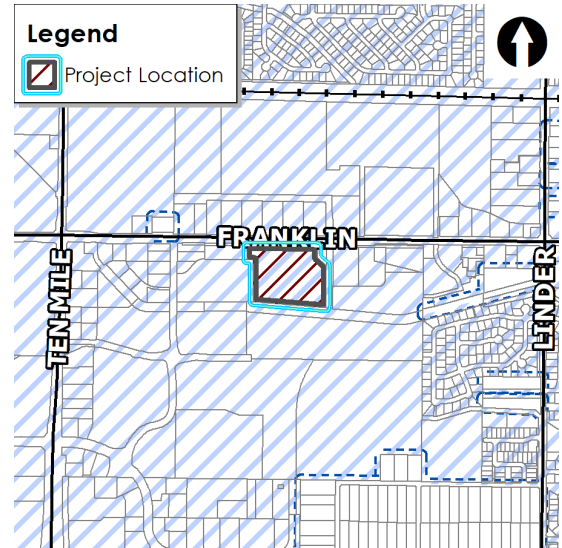


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: January 5, 2023
 TO: Planning & Zoning Commission
 FROM: Stacy Hersh, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0080 – TM Creek Apartments
 Phase 4 – CUP, ALT
 LOCATION: South of W. Franklin Rd. and east of S.
 Ten Mile Rd., in the NE ¼ of Section 14,
 Township 3N., Range 1W. (Parcel
 #S1214212630)



I. PROJECT DESCRIPTION

The Applicant has applied for a Conditional Use Permit (CUP) for a multi-family development consisting of 64 urban-style multi-family apartment units with a clubhouse and pool on 2.631-acres of land in the C-G zoning district.

Alternative Compliance (ALT) is requested to the following UDC standards:

- UDC 11-4-3-27B.3, which requires a minimum of 80 square feet of private usable open space to be provided for each dwelling unit.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	11.68-acres (AZ); 2.361-acres (CUP)	
Future Land Use Designation	Mixed Use Commercial (MU-COM)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Multi-family development (west of S. Benchmark Avenue)	
Current Zoning	General Retail & Service Commercial (C-G) and Traditional Neighborhood Center (TN-C)	
Proposed Zoning	General Retail & Service Commercial (C-G)	

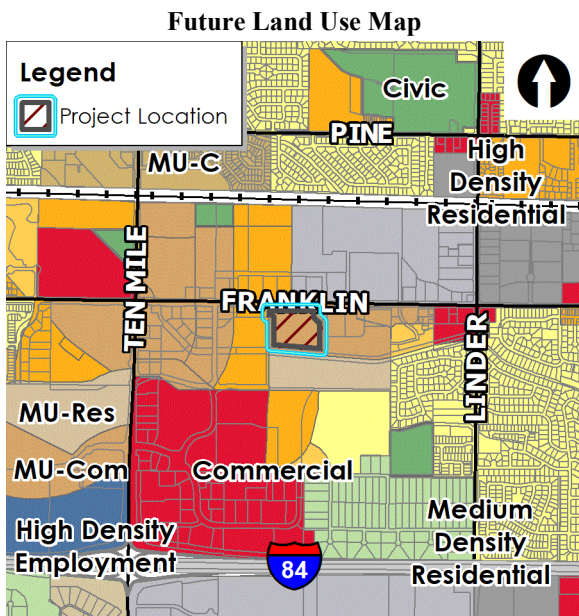
Description	Details	Page
Number of Residential Units (type of units)	64-apartment units (12 studio, 12 1-bedroom, 36 2-bedroom, and 4 3-bedroom.)	
Density (gross & net)	28.6/acre (gross)	
Open Space (acres, total [%] / buffer / qualified)	1.55-acres – this calculation includes the open space calculated with the vertically integrated project to the north.	
Amenities	Clubhouse with fitness facilities, a bike repair room, entertainment/game area, parcel locker system, warming kitchen, pet grooming station, executive offices, golf simulator; outdoor swimming pool, grilling area, sports court (pickleball) and fireside seating.	
Physical Features (waterways, hazards, flood plain, hillside)	The Ten Mile Creek runs off-site along the southern boundary of the site.	
Neighborhood meeting date; # of attendees:	October 12, 2022; no attendees other than Applicant	
History (previous approvals)	H-2015-0017 (DA # 2016-030845)/H-2020-0074 (DA Inst. # 2021-089157); CZC (A-2022-0168)	

