

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
DECISION & ORDER**



**In the Matter of the Request for a modification to a conditional use permit for Meridian Oz,
Located at 1475 E. Franklin Road in the R-40 Zoning District, by Pivot North Design.**

Case No(s). MCU-2024-0002

**For the Planning & Zoning Commission Hearing Date of: September 19th, 2024 and October 3rd,
2024 (Findings on October 17th, 2024)**

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of 10/03/2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of 10/03/2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of 10/03/2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of 10/17/2024, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of 10/03/2024, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for a modification to a conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of 10/03/2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of 10/03/2024

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, 2024.

COMMISSIONER MARIA LORCHER, CHAIRMAN VOTED_____

COMMISSIONER JARED SMITH, VICE CHAIRMAN VOTED_____

COMMISSIONER BRIAN GARRETT VOTED_____

COMMISSIONER ANDREW SEAL VOTED_____

COMMISSIONER PATRICK GRACE VOTED_____

COMMISSIONER MATTHEW SANDOVAL VOTED_____

COMMISSIONER SAM RUST VOTED_____

Maria Lorcher, Chairman

Attest:

Chris Johnson, City Clerk

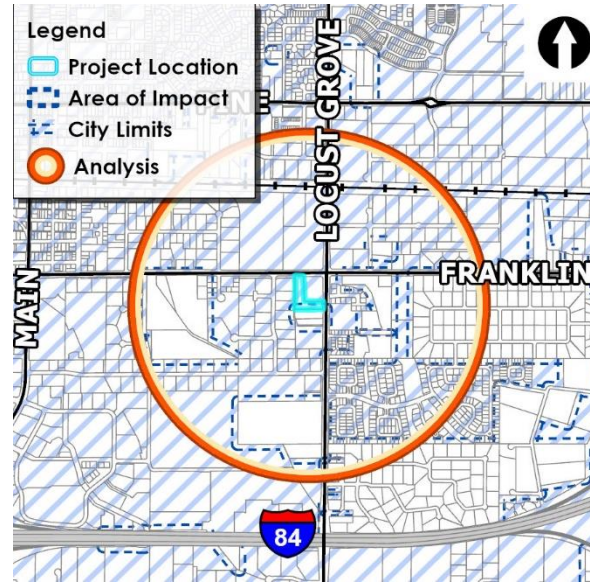
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: _____ Dated: _____
City Clerk's Office

**COMMUNITY DEVELOPMENT
DEPARTMENT REPORT**



HEARING DATE: 10/3/2024
TO: Planning & Zoning Commission
FROM: Nick Napoli, Associate Planner
208-884-5533
nnapoli@meridianscity.org
APPLICANT: Danielle Stehman
SUBJECT: MCU-2024-0002
Meridian Oz
LOCATION: 1475 E. Franklin Rd., in the NE 1/4 of
Section 18, T.3N., R.1E. (Parcel
#S1118110051)



PROJECT OVERVIEW

Summary

Modification to the existing Conditional Use Permit (MCU) to amend bedroom counts, building elevations, and site design for a multi-family development consisting of 36 dwelling units on 2.39 acres of land in the R-40 zoning district.

Recommendation

Staff: Approval with conditions

Decision

Commission: Approved.

COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant/undeveloped land	-
Proposed Land Use(s)	Multi-family development	-
Existing/Proposed Zoning	R-40	0
Future Land Use Designation	Mixed Use – Community (MU-C)	0

Table 2: Process Facts

Description	Details
Preapplication Meeting date	Tuesday, May 7, 2024
Neighborhood Meeting	5/30/2024
Site posting date	9/6/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		0
Comments Received	Yes	-
Commission Action Required	No	-
Access	Access is proposed via S. Locust Grove Rd., an arterial street, at the eastern boundary of the site; no access is proposed via E. Franklin Rd., an arterial street, at the northern boundary of the site.	-
Traffic Level of Service	Franklin Rd. & Locust Grove Rd. – Better than “E” (acceptable level of service is “E”)	-
ITD Comments Received	No	-
Meridian Fire	Response Time: Less than 5 minutes	-
Meridian Police	Distance to Station: 0.6 mile; Response Time: 2:58 minutes	-
Meridian Public Works Wastewater	Distance to Mainline: Available at site; Impacts or Concerns: No	0

Meridian
Public Works
Water

Distance to Mainline:
Available at site; Impacts or
Concerns: No

0

See City/Agency Comments and Conditions Section for all department/agency comments received or see public record.

(<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=311186&dbid=0&repo=MeridianCity&cr=1>)

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

General Overview

The applicant is requesting a modification to an approved conditional use permit to redesign the site, elevations, and modify the bedroom count. The original CUP was approved with 36 units and all of them being 2-bedrooms. The applicant has decided to change the bedroom count to 18 1-bedroom and 18 2-bedroom units. Additionally, the site was redesigned to reduce the building count from 8 to 3 buildings. The original plan shows 8 garden style apartment buildings while the new plan is 3 climate-controlled apartment buildings.

The proposed use and density of the development is consistent with the Mixed-Use Community (MU-C) FLUM designation.

Table 4: Project Overview

Description	Details
History	AZ-99-005 (Development Agreement (Inst. #99121334; Ord. 848 – Cobblestone Village); CUP-99-005 Cobblestone Village (expired); ROS #13695 (not approved by the City); H-2022-0073 (Meridian OZ Apartments MDA & CUP – denied); H-2023-0048 (Meridian OZ Apartments CUP – Approved)
Phasing Plan	1 Phase
Residential Units	36 multi-family units
Open Space	0.34 acre (or 14,837 s.f.)
Amenities	Covered picnic area, children’s play structure, pedestrian walkway, dog park with waste station, enclosed bicycle storage, community garden and exercise facilities.
Physical Features	The Cook Lateral runs along S. Locust Grove Rd. on this site.
Acreage	2.39 acres
Lots	N/A
Density	15 units/acre (gross)

History and Process

The first MDA & CUP application (H-2022-0073 Meridian OZ Apartments) for a 60-unit multi-family development, with a density of 25 units per acre, was denied by City Council. The denial was based on the density not aligning with the existing DA and the proposed sole access via Locust Grove presenting significant traffic safety concerns with the number of units proposed only using the one access. The Council stated actions to gain approval could include reducing the number of units to be more consistent with that contemplated in the existing DA and better ingress/egress for the site.

The previous CUP was approved for a 36-unit multi-family development at a density of 15 units/acre.

Site Development and Use Analysis

Proposed Use Analysis (*UDC 11-2*):

The previous CUP was approved for a multi-family development consisting of 36 dwelling units in eight (8) 3-story structures on 2.39 acres of land in the R-40 zoning district. All of the units were proposed to have 2 bedrooms each. The gross density for the development is 15

units/acre consistent with that approved in the existing development agreement and with the guidelines in the Comprehensive Plan for MU-C designated areas.

