

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: MAY 7, 2024
ORDER APPROVAL DATE: MAY 14, 2024

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 36 BUILDING)
LOTS AND 4 COMMON LOTS ON)
11.81-ACRES OF LAND IN THE R-4)
ZONING DISTRICT FOR)
BILTMORE ESTATES)
SUBDIVISION NO. 5.)
)
BY: ENGINEERING SOLUTIONS)
APPLICANT)
_____)
)

CASE NO. FP-2024-0007
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on May 7, 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 BILTMORE ESTATES SUBDIVISION NO. 5, A PARCEL OF LAND BEING A PORTION OF THE S ½ OF THE N ½ OF SECTION 25, T.3N., R.1W., B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2024, HANDWRITTEN DATE: 3/11/24, by CLINTON W. HANSEN,

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 May 7, 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 Becky McKay, Engineering Solutions, 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



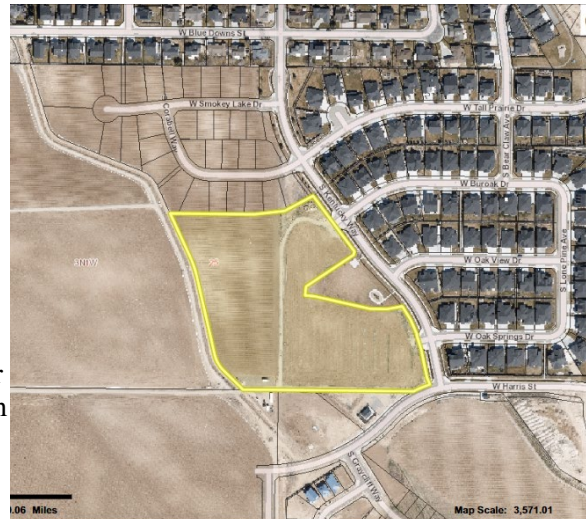
HEARING DATE: 5/7/2024

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: FP-2024-0007
Biltmore Estates Subdivision No. 5

LOCATION: Generally located at the northwest corner of S. Kentucky Way and W. Harris St., in the northern 1/2 of Section 25, T.3N., R.1W.



I. PROJECT DESCRIPTION

Final plat consisting of 36 building lots and 4 common lots on 11.81 acres of land in the R-4 zoning district for the fifth phase of Biltmore Estates Subdivision.

II. APPLICANT INFORMATION

A. Applicant:

Engineering Solutions – 1029 N. Rosario St., Ste. 100, Meridian, ID 83642

B. Owner:

Lee Centers, Oakwood Estates, LLC – PO Box 518, Meridian, ID 83680

C. Representative:

Shari Stiles, Engineering Solutions – 1029 N. Rosario St., Ste. 100, Meridian, ID 83642

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the preliminary plat (PP-14-004), time extension (TECC-2021-0001) and associated conditions of approval as required by UDC 11-6B-3C.2. Conditions of approval associated with the time extension require 2.35-acres of common open space and site amenities totaling four (4) points to be provided in the last two phases of development (i.e. Phases 4 and 5) in accord with current standards.

A total of 2.74-acres of qualified open space is provided in Phases 4 and 5 that meets and exceeds the common open space requirement consisting of 8-foot wide parkways (0.83-acre); a pocket park (Lot 8, Block 6, Biltmore #4) (0.19-acre); collector street buffer along Harris St., multi-use pathway, micro-path and open space (1.05-acre); collector street buffer along Kentucky Way (0.36-acre); and

There is the same number of buildable lots and additional common open space proposed in this final plat phase than shown on the approved preliminary plat. Therefore, Staff finds the proposed final plat is in substantial compliance with the approved preliminary plat and subsequent time extension as required.