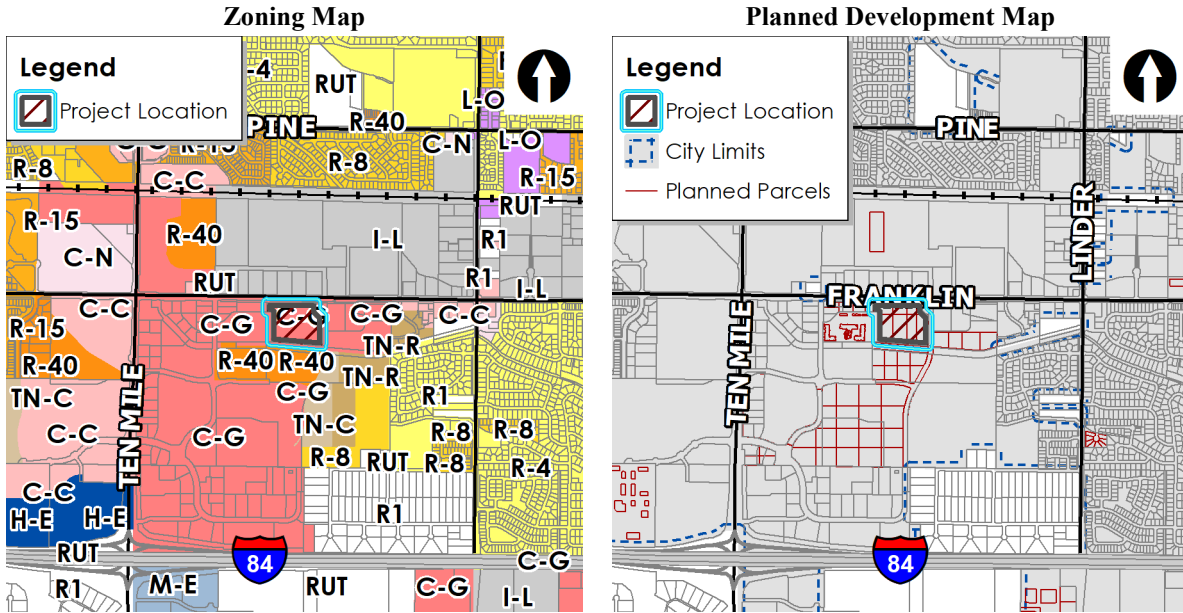
B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Traffic Impact Study (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	One (1) shared driveway access is proposed via S. Benchmark Avenue, a collector street, along the east boundary of the site.	
Police Service	2.6 miles from the Meridian Police Department	
<ul style="list-style-type: none"> Police Response Time 	Expected response time to this area is 3:44 Minutes	
<ul style="list-style-type: none"> Repose Time Goal 	Response time goal for emergencies is within 3-5 minutes.	
<ul style="list-style-type: none"> Accessibility 	UDC 11-4-3-27G requires climate-controlled multi-family developments to provide emergency police access into each building entry point using a multi-technology keypad.	
<ul style="list-style-type: none"> Resource Needs 	The Meridian Police Department can service this development if approved.	
<ul style="list-style-type: none"> Other 	All multi-family units shall be clearly marked with addresses and unit numbers visible day or night for emergency response.	
West Ada School District	<i>No comments received.</i>	
Wastewater		
Distance to Sewer Services	Directly Adjacent	
Estimated Project Sewer ERU's	See Application	

Project Consistent with WW Master Plan/Facility Plan	Yes
Impacts/Concerns	
Water	
Distance to Water Services	Directly adjacent
Estimated Project Water ERU's	See application
Water Quality	None
Project Consistent with Water Master Plan	Yes
Impacts/Concerns	

C. Project Maps





III. APPLICANT INFORMATION

A. Applicant:

Brighton Development, Inc. – 2929 W. Navigator Dr. Ste. 400, Meridian, ID 83642

B. Owner:

SCS TM Creek LLC – 2929 W. Navigator Dr., Meridian, ID 83642

C. Representative:

Josh Beach, Brighton Corporation – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	12/21/2022	
Radius notification mailed to properties within 300 feet	12/15/2022	
Public hearing notice sign posted on site	12/20/2022	
Nextdoor posting	12/15/2022	

V. COMPREHENSIVE PLAN ([Comprehensive Plan](#) and [TMISAP](#))

Land Use:

The subject property is designated Mixed Use – Commercial (MUC-COM) on the Future Land Use Map (FLUM) in the Comprehensive Plan. Development of the property is governed by the Ten Mile Interchange Specific Area Plan (TMISAP).

The purpose of the MU-COM designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multi-family or single-family

attached residential uses. While the focus of these areas is on commercial and employment uses, the horizontal and vertical integration of residential uses is essential to securing entitlements. As with all mixed-use areas, this designation requires developments to integrate the three major use categories – residential, commercial and employment. In MU-COM areas, three or more significant uses also tend to be larger scale projects. This designation is intended to provide flexibility and encourage developers to build innovative projects.

