

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



In the Matter of the Request for Alternative Compliance, modification to the Conditional Use Permit and Development Agreement, by Nicolette Womack, Kimley-Horn.

Case No(s). H-2024-0019

**For the City Council Hearing Date of: October 15, 2024, Continued to November 19, 2024
(Findings on December 3, 2024)**

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 19, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 19, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 19, 2024 incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 19, 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 City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 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 Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of November 19, 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 City Council'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 Alternative Compliance, modification of the Conditional Use Permit and the Development Agreement is hereby approved per the conditions of approval in the Staff Report for the hearing date of November 19, 2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

Notice of 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. 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.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.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 City Council may be granted. With all extensions, the Director or City Council may require the conditional use comply with the current provisions of Meridian City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

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 November 19, 2024

By action of the City Council at its regular meeting held on the _____ day of _____, 2024.

COUNCIL PRESIDENT LUKE CAVENER VOTED _____

COUNCIL VICE PRESIDENT LIZ STRADER VOTED _____

COUNCIL MEMBER DOUG TAYLOR VOTED _____

COUNCIL MEMBER JOHN OVERTON VOTED _____

COUNCIL MEMBER ANNE LITTLE ROBERTS VOTED _____

COUNCIL MEMBER BRIAN WHITLOCK VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert E. Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 10/15/2024 continued to 11/19/2024

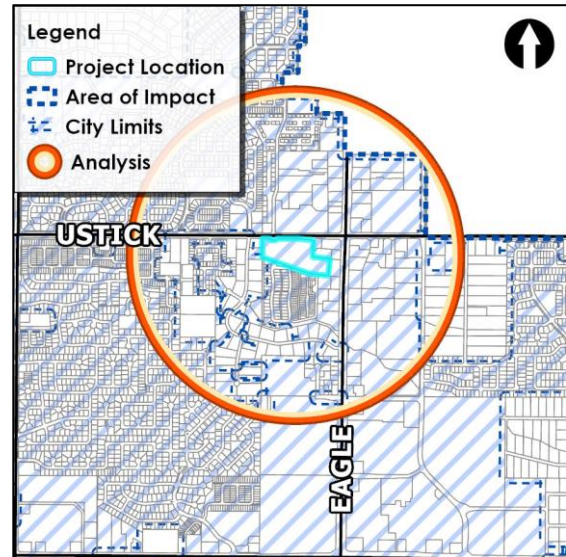
TO: Mayor & City Council

FROM: Linda Ritter, Associate Planner
208-884-5533
lritter@meridiancity.org

APPLICANT: Nicolette Womack, Kimley-Horn

SUBJECT: H-2024-0019
Centrepont Apartments - ALT, CUP,
MDA

LOCATION: Project is located at 3030 N. Cajun Lane and 3100 N. Centrepont Way, near the southwest corner of N. Eagle Road and E. Ustick Road, in the NE 1/4 of the NE 1/4 of Section 5, Township 3N, Range 1E.



I. PROJECT OVERVIEW

A. Summary

Modifications to the existing Development Agreement (DA) H-2022-0035 and Conditional Use Permit (CUP) H-2022-0072 to facilitate the construction of a ~~239~~²³⁹²⁷⁹-unit multifamily affordable apartment project. This proposal strictly pertains to the residential component of the approved development plan. The applicant is also requesting alternative compliance for the ~~to the open space and parking lot landscaping.~~

B. Issues/Waivers

The applicant is requesting alternative compliance for the following:

- ~~Reduction in qualified open space as the applicant is deficient by 8,940 square feet.~~
- Removal of the parking lot islands under the covered parking internal to the parking lots.

The applicant is requesting the following modification to the Development Agreement and CUP:

- Modify the CUP to increase the building height to the height limited outlined in the Development Agreement ~~forty-five (45) feet instead of three (3) stories.~~
- Increase the number of units from two hundred thirteen (213) to two hundred thirty ~~seventy-nine (239279)~~, an increase of twenty-six ~~sixty-four (2664)~~ additional units.

C. Recommendation

Staff: Approval of the proposed development.

Planning and Zoning Commission: Denial

D. Decision

On November 19, 2024, Council approved the project with 239 residential units and conditions and exhibits in the staff report have been updated to reflect their decision.

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Multi-family	-
Existing/Proposed Zoning	C-G	VII.A.2
Future Land Use Designation	Mixed-Use Regional	VII.A.3

Table 2: Process Facts

Description	Details
Preapplication Meeting date	Wednesday, May 8, 2024
Neighborhood Meeting	4/22/2024; 6 attendees
Site posting date	8/23/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		III.H
• Comments Received	Yes	-
• Commission Action Required	No	-
• Access	E. Ustick Road/ Centerpointe Way	-
• Traffic Level of Service	E. Ustick Road - Better than "E"/ Centreponte Way – N/A	-
ITD Comments Received	(Yes/No, Staff Report or Other	III.I
Meridian Fire	Distance to Station: 1.4 miles; Response Time: 3 minutes	0
Meridian Police	Distance to Station: 5 miles; Response Time: 4:30 minutes	
Meridian Public Works Wastewater	Distance to Mainline: (Input Distance); Impacts or Concerns: (yes/no)	III.B
Meridian Public Works Water	Distance to Mainline: (Input Distance); Impacts or Concerns: (yes/no)	III.B
School District(s)	West Ada School District	III.G
• Capacity of Schools	River Valley Elementary - 600; Lewis and Clark Middle School - 1,000; Centennial High School - 1,900	-
• Number of Students Enrolled	River Valley Elementary - 457; Lewis and Clark Middle School - 901; Centennial High School - 1,793	-