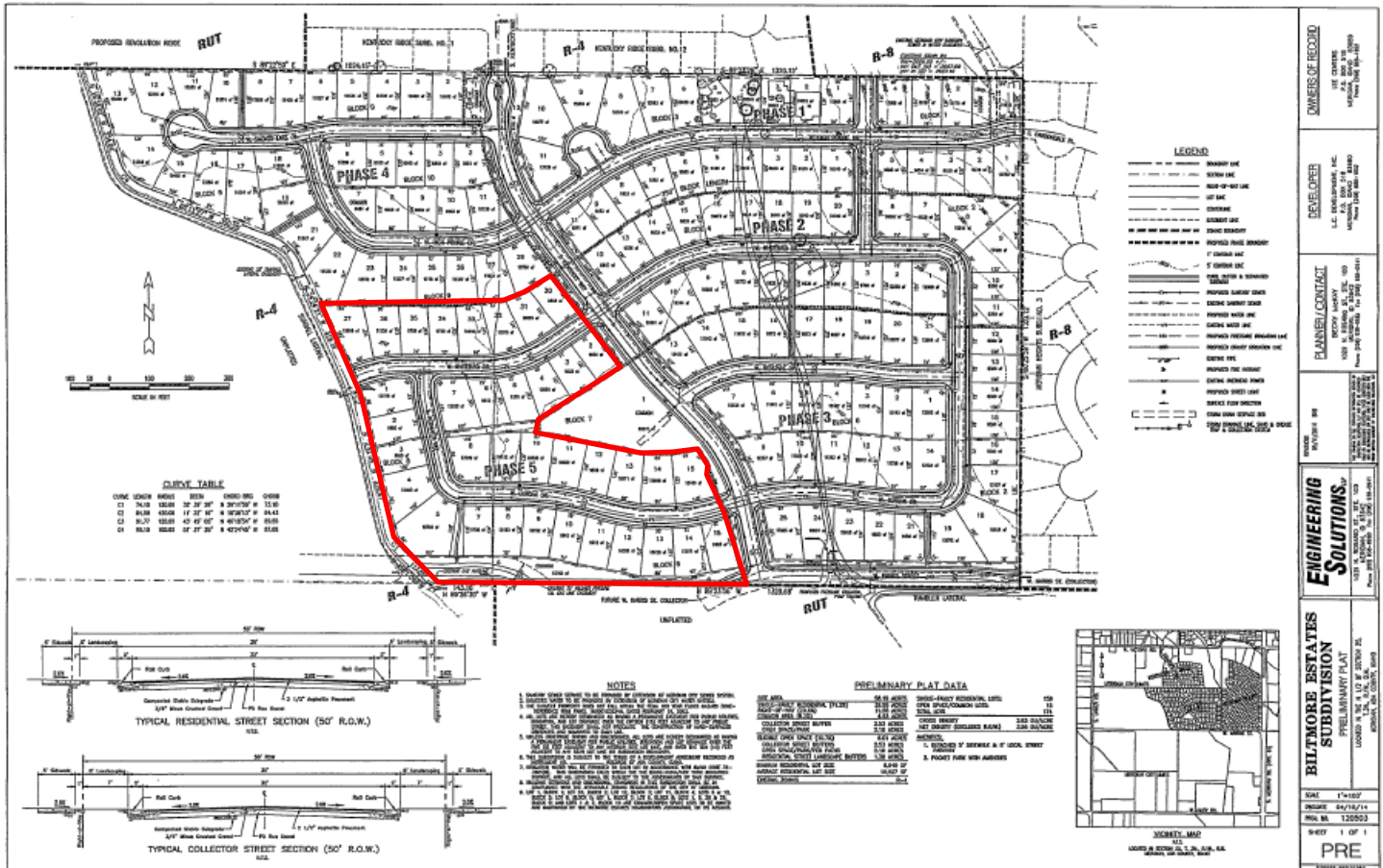
IV. DECISION

A. Staff:

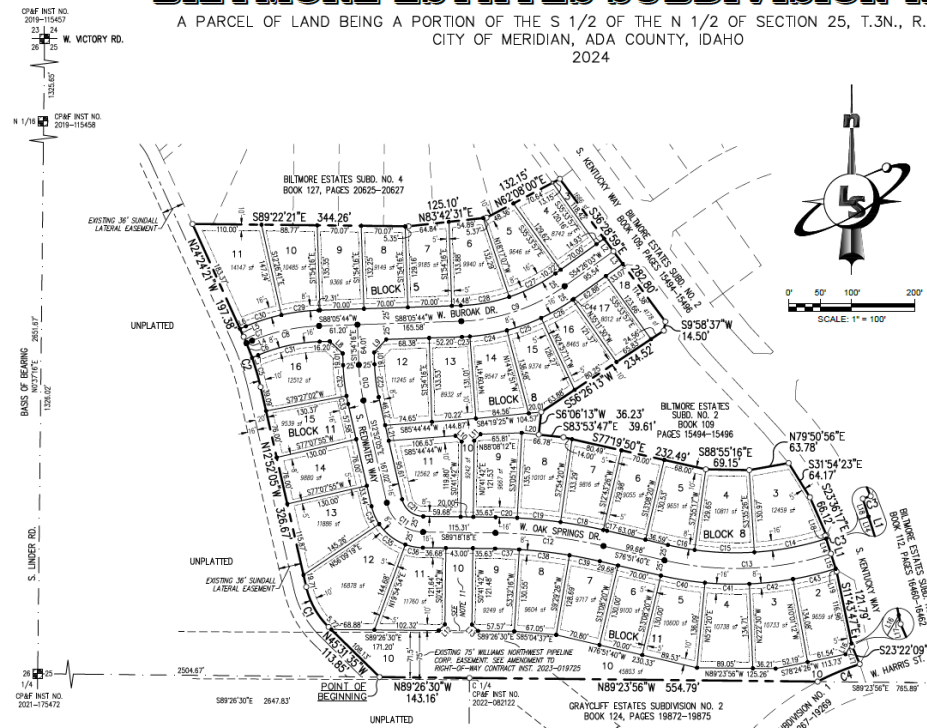
Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report.