Transportation:

The streets in this vicinity (i.e. W. Franklin Rd., S. Ten Mile Rd. and S. Benchmark Ave.) are fully built out with the exception of S. Benchmark Avenue (a new town center collector), which will be completed with this development.

Proposed Use: A multi-family development containing 64 urban-style dwelling units consisting of apartments, clubhouse, pool, and various other site amenities are proposed to develop on the site. A vertically integrated project was approved with a Certificate of Zoning Compliance (A-2022-0168) on the northern boundary of this site.

COMPREHENSIVE PLAN POLICIES:

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)

The proposed multi-family apartments will contribute to the variety of housing types and financial capabilities for such in the City as desired.

- “Locate higher density housing near corridors with existing or planned transit, Downtown, and in proximity to employment centers.” (2.01.01H)

The proposed multi-family development is located in close proximity to W. Franklin and S. Ten Mile Roads, mobility arterials, providing access to I-84 and employment center in the area.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

The proposed multi-family apartments will contribute to the mix of housing types available in the City. There is currently a mix of housing types within a mile of this site consisting of single-family, townhomes and multi-family apartments.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed multi-family apartments should be compatible with existing multi-family residential uses and future commercial/retail uses in this area.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will connect to City water and sewer systems; services are required to be provided to and through this development in accord with current City plans.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The proposed residential uses will allow folks to live in close proximity to employment, retail and restaurant uses which will reduce vehicle trips and enhance livability.

VI. STAFF ANALYSIS

A. CONDITIONAL USE PERMIT (CUP)

A CUP is proposed for a multi-family development containing (2) 4-story structures with 64 apartment units consisting of (12) studio, (12) 1-bedroom, (36) 2-bedroom, and (3) 3-bedroom units on 2.361-acres of land in the C-G zoning district. The size of each of the unit types proposed is as follows: 656 square feet (s.f.) for studio units; 710 s.f. for 1-bedroom units; 1,094 s.f. for 2-bedroom units; 1,443 s.f. for 3-bedroom units. The gross density of the development is 28.6 units per acre.

A total of 11,151 square feet of non-residential uses are proposed in the 2-story clubhouse and a 1,081 square foot pool house is located south of the clubhouse.

Specific Use Standards (UDC 11-4-3):

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

11-4-3-27: MULTI-FAMILY DEVELOPMENT:

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches, and patios, and how they impact adjacent properties. *The proposed site plan complies with this standard.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The site plan depicts screened trash enclosures; all proposed transformer/utility vaults and other service areas shall comply with this requirement.*
3. A minimum of eighty (80) square feet (s.f.) of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *Alternative Compliance is requested to provide zero or a lesser amount of private open space than required, as follows: 0 for studio units; 70 s.f. for 1-bedroom units; 70 s.f. for 2-bedroom units; 71 s.f. for 3-bedroom units.*
As an alternative, the Applicant proposes common open space and site amenities above the minimum requirements coupled with innovative new urban design with an emphasis on integrated internal open space, community facilities, and direct access to the Ten Mile Creek regional pathway system. Because the proposed design includes design features consistent with "new urbanism" and promotes walkable and mixed-use neighborhoods with access to the adjacent regional pathway along the Ten Mile Creek and a vast amount of open space, the Director finds the Applicant's proposal to be sufficient and approves the Alternative Compliance request as proposed with the 8-foot wide pathway along the southern boundary of the site.
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *Some of the vehicular circulation areas*

and parking areas were included in the common open space calculations, which don't qualify. However, the internal common open space at 1.55-acres complies with the minimum standard.

5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *The Applicant is providing twelve (12) parking spaces for the studio units, twelve (12) parking spaces for the 1-bedroom units, forty (40) parking spaces for the 2 to 3-bedroom units, and seven (7) guest parking spaces for a total of 117 parking spaces, which 52 are located in a covered carport or garage. The parking for the multi-family development was analyzed with the Certificate of Zoning Compliance (A-2022-0168) for the vertically integrated portion along the northern boundary of this site.*

Bicycle parking is required per the standards listed in UDC 11-3C-6G and should comply with the standards listed in UDC 11-3C-5C. One bicycle parking space is required for every 25 proposed vehicle parking spaces or portion thereof. Based on 117 spaces, a minimum of 5 spaces are required; a total of 15 spaces are proposed in excess of UDC standards.

7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

The site plan submitted with the Certificate of Zoning Compliance application should depict the location of these items in accord with this standard.

