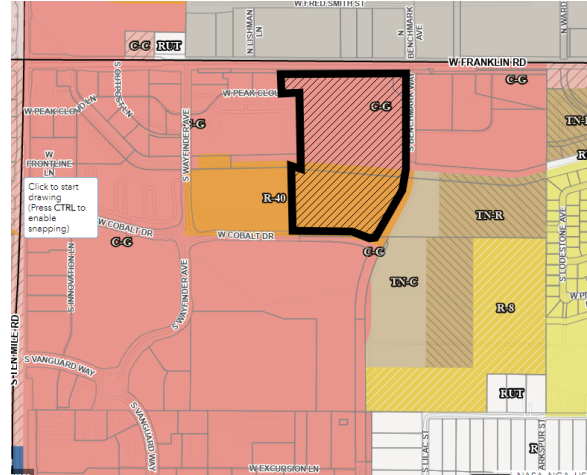


**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



DATE: 7/9/2024  
TO: City Council  
FROM: Sonya Allen, Associate Planner  
208-884-5533  
SUBJECT: FP-2024-0010  
TM Creek No. 7  
PROPERTY LOCATION:  
153 S. Benchmark Way, in the northern  
½ of Section 14, T.3N., R.1W.



**I. PROJECT DESCRIPTION**

Final plat consisting of 10 building lots and one (1) common lot on 22.73-acres of land in the C-G zoning district for TM Creek No. 7.

*Note: The proposed final plat is actually the seventh phase of the TM Center Subdivision preliminary plat (H-2020-0074) and includes right-of-way for S. Benchmark Way and a common lot (i.e. Lot 1, Block 2) that was part of the TM Crossing Subdivision preliminary plat (PP-12-003). [Previous phases of the TM Center Subdivision preliminary plat: TM Creek No. 5 (1st phase FP-2021-0027); TM Crossing No. 5 (2nd phase FP-2021-0045); TM Frontline (3<sup>rd</sup> phase FP-2021-0047); and TM Center Sub. 1 (4<sup>th</sup> phase FP-2022-0009); TM Center East No. 1 (5<sup>th</sup> phase FP-2022-021); TM Center East No. 2 (6<sup>th</sup> phase FP-2024-0008)]*

**II. APPLICANT INFORMATION**

A. Applicant

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

B. Owner:

DWT Investments, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

C. Representative:

Same as Applicant

**III. STAFF ANALYSIS**

Staff has reviewed the proposed final plat for substantial compliance with the associated preliminary plat (TM Center H-2020-0074) as required by UDC 11-6B-3C.2. The proposed final

plat depicts seven (7) fewer buildable lots than shown on the approved preliminary plat, which is in substantial compliance with the approved preliminary plats as required by UDC 11-6B-3C.

An east/west private street (i.e. W. Peak Cloud Ln.) was previously approved through this site ([A-2023-0036](#)).

*Note: Development agreement provision #5.1(11) requires a central amenity to be provided within the overall development. The Applicant states they are making plans to satisfy this requirement in the development area west of Wayfinder, south of Cobalt and east of Innovation. In the near future, they intend to share the concept plan for the central amenity with Staff in accord with the conditions.*