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

Figure 1: One-Mile Radius Existing Condition Metrics

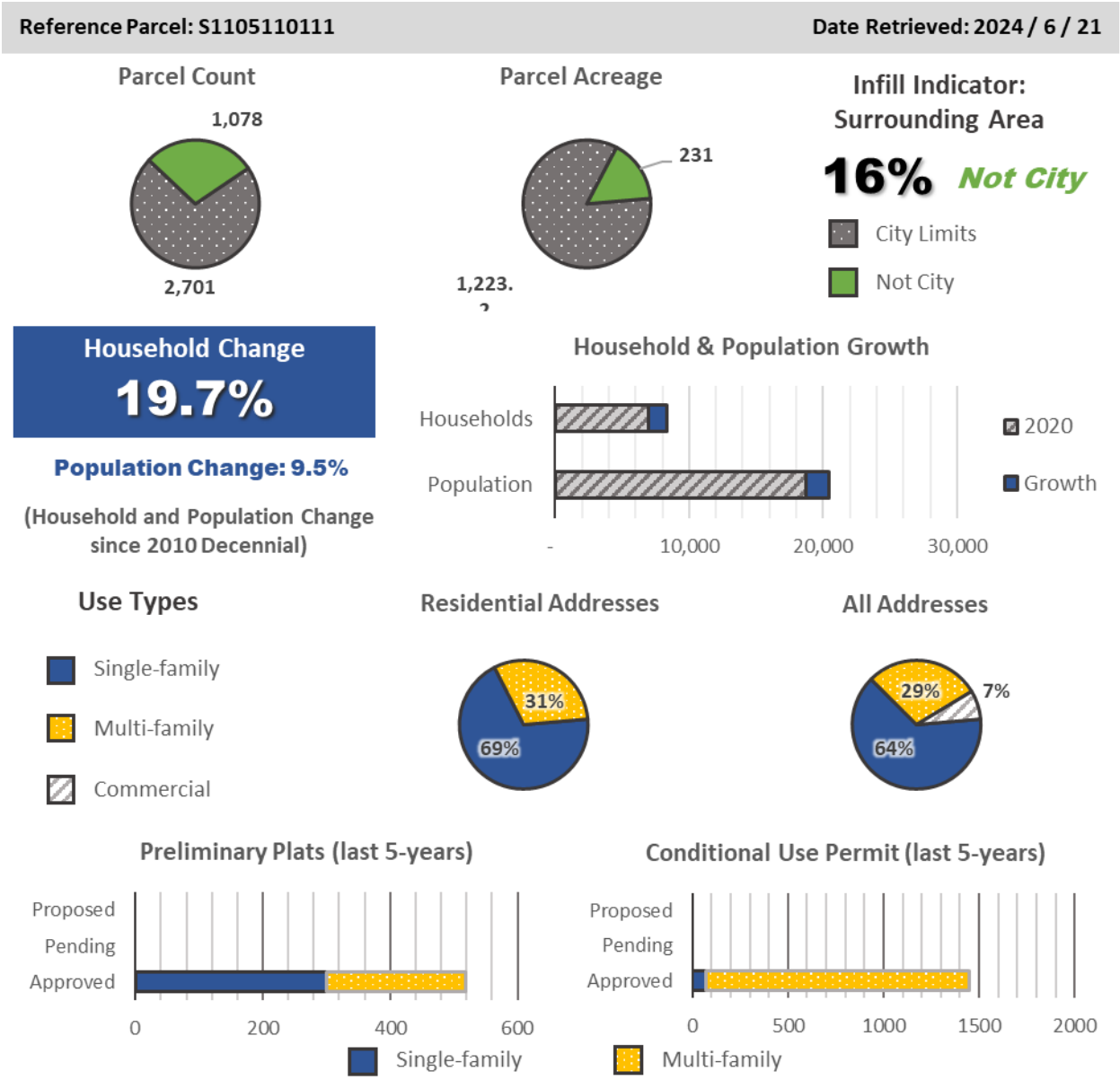


Figure 2: ACHD Summary Metrics

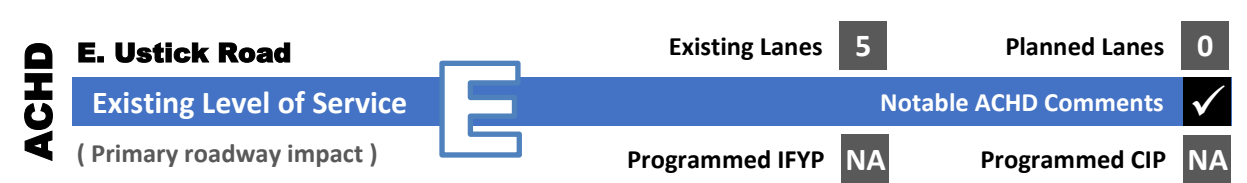
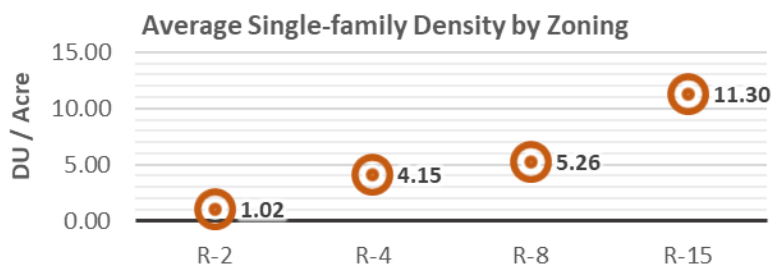
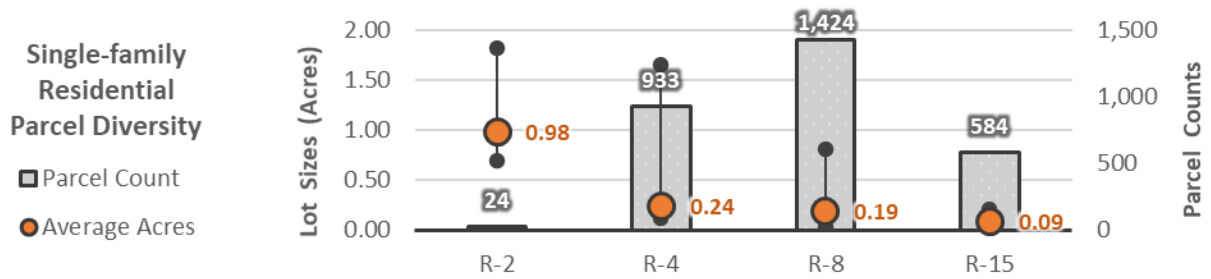
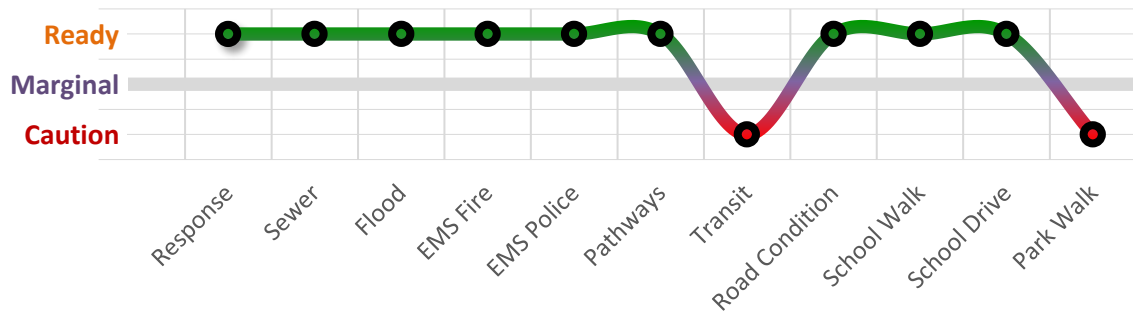