C. Common Open Space Design Requirements:

1. A minimum area of outdoor common open space shall be provided as follows **NOTE: Project was analyzed with the open space standards in affect at the time of submittal:**
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *There are no units containing 500 s.f. or less of living area.*
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *All of the studio, 1-bedroom, and 2-bedroom units (60 units total) fall within this square footage range; therefore, a minimum of 15,000 square feet or 0.34-acres of common open space is required.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *The (4) three-bedroom units fall within this square footage range; therefore, a minimum of 4,800 square feet or 0.11-acres of common open space is required.*

A total of 19,800 square feet of common open space is required for the multi-family portion of the development. The submitted open space exhibit depicts approximately 1.55 acres of common open space between this development and the vertically integrated portion of the development that was approved administratively with A-2021-0168. To ensure the multi-family portion of the

development meets the minimum open space standards, Staff recommends the Applicant submit a revised open space exhibit that only includes the boundary of the 2.36-acre multi-family development.

2. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *The common open space areas depicted on the open space exhibit in Section VIII.D meet this requirement.*
3. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *This project is proposed to develop in one phase.*
4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *The Applicant requests the street buffer along S. Benchmark Ave., a collector street, is allowed to count toward the common open space for the development although it is not separated from the street by a berm or barrier. Without this area, the internal common open space along the creek corridor still meets and exceeds the minimum standards.*

D. Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. Quality of life:
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - b. Open space:
 - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
 - (2) Community garden.
 - (3) Ponds or water features.
 - (4) Plaza.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
2. The number of amenities shall depend on the size of multi-family development as follows:
 - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.

- c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Based on 64 proposed units, a minimum of 3 amenities are required.

The following amenities are proposed from each category: a clubhouse with a fitness center, bike repair room, and pet grooming station; swimming pool and year-round spa; open grassy areas at least 50' x 100' in size; fireside seating; grilling area; and sports courts (2 pickleball courts). The Ten Mile Creek multi-use pathway also lies adjacent to the site for residents to use.

E. Landscaping Requirements:

- 1. Development shall meet the minimum landscaping requirements in accord with [chapter 3](#), "Regulations Applying to All Districts", of this title.
- 2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three feet (3') wide.
 - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
 - c. Ground cover plants shall be planted in the remainder of the landscaped area.

The landscape plan depicts landscaping along the street facing elevations adjacent to S. Benchmark Ave. in accord with these standards.

F. Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The Applicant shall comply with this requirement.***

Access: One (1) east/west shared driveway is proposed via S. Benchmark Ave. for the development with two (2) accesses off the shared driveway. **Direct access to W. Franklin Road and S. Benchmark Avenue is prohibited**

Landscaping (UDC [11-3B](#)):

A 20-foot wide street landscape buffer is required along S. Benchmark Ave., a collector street in accord with UDC Table 11-2B-3, 11-3B-7C, and the TMISAP.

Landscaping is required within parking lots in accord with the standards listed in UDC 11-3B-8C. The parking lot landscaping for the multi-family development was analyzed and approved with the Certificate of Zoning Compliance (A-2022-0168) for the vertically integrated project located along the northern boundary for the shared parking on this site.

Landscaping is required to be provided along the pathway adjacent to the southern boundary of the site per the standards listed in UDC [11-3B-12C](#), which require a mix of trees, shrubs, lawn and/or other vegetative groundcover. **Landscaping should be added to the landscape plan in accord with this standard; calculations demonstrating compliance with this standard should also be included in the calculations table.**

Landscaping is required within common open space areas per the standards listed in UDC 11-3G-3E. **Calculations should be included in the calculations table demonstrating compliance with this standard.**

Parking: Off-street vehicle parking is required for the proposed multi-family as set forth in UDC Table [11-3C-6](#) as discussed above.

Pathways: An 8-foot wide pathway is proposed along the southern boundary of the site adjacent to the Ten Mile Creek.

Internal pedestrian walkways are required to be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks per UDC 11-3A-19B.4b.

Fencing: No fencing is depicted on the landscape plan for this development. Any fencing constructed on the site should comply with the standards listed in UDC 11-3A-6 and 11-3A-7.

Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)):

Conceptual building elevations were submitted for the proposed 4-story structures as shown in Section VIII.E. Building materials consist of stucco and bricks in neutral colors. Final design is required to comply with the adopted TM Crossing Design Guidelines.

A Certificate of Zoning Compliance application shall be submitted and compliance with the TM Crossing design guidelines is required as set forth in the DA prior to submittal of building permit applications.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed CUP and the Director has approved the requests for ALT per the provisions included in Section IX in accord with the Findings in Section X.