The proposed use is consistent with the previous approval; however, they have shifted to have 3 climate-controlled apartment buildings consisting of 12 units each. Staff has some concerns about the orientation of the building entrances as they are not visible from the drive aisle. This can cause safety issues and make it difficult for emergency services to monitor the area. Staff recommends Buildings 1 and 2 are reoriented to provide better visibility of the entrances or pedestrian lighting is provided to add additional visibility. Staff has reviewed these provisions and included comments below and conditions of approval in Section IX.

Dimensional Standards (UDC 11-2):

The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC *Table 11-2A-6* for the R-40 zoning district. *The proposed development appears to comply with the dimensional standards of the district.*

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

Residential 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 buildings shown on the site plan shall comply with this standard. However, in discussion with our building department, 10 feet of separation is required between carports and the building. Building #3 appears to be 5 feet from the carport on the south side of the building which requires this building to be shifted to the north five additional feet to meet building code requirements. The changes should be reflected on the site plan submitted with the certificate of zoning compliance application.*

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 a trash enclosure within the perimeter buffer at the Southeast corner of the site and another trash enclosure at the Northeast portion of the site. Neither of which are visible from the public street due to landscaping screening the enclosures.*

A minimum of eighty (80) square feet 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, entryways and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standards 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. *The Applicant states each patio will be roughly 80 square feet. Floor plans should be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with this standard.*

For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*

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.*

The parking shall meet the requirements set forth in chapter 3, "Regulations Applying to All Districts", of this title. The proposed parking meets and exceeds UDC standards per the analysis below.

Design Standards Analysis

Qualified Open Space & Amenities (*Comp Plan, UDC 11-3G*):

Goals 2.02.00 and 2.02.01B of the Comprehensive Plan focus on creating safe, attractive, and well-maintained neighborhoods with ample open space, diverse amenities, and alignment with community needs and values. For multi-family developments, there are specific open space and amenity requirements to support these goals.

Open Space Requirements:

1. **Baseline Requirement:** For multi-family developments of five acres or more, the total baseline common open space must equal or exceed 10% of the gross land area. Since the proposed site is 2.39 acres, this baseline requirement does not apply.
2. **Additional Open Space Standards (UDC 11-4-3-27C.5):**
 - Units \leq 500 sq. ft.: 150 sq. ft. per unit (not applicable here).
 - Units $>$ 500 sq. ft. and \leq 1,200 sq. ft.: 250 sq. ft. per unit. All 36 units fall within this range.
 - Units $>$ 1,200 sq. ft.: 350 sq. ft. per unit (not applicable here).

Given that all units are between 832 sq. ft. and 1,073 sq. ft., the total required open space is 36 units \times 250 sq. ft. = 9,000 sq. ft. (or 0.21 acres).

3. **Common Grassy Area:** Multi-family projects with over 20 units must provide at least one common grassy area of 5,000 sq. ft. to accommodate general activities for all ages. This requirement scales with the number of units. For 36 units, a proportionate area is 9,000 sq. ft. (based on 250 sq. ft. per unit). The proposed site includes a total of 16,664 sq. ft. (or 0.383 acres) of common open space. However, a portion of the open space is adjacent to Franklin Road which requires Commissions approval in order to count towards open space. Staff is recommending a berm or barrier of at least 4 feet in height proposed along E. Franklin Road to help with this. While some areas do not meet the qualified open space standards, the central open space exceeds 5,000 sq. ft., and the total proposed open space meets the minimum requirements.

Amenity Requirements (UDC 11-4-3-27D):

For multi-family developments with 20 to 75 units, three amenities must be provided, with at least one from each of the following categories:

1. **Quality of Life:** Outdoor clubhouse and enclosed bike storage.
2. **Open Space:** Picnic area.
3. **Recreation:** Pathway.
4. **Multi-modal:** Bike repair station.

The proposed amenities meet the minimum standards, ensuring that the development supports the quality of life, open space, and recreational needs of its residents.

Landscaping (UDC 11-3B):

Landscape buffers along streets

A 25-foot wide street buffer is required along E. Franklin and S. Locust Grove Roads, both arterial streets, landscaped per the standards in UDC 11-3B-7C. The DA requires a landscape setback of 35-feet to be provided beyond the required right-of-way of Franklin Rd.; the proposed plan depicts a 50'+/- landscape setback in accord with this provision.

Parking lot landscaping

Landscaping is required to be provided along all parking areas per the standards listed in UDC 11-3B-8. *The proposed landscape plan does not meet the minimum requirements. The landscape plan should be revised to include a tree in every planter island, if this is not feasible due to utility easements, alternative compliance shall be applied for with the certificate of zoning compliance submittal.*

Landscape buffers to adjoining uses

The perimeter buffers along the west and south boundaries are required to be landscaped per the standards listed in UDC 11-3B-8C.1 for parking lots. A minimum of one (1) Class II or III tree is required every 35 linear feet along with shrubs and vegetative groundcover. *The landscape plan should be revised to include trees and calculations that demonstrate compliance with the standard on the Southern property boundary.*

Tree preservation

Mitigation is required for all existing trees 4-inch caliper or greater that are removed from the site as set forth in UDC 11-3B-10C.5. *Include mitigation information on the landscape plan that demonstrates compliance with these standards.*

Storm integration

Storm drainage is required to comply with the standards listed in UDC 11-3A-18. *Drainage swales should not be within the landscape setbacks along Franklin and Locust Grove Roads as set forth in the development agreement.*

Pathway landscaping

Landscaping is required to be provided along all pathways per the standards listed in UDC 11-3B-12C; *The proposed landscape plan does not meet all of these requirements. A tree is required on either side of the pathway every 100 linear feet. This is not being met for a portion of the pathway on the east portion of the site. A revised landscape plan shall be submitted with the certificate of zoning compliance.*

Parking (UDC 11-3C):

Residential parking analysis

The parking shall meet the requirements set forth in chapter 3, "Regulations Applying to All Districts", of this title. The proposed parking meets and exceeds UDC standards per the analysis below.

Based on (18) 2-bedroom units and (18) 1-bedroom units, a minimum of 67 off-street parking spaces are required, including four (4) spaces for guest parking, with 36 of those in a covered carport or garage. Accessible parking is required in accord with ADA standards.

A total of 73 spaces are proposed, including 36 covered spaces, meeting the minimum requirement.

Any parking abutting a sidewalk or landscaped area shall either be widened to 7-feet where 5-feet is currently depicted and the length of the stalls reduced to 17-feet if wheel stops are not desired in parking spaces; otherwise wheel stops shall be provided to prevent vehicle overhang. Wheel stops should be added in all of the carport parking spaces to prevent vehicle overhang onto the adjacent walkway.

Bicycle parking analysis

Based on 73 vehicle parking spaces, a minimum of three (3) bicycle parking spaces should be provided in accord with the standards listed in UDC 11-3C-5C. Bicycle storage is proposed at the pavilion as depicted on the site plan. A bicycle rack capable of holding a minimum of three (3) bicycles, is provided in the central common area for guests in accord with the standards listed in UDC 11-3C-5C.