Figure 3: Service Impact Summary



Average
Residential Net Density
5.20
Dwelling Units / Acre

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

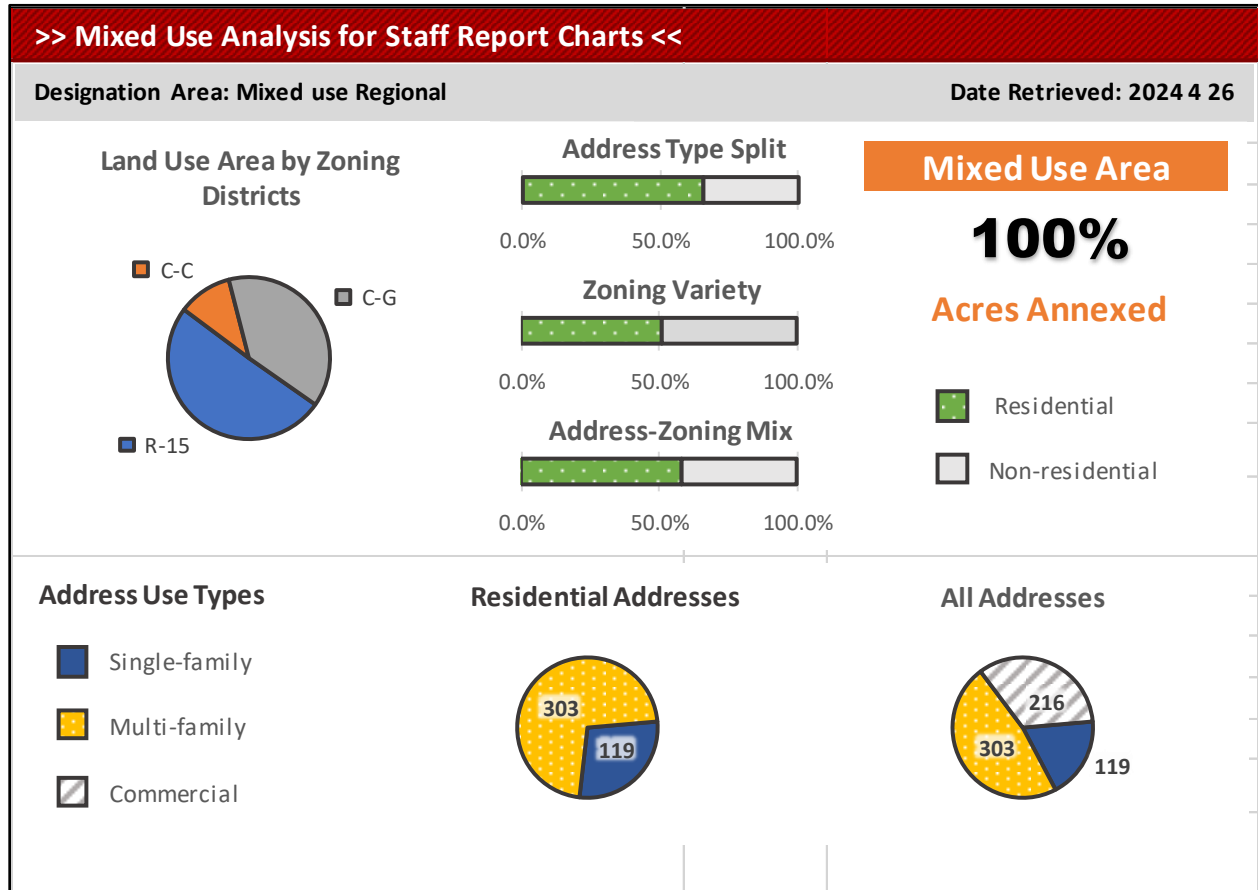
The subject site is designated Mixed-Use Regional (MU-R) on the future land use map and is part of a much larger area of MU-R along the Eagle Road corridor that includes The Village, Regency at River Valley apartments, as well as multiple other commercial users and a large undeveloped area. Specifically, within the MU-R area in this southwest corner of Eagle and Ustick, there is the Jackson Square development and commercial buildings to the south and on the hard corner to the northeast. The Comprehensive Plan discusses that projects should not contemplate uses across arterials even if they share the same future land use designation as it is not anticipated for users or residents to readily walk or bike across these transportation facilities. However, Staff finds it prudent to analyze all projects in this area with at least the four corners of development around the Ustick and Eagle intersection because, in reality, the transportation impacts and expected users will come from and go beyond just the southwest corner of this intersection.

To the north are a number of big box stores (Kohl's, Dick's, and Hobby Lobby) and the new Brickyard vertically integrated development; to the north east is Lowe's and various other commercial and restaurant buildings; to the east is Trader Joe's, multiple restaurants, and the Verraso townhomes; and to the southeast are traditional garden style apartments, restaurant users, and the Village. In terms of the ratio of commercial to residential within this area, there is currently a healthy mix of commercial and residential uses within walking distance of each other. Staff finds the addition of the proposed multi-family development limited to the number of units in the existing development agreement near the existing and proposed commercial development would offer residential to support the mix of commercial uses in this area. Therefore, Staff believes the proposed project as currently approved through the existing CUP is generally consistent with the MU-R designation because the subject MU-R area currently consists of a number of retail, restaurant, office, and residential uses available to the region and the addition of these units should not over saturate this area with residential.

Table 4: Project Overview

Description	Details
History	H-2018-0121 (Villasport CUP, MDA); H-2022-0035 (MDA, DA Inst. #2022-079000); A-2023-0064 (CZC, DES)
Phasing Plan	1
Residential Units	279 Multi-family units
Open Space	2.60 acres (113,266 s.f.) required / 2.40 acres (104,345 s.f.) of qualified open space proposed
Amenities	A total of 8 amenities has been proposed - See amenity exhibit in Section VII below.
Physical Features	None
Acreage	N/A
Lots	1
Density	27.9 units per acre

Figure 4: Mixed Use Analysis by Land Use Area



B. History and Process

The subject application encompasses one (1) parcel located south of E. Ustick Road. The parcel was part of a Development Agreement Modification and Conditional Use Permit (CUP) application in 2019 that removed the subject parcel from an existing Development Agreement (DA) for the purpose of entering into a new DA with a new conceptual plan and building elevations (H-2018-0121, DA Inst. # 2019-060877) and a request for a new athletic club and spa (indoor recreation facility), Villasport. The CUP approval for the indoor recreation facility has since expired and the property was sold. The current CUP and DA (H-2022-0035 DA Inst# 2022-079000) was approved to construct a mixed-use development consisting of commercial space and a 215-unit multi-family development in lieu of an athletic club/spa and commercial building. The proposed CUP and DA modification proposes a deed restricted affordable multi-family development with 279 units.

C. Site Development and Use Analysis

The submitted conceptual site plan (Exhibit VII.D) depicts five (5) multi-family buildings with internal access. The multi-family is split into three (3) 4-story buildings on the larger area of the site east of Centrepont Way, one (1) 4-story building west of Centrepont Way and one (1) 4-story building on the east side of Cajun Lane. The submitted landscape plan shows a 25-foot landscape buffer along the west and southern perimeter of the property.

According to the specific use standards for multi-family development (UDC 11-4-3-27), common open space may not be counted towards the required minimum when it is adjacent to arterials unless approved through the CUP process. Therefore, the proposed open space shown may not all be qualified open space if Planning and Zoning Commission and City Council do not approve it in its current location. This is concerning because if the Commission does not approve it, the proposed site plan and open space will be further diminished from complying with the minimum open space standards and revisions would likely be needed.

The previously approved CUP and MDA:

- Maximum of two hundred thirteen ~~fifty-one~~ (213~~5~~) units
- Limited building height limited to three (3) stories
- Met the intent of the open space requirements
- Provided the following qualifying amenities: a clubhouse with a business lounge, plaza areas, a swimming pool, a fitness facility, an outdoor kitchen, a dog run, a micro-path system, sports courts, and a bicycle repair room. All of the proposed amenities except the proposed dog run are located within the central open space area or part of the three (3) central buildings.