VIII. EXHIBITS

A. Legal Description & Exhibit Map for Proposed CUP



August 4, 2022
Project No.: 22-051
TM Creek Subdivision No. 7
Conditional Use Permit
Legal Description

Exhibit A

A parcel of land being a portion of the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the North 1/4 corner of said Section 14, which bears S89°09'27"E a distance of 2,658.00 feet from a brass cap marking the Northwest corner of said Section 14, thence following the northerly line of the Northwest 1/4 of said Section 14, N89°09'27"W a distance of 164.65 feet;
Thence leaving said northerly line, S00°50'33"W a distance of 509.63 feet to the **POINT OF BEGINNING**.

Thence S00°35'31"W a distance of 56.82 feet;
Thence S89°24'29"E a distance of 12.00 feet;
Thence S00°35'31"W a distance of 8.00 feet;
Thence S89°24'29"E a distance of 139.78 feet;
Thence 39.14 feet along the arc of a curve to the right, said curve having a radius of 25.00 feet, a delta angle of 89°41'54", a chord bearing of S44°33'32"E and a chord distance of 35.26 feet;
Thence S00°35'28"W a distance of 29.63 feet;
Thence S89°24'29"E a distance of 5.40 feet;
Thence S00°35'31"W a distance of 19.50 feet;
Thence 3.93 feet along the arc of a curve to the right, said curve having a radius of 2.50 feet, a delta angle of 90°00'00", a chord bearing of S44°24'29"E and a chord distance of 3.54 feet;
Thence S00°35'31"W a distance of 39.06 feet;
Thence S04°46'31"W a distance of 29.32 feet;
Thence S85°13'29"E a distance of 86.09 feet;
Thence S89°24'29"E a distance of 33.38 feet;
Thence N00°35'31"E a distance of 5.79 feet;
Thence S89°24'29"E a distance of 76.00 feet;
Thence S00°35'31"W a distance of 1.33 feet;
Thence S89°31'29"E a distance of 48.28 feet;
Thence S00°28'31"W a distance of 15.17 feet;
Thence 20.82 feet along the arc of a curve to the right, said curve having a radius of 230.71 feet, a delta angle of 05°10'11", a chord bearing of S03°19'33"W and a chord distance of 20.81 feet;
Thence S04°52'53"W a distance of 8.24 feet to the northerly line of the Ten Mile Drain 100-foot wide prescriptive easement;
Thence following said northerly line, N85°13'29"W a distance of 802.16 feet;
Thence leaving said northerly line, N00°33'41"E a distance of 84.07 feet;
Thence S89°24'29"E a distance of 24.84 feet;
Thence N00°00'24"E a distance of 48.96 feet;
Thence S89°24'29"E a distance of 188.58 feet;
Thence N00°35'31"E a distance of 63.98 feet;

5725 North Discovery Way • Boise, Idaho 83713 • 208.639.6939 • kmengllp.com

Thence S89°24'29"E a distance of 162.67 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 2.361 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