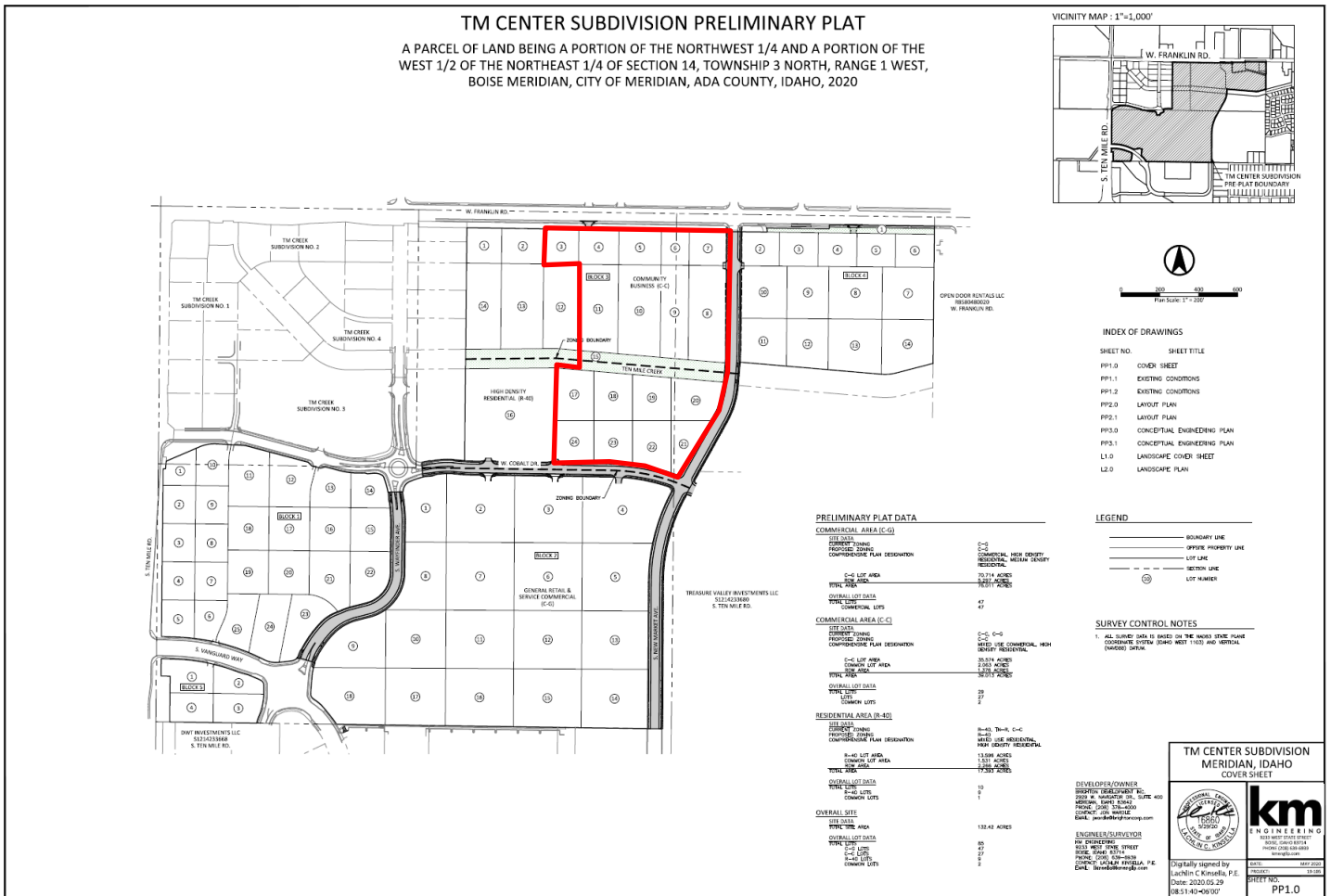
#### IV. DECISION

##### A. Staff:

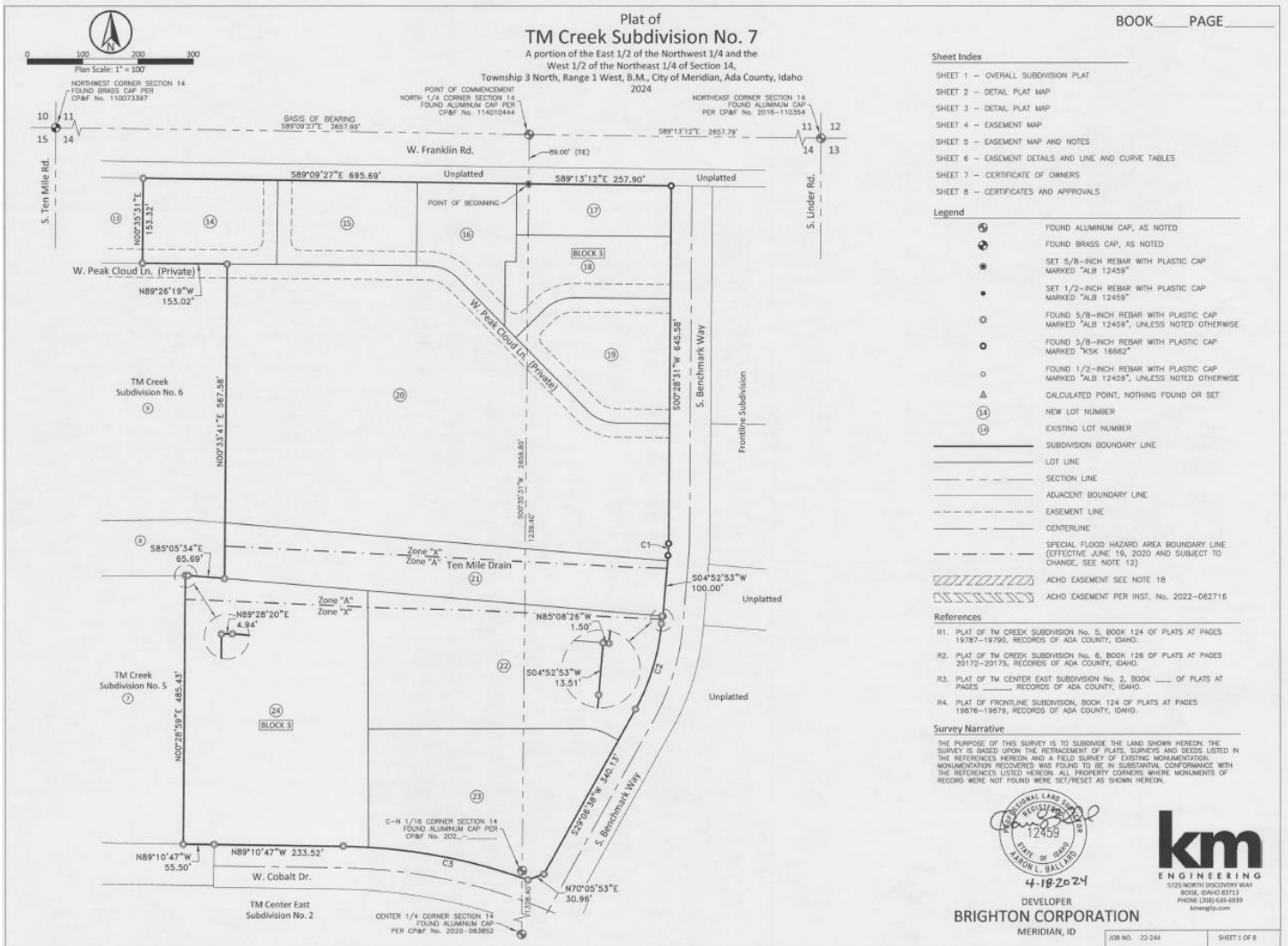
Staff recommends approval of the proposed final plat with the conditions of approval in Section VII of this report.