Building Elevations (*Comp Plan, Architectural Standards Manual*):

Goals 5.01.02D and 5.01.02A of the Comprehensive Plan emphasize the importance of building design and landscaping in buffering, screening, beautifying, and integrating commercial, multifamily, and parking areas with existing neighborhoods. The schematic renderings for the proposed 3-story structures, detailed in Section V.G, reveal a design utilizing a mix of EIFS siding and metal accents in a neutral color scheme.

To ensure the buildings meet these goals, Staff recommends incorporating modulation and pedestrian-scale elements to enhance the visual interest and integration of the structures. The final design of all buildings must comply with the standards outlined in the Architectural Standards Manual. The applicant has revised the elevations to better align with the surrounding buildings and the city's architectural standards, reflecting a commitment to meeting the design and aesthetic requirements.

Fencing (*UDC 11-3A-6, 11-3A-7*):

All fencing is required to comply with the standards listed in UDC 11-3A-7. A chain-link fence with wire strands along the top exists around the ACHD storm drainage pond to the northeast of this site. The applicant shall work with ACHD to modify this fencing and potentially move it closer to the drainage on the neighboring property. The landscape plan correctly depicts this on the eastern boundary of the site. A 6-foot tall closed vision vinyl fence is shall be included along the southern boundary of the site adjacent to the existing residence in accord with the development agreement.

Transportation Analysis

Access (*Comp Plan, UDC 11-3A-3, UDC 11-3H-4*):

Goals 6.01.01H and 6.01.02B of the Comprehensive Plan emphasize reducing the number of access points onto arterial streets through methods such as cross-access agreements, access management, and frontage or backage roads. These goals also stress the importance of enhancing local and collector street connectivity and incorporating pedestrian access connectors to link subdivisions and promote neighborhood connectivity within the community pathway system.

For the proposed development, access is planned via S. Locust Grove Rd., with no access allowed from E. Franklin Rd. The existing curb cut on Franklin Rd. must be removed, and curbing extended across the former driveway as part of the development.

The Police Department has recommended that access via Locust Grove be restricted to right-in/right-out only for safety reasons. Although the ACHD report does not currently include

such a restriction, if the Commission concurs with the Police Department's recommendation, a provision should be incorporated to enforce this restriction. Additionally, the Police Department has suggested implementing traffic calming measures within the north/south drive aisle to enhance tenant and pedestrian safety. Staff has included a condition of approval to address this recommendation.

Given that both the subject property and the adjacent property to the south are designated MU-C (Mixed Use-Commercial) on the Future Land Use Map (FLUM) and there is no existing local street access, the applicant has proposed a cross-access/ingress-egress easement and driveway, including a pedestrian walkway, to facilitate future interconnectivity with the property to the south, in accordance with UDC 11-3A-3A.2. Staff recommends this cross-access is moved to align with the parking curb cuts closest to Locust Grove.

Additionally, the applicant proposes a cross-access/ingress-egress easement and driveway to the property at 50 S. Adkins Way for future connectivity. The site and landscape plans should be revised to reflect this provision. It is important to note that there is a strip of land between this property and 50 S. Adkins Way owned by the Stonebridge Business Owner's Association, so future access will require obtaining consent from that owner.

Multiuse Pathways (UDC 11-3A-5):

There are no multi-use pathways designated on the Pathways Master Plan for this site.

Pathways (Comp Plan, UDC 11-3A-8):

There are no multi-use pathways designated on the Pathways Master Plan for this site. An internal 6-foot wide pedestrian walkway is proposed along the east perimeter boundary of the development adjacent to the existing ACHD storm drainage pond at the corner of Franklin and Locust Grove Roads which could be reduced to 5-feet in width. Landscaping should be provided along the internal pathway in accord with the standards listed in UDC 11-3B-12C; the landscape plan should be revised accordingly.

Sidewalks (UDC 11-3A-17):

There are existing attached sidewalks along E. Franklin Rd. and S. Locust Grove Rd. Typically, detached sidewalks are required along arterial streets; however, because these sidewalks are still in good condition, Staff does not recommend they are removed and reconstructed as detached sidewalks at this time.

Services Analysis

Pressurized Irrigation (UDC 11-3A-15):

Underground pressurized irrigation water is required to be provided as set forth in UDC 11-3A-15.

Storm Drainage (UDC 11-3A-18):

Storm drainage is required to comply with the standards listed in UDC 11-3A-18. Drainage swales should not be within the landscape setbacks along Franklin and Locust Grove Roads as set forth in the development agreement.

Utilities (Comp Plan, UDC 11-3A-21):

Connection to City water and sewer services is required and are available to be extended by the developer with development in accord with UDC 11-3A-21 and Goals 3.03.03G & 3.03.03F. Urban sewer and water infrastructure and curb, gutter, and sidewalks are required to be provided with development of the subdivision.

IV. CITY/AGENCY COMMENTS & CONDITIONS

Meridian Planning Division

1. Future development of this site shall generally comply with the provisions in the existing development agreement (AZ-99-005, H-2022-0073, H-2023-0048, and DA Inst. #99121334) and the site plan, landscape plan, open space, site amenities, and elevations submitted with this application and with the conditions listed below.
2. The multi-family development shall have an ongoing obligation to comply with the specific use standards for multi-family developments listed in UDC 11-4-3-27.
3. Floor plans shall be submitted with the Certificate of Zoning Compliance application that demonstrates compliance with the private open space standard of 80 square feet for each unit as set forth in UDC 11-4-3-27B.3.
4. 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 within the development.
5. Provide a recycling receptacle in the trash enclosure.
6. All structures shall comply with the design standards listed in the Architectural Standards Manual.
7. The existing curb cut via Franklin Rd. shall be removed and curbing extended across the driveway.
8. Outdoor lighting shall comply with the standards listed in UDC 11-3A-11C. The height of a free-standing light fixture on private property shall not exceed 6 feet; streetlamps are exempt from this height restriction. A photometric report shall be submitted with the Certificate of Zoning Compliance application that demonstrates compliance with these standards in accord with the development agreement to ensure the adjacent residential property and the traveling public aren't impacted by glare.
9. Signage is limited to one (1) low-profile monument type sign near the entry of the development on Locust Grove Road as set forth in the development agreement.
10. Drainage swales should not be within the landscape setbacks along Franklin and Locust Grove Roads as set forth in the development agreement.
11. Multifamily developments with units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances as set forth in UDC 11-4-3-27G. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.
12. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised, as follows:
 - a. 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.
 - b. Depict a berm or constructed barrier at least four (4) feet in height along E. Franklin Rd. with a break in the berm or barrier to allow for pedestrian access as set forth in UDC 11-4-3-27C.8.