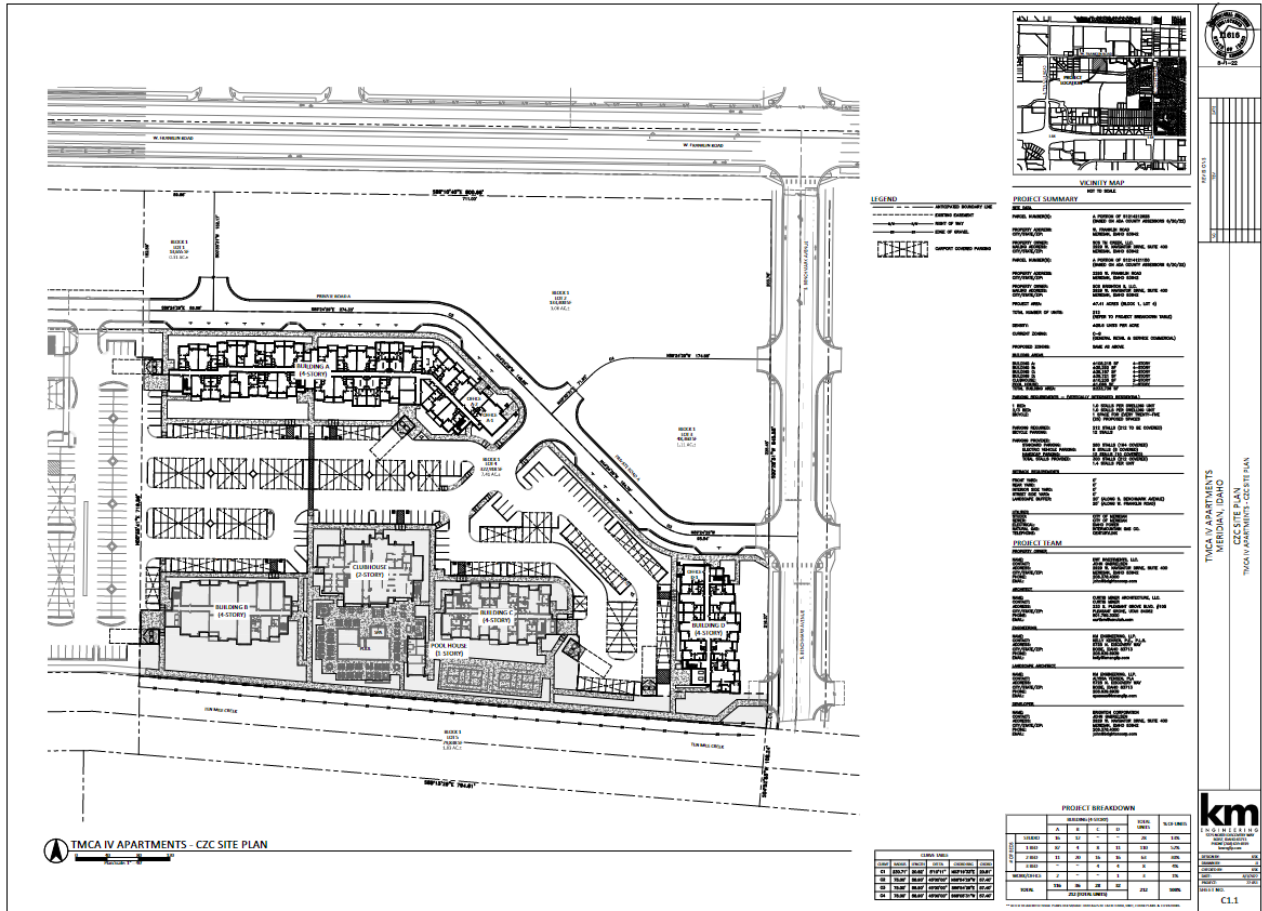
Attached hereto is Exhibit B and by this reference is made a part hereof.



Client
Project Name

PAGE | 2

B. Site Plan (date: 8/1/2022)



D. Qualified Open Space



1 NORTH ELEVATION
SHEET A201

2 SOUTH ELEVATION
SHEET A202

EXTERIOR MATERIAL LEGEND

EM1	CLAYTON BROWN ARCHITECTS, P.C.
EM2	CLAYTON BROWN ARCHITECTS, P.C.
EM3	CLAYTON BROWN ARCHITECTS, P.C.
EM4	CLAYTON BROWN ARCHITECTS, P.C.
EM5	CLAYTON BROWN ARCHITECTS, P.C.
EM6	CLAYTON BROWN ARCHITECTS, P.C.
EM7	CLAYTON BROWN ARCHITECTS, P.C.

GENERAL NOTES

- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, DIMENSIONS AND MATERIALS BEFORE COMMENCING CONSTRUCTION. VERIFY AND REPORT DISCREPANCIES TO THE ARCHITECT.
- ALL MATERIAL SHALL BE MATCHED TO THE SAMPLES, WHICH IS BY THE GENERAL CONTRACTOR'S RESPONSIBILITY. VERIFY AND REPORT DISCREPANCIES TO THE ARCHITECT.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
- CONTRACTOR SHALL MAINTAIN CLEAR ACCESS TO ALL EXISTING AND REMAINING UTILITIES.
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TEN MILE CREEK APARTMENTS IV BUILDING, 'C'

CLAYTON BROWN ARCHITECTS, P.C.

EXTERIOR ELEVATIONS

A201

3 WEST ELEVATION
SHEET A201

4 EAST ELEVATION
SHEET A202

EXTERIOR MATERIAL LEGEND

EM1	CLAYTON BROWN ARCHITECTS, P.C.
EM2	CLAYTON BROWN ARCHITECTS, P.C.
EM3	CLAYTON BROWN ARCHITECTS, P.C.
EM4	CLAYTON BROWN ARCHITECTS, P.C.
EM5	CLAYTON BROWN ARCHITECTS, P.C.
EM6	CLAYTON BROWN ARCHITECTS, P.C.
EM7	CLAYTON BROWN ARCHITECTS, P.C.