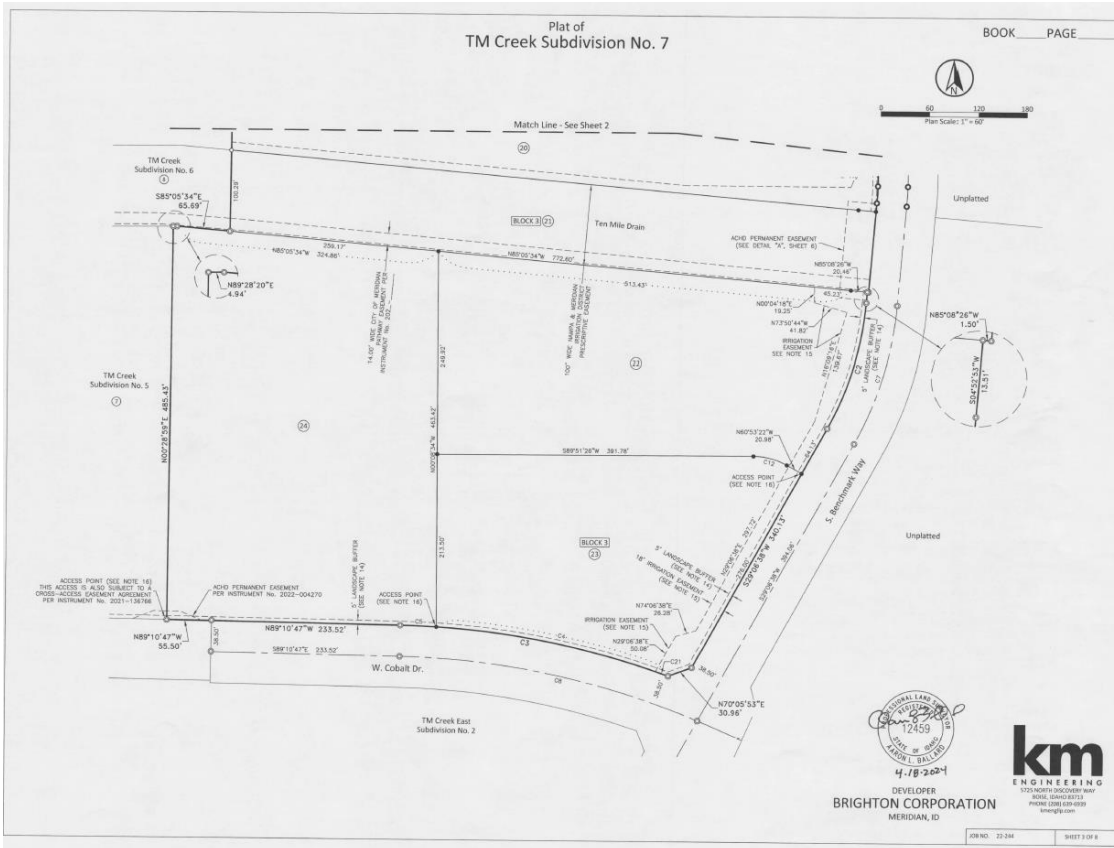
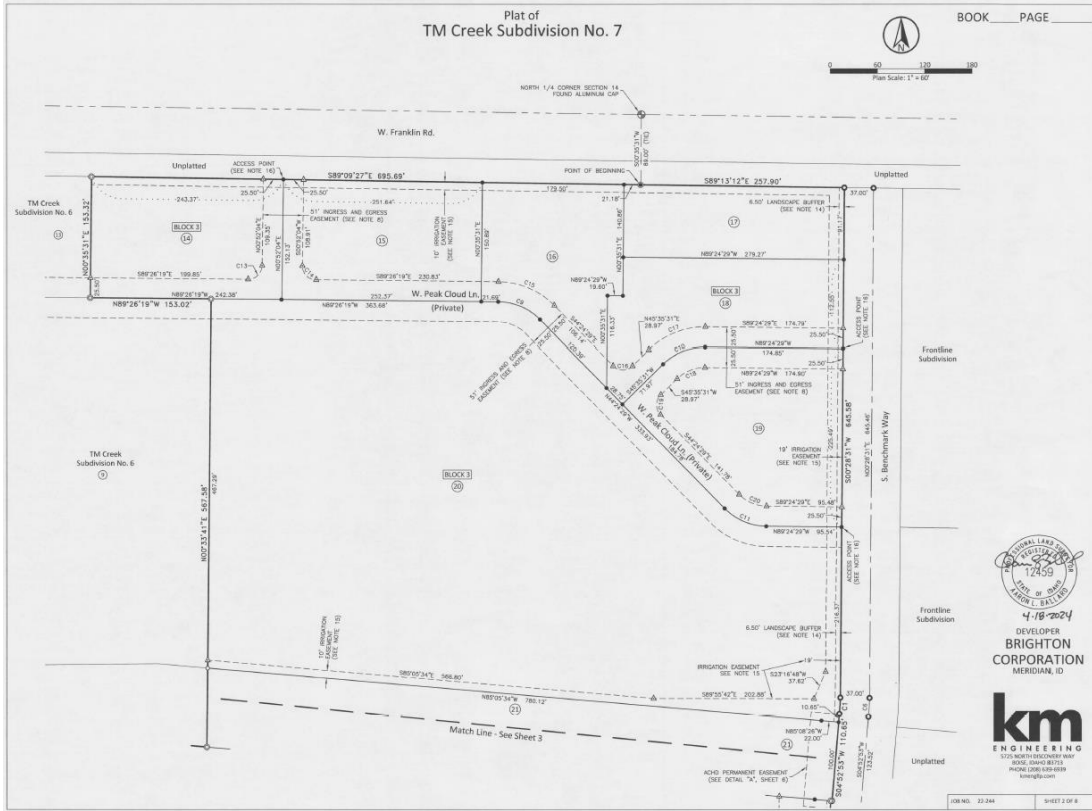
#### V. EXHIBITS