- c. Internal common open space areas shall be landscaped in accord with the standards listed in UDC 11-3G-5B and include a variety of trees, shrubs, lawn or other vegetative ground cover.
- d. Depict landscaping within the 5-feet on both sides of the internal pathway in accord with the standards listed in UDC 11-3B-12C. Include calculations to demonstrate compliance in the Landscape Requirements table.
- e. Verify if fencing exists along the west boundary of this site or along the west boundary of the adjacent 20-foot wide property to the west – correctly depict the location on the plan.
- f. Depict trees and shrubs along with vegetative groundcover within the perimeter buffers adjacent to parking or other vehicular use areas along the west and south boundaries of the site in accordance with the standards listed in UDC 11-3B-8C.1. Include calculations to demonstrate compliance in the Landscape Requirements table.
- g. Mitigation is required for all existing trees 4-inch caliper or greater that are removed from the site as set forth in UDC 11-3B-10C.5. Include mitigation information on the landscape plan that demonstrates compliance with these standards.
- h. Move the proposed cross access on the south portion of the site closer to Locust Grove to align with the parking area to the east of ~~Building 1~~ Building 2. Record a cross-access/ingress-egress easement with a pedestrian walkway to the property to the south for future interconnectivity in accordance with UDC 11-3A-3A.2. A copy of the recorded easement shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy within the development.
- i. Record a cross-access/ingress-egress easement to the property to the west at 50 S. Adkins Way for interconnectivity. A copy of the recorded easement shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy within the development.
- j. Depict new wrought iron fencing to replace the existing chain link fencing around the ACHD storm drainage facility if determined acceptable by ACHD; move fencing in closer to the actual drainage area if agreed upon by ACHD.
- k. Depict a bus stop along Locust Grove Rd. as required by Valley Regional Transit.
- l. Depict modulation in the placement of the structures for a variety in profile.
- m. Depict traffic calming within the site in the north/south drive aisle to slow traffic for tenant/pedestrian safety as recommended by the Police Dept.
- n. Depict wheel stops in all of the parking spaces abutting a sidewalk or widen sidewalks to 7 feet to prevent vehicle overhang onto the adjacent walkway.
- o. Depict a tree in every planter island, if this is not feasible due to utility easements, alternative compliance shall be applied for with the certificate of zoning compliance submittal.
- p. Widen the parking drive aisles to be a minimum of 25 feet.
- q. Depict a 6-foot closed vision fence on the south boundary.
- r. Reorient buildings 1 and 2 to provide better visibility of the entrances for safety purposes or provide pedestrian lighting along the pathway to the entrances.

13. A conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the city. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the

conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. Upon written request and filing by the applicant prior to the termination of the period in accord with subsection (F)(1) of this section, the director may authorize a single extension of time to commence the use not to exceed one (1) two-year period. Additional time extensions up to two (2) years as determined and approved by the commission may be granted. With all extensions, the director or commission may require the conditional use comply with the current provisions of this chapter.

Meridian Public Works

Click or tap here to enter text.

Wastewater	
• Distance to Sewer Services	Sewer Available at Site
• Sewer Shed	
• Estimated Project Sewer ERU's	See application
• WRRF Declining Balance	
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Impacts/concerns	<ul style="list-style-type: none"> • See Public Works Site Specific Conditions
Water	
• Distance to Water Services	Water Available at Site
• Pressure Zone	
• Estimated Project Water ERU's	See application
• Water Quality	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	None

PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. A Streetlight Plan is required for this Development.
2. Ensure no sewer services cross infiltration trenches.
3. Provide 20' Easements for mains, hydrant laterals and water services. Easements should extend up to the end of main/hydrant/water meter and 10' beyond it.
5. No permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) to be built within the utility easement.
4. Water and Sewer running Parallel require a 30ft Easement.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department.
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). Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. 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.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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. 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. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
10. 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.
11. 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.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
14. 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.
15. 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.
16. 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.

17. 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.
18. 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.
19. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. 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.
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.

Ada County Highway District (ACHD)



Alexis Pickering, President
Miranda Gold, Vice-President
Jim Hansen, Commissioner
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

July 15, 2024

To: Danielle Stehman
Pivot North Design
116 S 6th Street
Boise, ID 83706

Subject: MER24-0068/MCU-2024-0002
1475 E Franklin Road
Meridian Oz

On November 16, 2022, the Ada County Highway District approved MER22-0126/H-2024-0073, Meridian Oz Apartments, for a conditional use permit and modification to an existing development agreement to construct five 12-plex multi-family buildings. The site-specific conditions of approval also apply to MER24-0068/MCU-2024-0002.

If you have any questions, please feel free to contact me at (208) 387-6384.

Sincerely,

Sam Standal
Assistant Traffic Engineer
Development Services

cc: Nick Napoli and Bill Parsons, City of Meridian

connecting you to more

See the public record for additional agency comments.

FINDINGS

Conditional Use (UDC 11-5B-6E)

The commission shall base its determination on the conditional use permit request 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.

The Commission finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 zoning district if the Applicant complies with the conditions in Section IX (see Analysis, Section III 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.

The Commission finds that the proposed use is generally consistent with the future land use map designation of MU-C and is allowed as a conditional use in UDC Table 11-2A-2 in the R-40 zoning district and with the existing development agreement.

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.

The Commission finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for and existing in 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.

The Commission finds that if the applicant complies with the conditions outlined in this report, the proposed use should not adversely affect other property in the area.

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.

The Commission finds that essential public services are available to this property and that the use will be adequately served by these facilities. Comments were not received from the school district on this application.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Commission finds the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Commission finds the proposed residential use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

The Commission finds the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feather of importance.

ACTION

A. Staff:

Staff recommends approval of the proposed Conditional Use Permit with the conditions in Section IV.

Commission:

The Meridian Planning & Zoning Commission heard this item on September 19th, 2024 and October 3rd, 2024. At the public hearing, the Commission moved to approve the subject modification to a conditional use permit request.