GENERAL NOTES

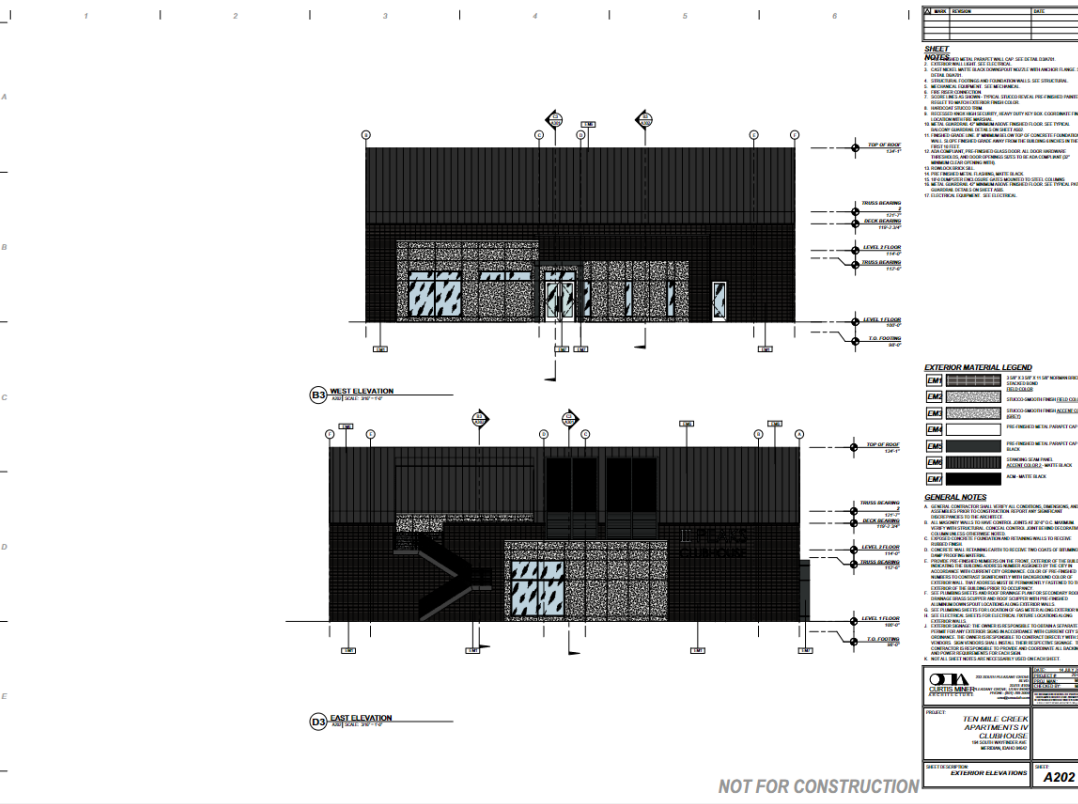
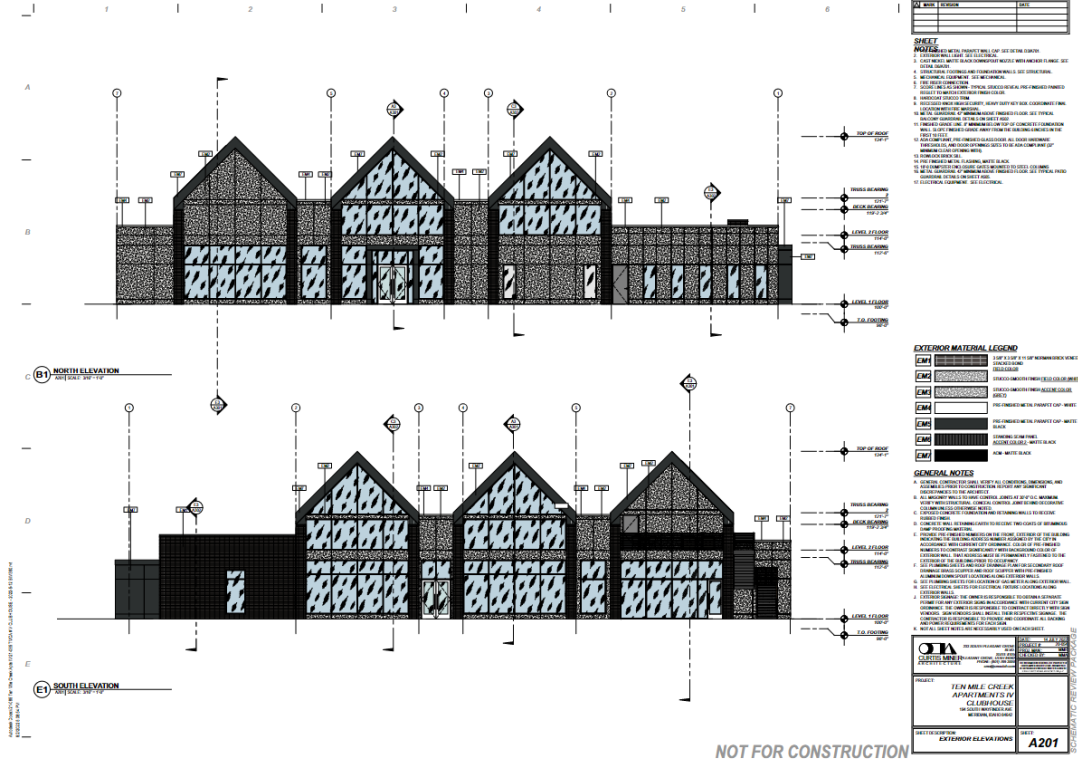
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TEN MILE CREEK APARTMENTS IV BUILDING, 'C'