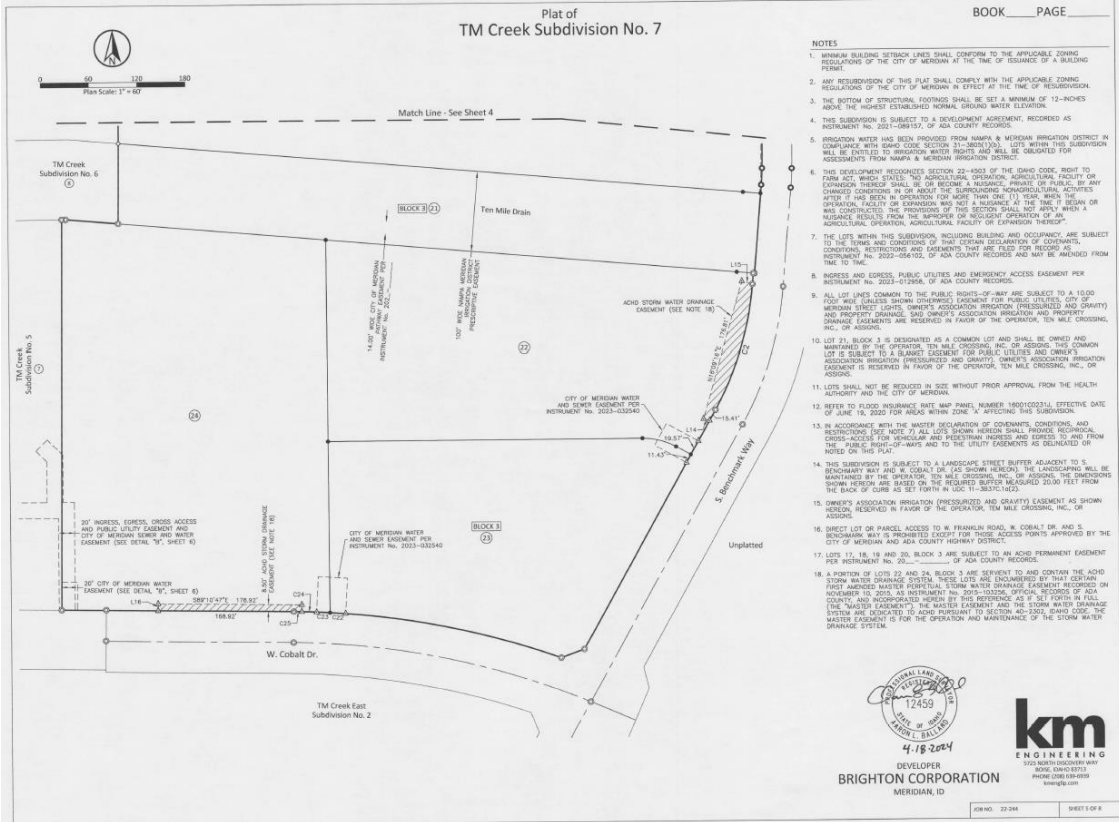
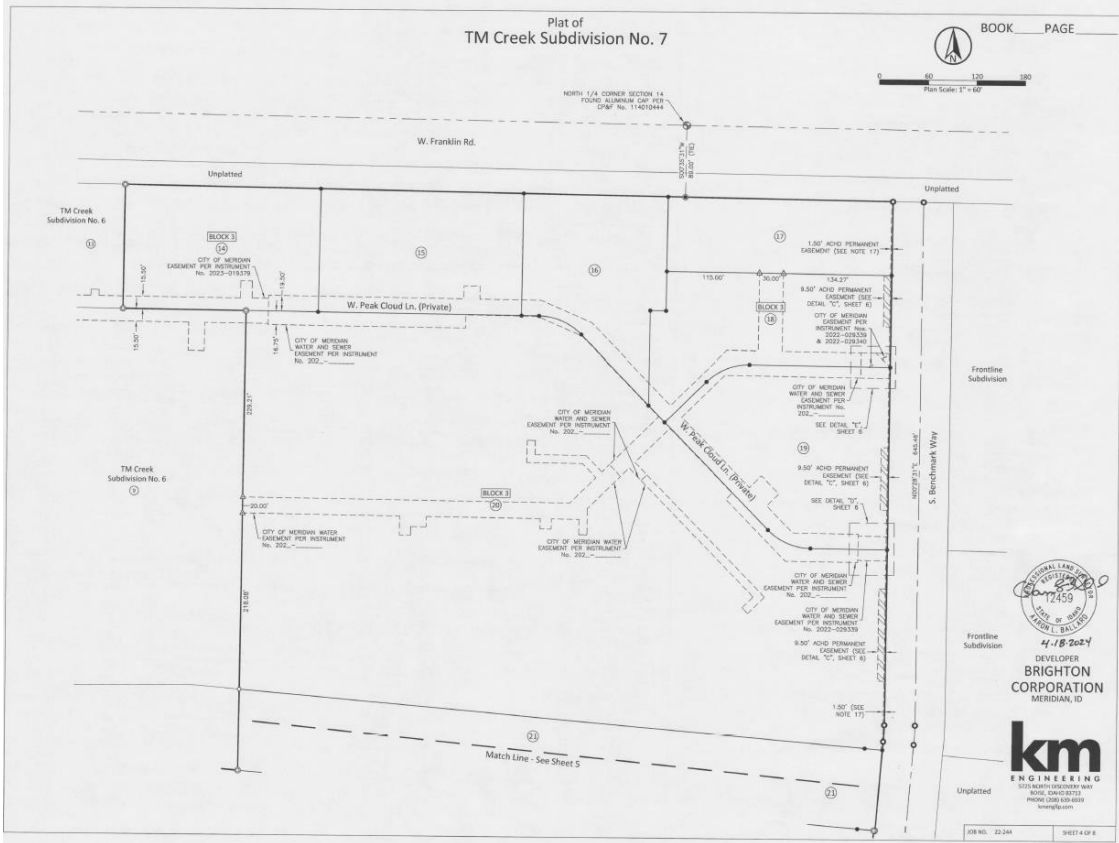
##### A. Preliminary Plat (dated: May 29, 2020)