The proposed amendment to the CUP and MDA:

- Two hundred seventy-nine (279) units
- Requesting four (4) stories and an increase in building height to 45 feet.
- Does not meet the open space requirement (deficient by 8,940 sf). The applicant is asking for alternative compliance for qualified open space requirement stating the site is irregular, has a unique targeted demographic of an affordable housing community, has significant indoor and outdoor passive and active amenities and excellent connectivity to public parks within walking distance. Although the project is located less than one-mile from the Charles F. McDevitt Youth Sports Complex, Julius M. Kleiner Memorial Park and Champion Park; the residents would have to cross either Ustick Road, a residential arterial or Eagle Road, a State highway to access them.
- Proposing the following qualifying amenities: a clubhouse with a fitness facility; children's play structure; dog park with a waste station; shaded picnic area with BBQ

grills, tables, benches and landscaping; shaded plaza/courtyard with activity lawn; a micro-path system, sports courts and a bicycle repair area. The sports courts and dog park are located near N. Cajun Lane.

Based on the analysis, staff feels the applicant is proposing too many units for development to be compliant with the Comprehensive Plan and UDC requirements. Staff feels if the proposal loses the parallel parking stalls along the north property line and relocate the open space away from Ustick Road, an arterial, it would be a nice addition to the community.

1. Existing Structures/Site Improvements (UDC 11-1):

There are no existing structures on the site. The applicant will need to submit a Certificate of Zoning Compliance (CZC) and Design Review (DES) application for review and approval prior to building submittal.

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

Staff finds the proposed use of multi-family to be generally consistent with the MU-R designation because the subject MU-R area currently consists of several retail, restaurant, office, and residential uses available to the region and the addition of these units would not over-saturate this area with residential. City Council approved the existing modification to the current development agreement (MDA DA Inst. #2022-079000) in July 2022 (H-2022-0035) with a reduction in units from what was originally submitted. The applicant is proposing and additional sixty-four (64) units above the approved 215 units.

The main points of discussion through the MDA process were regarding traffic, parking, and the proposed building heights. City Council required each “area” of the project to be self-parked so that residents would not have to cross any drive aisle or Centrepont Way to get to their assigned parking space. Although buildings A, B1 and B2 within the proposed development are not self-parked within their respective areas of the site, as shown in the table below, the proposal meets the parking requirement as outlined in UDC 11-3C.

The applicant is requesting a modification to the existing DA to increase the number of units and increase the building height from three (3) stories to forty-five (45) feet in height instead of stories. Staff feels in order to maintain cohesiveness with the surrounding area, the building height should remain as shown on the proposed concept plan below.

3. Dimensional Standards (UDC 11-2):

The proposed development is required to comply with the dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district and those within the specific use standards for Multi-family Development discussed above (UDC 11-4-3-27).

The submitted plans show compliance with all dimensional and specific use standards, including but not limited to, building height, setbacks, accesses, and required parking spaces.

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

The applicant shall meet the requirements for Multi-Family (UDC 11-4-3-27). See section V.

D. Design Standards Analysis

1. Existing structure and Site Design Standards (Comp Plan 3.07.01A, UDC 11-3A-19):

There are no existing structures on the site. The Comprehensive Plan require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices. The proposed multi-family residential development provides an appropriate transition between the retail/commercial/employment uses to the north and west and the single-family residences to the south and west. There will be a twenty-five (25) foot buffers between this project and the

surrounding developments to the west and south. The sidewalk improvements to Ustick Road, Centrepoint Way and N. Cajun Lane provide much needed access improvements for the single-family residences to walk to the retail and commercial developments in the vicinity to the east. The buildings are set back over 100 feet from the boundaries with single family residential property, providing an even greater buffer between the proposed multi-family use and the single-family residences. UDC requires the applicant to submit a Certificate of Zoning Compliance (CZC) and Design Review (DR) applications for review and approval prior to building submittal.

2. Qualified Open Space & Amenities (Comp Plan 2.02.00, Comp Plan 2.02.01B, UDC 11-3G): Per UDC 11-3G-3, qualified open space is defined as active or passive open spaces. Any open space that is active or passive in its intended use, and accessible by all residents of the development, including, but not limited to: Open grassy area of at least five thousand (5,000) square feet in area; Community garden(s); natural waterways, open ditches, and laterals, protective buffers a minimum of ten (10) feet in width dedicated for active access along these natural open spaces count toward meeting the open space minimum requirements; plaza with a minimum dimension of twenty (20) feet in all directions and including hardscape, seating, lighting in conformance with the standards set forth in section 11-3A-11 and landscaping in conformance with the requirements set forth in Article 11-3B, Landscaping Requirements; or linear open space area that is at least twenty (20) feet and up to fifty (50) feet in width, has an access at each end, and is improved and landscaped as set forth in Article 11-3B, Landscaping Requirements.

The proposed project will include 104,345 square feet of qualified open space which is 8,940 square feet less than required. The applicant is asking for alternative compliance for qualified open space requirement stating the site is irregular, has a unique targeted demographic of an affordable housing community, has significant indoor and outdoor passive and active amenities and excellent connectivity to public parks within walking distance. The project also includes an extensive network of pedestrian oriented pathways including an outer loop around the entire project with internal connections to the various amenities for the project allowing for free movement of pedestrians throughout the site.

The Comprehensive Plan goal is for developments to plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices. The Comprehensive Plan's goal emphasizes the importance of safe, attractive, and well-maintained neighborhoods with ample open space and amenities. Reducing these elements, regardless of the parcel's shape or target demographic, contradicts the Plan's standards. Furthermore, the applicant is increasing the density of the site beyond what was previously approved, understanding they are also reducing open space. Adequate open space and amenities are fundamental to maintaining the vibrancy and functionality of a neighborhood. Adhering to the Comprehensive Plan ensures that developments contribute positively to the community and uphold the quality of life for its residents.

It's important to recognize that proximity to parks and sports complexes doesn't fully address the need for accessible and usable open space within a neighborhood. Even though the project is less than a mile from Charles F. McDevitt Youth Sports Complex, Julius M. Kleiner Memorial Park, and Champion Park, residents would still face the challenge of crossing major arterial roads to reach these amenities. Pedestrian and bicycle crossing of these major roadways adversely affect signal performance and signal timing, and is one of the stated reasons for mixed use area analysis to not include areas bisected by major roadways. This can be a significant barrier, particularly for families with young children, elderly residents, or those without convenient transportation options.

For the development to truly align with the Comprehensive Plan's goals, it should include sufficient open space and amenities within the project itself. This ensures that all residents have easy, safe access to recreational areas without the need to navigate busy roads, thereby enhancing the overall quality of life and community cohesion.

3. Landscaping (UDC 11-3B):

i. Landscape buffers along streets

The applicant is required to construct street buffers along Ustick Road, an arterial street, and along Centrepont Way, a local street. In addition, per UDC 11-3B-8, at least 5 feet of landscaping is required along the perimeter of vehicle use areas (i.e. drive aisles) and landscaping is also required along the base of the multi-family building elevations facing any public street.

