

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: OCTOBER 3, 2023
ORDER APPROVAL DATE: NOVEMBER 14, 2023

**IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 48 BUILDING)
LOTS AND 6 COMMON LOTS ON)
14.87 ACRES OF LAND IN THE R-)
15 ZONING DISTRICT FOR)
POIEMA SUBDIVISION PLAT)
MODIFICATION.)
)
**BY: CLINGT HANSEN, LAND)
SOLUTIONS)
APPLICANT)**
_____)**

CASE NO. MFP-2023-0002
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on November 14, 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 POIEMA SUBDIVISION, LOCATED IN THE NE ¼ OF the NW ¼ OF SECTION 4, TOWNSHIP 2N, RANGE 1E, MERIDIAN, ADA COUNTY IDAHO, 2023, STAMPED BY CLINT W. HANSEN, 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 **October 3, 2023**, 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 _____, 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.

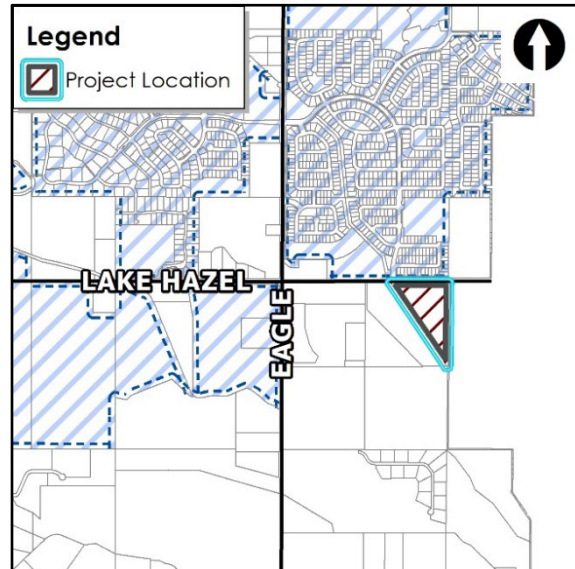
By: _____ Dated: _____

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/3/2023
TO: Mayor & City Council
FROM: Linda Ritter, Associate Planner
208-884-5533
SUBJECT: Poiema Subdivision
MFP-2023-0002
LOCATION: The site is located at 3727 E. Lake Hazel Road, in the NE ¼ of the NW ¼ of Section 4, Township 2N., Range 1E.



I. PROJECT DESCRIPTION

Modification to the final plat to correct the interior lot public utility, drainage and irrigation (PUDI) easement from 5 feet to 3 feet as allowed by UDC 11-2A-7 for medium high-density residential district (R-15). No other changes are being proposed or approved.

II. APPLICANT INFORMATION

A. Applicant:

Clint Hansen, Land Solutions – 231 E. 5th Street, Ste. A, Meridian, ID 83642

B. Owner:

Dave Evans, Evans Development, LLC – 7761 W. Riverside Drive, Boise, ID 83705

C. Representative:

Same as applicant

III. STAFF ANALYSIS

The final plat ([FP-2021-0034](#)) for Poiema Subdivision was approved by City Council on August 10, 2021 and has been recorded. The Applicant proposes to amend the interior lot PUDI easement from 5 feet to 3 feet to align with the interior side yard setbacks set forth in UDC 11-2A-7 for medium-high density residential district (R-15). The purpose of this modification is to correct the easement width from 5 feet to 3 feet designated by note # 2 on the final plat. The applicant has received design review approval to construct single-family attached homes on these lots and at the time of building permit approval it was discovered that the plat was recorded with a 5-foot PUDI easement rather than the 3-foot wide easement. This error has caused a delay in the construction of the homes.

In discussions with the County Surveyor's office, the applicant was informed that they needed to file an amended plat to correct the surveyor's error. In order for the applicant to record an amended plat, the City must approve the subject final plat modification. Since this plat is consistent with the previous approval and the R-15 zone allows 3-foot side yard setbacks, staff believes the reduced PUDI easement is warranted and recommends approval of the plat note #2 as proposed by the applicant.

