

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION & ORDER**



In the Matter of the Request for a Short plat to subdivide an existing residential lot (S1212428281) into two (2) building lots on approximately 0.42 acres of land in the R-15 zoning district, by Tamee Crawford, Centurion Engineers, Inc.

Case No(s). SHP-2023-0006

For the City Council Hearing Date of: February 20, 2024 (Findings on March 5, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of February 20, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of February 20, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of February 20, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of February 20, 2024, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of February 20, 2024, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for Short Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of February 20, 2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Short Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of February 20, 2024

By action of the City Council at its regular meeting held on the _____ day of _____, 2024.

COUNCIL VICE PRESIDENT JOE BORTON VOTED _____

COUNCIL MEMBER LIZ STRADER VOTED _____

COUNCIL MEMBER DOUG TAYLOR VOTED _____

COUNCIL MEMBER JOHN OVERTON VOTED _____

COUNCIL MEMBER ANN LITTLE ROBERTS VOTED _____

COUNCIL MEMBER LUKE CAVENER VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

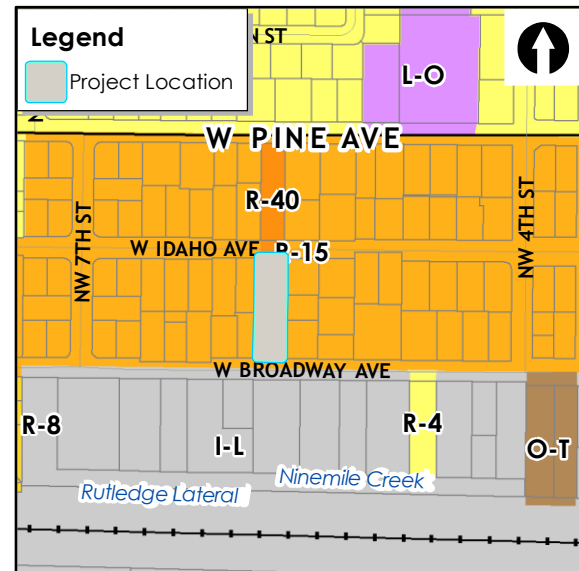
Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 2/20/2024
 TO: Mayor & City Council
 FROM: Linda Ritter, Associate Planner
 208-884-5533
 SUBJECT: SHP-2023-0006
 Robertson Square Subdivision
 LOCATION: 558 W. Broadway Avenue, in the SEC
 of Section 12, T.3N., R.1W.



I. PROJECT DESCRIPTION

Short plat to subdivide the property consisting of 0.42 acres of land, into two (2) building lots in the R-15 zoning district.

II. APPLICANT INFORMATION

- A. Applicant: Tamee Crawford, Centurion Engineers, Inc. – 2323 S. Vista Avenue, Boise, ID 83075
- B. Owner: Shellie Robertson – AKR Enterprise, LLC, 3350 S. Selatir Pl, Meridian, ID 83642
- C. Representative: Same as Applicant

III. NOTICING

	City Council Posting Date
Legal notice published in newspaper	2/04/2024
Radius notice mailed to property owners within 500 feet	2/02/2024
Posted to Next Door	2/05/2024

IV. STAFF ANALYSIS

The short plat proposes to subdivide property consisting of 0.42 acres of land, into two (2) building lots in the R-15 zoning district. The proposed density of 2.76 units per acre is consistent with the density desired of 3 to 8 dwelling units per acre in the Medium Density Residential Future Land Use Map designation for this site.

There is a duplex that is currently under construction on the south side of the property. The duplex complies with the setback requirements of the district and is connected to City water and sewer service.

Staff has reviewed the proposed short plat for compliance with the criteria set forth in UDC [11-6B-5](#) and deems the short plat in compliance with said requirements.

Access to this property is provided via W. Idaho Avenue and W. Broadway Avenue, existing local streets.

Because the site is below 5 acres in size, the standards for common open space and site amenities do not apply per UDC [11-3G-2](#).

There are no existing trees on this site, therefore mitigation is not required.

Future development of the proposed lots should comply with the dimensional standards listed in UDC [Table 11-2A-7](#) for the R-15 zoning district and the common driveway exhibit in Section VI.D.