The applicant is proposing a reduction of the 35' wide landscape buffer along Ustick Road – up to a 50% reduction (17.5'), as allowed with the implementation of Water Conserving Design principles (UDC 11-3B-5.O). Staff has no objection to the applicant's request to provide a water conserving design for the street buffer along Ustick Road.

ii. Parking lot landscaping

Per UDC 11-3B-8, the applicant shall provide perimeter and internal parking lot landscaping to soften and mitigate the visual and heat island effect of a large expanse of asphalt in parking lots, and to improve the safety and comfort of pedestrians. A five-foot wide minimum landscape buffer adjacent to parking, loading, or other paved vehicular use areas.

The applicant is proposing Alternative Compliance under UDC 11-3B-7.C.1.c to remove the parking lot islands beneath the covered parking areas within the development. Instead, the applicant plans to install solar carports, which will serve as a green infrastructure amenity by providing an alternative power source for the development and its residents. The solar carports will also fulfill the requirement for covered parking and help reduce the heat impact of the surface parking lot.

According to the applicant, the removal of parking islands under the solar carports will enhance solar panel efficiency by improving daylight capture and reducing maintenance tasks such as clearing leaf debris and replacing plants or trees. Additionally, the solar carports are expected to offset utility costs for residents. The applicant also notes that despite the removal of these islands, the overall landscape buffer percentage will not decrease, as the buffer areas along the east side of Centrepont Way exceed the city's code requirements. All uncovered parking areas will continue to comply with the requirements for parking lot islands.

iii. Landscape buffers to adjoining uses

Per UDC 11-3B-9, a landscape buffer is required in the C-N, C-C, C-G, L-O, M-E, H-E, and I-L districts on any parcel sharing a contiguous lot line with a residential land use. The landscape buffer is required in the I-H district on any property sharing a contiguous lot line with a nonindustrial use.

The single-family residential neighborhood to the south is screened with a twenty-five (25) foot landscape buffer. The single-family residential neighborhood to the west is likewise screened with a twenty-five (25) foot landscape buffer and further will be screened by an eight (8) foot masonry wall.

Staff finds the proposed landscape buffer adjacent to the residential neighborhoods meets the requirements of the UDC and requires a detail of the masonry wall to be submitted for review with the CZC application.

- iv. Tree preservation
N/A – There are no existing trees on the property.
 - v. Storm integration
Per UDC 11-3B-11, the applicant shall meet the intent to improve water quality and provide a natural, effective form of flood and water pollution control through the integration of vegetated, well designed stormwater filtration swales and other green stormwater facilities into required landscape areas, where topography and hydrologic features allow if part of the development.
Development will be required to meet UDC 11-3B-11 for stormwater integration.
 - vi. Pathway landscaping
Landscaping for pathways shall meet the requirements outlined in UDC 11-3B-12.
Staff finds the landscape plan shows the applicant meets the requirements of UDC 11-3B-12 for pathway landscaping.
4. Parking (UDC 11-3C):
Off-street parking for multi-family developments is required to be provided per the table in UDC 11-3C-6 based on the number of bedrooms per unit. The Applicant is proposing 279 units consisting of 139 1-bedroom units, 105 2-bedroom units and 35 3-bedroom units. In addition, one (1) guest space for every 10 units is required.

i. Residential parking analysis

Based on the total number of units proposed and their bedroom count distribution, a minimum of 552 parking spaces, with a minimum of 279 of these spaces to be covered in a garage or by a carport. In addition to meeting the minimum off-street parking amount, the current Development Agreement City Council was not comfortable with the parking area west of Centrepont Way and expressed a desire for all buildings to be self-parked within their respective areas of the site. The previous applicant provided documentation showing the buildings to be self-parked within their respective areas of the site.

Although the buildings within the proposed development are not self-parked within their respective areas of the site, as shown in the table below, the proposal meets the parking requirement as outlined in UDC 11-3C.

Area of Site	Building	Bedroom Count	Required Parking (including guests)	Provided (including guests)	Parking per Unit (including guests)
West of Cajun Ln & East of Centrepont Way	A – 64 units	1 Bed – 17 units	423.5 (211 covered)	406 (249 covered)	1.92 (1.18 covered)
		2 Bed – 27 units			
		3 Bed – 20 units			
	B1 – 79 units	1 Bed – 53 units			
		2 Bed – 19 units			
		3 Bed – 7 units			
	B2 – 68 units	1 Bed – 41 units			
		2 Bed – 19 units			
		3 Bed – 8 units			
East of Cajun Lane	C – 44 units	1 Bed – 20 units	83 (44 covered)	92 (17 covered)	2.11 (1 covered)
		2 Bed – 24 units			
		3 Bed – 0 units			
West of Centrepont Way	D – 24 units	1 Bed – 8 units	46 (24 covered)	54 (25 covered)	2.25 (1.04 covered)
		2 Bed – 16 units			

ii. Bicycle parking analysis

A minimum of one (1) bicycle parking space is required for every twenty-five (25) vehicle parking spaces per UDC 11-3C-6G.

Based on the five hundred seventy-eight (552) vehicle parking spaces, a minimum of twenty-two (22) bicycle parking spaces is required. The location of the bicycle racks has been depicted on the site and landscape plans.

Staff finds the applicant meets the requirement for bicycle parking. An example of the bicycle rack will be required to be submitted with the CZC for review and approval.

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

Administrative Design Review (DES) approval is required before building permit submittal for multi-family residential dwellings. The Applicant did not submit for DES approval concurrent with the subject CUP application so the submitted elevations will be fully analyzed with that future application. Further, an application for a Certificate of Zoning Compliance (CZC) will also be required to be submitted for this entire development before the building permit submission.

Conceptual building elevations were submitted for the proposed multi-family buildings as shown in Section VII.G. The applicant is requesting a design exception for the reduced articulation of the building façade and the omission of the masonry along the base of the building. This an administrative decision to be determined by the director. Final design will be required to comply with the design standards in the Architectural Standards Manual (ASM) and the recorded agreement unless otherwise waived by the Community Development Director through a design exception request.