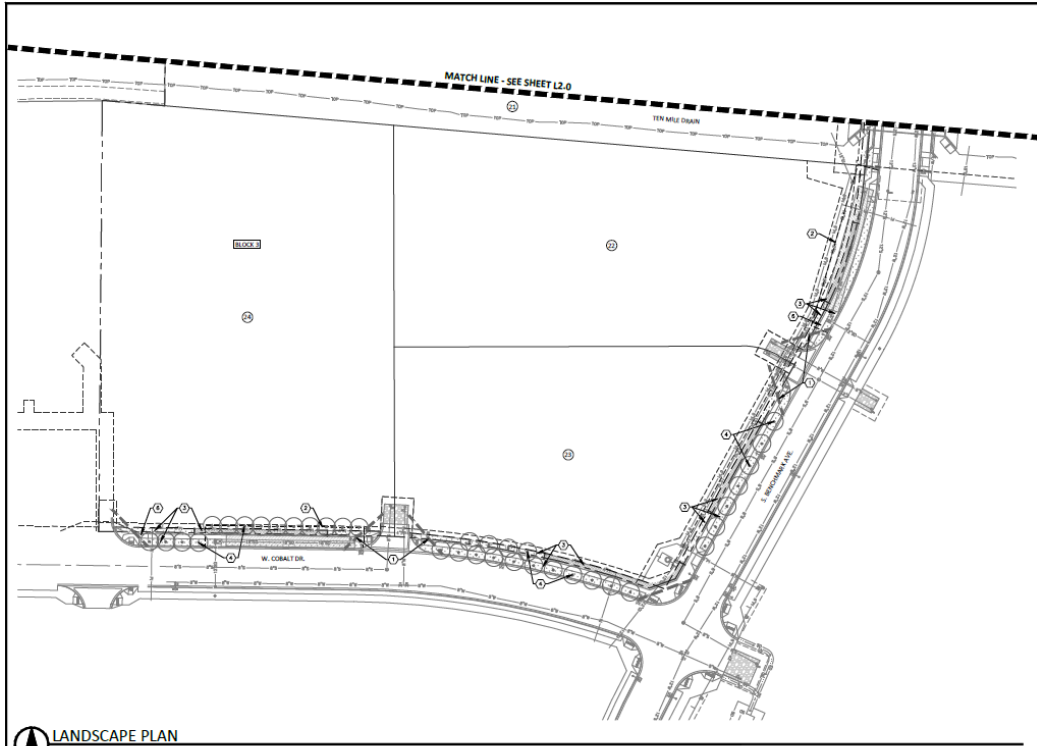
B. Final Plat (dated: 4/18/24)