CLAYTON BROWN ARCHITECTS, P.C.

EXTERIOR ELEVATIONS

A202



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit:

1. The Applicant shall comply with the provisions in the existing Development Agreement (Inst. 2021-089157) and all other previous conditions of approval.
2. The multi-family development shall have an ongoing obligation to comply with the specific use standards listed in UDC 11-4-3-27.
3. The multi-family development shall record a legally binding document that states the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC 11-4-3-27F. **A recorded copy of said document shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development.**
4. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
 - a. Depict the locations of the property management office, maintenance storage area, central mailbox location (including provisions for parcel mail, that provide safe pedestrian and/or vehicular access), and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC 11-4-3-27B.7.
 - b. All transformer and utility vaults and other service areas shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC 11-4-3-27B.2.
 - c. Depict landscaping along the pathway adjacent to the southern boundary of the site per the standards listed in UDC 11-3B-12C, which require a *mix* of trees, shrubs, lawn and/or other vegetative groundcover.
 - e. The applicant shall submit a revised open space exhibit that only includes the boundary of the 2.36-acre multi-family development that demonstrates compliance with the common open space standards in UDC 11-4-3-27.
7. The Director approved the Applicant's request for Alternative Compliance to the private usable open space standards listed in UDC 11-4-3-27B.3 for each dwelling unit as follows: 0 square feet (s.f.) for studio units; 70 s.f. for 1-bedroom units; 70 s.f. for the 2-bedroom units; and 71 s.f. for the 3-bedroom units. Floor plans with square footages noted for patios and balconies shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with the alternative compliance approval.
8. Per the Development Agreement Instrument #2021-089157, the subject property shall be subdivided prior to issuance of any Certificate of Occupancy for the site.
9. An application for Certificate of Zoning Compliance shall be submitted for the proposed project and approved prior to submittal of building permit applications. Compliance with the design guidelines in the Ten Mile Interchange Specific Area Plan and the design standards listed in the Architectural Standards Manual as applicable is required.

B. PUBLIC WORKS

C. SITE SPECIFIC CONDITIONS

D. GENERAL CONDITIONS

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. All existing structures that are required to be removed. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.

8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
11. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
12. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
13. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
14. Developer shall coordinate mailbox locations with the Meridian Post Office.
15. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
16. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
17. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
18. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
19. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
20. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

No comments at this time.

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=281513&dbid=0&repo=MeridianCity>

E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

No comments at this time.

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=283314&dbid=0&repo=MeridianCity>

G. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE

No comments at this time.

H. WEST ADA SCHOOL DISTRICT (WASD)

No comments at this time.

I. PARK'S DEPARTMENT

No comments at this time.

J. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282932&dbid=0&repo=MeridianCity&cr=1>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=281435&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

Staff finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the C-G district (see Analysis, Section V for more information).

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

Staff finds that the proposed use is consistent with the future land use map designations of MU-C and the multi-family residential use is allowed as a conditional use in UDC Table 11-2B-2 in the C-G zoning district.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Staff finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area. The Commission should weigh any public testimony provided to determine if the development will adversely affect other properties in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

Staff finds that essential public services are available to this property and that the use will be adequately served by these facilities.

B. Alternative Compliance (UDC 11-5B-5):

In order to grant approval of an alternative compliance application, the Director shall determine the following:

1. Strict adherence or application of the requirements is not feasible; OR

The Director finds strict adherence to the standards listed in UDC 11-4-3-27B.3 is feasible.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative compliance of providing integrated internal open space, a pathway creek amenity and site amenities and common open space in excess of UDC standards coupled with innovative, new-urban design provides a superior means for meeting the requirements in UDC 11-4-3-27B.3.

The Director finds the proposed alternative for parking for studio units provides an equal means for meeting the requirements in UDC Table 11-3C-6.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means of compliance will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.