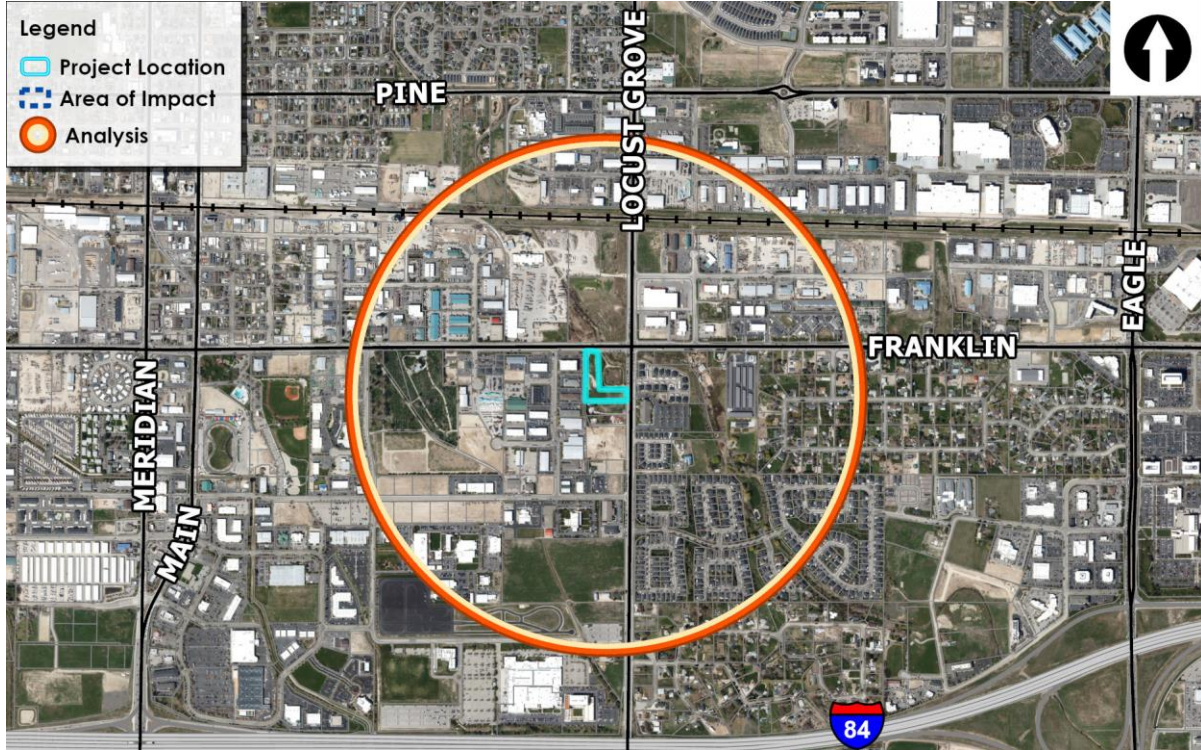
1. Summary of the Commission public hearing:
 - a. In favor: Danielle Stehman
 - b. In opposition: Lynzey Uechi
 - c. Commenting: Danielle Stehman
 - d. Written testimony: Lynzey Uechi
 - e. Staff presenting application: Nick Napoli
 - f. Other Staff commenting on the application: Kurt Starman and Bill Parsons
2. Key issue(s) of public testimony:
 - a. Concerns about the safety of the neighboring property to the south.
3. Key issue(s) of discussion by Commission:
 - a. Discussion for what could be done to mitigate the concerns while also granting cross-access.
4. Commission change(s) to Staff recommendation:
 - a. The commission ruled to have the cross-access road and pathway stubbed to the neighboring property on the east side of Building 2.

EXHIBITS

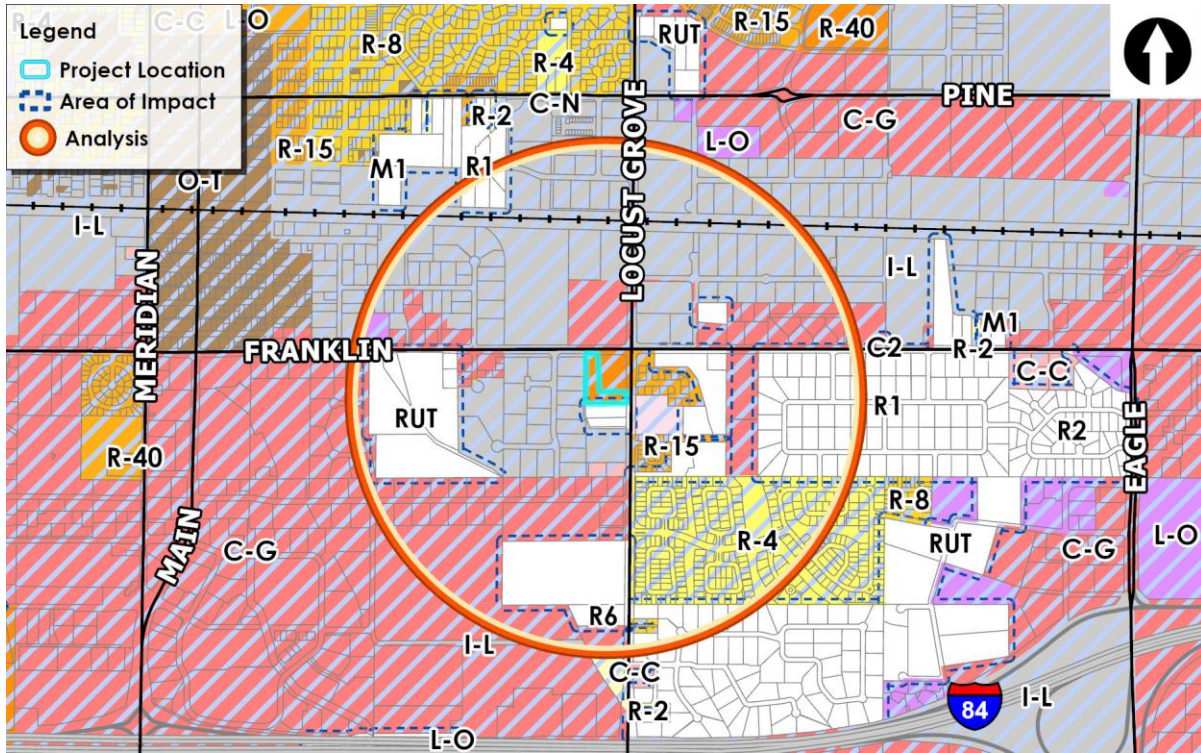
Project Area Maps

(link to [Project Overview](#))