V. EXHIBITS

A. Preliminary Plat (date: 4/15/2014) - Revised



BOOK _____, PAGE _____



NOTES

- [illegible]

SURVEY NARRATIVE

THE BOUNDARY FOR THIS SUBDIVISION AS SHOWN HEREON WAS DEVELOPED FROM SURVEYED TIES TO CONTROLLING SECTION CORNER MONUMENTATION, THE PLATTED SUBDIVISION BOUNDARIES OF BILMORE ESTATES SUBDIVISION NO. 2, BILMORE ESTATES SUBDIVISION NO. 3, BILMORE ESTATES SUBDIVISION NO. 4, GRAYCITY ESTATES SUBDIVISION NO. 1, GRAYCITY ESTATES SUBDIVISION NO. 2, INFORMATION FROM RECORD OF SURVEY NUMBERS 1888, 12018, 12859, AND CURRENT DEEDS OF RECORD. THE SURVEYED MONUMENTATION AND CONTROLLING BOUNDARIES FIT THE RECORDS WELL AND WERE ACCEPTED TO ESTABLISH THE BOUNDARY FOR THIS PROPERTY AS SHOWN HEREON.

[illegible]

LEG

- SUBDIVISION BOUNDARY
 - SECTION LINE
 - RIGHT-OF-WAY LINE
 - CENTERLINE
 - LOT LINE
 - EXISTING PARCEL LINE
 - PUBLIC UTILITY, PRESSURE IRRIGATION
& LOT DRAINAGE CASSETT LINE
SEE NOTES 1 & 2
 - ADA COUNTY HIGHWAY DISTRICT PERMANENT
EASEMENT. INSTR. NO. _____
 - OTHER EASEMENT LINE AS NOTED

