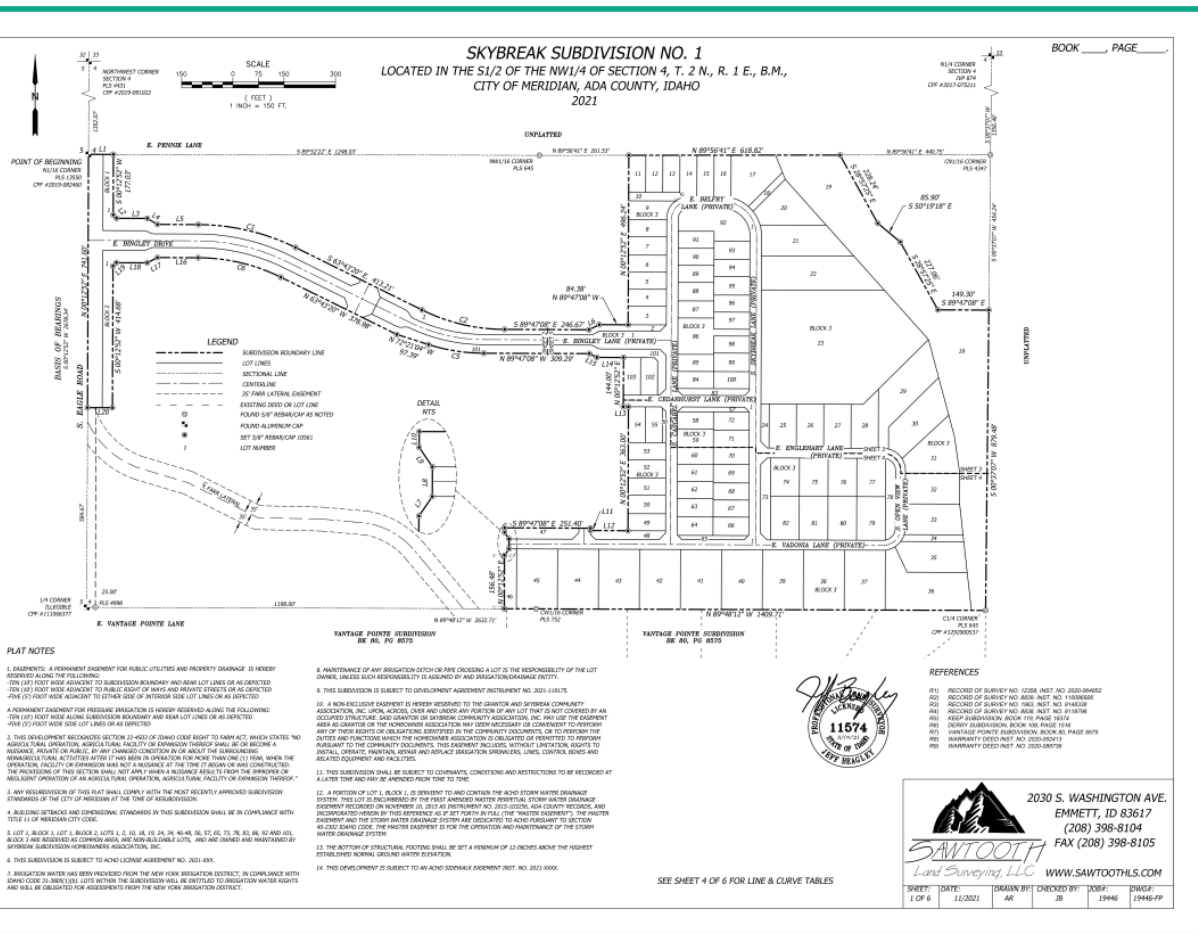
IV. DECISION

A. Staff:

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