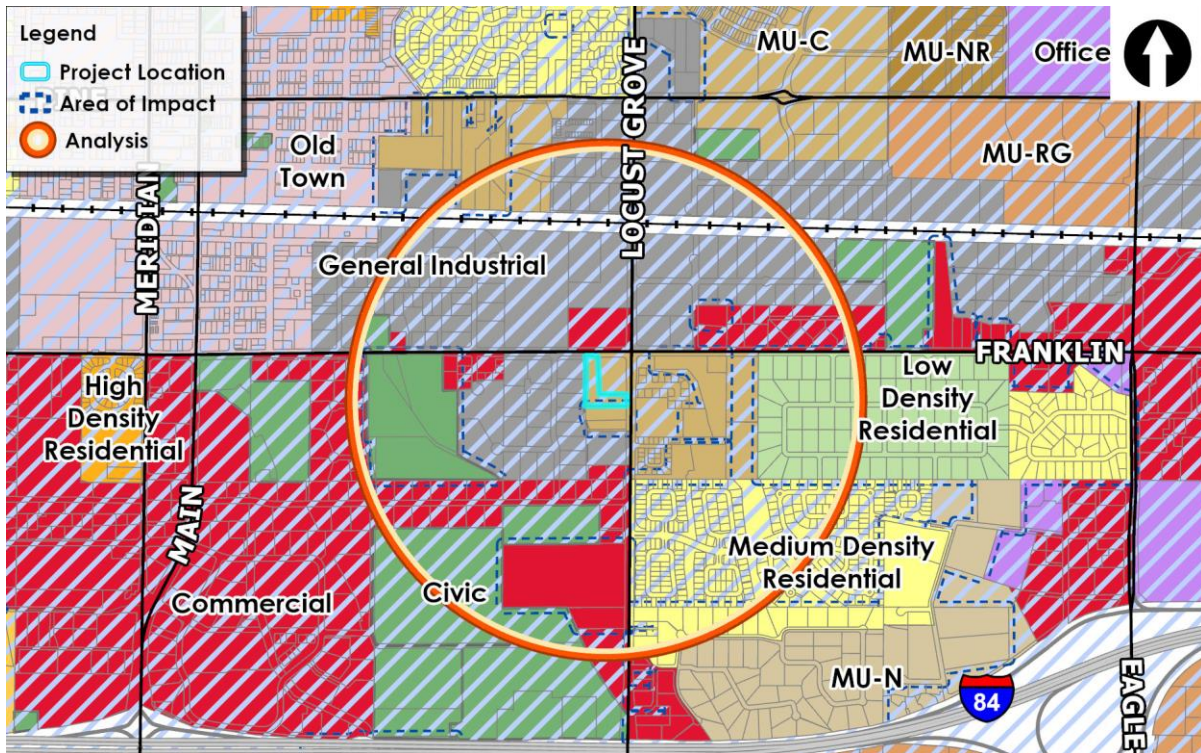
Aerial



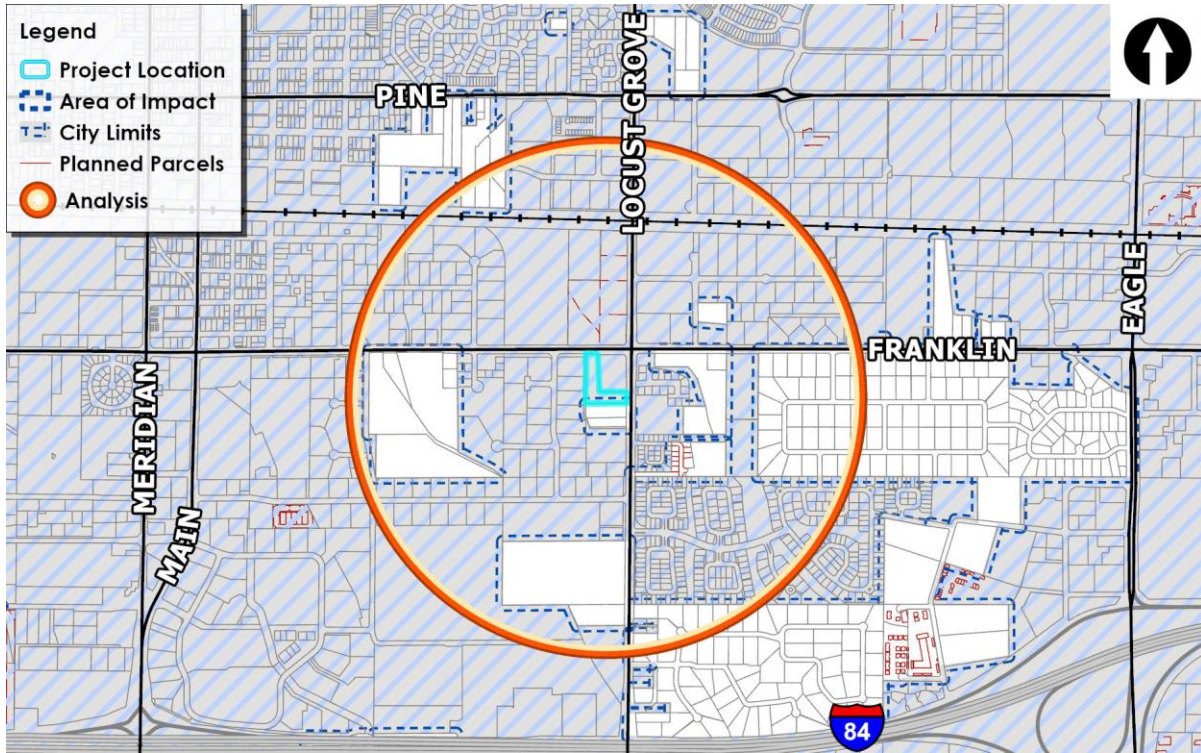
Zoning Map



Future Land Use



Planned Development Map



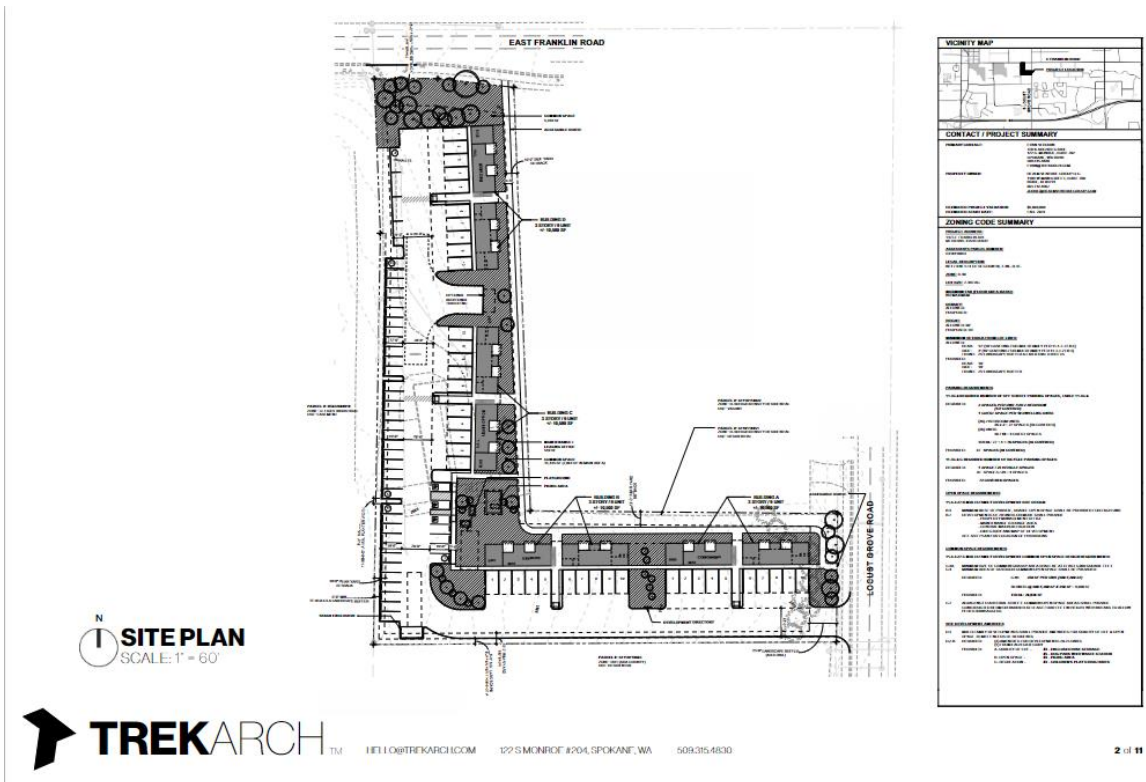
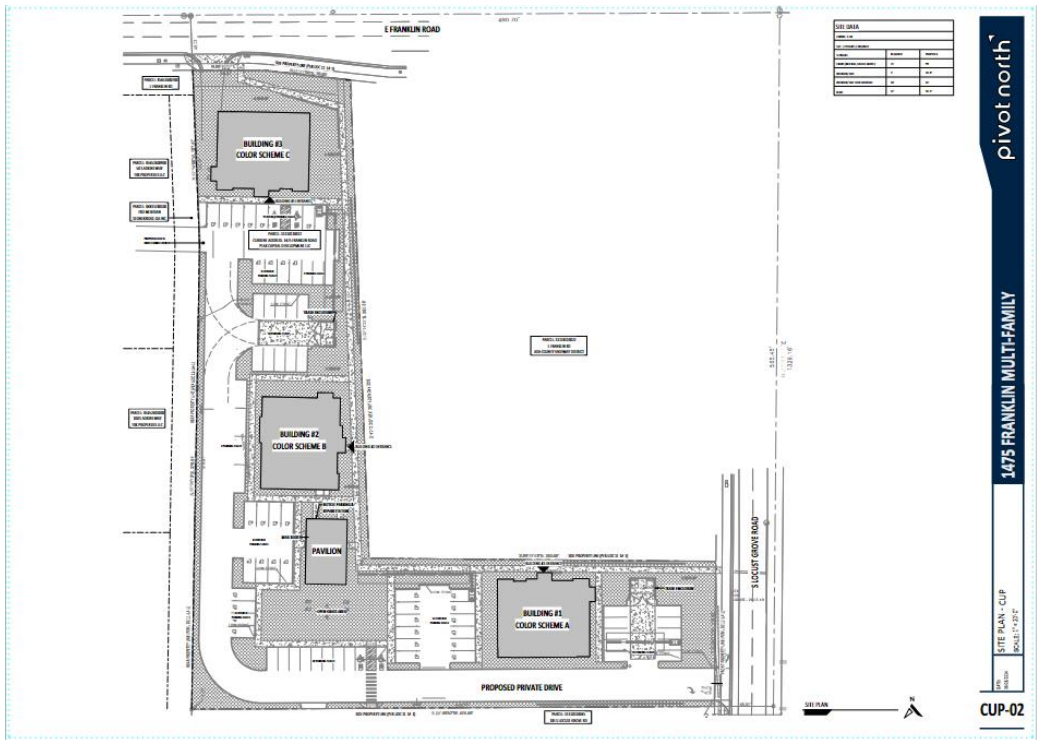
Subject Site Photos