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

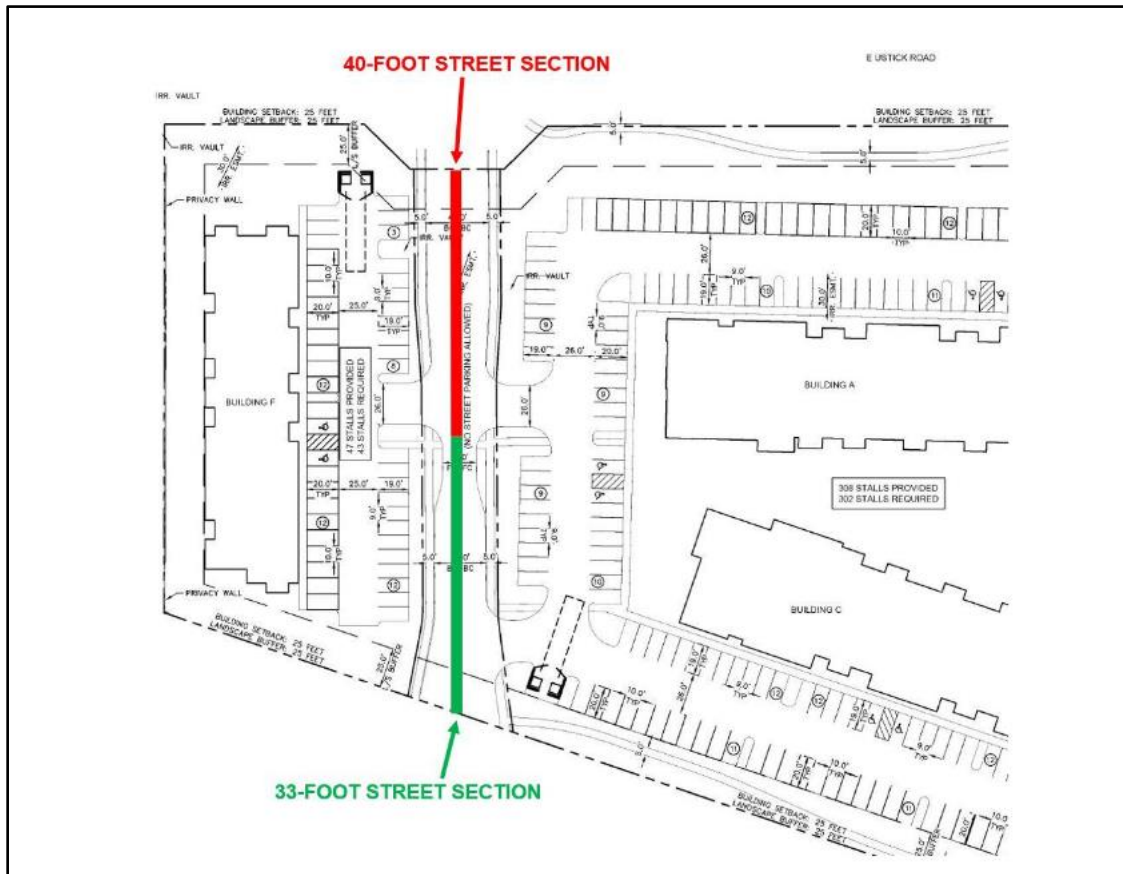
All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-7.

No fencing is shown on the submitted plans except for the eight (8) foot privacy wall along the west boundary, as required by the Development Agreement. The applicant shall include an exhibit of the privacy wall for staff review with the future Certificate of Zoning Compliance (CZC) application. In addition, the applicant shall include any fencing proposed for the noted dog park and sports court area along the existing shared north-south private road N. Cajun Lane.

E. Transportation Analysis

The Ada County Highway District (ACHD) reviewed the submitted application and has determined they support the applicant's proposal to construct 5-foot wide detached concrete sidewalk abutting the site meets District policy and should be approved, as proposed. However, the sidewalk should be parallel to the roadway, as meandering sidewalks are discouraged under ACHD policy. The detached sidewalk should be located a minimum of 41-feet from the centerline of Ustick Road abutting the site.

ACHD also supports the applicant's proposal to widen/reconstruct Centrepont Way meets District policy and should be approved as proposed with the exception of the 23-foot street section which requires the construction of a 33-foot street section south of the driveways to the site's south property line. The lane configuration and striping at the intersection with Ustick Road should be consistent with Centrepont Way on the north side of Ustick Road across from the site. The applicant will be responsible for the design and construction of any modifications to the existing signal at the Centrepont Way/Ustick Road intersection. The applicant should be required to dedicate right-of-way to 2-feet behind back of sidewalk, or for detached sidewalk, the applicant can reduce the right-of-way to 2-feet behind back of curb and provide a permanent a permanent right-of-way easement that extends from the right-of- way line to 2-feet behind back of sidewalk. Sidewalk shall be located wholly within right-of-way or wholly within an easement. See diagram below.



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

Per UDC 11-3A-3, the intent of these standards is to improve safety by combining and/or limiting access points to collector and arterial streets and ensuring that motorists can safely enter all streets unless waived by City Council.

Access for this development is from Centrepont Way via Ustick Road and N. Cajun Lane via Ustick Road. Both the shared drive aisle and public street are existing. The shared drive aisle connects from N. Cajun Lane (a private street) to the south up to Ustick Road. This drive aisle was required with the previous Villasport approvals and the Wadsworth site on the hard corner for cross-access and interconnectivity to and from Ustick Road. In addition, the Bienville Square plat depicts cross-access over Cajun Lane and out to Eagle Road furthering the previous anticipation that some traffic would flow through this area. N. Centrepont Way is an existing local street that connects the Bienville Square Subdivision (Jackson Square) and this site to Ustick Road via a public road and is signaled at the intersection of Ustick Road and Centrepont Way.

Ustick Road is improved with 5-travel lanes, vertical curb and gutter abutting the site. A five (5) foot wide detached concrete sidewalk exists abutting the site on the west side of Centrepont Way and no sidewalk abutting the site on the east side of Centrepont Way. There is eighty-six (86) to one hundred twenty-two (122) feet of right-of-way for Ustick Road (fifty (50) to eighty (80) feet from centerline).

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

Multiuse pathways shall be constructed in accord with the city's comprehensive plan, the Meridian Pathways Master Plan, the Ada County Highway District Master Street Map and Roadways to Bikeways Master Plan.

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

All pathways should be constructed in accord with the standards listed in UDC 11-3A-8.

The Applicant is proposing to construct the missing segment of sidewalk along Ustick Road with a 5-foot wide detached sidewalk, consistent with the UDC requirements. Further, the Applicant is proposing to continue the existing sidewalk along the east side of the shared drive aisle and install a new sidewalk along its west side. The Applicant is proposing 5-foot wide micro-paths throughout the development including within linear open space along the western and southern boundaries.

4. Sidewalks (UDC 11-3A-17):

All sidewalks constructed as part of this proposal are required to comply with the standards listed in UDC 11-3A-17.

Detached sidewalks are existing along both sides of N. Centrepont Way and one segment of the attached sidewalk is located along Ustick Road, west of Centrepont Way; the remaining Ustick Road frontage does not have any existing sidewalk. The applicant is proposing a 5-foot wide detached sidewalk along Ustick Road and the shared drive aisle and is also proposing 5-foot wide micro-pathways throughout the development.

As noted above, the Applicant is proposing to construct the missing segment of sidewalk along Ustick Road with a 5-foot wide detached sidewalk, consistent with code requirements. Further, the Applicant is proposing to continue the existing sidewalk along the east side of the shared drive aisle and install a new sidewalk along its west side. The Applicant is proposing 5-foot wide micro-paths throughout the development including within linear open space along the south boundary. Staff supports the proposed sidewalk and micro-path network.

In addition, Staff finds that safer pedestrian crossings can be installed consistent with UDC 11-3A-19B across many internal drive aisles that connect internal sidewalks to the perimeter sidewalks. Specifically, per UDC 11-3A-19B.4, the crossings should be constructed with a different material than the driving surface (i.e. brick, pavers, colored or stamped concrete, etc.) and be located at any crossing from the main drive aisle connections to Centrepont or the shared drive aisle on the east side of the site.

5. Private Streets (UDC 11-3F-4):

There is an existing private street, N. Cajun Lane, that abuts the east side of the property. Improvements to the private road are required as part of this development. No new private streets are being proposed for this development.