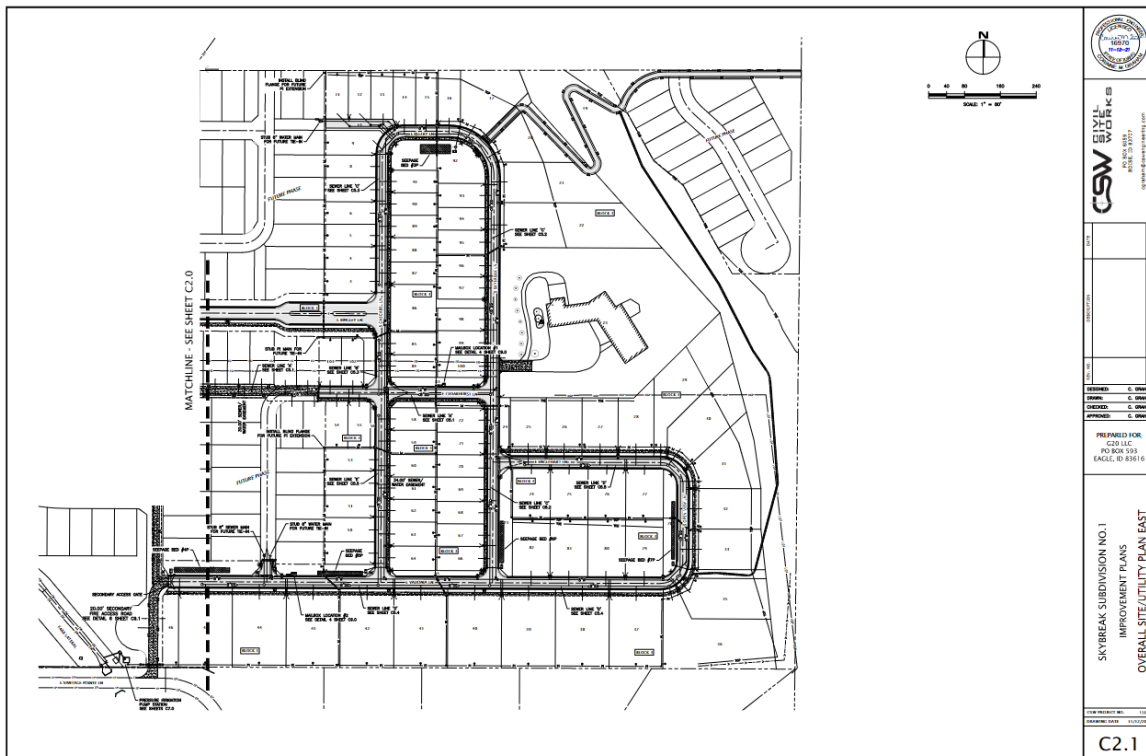
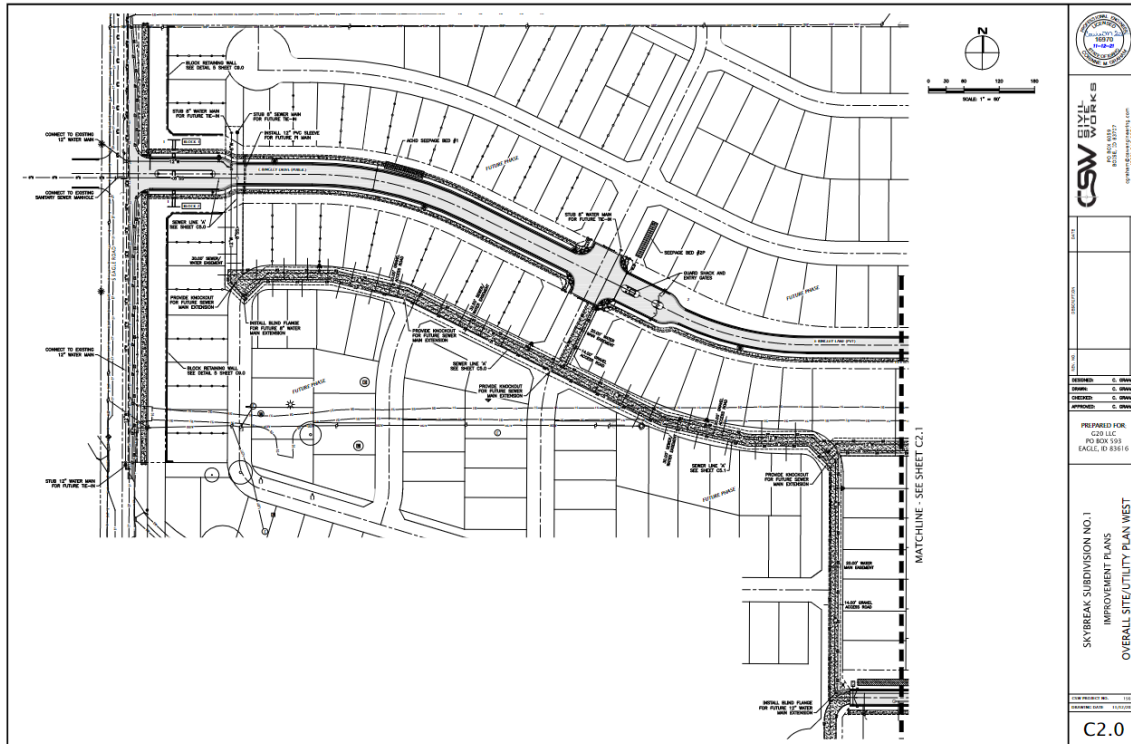
A. Preliminary Plat (dated: 6/16/2021)