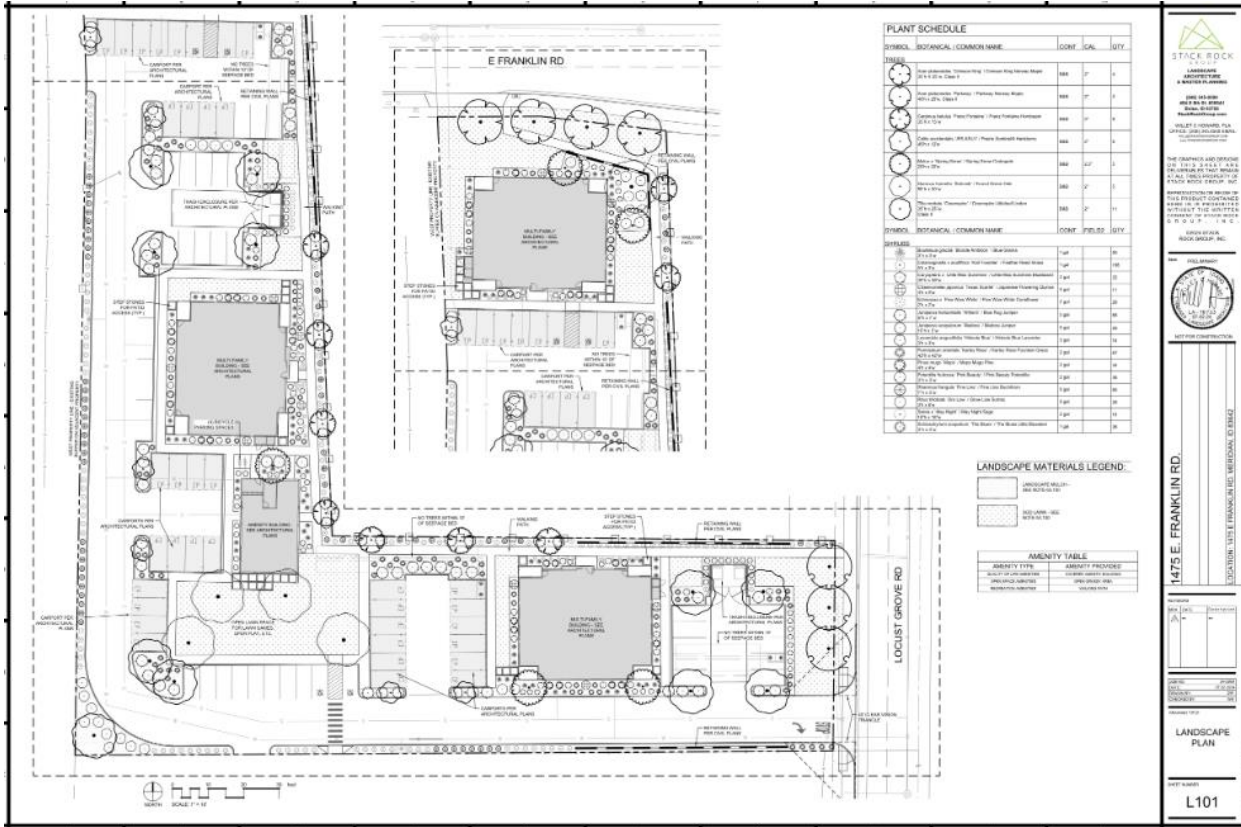
Service Accessibility Report

Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time < 5 min.	GREEN
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Within 1/4 mile of current transit route	GREEN
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) matches existing (# of lanes)	GREEN
School Walking Proximity	Within 1/2 mile walking	GREEN
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	No park within walking distance by park type	RED

Site Plan (date: 6/28/2024)



Landscape Plan (date: 7/2/2024)