**PLANT SCHEDULE**

SYMBOL	QTY	BOTANICAL / COMMON NAME	SIZE	NATURAL HOUS
(Symbol: Circle with dot)	01	EXISTING TREES TO REMAIN		PROTECT AND MAINTAIN
(Symbol: Circle with cross)	02	EXISTING TREES TO BE REMOVED		REMOVE

**OTHER**

SYMBOL	QTY	BOTANICAL / COMMON NAME	QTY
(Symbol: Stippled pattern)	01	EXISTING GRASS TO REMAIN	NONE
(Symbol: Dotted pattern)	02	EXISTING GRASS TO BE REMOVED	NONE

- KEY NOTES (TYPICAL) (G)**
1. CLEAR VIEW TRIANGLE: NO TREES SHALL BE PLANTED WITHIN A CLEAR VIEW TRIANGLE. THE MAXIMUM CLEARANCE SHALL BE 10 FEET FROM THE CENTER OF THE ROAD. THE CLEAR VIEW TRIANGLE SHALL BE 2 FEET FROM THE ADJACENT STREET EDGE.
  2. IF ANY NEW CLEAR VIEW TRIANGLE SHALL NOT BE RELATED WITHIN THE 10' CLEAR ZONE OF ALL EXISTING DRAIN PIPES, STRUCTURES, OR UTILITIES.
  3. EXISTING LANDSCAPING AND IRRIGATION TO REMAIN: RETAIN, PROTECT, AND MAINTAIN AS MUCH EXISTING LANDSCAPING AND IRRIGATION AS FEASIBLE. ANY REMOVAL OF EXISTING LANDSCAPING SHALL BE REPLACED WITH EQUIVALENT OR BETTER. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING LANDSCAPING AND IRRIGATION THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING LANDSCAPING AND IRRIGATION THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING LANDSCAPING AND IRRIGATION THROUGHOUT THE CONSTRUCTION PERIOD.
  4. EXISTING TREES TO REMAIN: PRESERVE AND PROTECT. SEE PLANT SCHEDULE AND THE PROTECTION NOTES.
  5. EXISTING GRASSPACES TO REMAIN: PRESERVE AND PROTECT.
  6. EXISTING SIDEWALKS TO REMAIN: PRESERVE AND PROTECT.

**LANDSCAPE PLAN**  
 Plan Scale 1" = 20'



**REVISIONS**

NO.	DATE	DESCRIPTION

TM CREEK SUBDIVISION NO. 7  
 MERIDIAN, IDAHO  
 LANDSCAPE PLAN



DESIGN BY:	WHS
CHECKED BY:	WHS
DATE:	JUNE 2023
PROJECT:	23-001
SHEET NO.:	L3.0

## 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 (TM Center [H-2020-0074](#), DA Inst. [#2021-089157](#)).
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Engineer's signature on the previous phase final plat, *or* apply for a time extension, in accord with UDC 11-6B-7.
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 prepared by KM Engineering, stamped on 4/18/24 by Aaron L. Ballard, included in Exhibit B shall be revised as follows:
  - a. Note #17: Include the recorded instrument number of the ACHD permanent easement.
  - b. A cross-access/ingress-egress easement shall be granted via a note on the plat or a separate recorded agreement between all non-residential lots in accord with UDC 11-3A-3A.2 and preliminary plat condition #2j.
  - c. Include the recorded instrument number of the 14' wide City of Meridian pathway easement graphically depicted on the plat on Sheet 5.
  - d. Include the recorded instrument number of the City of Meridian water and sewer easement graphically depicted on the plat on Sheet 4.
  - e. Include the recorded instrument number of the City of Meridian water easement graphically depicted on the plat on Sheet 4.
  - f. Include the number of the C-N 1/16 corner section 14 found aluminum cap per CP&F No. 202\_-\_\_\_\_\_ on Sheet 1.
  - g. In the References notes on Sheet 1, include the book and page numbers of TM Center East Subdivision No. 2.
5. The landscape plan prepared by KM Engineering, dated 4/18/24 included in Exhibit C, shall be revised as follows:
  - a. Depict a 10-foot wide multi-use pathway along the south side of the Ten Mile Creek within the easement for such with landscaping on either side of the pathway per the standards in UDC 11-3B-12C as set forth in development agreement provision #5.1.34. Pathway construction may be deferred from the final plat improvements but shall be completed prior to issuance of a certificate of occupancy for structures on adjoining Lots 22–24, Block 3.
  - b. Depict landscaping within the street buffers along W. Franklin Rd., W. Cobalt Dr. and S. Benchmark Way per the standards listed in UDC [11-3B-7C.3a](#) – all required landscape buffers along streets shall be planted with trees and shrubs, lawn or other vegetative groundcover. If an easement prohibits trees from being located within the street buffer, trees shall be depicted alongside the buffer outside of the easement.



6. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the multi-use pathway along the south side of the Ten Mile Creek prior to signature on the final plat by the City Engineer.
7. The subject property shall be subdivided prior to issuance of any Certificates of Occupancy for the site per requirement of the Development Agreement.
8. 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=350065&dbid=0&repo=MeridianCity>

**C. Department of Environmental Quality (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=352869&dbid=0&repo=MeridianCity>

**D. Kuna School District**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=350089&dbid=0&repo=MeridianCity>