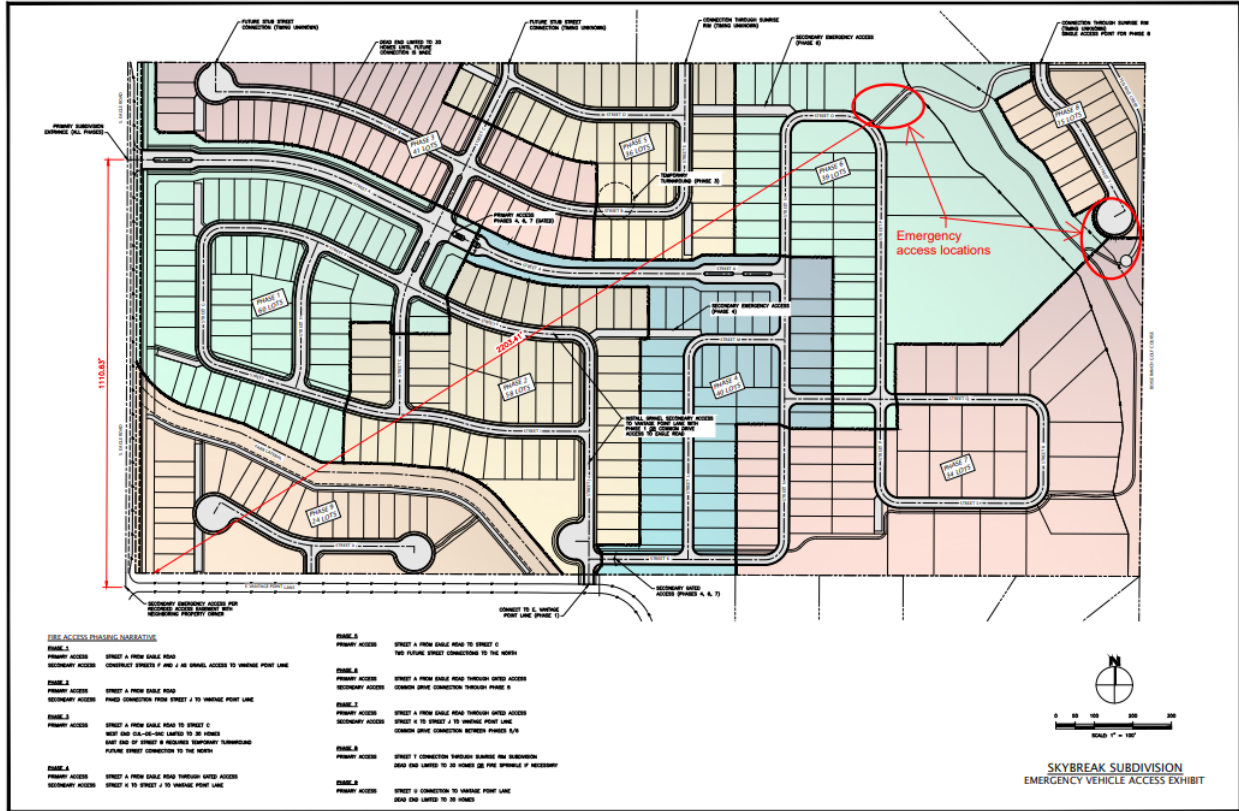




[illegible]

D. Emergency Access Exhibit





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-2020-0127](#), Development Agreement Inst. #[2021-119175](#); [FP-2021-0058](#)).

EXHIBIT B

From: [Laren Bailey](#)
To: [Stacy Hersh](#); [Bill Parsons](#); [Bill Nary](#); [Charlene Way](#); [Joy Hall](#); [Kurt Starman](#); [Chris Johnson](#)
Subject: RE: Skybreak Subdivision No. 1 MFP-2022-0002
Date: Wednesday, December 28, 2022 7:58:05 AM

External Sender - Please use caution with links or attachments.

Stacy,

The report looks good to us. Thank you for your help.

From: Stacy Hersh <shersh@meridiancity.org>
Sent: Tuesday, December 27, 2022 10:07 AM
To: Bill Parsons <bparsons@meridiancity.org>; Bill Nary <bnary@meridiancity.org>; Charlene Way <cway@meridiancity.org>; Joy Hall <jhall@meridiancity.org>; Kurt Starman <kstarman@meridiancity.org>; Chris Johnson <cjohnson@meridiancity.org>; Laren Bailey <laren@congergroup.com>
Subject: Skybreak Subdivision No. 1 MFP-2022-0002
Importance: High

Good Morning All,

Attached is the staff report for the final plat modification for Skybreak Subdivision No. 1 (MFP-2022-0002). This item is scheduled to be on the consent agenda at the City Council work session on 1/10/2023. 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.

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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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