

**BEFORE THE MERIDIAN CITY COUNCIL**

**HEARING DATE: MARCH 26, 2024  
ORDER APPROVAL DATE: APRIL 9, 2024**

**IN THE MATTER OF THE )  
REQUEST FOR FINAL PLAT )  
CONSISTING OF 1 BUILDING )  
LOTS ON 11.978 ACRES OF LAND )  
IN THE R-15 ZONING DISTRICT )  
FOR FOXCROFT NO. 2. )  
 )  
BY: KENT BROWN PLANNING )  
SERVICES )  
APPLICANT )  
\_\_\_\_\_ )  
 )  
 )  
 )**

**CASE NO. FP-2023-0031  
ORDER OF CONDITIONAL  
APPROVAL OF FINAL PLAT**

This matter coming before the City Council on March 26, 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. 2, LOCATED IN THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 3N., RANGE 1W., BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO, 2023, HANDWRITTEN DATE: 2023, by CODY M.

MCCAMMON, PLS, 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 March 26, 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 Kent Brown Planning Services, 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.

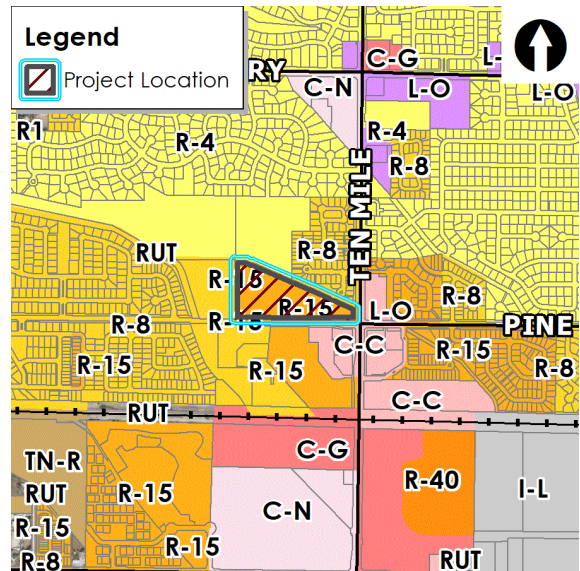
By: \_\_\_\_\_ Dated: \_\_\_\_\_

# EXHIBIT A

## STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/26/2024  
TO: Mayor & City Council  
FROM: Stacy Hersh, Associate Planner  
208-884-5533  
SUBJECT: Foxcroft No. 2 FP  
FP-2023-0031  
LOCATION: Phase 2 is located at 3500 W. Pine Avenue and the surrounding property north of Pine and south of Tenmile Creek, in the SE 1/4 of the NE 1/4 of Section 10, Township 3N, Range 1W.



### I. PROJECT DESCRIPTION

Final Plat consisting of 1 residential building lot on approximately 11.978 acres of land in the R-15 zoning district, by Kent Brown Planning.

### II. APPLICANT INFORMATION

A. Owner:

Corey Barton, Open Door Rentals – 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 eight (8) fewer buildable lots (1) depicted on the proposed final compared to the number indicated on the approved preliminary plat (9). Furthermore, 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. The City has granted approval for the CZC and Design Review (A-2022-0184) to construct the multi-family units on the property. The subdivision improvements shall be completed prior to occupancy of the first structure.