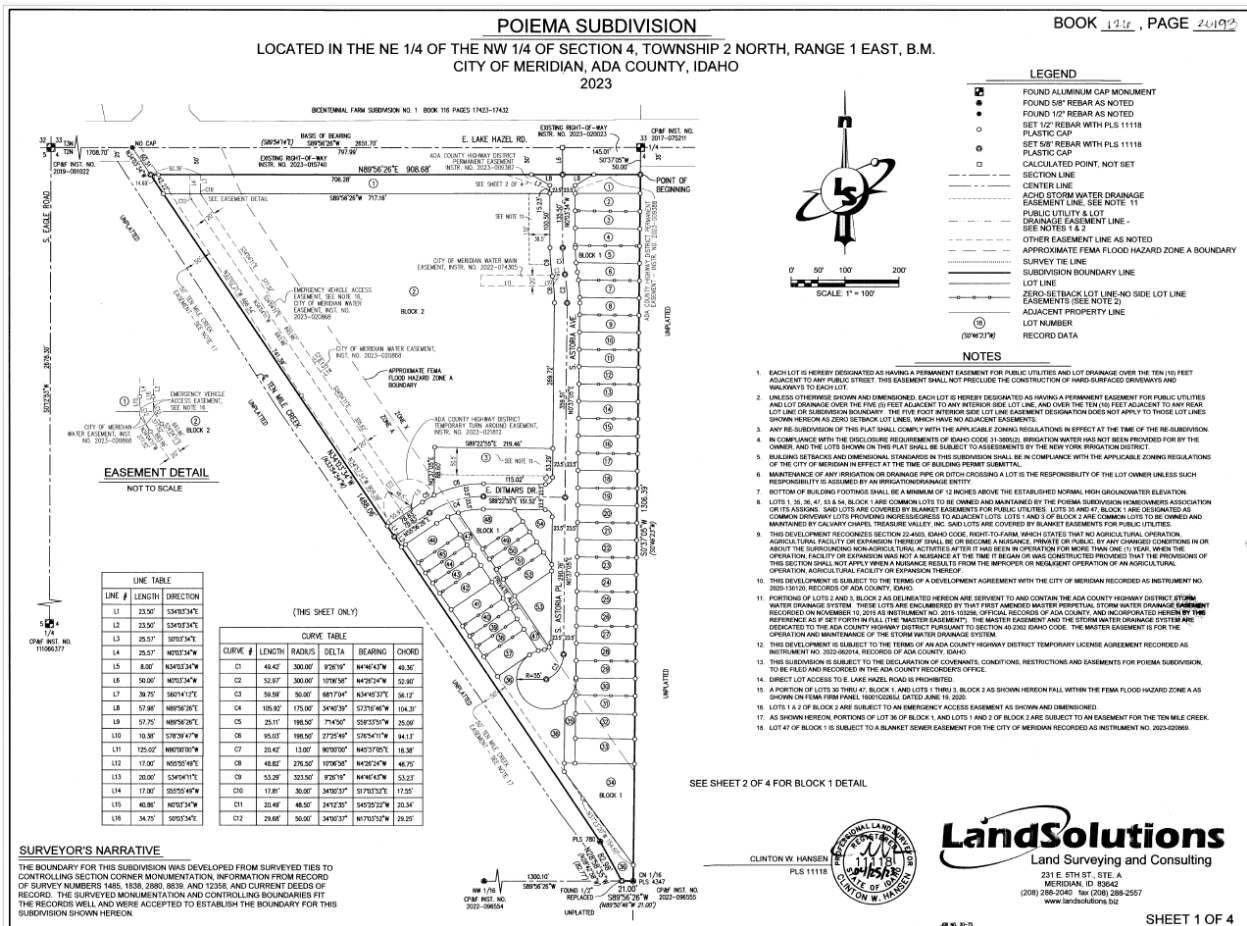
IV. DECISION

A. Staff:

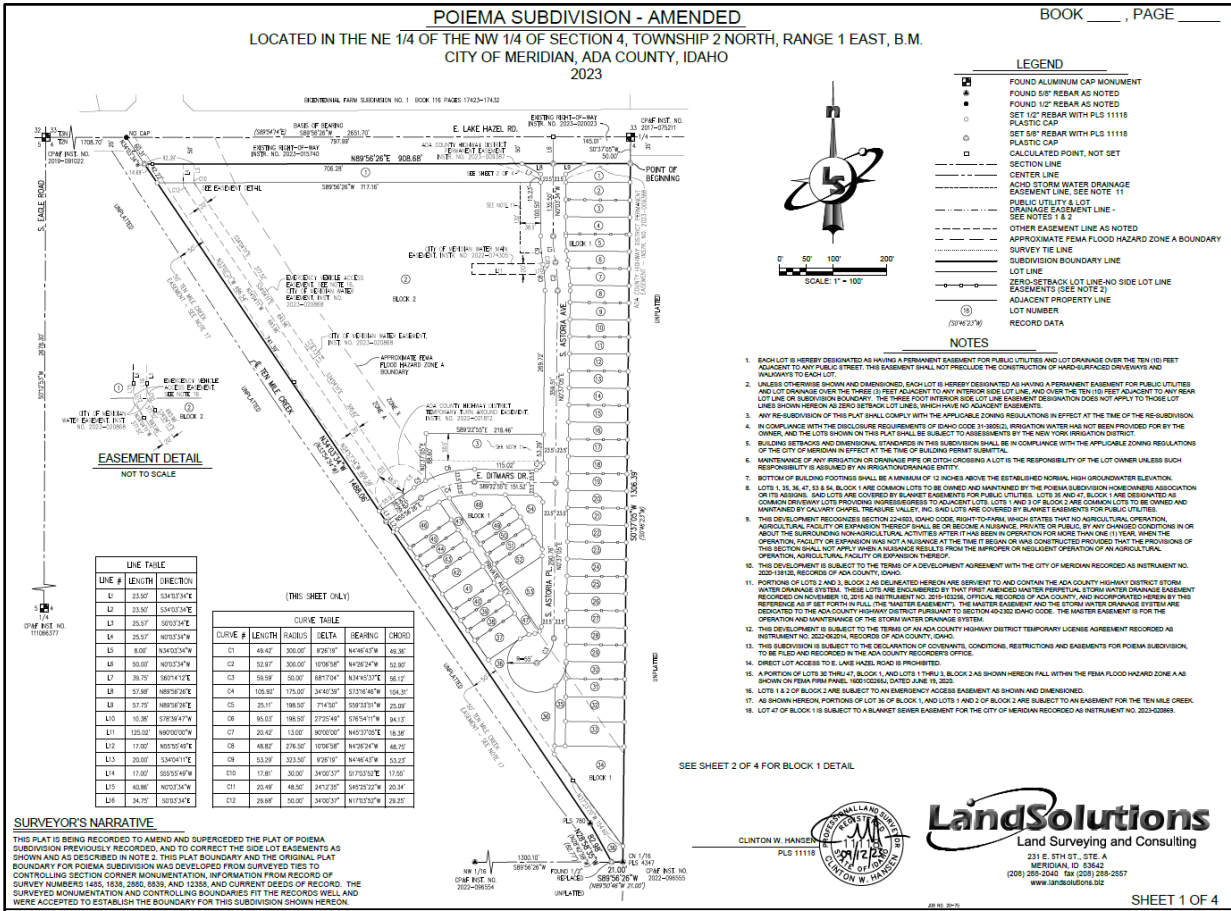
Staff recommends approval of the proposed final plat modification based on the analysis above in Section III.

V. EXHIBITS

A. Approved Final Plat



B. Amended Final Plat with Revised PUDI Easement



VI. CITY/AGENCY COMMENTS

A. Boise Project Board of Control

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=232675&dbid=0&repo=MeridianCity>

B. Central District Health (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=252672&dbid=0&repo=MeridianCity>

C. Idaho Department of Environmental Quality (IDEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=232711&dbid=0&repo=MeridianCity>