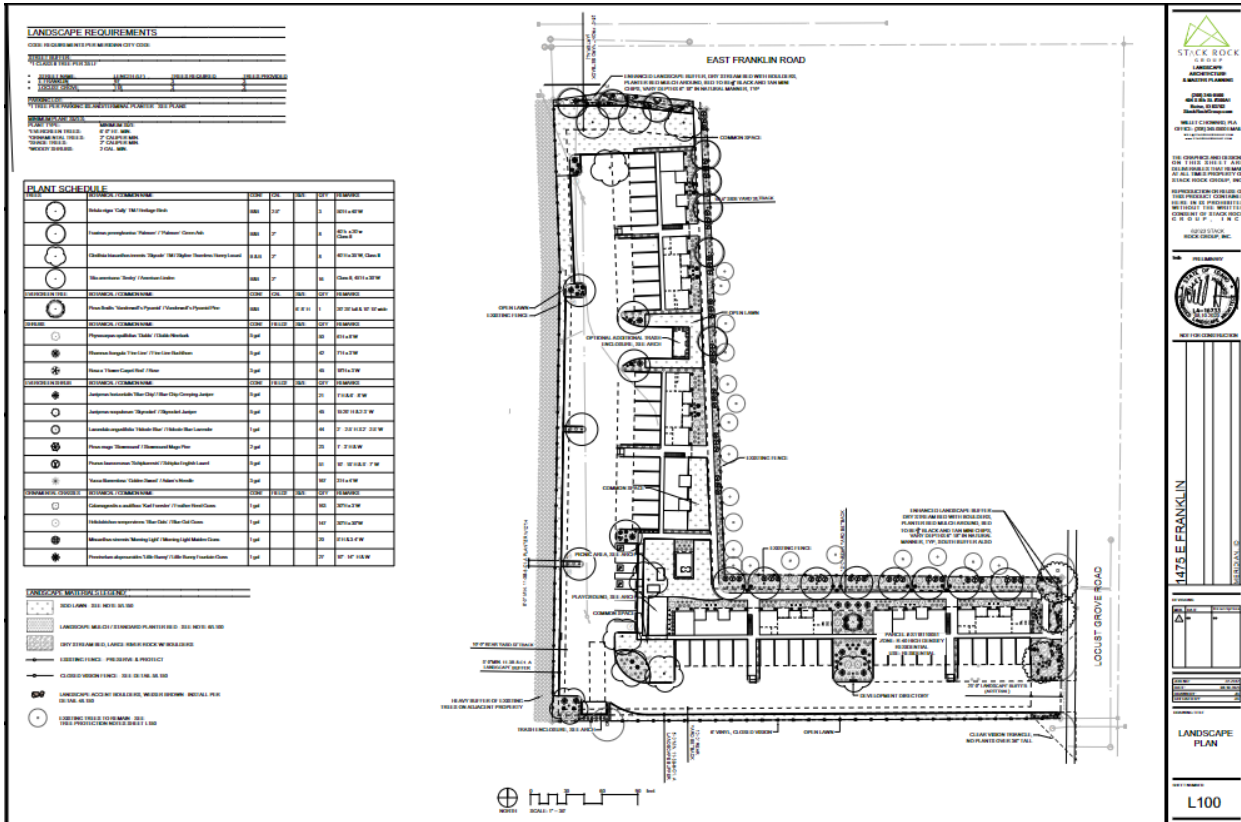
STACK ROCK
LANDSCAPE ARCHITECTURE & SITE PLANNING

1475 E. FRANKLIN RD.
MERCER, MISSOURI 64504

PROJECT: L101

DATE: 7/2/24

SCALE: 1/4" = 1'-0"



STACK ROCK
LANDSCAPE ARCHITECTURE & SITE PLANNING

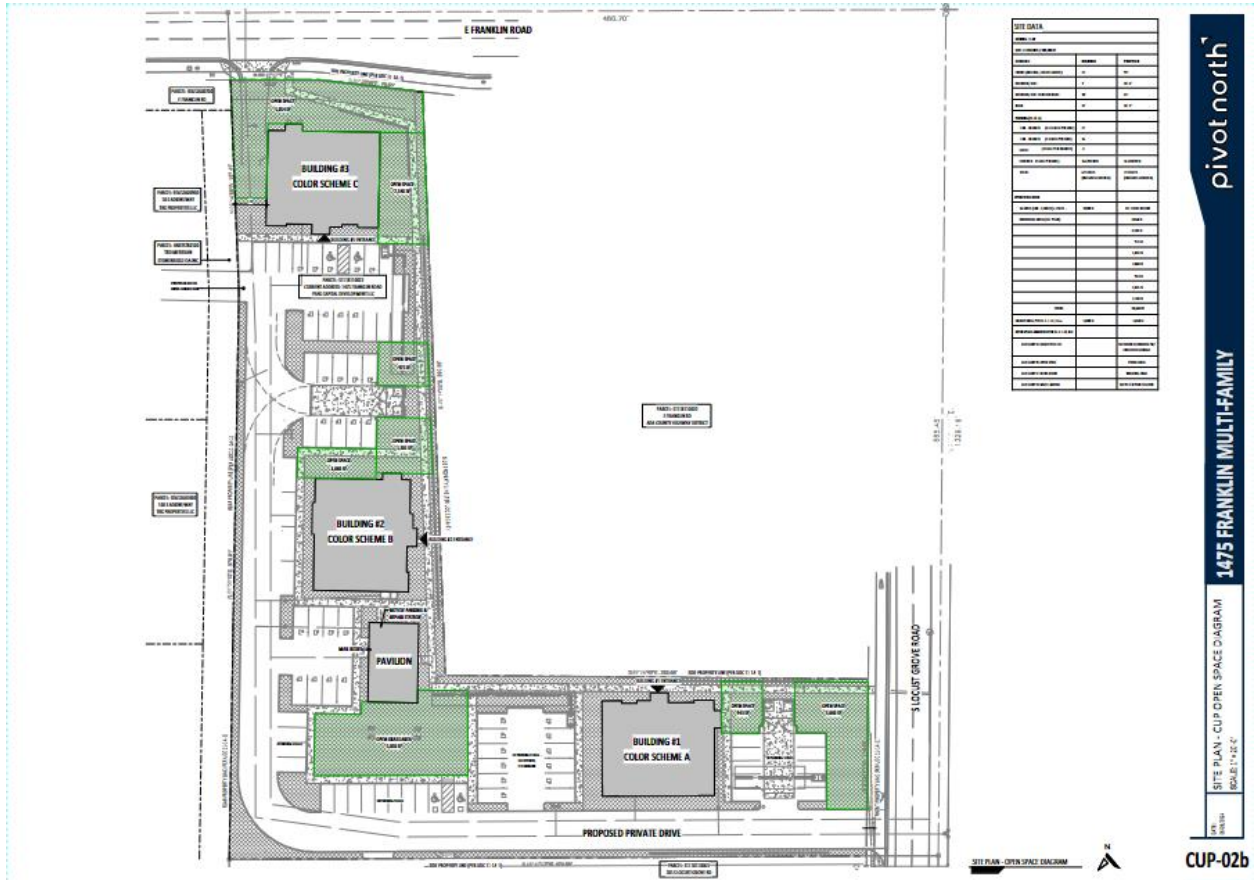
1475 E. FRANKLIN RD.
MERCER, MISSOURI 64504

PROJECT: L100

DATE: 7/2/24

SCALE: 1/4" = 1'-0"

Qualified Open Space Exhibit (date: 6/28/2024)



Building Elevations (date: 6/28/2024)



SCHEMATIC RENDERING
ELEVATION FROM PARKING AREA