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

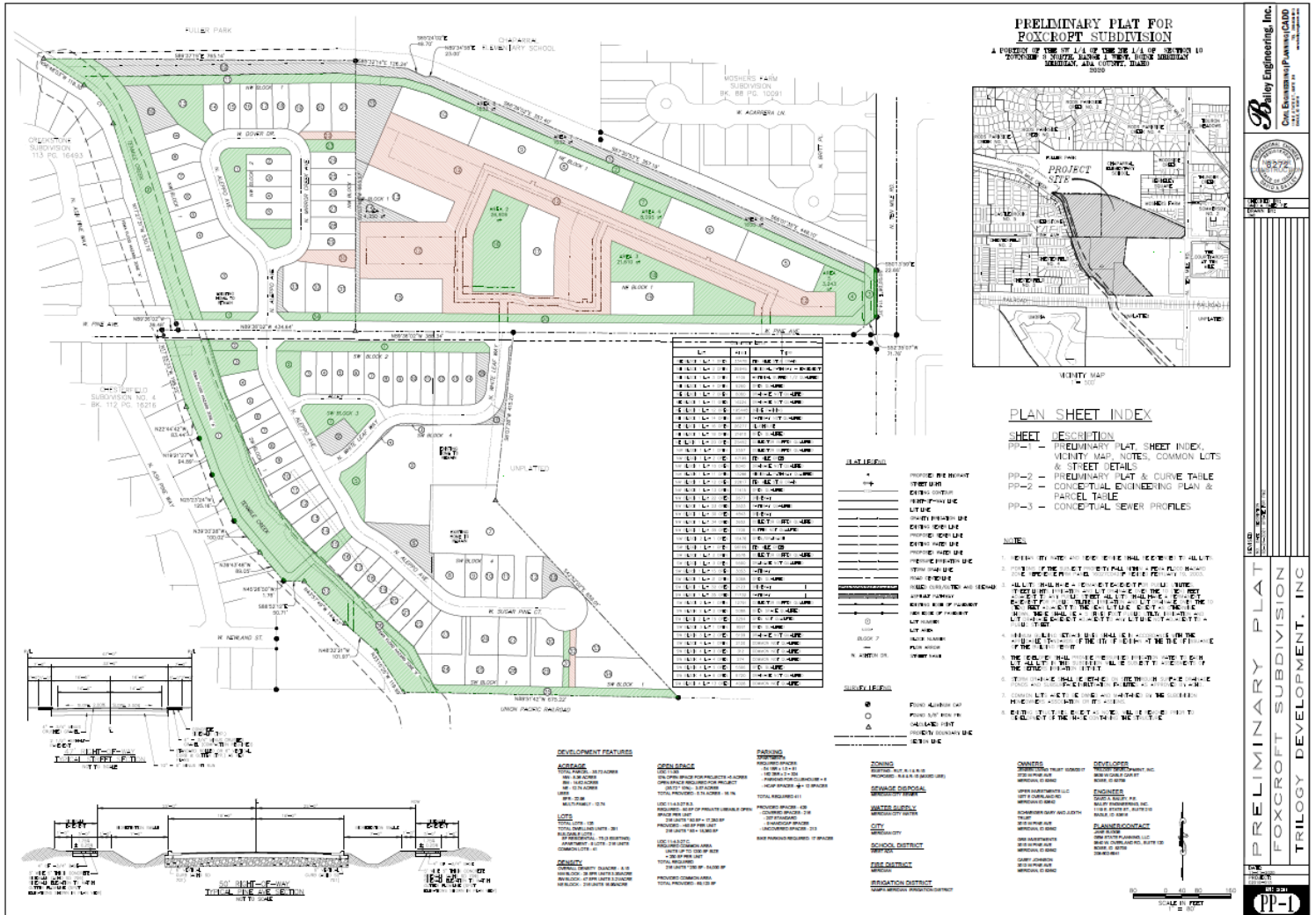
# IV. DECISION

## A. Staff:

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

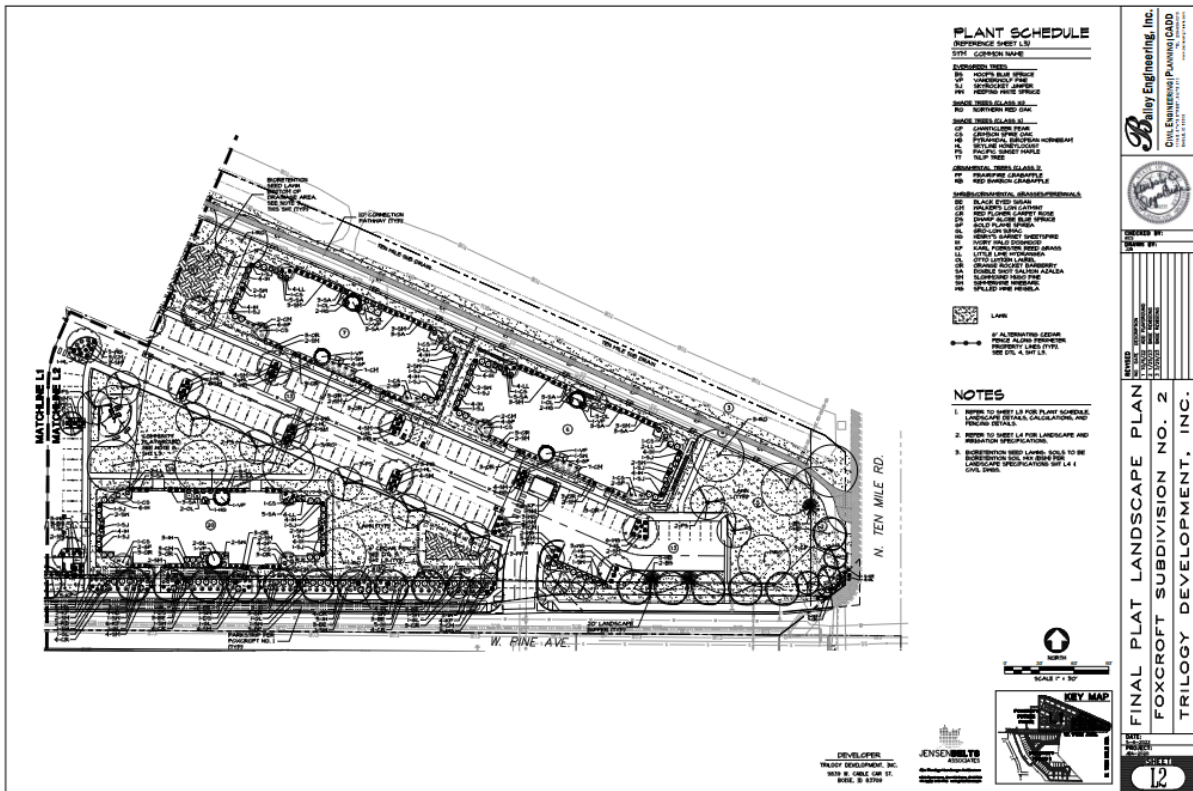
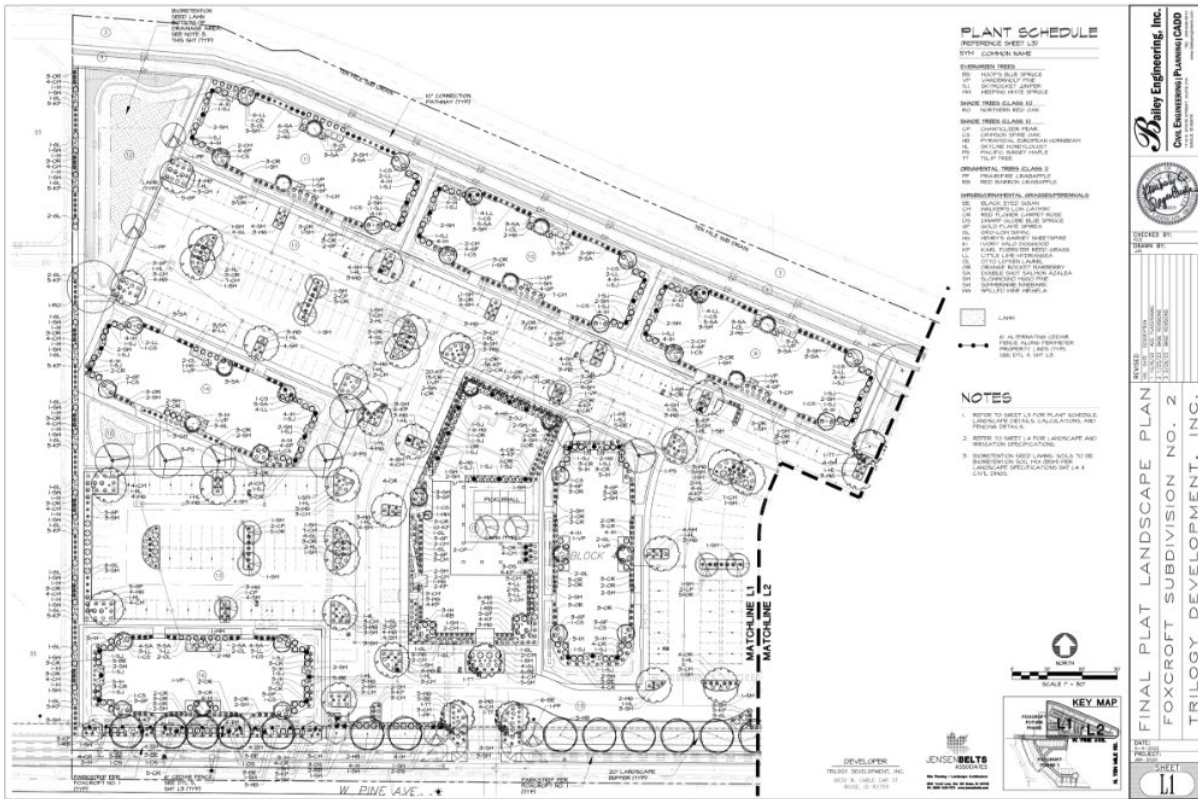
# V. EXHIBITS