F. Services Analysis

1. Waterways (Comp Plan, UDC 11-3A-6):

Per UDC 11-3A-6, requires limiting the tiling and piping of natural waterways, including, but not limited to, ditches, canals, laterals, sloughs and drains where public safety is not a concern as well as improve, protect and incorporate creek corridors (Five Mile, Eight Mile, Nine Mile, Ten Mile, South Slough and Jackson and Evan Drains) as an amenity in all

residential, commercial and industrial designs. When piping and fencing is proposed, the standards outlined in UDC 11-3A-6B shall apply.

The Milk Lateral has previously been piped and there is a thirty (30) foot irrigation easement that goes through the property.

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

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.

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

An adequate storm drainage system is required in all developments by the City's adopted standards, specifications, and ordinances. Design and construction shall follow best management practices as adopted by the City as outlined in UDC 11-3A-18. Storm drainage will be proposed with a future Certificate of Zoning Compliance application and shall be constructed to City and ACHD design criteria.

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

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. All utilities are available to the site. Water main, fire hydrant and water service require a twenty-foot (20) wide easement that extends ten (10) feet past the end of main, hydrant, or water meter. No permanent structures, including trees are allowed inside the easement.

G. Development Agreement

The Applicant is requesting a modification to the existing Development Agreement [Inst. #2022-079000 to include the following changes:

- B. OWNER/DEVELOPER has ~~submitted an application~~[applied](#) for a Modification of the ~~existing~~ Development Agreement (Instrument #2019-060877) for the purpose of updating the concept and a plan and provisions to construct a mixed-use development consisting of commercial space ~~and a~~[and a](#) multi-family development in lieu of an athletic club/spa and commercial building on 11.17 acres in the C-G zoning district. The Meridian City Council approved ~~said application with Findings of Fact and Conclusions of Law as set forth in the attached Exhibit "B"~~[the Modification and the Addendum to Development Agreement was recorded as Instrument #2022-079000 in Ada County Records.](#)
- C. CITY, and OWNER/DEVELOPER now desire to amend said Development Agreement [and Addendum to Development Agreement](#), which terms have been approved by the Meridian City Council in accordance with UDC section 11-5B-4.
1. OWNER/DEVELOPER shall be bound by the terms of the Development Agreement recorded as Instrument #2019-060877, except as specifically amended as follows:
- a. Future development of this site shall be substantially consistent with the submitted concept plan and color renderings ~~included in Section VI of~~ [attached to this Second Addendum as Exhibit A](#) ~~B~~ and the provisions contained herein.

- b. Future development shall comply with the standards outline in the multi-family development specific use standards, UDC 11-04-3-27, 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 first phase of development along E. Ustick Road and N. Eagle Road; the proposed 25-foot landscape buffer along the west and south boundaries shall be constructed with the first phase of development.
- e. Applicant shall work with ACHD to construct a safe pedestrian crossing from the multi-family site area to the parking lot along the west boundary across N. Centrepont Way.
- f. With the future Conditional Use Permit for the multi-family development, the building heights shall ~~along the west boundary shall not be more than~~ not exceed two stories 45-feet in height and the three (3) buildings within the center of the project shall be no more than three stories in height, consistent with the Applicant's revised concept plan and presentation to Council.
- 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.

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~~ eighty percent (680%) 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. 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 buildings shall be consistent with the concept plan in Exhibit A.

- g. 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.
- 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.
- l. 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.
- m. Applicant shall continue the masonry wall along the west property boundary consistent with adjacent development and to help buffer the proposed project.

- n. 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.
 - o. Limit upper-story windows on west side of Building A and Building D to increase privacy.
 - p. Developer shall work with ACHD and the HOA to see if there is a suitable location for two additional speed bumps.
- 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 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, 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.
- 2.9 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.
- 2.10 A total of eight (8) amenities shall be installed as proposed by the applicant.
- 2.11 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.

- 2.12 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.
- 2.13 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.
- 2.14 The Director has approved the Alternative Compliance Request to remove the landscape island underneath the covered carports per UDC 11-3B-8.

B. Meridian Public Works

See public record (copy the link into a separate window)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

C. Meridian Fire Department

A full fire plan review shall be completed prior to construction of the project.

D. Meridian Park's Department

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

E. Irrigation Districts

1. Nampa & Meridian Irrigation District

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

F. Idaho Department of Environmental Quality (DEQ)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

G. West Ada School District (WASD) or Other District/School

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

H. Ada County Highway District (ACHD)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

I. Idaho Transportation Department (ITD)

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356286&dbid=0&repo=MeridianCity>

IV. FINDINGS

A. Alternative Compliance (UDC 11-5B-5E)

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

1. Strict adherence or application of the requirements are not feasible; or
As noted in Section III.D.3, the applicant is requesting alternative for the removal of the parking lot islands under the covered parking for internal parking. The applicant states that despite the removal of these islands, the overall landscape buffer percentage will not decrease, as the buffer areas along the east side of Centrepont Way exceed the city's code requirements. All uncovered parking areas will continue to comply with the requirements for parking lot islands.
Council finds the request feasible as the installation of solar carports, will serve as a green infrastructure amenity by providing an alternative power source for the development and its residents.
2. The alternative compliance provides an equal or superior means for meeting the requirements; and
Based on the statement above for the removal of the landscape islands underneath the solar carports, Council finds the applicant met this requirement.
3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.
Council finds that the proposed alternative means will not be materially detrimental to public welfare or impair the intended uses and character of surrounding properties.
Council finds the alternative compliance request for the removal of the landscape islands underneath the solar carports will not be materially detrimental to public welfare or impair the intended uses and character of surrounding properties.

B. 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.
Council finds the site is large enough to accommodate the proposed 239-unit multi-family development and meet all dimensional and development regulations of the C-G zoning district.
2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.
Council finds that if the site is built as recommended by staff and all conditions of approval are met, the proposed site design and use of multi-family residential would be harmonious with the comprehensive plan designation of Mixed-Use Regional and the requirements of this title when included in the overall MU-R designated area.
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.
Council finds that despite the proposed use being different from the residential uses to the west and south, the site design, construction, and proposed operation and maintenance will

be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same 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.

Council finds the proposed use will not adversely affect other property 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.

Council finds the proposed use will be served adequately by essential public facilities and services because all services are readily available and both ACHD and ITD have reviewed and approved the proposed layout and traffic generation with conditions.

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.

Council finds all public facilities and services are readily available for the subject site so the proposed use will not be detrimental to the economic welfare of the community or create excessive additional costs for public facilities and services. Utilities have already been approved for this development with the previous application.

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.

Council finds traffic is sure to increase in the vicinity with the addition of more residential units, the addition of the multifamily as designed will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

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.

Council is unaware of any natural, scenic, or historic features within the development area, therefore, the proposed use should not result in damage to any such features.

V. Multi-Family Development Analysis

A. Multi-family Development ([UDC 11-4-3-27](#)) Specific Use Standards:

A. Purpose.

1. To implement the goals and policies of the Comprehensive Plan:

- a. Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.

