



Mayor Robert E. Simison

City Council Members:

Luke Cavener, President

Liz Strader, Vice President

Brian Whitlock

Doug Taylor

John Overton

Anne Little Roberts

November 13, 2024

MEMORANDUM

TO: Mayor and City Council

CC: City Clerk, City Attorney

FROM: Linda Ritter, Associate Planner

RE: Centrepont Apartments (H-2024-0019)

On October 15, 2024, Centrepont Apartments was presented before the City Council. The Council opted to extend the hearing after reviewing testimony from staff, the applicant, and the public. They instructed staff to collaborate with the applicant to outline specific conditions that would apply if the project gains approval. The Council is carefully weighing the input from all stakeholders and is committed to setting thoughtful requirements to address any concerns raised before a final decision is made. As instructed, Staff met with the applicant and formulated the following conditions:

Development Agreement

The Applicant is requesting a Development Agreement Modification to modify the existing Development Agreement (Inst. #2019-06087, as amended by the Addendum to Development Agreement, Inst. #2022-079000) (collectively, the "Original Development Agreement") with a new multi-family site plan and related conditions for the residential portion of the development. The Original Development Agreement approved a mixed-use development on two separate parcels: the first parcel, Ada County Tax Assessor No. S1105110111, comprises the residential portion of the development (the "Residential Parcel"); the second parcel, Ada County Tax Assessor No. S1105110120, comprises the commercial portion of the development (the "Commercial Parcel"). The Applicant now requests modifications to the approved multi-family community on the Residential Parcel and to clarify which conditions apply to the Residential Parcel and which apply to the Commercial Parcel, separately. The Applicant requests the Modified Development Agreement to include the following changes:

1. OWNER/DEVELOPER shall be bound by the terms of the Original Development Agreement, except as specifically amended as follows:
 - a. Future development of the Residential Parcel site shall be substantially consistent with the submitted concept plan and color renderings attached as Exhibit A and the provisions contained herein.
 - b. Future development of the Residential Parcel shall comply with the standards outlined in the

multi-family development specific use standards, UDC 11-4-3-27, except for any requests for Alternative Compliance approved by the City.

- c. All future pedestrian crossings that traverse shared drive aisles within the development shall be constructed with brick, pavers, stamped concrete, or colored concrete to clearly delineate the driving surface from the pedestrian facilities, per UDC 11-3A-19B.4b.
- d. The required landscape street buffers and multi-use pathway segment shall be constructed and vegetated with the residential phase of development along E. Ustick Road; the proposed 25-foot landscape buffer along the west and south boundaries shall be constructed with the residential phase of development. The required landscape street buffers and multi-use pathway segment along N. Eagle Road shall be constructed and vegetated with the development of the Commercial Parcel.
- e. Applicant shall work with ACHD to construct a safe pedestrian crossing from the central multi-family site area to the parking lot along the west boundary across N. Centrepont Way.
- f. With the Conditional Use Permit for the multi-family development, the building heights shall be as follows:
 - i. Building A and Building B1 – not to exceed 4-stories and 48 feet in height, excluding the parapet, with a flat roof line.
 - ii. Building B2 and Building C – Not to exceed 3-Stories and 38 feet in height, excluding the parapet, with a pitched or flat roof line.
 - iii. Building D – Not to exceed 2-Stories and 28 feet in height, excluding the parapet, with a pitched roof line.

All building shall be consistent with the concept plan in Exhibit A.

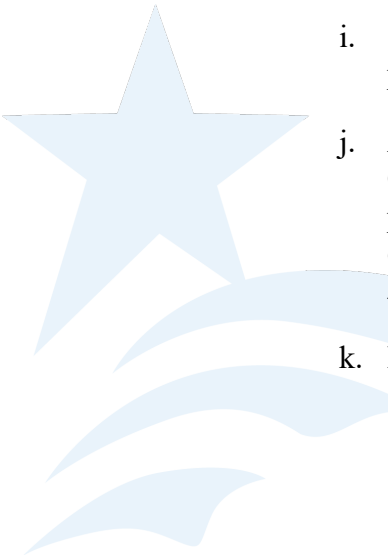
- g. Applicant shall continue the masonry wall along the west property boundary consistent with adjacent development and to help buffer the proposed project.
- h. Staff and Applicant shall work with ACHD to mark Centrepont Way as no-parking on both sides, should ACHD allow it.
- i. Upon development of the Commercial Parcel, the Owner/Developer shall be required to dedicate twelve (12) feet of right-of-way on Eagle Road to reconstruct the right turn lane to Seville Lane.

III. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. Development Agreement Modification:

- 1.1 The modified Development Agreement shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council approval of the Findings. The Development Agreement shall, at minimum, incorporate the following provisions:

- 
- a. Future development of the Residential Parcel shall be generally consistent with the proposed site plan, landscape plans and conceptual building elevations included in Section VII-D and VII-G and the provisions contained herein.
 - b. Prior to building permit issuance, the Owner and/or Developer shall provide the City a copy of the recorded income-restricted housing tax credit regulatory agreement with the Idaho Housing and Finance Association (IHFA) that restricts the rental rates on the units for a minimum of forty (40) years to ensure the units are affordable to individuals and families earning, averaged within the entire project, no more than sixty percent (60%) of the area median income.
 - c. All future pedestrian crossings that traverse shared drive aisles within the development shall be constructed with brick, pavers, stamped concrete, or colored concrete to clearly delineate the driving surface from the pedestrian facilities, per UDC 11-3A-19B.4b.
 - d. The required landscape street buffers and multi-use pathway segment shall be constructed and vegetated with the residential phase of development along E. Ustick Road; the proposed 25-foot landscape buffer along the west and south boundaries shall be constructed with the residential phase of development. The required landscape street buffers and multi-use pathway along N. Eagle Road will be constructed and vegetated with the development of the Commercial Parcel.
 - e. Applicant shall work with ACHD to construct a safe pedestrian crossing from the central multi-family site area to the parking lot along the west boundary across N. Centrepont Way
 - f. The height of the buildings on the Residential Parcel shall not exceed two, three, or four stories as identified in the Development Agreement and shown for each building on the concept plan or as modified by City Council.
 - g. Future development shall comply with the standards outlined in the multi-family development specific use standards, UDC 11-4-3-27, except for any requests for Alternative Compliance approved by the City.
 - h. Applicant shall continue the masonry wall along the west property boundary consistent with adjacent development and to help buffer the proposed project.
 - i. Staff and Applicant shall work with ACHD to mark Centrepont Way as no-parking on both sides, should ACHD allow it.
 - j. A shared access easement agreement shall be granted between the Commercial Parcel and the Residential Parcel allowing vehicular and pedestrian ingress and egress across both properties. A recorded copy of said easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application.
 - k. Prior to issuance of a Certificate of Zoning Compliance, Owner/Developer shall complete a property boundary adjustment between the Residential Parcel

and Commercial Parcel so that no parking spaces are bifurcated by the boundary between the parcels.

1. Direct access onto E. Ustick Road and N. Eagle Road, other than via access approved by City Council, is prohibited as set forth in UDC 11-3H-4B.
- 1.2 No Cross Default. The owner of each of the Residential Parcel and the Commercial Parcel shall be responsible for the terms of this Agreement and the Original Development Agreement as may be applicable to that owner's parcel. If the development of either the Commercial Parcel or the Residential Parcel is determined to not be in compliance with this Agreement or the Original Development Agreement, such non-compliance will not be imputed to the owner of the other property or constitute a violation of this Agreement or the Original Development Agreement for the non-violating parcel.
2. Conditional Use Permit:
 - 2.1 The Applicant shall comply with all specific use standards for the proposed use of Multi-family Residential Development (UDC 11-4-3-27).
 - 2.2 The Applicant shall obtain a Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approvals before submitting for any building permit within this development.
 - 2.3 At the time of Certificate of Zoning Compliance submittal, the Applicant shall submit a recorded and legally binding document(s) 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, per UDC 11-4-3-27F standards.
 - 2.4 Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3-7 for the C-G zoning district.
 - 2.5 Off-street parking is required to be provided by the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
 - 2.6 The Applicant shall work with Valley Regional Transit to ensure the transit stop shelter being proposed is appropriate for that location and if they are willing to maintain the area proposed.
 - 2.7 The Applicant shall comply with all ACHD conditions of approval.
 - 2.8 The Applicant shall comply with all ITDs conditions of approval, if any.
 - 2.10 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.
 - 2.11 A total of eight (8) amenities shall be installed as proposed by the applicant.

- 2.12 Provide a pressurized irrigation system consistent with the standards as outlined in UDC 11-3A-15, UDC 11-3B-6, and UDC 9-1-28.
- 2.13 Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as outlined in UDC 11-3B-14.
- 2.15 The Conditional Use Permit approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as outlined in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as outlined in UDC 11-5B-6F.4.
- 2.16 The Director has approved the Alternative Compliance Request to remove the landscape islands underneath the covered carports per UDC 11-3B-8.