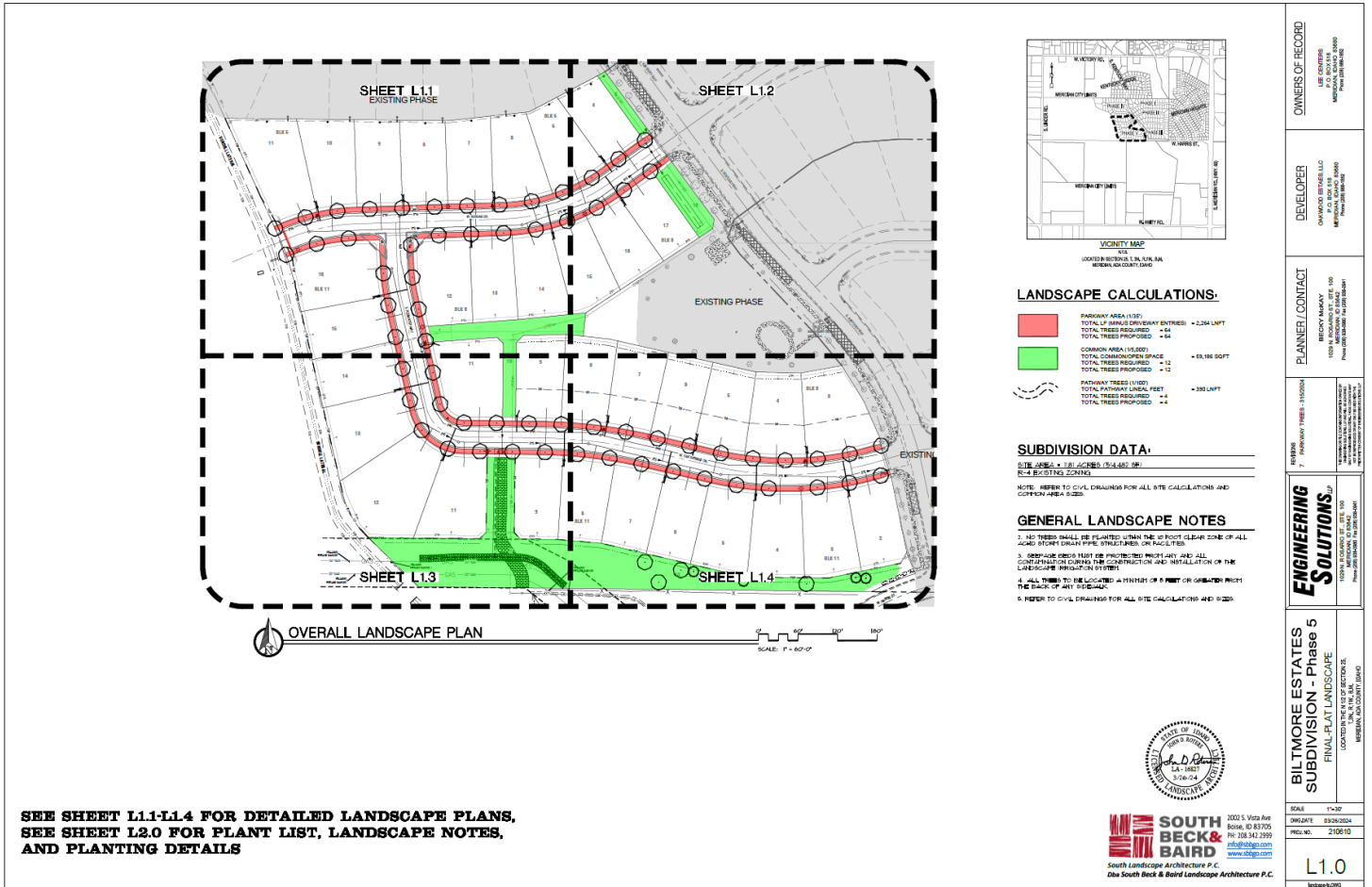
11 LOT NUMBER

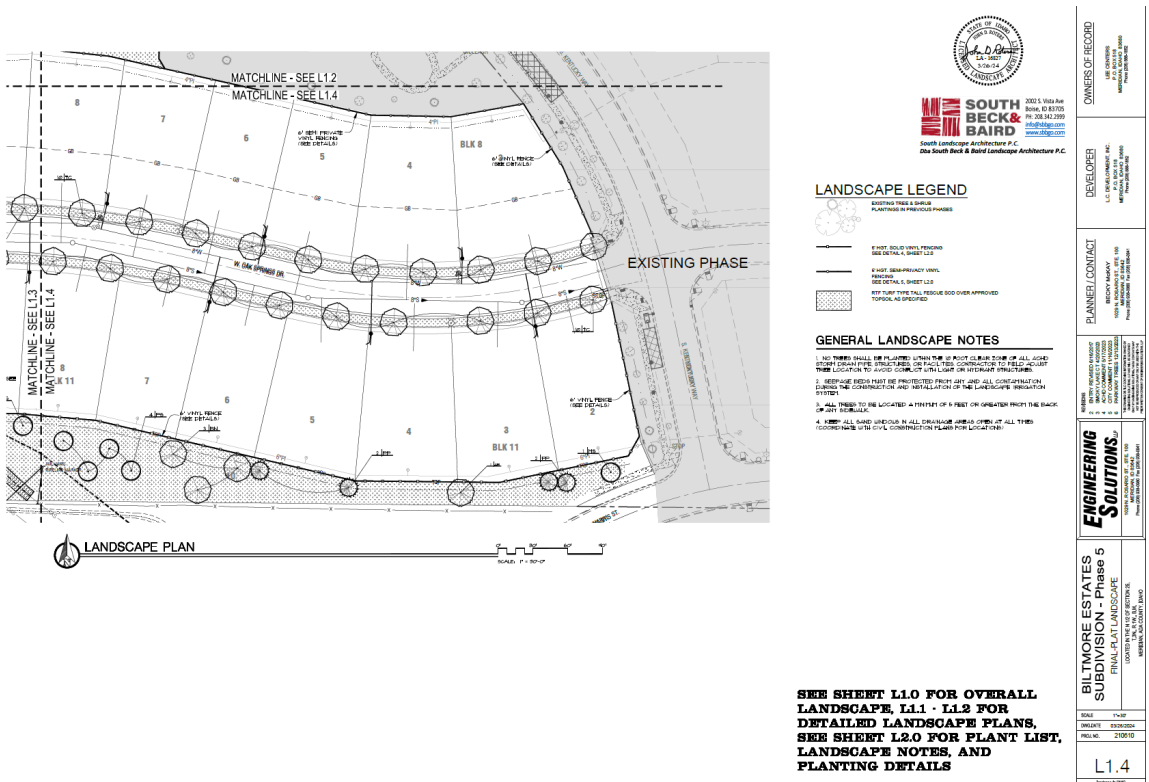
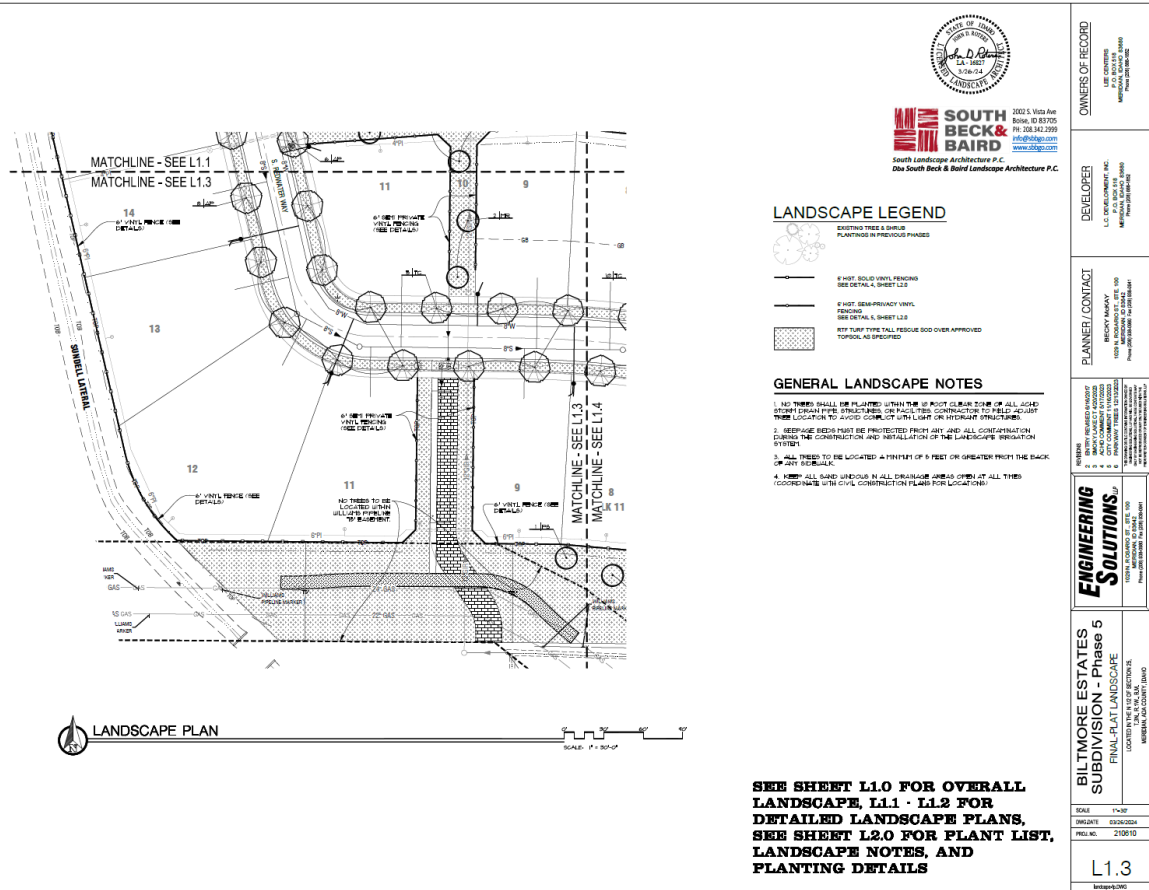
 - FOUND ALUMINUM CAP AS NOTED
 - SET 5/8" 4" REBAR w/PLS 11118 PLASTIC CA
 - SET 1/2" 4" REBAR w/PLS 11118 PLASTIC CA
 - FOUND 5/8" REBAR, PLS 11118 OR AS NOTED
 - FOUND 1/2" REBAR, PLS 11118

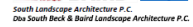


ENGINEERING SOLUTIONS LLP
MERIDIAN, IDAHO

C. Landscape Plan (date: 3/26/2024)





[illegible][illegible]