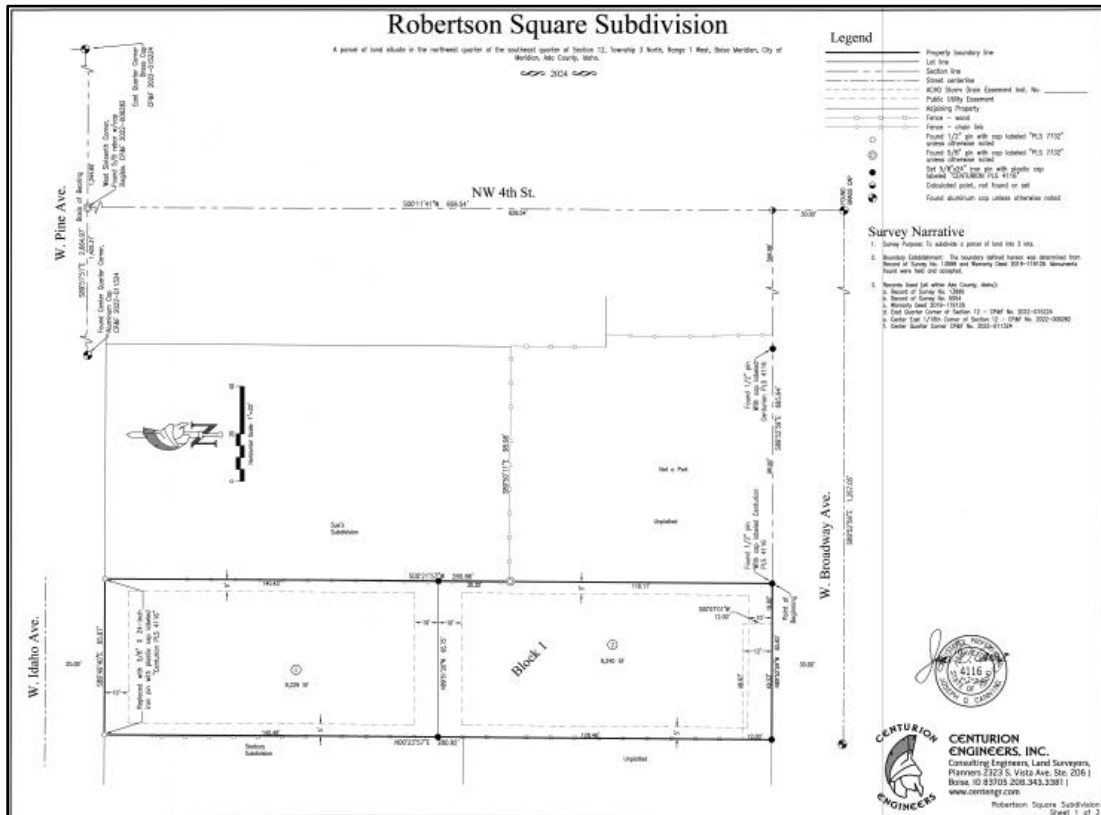
V. DECISION

Staff:

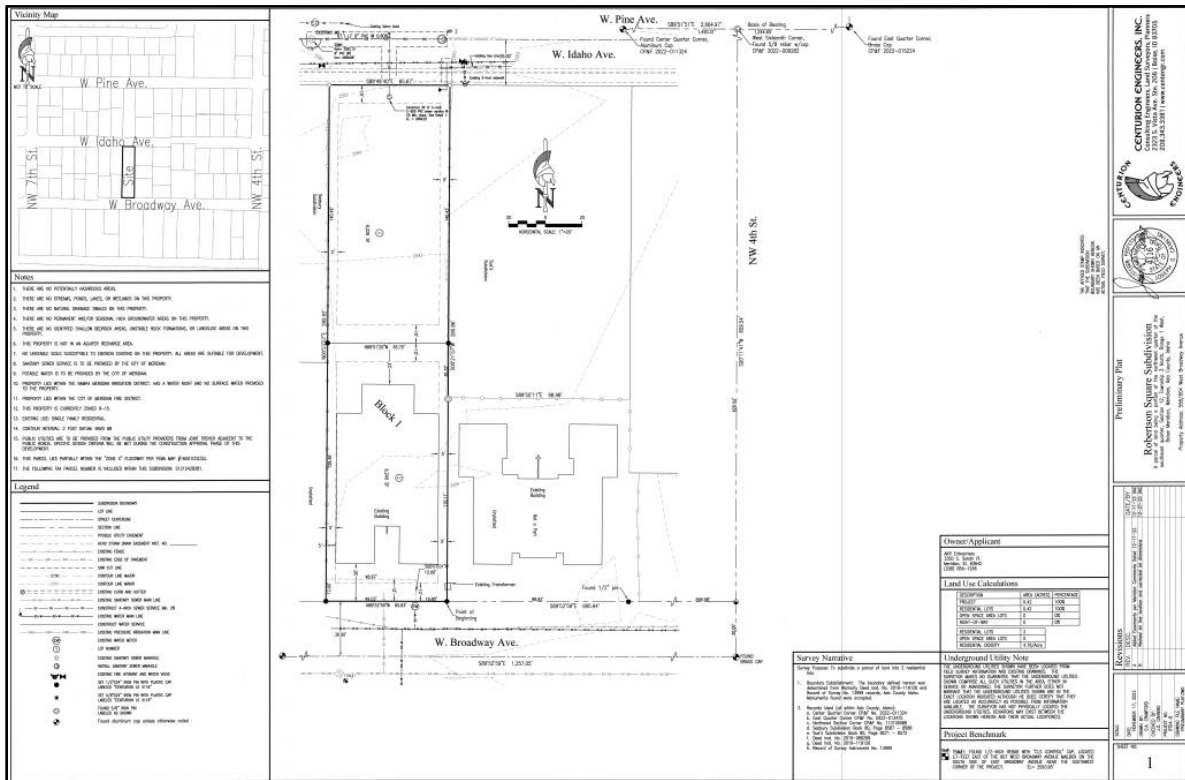
Staff recommends approval of the proposed short plat with the conditions noted in Section VII of this report and in accord with the findings in Section VIII.

VI. EXHIBITS

A. Short Plat (date: 2/15/23)



B. Site Plan (dated: 11/17/23)



VII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. The Applicant shall comply with all previous conditions of approval associated with this development: H-2020-0107 (CUP) and A-2022-0061, as applicable.
2. If the City Engineer's signature has not been obtained within two (2) years of the City Council's approval of the short plat, the short plat shall become null and void unless a time extension is obtained, per UDC [11-6B-7](#).
3. The short plat prepared by Joseph D. Canning, Centurion Engineering on 01/11/2024, included in Section VI.A, shall be revised as follows:
 - a. Note #6: Revise the note to state "5-feet wide interior lot lines" instead of "10-feet."
4. Future development shall comply with the dimensional standards listed in UDC [Table 11-2A-7](#) for the R-15 zoning district and the common driveway exhibit in Section VI.D.
5. Staff's failure to cite specific ordinance provisions or conditions from the previous approvals noted above does not relieve the Applicant of responsibility for compliance.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330352&dbid=0&repo=MeridianCity>

C. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330357&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330352&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331447&dbid=0&repo=MeridianCity>

F. IDAHO TRANSPORTATION DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330352&dbid=0&repo=MeridianCity>

VIII. REQUIRED FINDINGS FROM THE UNIFIED DEVELOPMENT CODE

In consideration of a short plat, the decision-making body shall make the following findings:

A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;

The Comprehensive Plan designates the future land use of this property as Medium Density Residential and High Density Residential, the current zoning district of the site is R-15. Staff finds the proposed short plat complies with the short plat standards listed in UDC [11-6B-5](#). Future development should comply with the dimensional standards for the R-15 zoning district listed in UDC [Table 11-2A-7](#).

B. Public services are available or can be made available and are adequate to accommodate the proposed development;

Staff finds that public services will be provided and are adequate to serve the proposed lots.

C. The plat is in conformance with scheduled public improvements in accord with the City's capital improvements program;

Staff finds all required utilities will be provided with lot development at the developer's expense.

D. There is public financial capability of supporting services for the proposed development;

Staff finds that the development will not require major expenditures for providing supporting services as services are already being provided in this area.

E. The development will not be detrimental to the public health, safety or general welfare; and

Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.

F. The development preserves significant natural, scenic or historic features.

Staff is not aware of any significant natural, scenic or historic features associated with short platting the structure on this site.