## A. Preliminary Plat (dated: February 2021)





C. Landscape Plans (Revision date: 3/29/2023)







## 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); 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 #8, include recorded instrument number.
  - b. Plat Notes #12-13, include recorded instrument numbers.
  - c. Add Note #13, include the recorded instrument number of the existing City of Meridian Development Agreement.
  - d. Add Note #14, include the recorded pathway easement number (ESMT-2024-0043) on the plat.
  - e. Graphically depict the landscape buffers along the east and south boundary either on a permanent dedicated buffer easement or by adding common lots in accordance with UDC 11-3B-7C.2a
5. The submitted landscape plans, as shown in Section V.C, prepared by Bailey Engineering, with a revision date of 3/29/23, is approved as submitted.
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=337620&dbid=0&repo=MeridianCity>

### C. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=337620&dbid=0&repo=MeridianCity>

## EXHIBIT B

**Charlene Way**

---

**From:** kent brown <kentlkb@gmail.com>  
**Sent:** Tuesday, March 12, 2024 4:23 PM  
**To:** Stacy Hersh  
**Cc:** Bill Parsons; Bill Nary; Kurt Starman; Chris Johnson; Tina Lomeli; Charlene Way  
**Subject:** Re: Foxcroft Subdivision No. 2 FP-2023-0031 Staff Report

External Sender - Please use caution with links or attachments.

---

Stacy Developer has reviewed the conditions and is in agreement and will comply

Kent

On Tue, Mar 12, 2024 at 3:06 PM Stacy Hersh <[shersh@meridiacity.org](mailto:shersh@meridiacity.org)> wrote:

Good Afternoon,

Attached is the staff report for the final plat for Foxcroft Subdivision No. 2. This item is scheduled to be on the consent agenda at the City Council work session on March 26, 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@meridiacity.org](mailto:comment@meridiacity.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



*Built for Business, Designed for Living*

*All e-mail messages sent to or received by City of Meridian e-mail accounts are subject to the Idaho law,  
in regards to both release and retention, and may be released upon request, unless exempt from disclosure by law.*

--

Kent Brown

**Kent Brown Planning Services**

3161 E. Springwood Drive

Meridian, ID 83642

P: 208-871-6842