NOTE: MERCHANTS MUST LOG
ON TO THE SYSTEM
BY: MID-POSSIBLE COMPANY
100 WEST TAYLOR AVE.
MERIDIAN, IDAHO 83642
CONTACT: CHID BOLAN 208.546.8366

[illegible]

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 [AZ-13-014 (Ord. #14-1594) – Victory South; PP-14-0004, Development Agreement Inst. #[114052420](#) – Biltmore Estates; A-2019-0366; [TECC-2021-0001](#)).
2. The applicant shall obtain the City Engineer's signature on the final plat by December 15, 2025; or, a time extension may be requested.
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 Engineering Solutions, LLP, stamped on 2/7/2022 by Clinton W. Hansen, shall be revised as follows:
 - a. Note #12: Include the recorded instrument number of the ACHD temporary license agreement.
 - b. Include the recorded instrument number of the ACHD permanent sidewalk easement in the Legend.

An electronic copy of the revised plat shall be submitted with the final plat for City Engineer signature.

5. The landscape plan shown in Section V.C, dated 3/26/24, shall be revised as follows:
 - a. The total linear feet of parkways (excluding 26' for each driveway) shall be included in the calculations table along with the required vs. proposed number of trees.

An electronic copy of the revised plat shall be submitted with the final plat for City Engineer signature.

6. All development shall comply with the dimensional standards for the R-4 zoning districts listed in UDC [Table 11-2A-5](#). *In the case where a wider easement exists, a greater setback may be required (i.e. a 16-foot wide PUDI easement is depicted on the plat adjacent to any public street).*
7. The rear and/or sides of homes on lots that face or back up to S. Kentucky Way (**i.e. Lot 4, Block 5; Lots 3 and 17, Block 8; and Lot 2, Block 11**) shall incorporate articulation through changes in materials, color, modulation, and architectural elements (horizontal and vertical) to break up monotonous wall planes and roof lines.
8. Submit a revised landscape plan for Biltmore Estates Subdivision No. 2 that includes a pickleball court on Lot 1, Block 8.
9. Submit a copy of the Ada County Street Name Review letter for the final plat with the final plat submittal for City Engineer signature.
10. All ditches are required to be piped in accord with UDC 11-3A-6A unless waived by City Council or used as a water amenity or linear open space.
11. This phase shall comply with the most recently adopted Public Works standards and specifications as required with the most recent time extension (TECC-2021-0001).
12. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location

of mailboxes. Contact the Meridian Postmaster, Matthew Peterson, at 208-887-1620 for more information.

13. 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=345078&dbid=0&repo=MeridianCity>

C. Boise Project Board of Control

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=345654&dbid=0&repo=MeridianCity>

D. Boise-Kuna Irrigation District

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=345154&dbid=0&repo=MeridianCity>

E. Idaho Transportation Department (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=345300&dbid=0&repo=MeridianCity>

EXHIBIT B

From: [Becky McKay](#)
To: [Sonya Allen](#)
Subject: RE: Biltmore Estates No. 5 FP-2024-0007 Staff Report for City Council Meeting on May 7th
Date: Tuesday, April 30, 2024 1:33:49 PM

External Sender - Please use caution with links or attachments.

Sonya:

I noticed you had R-8 instead of R-4 on the cover page. I reviewed the report and conditions of approval. We find the report and conditions acceptable and will comply as outlined.

Thanks,

Becky McKay, Partner
Engineering Solutions LLP
1029 N Rosario St. #100
Meridian, ID 83642.
208-938-0980



From: Sonya Allen <sallen@meridiancity.org>
Sent: Tuesday, April 30, 2024 1:26 PM
To: Clerks Comment <comment@meridiancity.org>
Cc: Bill Parsons <bparsons@meridiancity.org>; Becky McKay <Beckym@engsol.org>; Shari Stiles <Sharis@engsol.org>
Subject: RE: Biltmore Estates No. 5 FP-2024-0007 Staff Report for City Council Meeting on May 7th

Just realized I had the wrong zoning district listed; please use this revised report.

CLERK – PLEASE REVISE THE PROJECT DESCRIPTION ON THE COUNCIL AGENDA TO REFLECT R-4 AND NOT R-8 ZONING.

Thanks,

Sonya Allen | Associate Planner

City of Meridian | Community Development Department | Planning Division
33 E. Broadway Ave., Ste. 102, Meridian, Idaho 83642
Phone: 208-884-5533 | Direct/Fax: 208-489-0578



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.