Council finds the applicant does not meet the open space requirements as per the project goals. The proposed amenities are also insufficient compared to those previously approved. Given that this is a low-income housing development, providing ample and accessible amenities within the complex is crucial for the residents, as they may face challenges in traveling to access similar facilities elsewhere.

- b. Require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities as part of new multi-family residential and mixed-use developments.

2. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.

- a. To create quality buildings and designs for multi-family development that enhance the visual character of the community.

Staff finds the request to exclude the masonry from the base of the building does meet the City's architectural standards for multifamily developments, as building designs must include masonry at the base. The applicant is requesting a design exception to exclude the masonry along the base of the building.

- b. To create building and site design in multi-family development that is sensitive to and well-integrated with the surrounding neighborhood.

The applicant is requesting a design exception to exclude masonry along the base of the building. According to the City's architectural standards for multifamily developments, building designs must include masonry at the base. The request for this design exception will undergo review during the administrative process, with the final determination to be made by the Director.

- c. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

Staff finds the applicant does not meet the open space requirements as outlined in the project goals. Staff recommends relocating all amenities to the inner portion of the lot, specifically near buildings A, B1, and B2. This would create a safer outdoor environment for residents, as opposed to placing the sports court and dog park adjacent to N. Cajun Lane.

B. Site design.

1. Buildings shall provide a minimum setback of ten (10) feet 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 Applicant is proposing a total of five (5) buildings within three (3) distinct areas for the Centrepont Apartments. The west area (west of Centrepont Way) includes Building D, four stories tall (41-foot building height to the roof's peak). The central area includes the three buildings, Buildings A, B1 & B2, and are 41-feet tall to the roof's peak. East of the shared drive aisle that connects Cajun Lane to Ustick Road, one 4-story building is shown.

Based on the submitted Site Plan, this requirement is met because none of the buildings are proposed closer than approximately 25 feet from any property boundary.

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 Applicant shall comply with this standard. However, there are existing transformer and utility vaults along E. Ustick Road that were in place before this owner obtained the property. Staff does not find it prudent or feasible to require these vaults to be relocated as they are previously existing and the proposed landscaping will beautify these structures along the street frontage for added screening.

3. 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, entryway, and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standards would create an inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as outlined in section 11-5B-5 of this title.

The Applicant shall adhere to this standard. This will be reviewed with the submittal of the CZC and DES application as it is a condition of approval.

4. For this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space.

Staff finds the applicant has met this requirement.

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 adhere to this standard as it is a condition of approval.

6. The parking shall meet the requirements outlined in chapter 3, "regulations applying to all districts", of this title.

Staff finds the applicant has met this requirement. See the parking section in the general analysis below.

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 provides 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.

The applicant is proposing more than 20 units (279 units) so the applicant is required to provide the items above in compliance with this standard. These items shall be depicted on the site plan with the submittal of the CZC application.

C. *Common open space design requirements.*

1. The total baseline land area of all qualified common open spaces shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *The multi-family area is greater than 5 acres in size, approximately 10 acres. Approximately 43,516 square feet equals a baseline of ten (10) percent of open space. The applicant is required to provide 113,266 square feet of open space but is only providing 104,345 square feet. The applicant is requesting alternative compliance for the 8,940 square foot deficiency in qualified open space.*

2. All common open spaces shall meet the following standards:

- a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for land use after all other development elements have been designed. Open space areas that have been given priority in the development design have:
 - (1) Direct pedestrian access;
 - (2) High visibility;

(3) Comply with Crime Prevention through Environmental Design (CTED) standards; and

(4) Support a range of leisure and play activities and uses.

Staff finds that the applicant did not prioritize the integration of open space into the development. It appears that open space was considered only after other development elements were finalized, resulting in a deficiency in the required amount of open space.

b. Open space shall be accessible and well-connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.

c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering, and relaxation to serve the development.

Staff finds that although the applicant has provided these items to serve the development, the request to increase the site's density beyond the previously approved level has significantly reduced the amount of qualified open space. Adequate qualified open space and amenities are essential for maintaining the vibrancy and functionality of a neighborhood as well as upholding the quality of life for residents.

3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.

a. Minimum size of the common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.

b. Alternative compliance is available for these standards if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land-use designations with collectively integrated and shared open space areas.

The submitted plans depict two (2) open common grassy areas 8,000 - 9,000 square feet, above the required 5,000 square foot minimum. Although the Applicant is providing amenities above code requirements within this development, the development is deficient in the required amount of qualified open space.

The applicant is asking for alternative compliance for qualified open space requirement stating the site is irregular, has a unique targeted demographic of an affordable housing community, has significant indoor and outdoor passive and active amenities and excellent connectivity to public parks within walking distance. The project also includes an extensive network of pedestrian oriented pathways including an outer loop around the entire project with internal connections to the various amenities for the project allowing for free movement of pedestrians throughout the site.

Staff finds that the applicant's request to increase the site density beyond the previously approved level has reduced the amount of qualified open space. Adequate

qualified open space and amenities are essential for maintaining the vibrancy and functionality of a neighborhood. Adhering to the Comprehensive Plan is crucial to ensuring that developments contribute positively to the community and uphold the quality of life for residents.

4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or fewer square feet 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.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

Per the property size and the unit counts and their sizes, the minimum open space required to be provided is 113,266 square feet (approximately 2.60 acres). According to the submitted open space exhibit and landscape plans, the project is deficient by approximately 8,940 square feet of qualified open space. The applicant is requesting alternative compliance stating the site has an additional 40,498 square feet of non-qualifying landscape area, pathways, and buffer landscape area not included in the qualifying calculation.

5. 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 (20) feet.

Staff finds that the Applicant complies with this requirement.

6. 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.

Staff is not aware of any phasing for the proposed project.

7. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to a collector or arterial streets unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.

The applicant is proposing over 8,000 square feet of open grassy area adjacent to Ustick Road which is an arterial. The applicant is required provide an updated landscape plan fifteen day prior to the City Council public hearing showing how they meet this requirement unless otherwise waived by Council through the CUP process.

D. *Site development amenities.*

1. All multifamily 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.
 - (5) Dog park with a waste station.

- (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage
 - b. *Open space.*
 - (1) Community garden.
 - (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping, and a structure for shade.
 - c. *Recreation.*
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. *Multi-modal amenity standards.*
 - (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop.
 - (4) Charging stations for electric vehicles.
2. The number of amenities shall depend on the size of the multifamily development as follows:
- a. For multifamily developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multifamily development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one (1) from each category.
 - c. For multifamily development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one (1) from each category.
 - d. For multifamily 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.

For the 279 multi-family units proposed, a minimum of four (4) amenities, one from each category, shall be provided to satisfy the specific use standards. The Planning and Zoning Commission is authorized to require the applicant to provide more amenities through this process if needed. Per the submitted plans and narrative, eight (8) qualifying amenities are proposed with amenities from each category. The proposed amenities include a clubhouse with community space and leasing office, indoor fitness facilities, large common grassy areas ranging from 8,000-9,000 sf, shaded plaza/courtyard with activity lawn, shaded picnic areas with barbecue grills, tables, landscaping, children's play structure, dog park with waste station, a micro-path system, sports courts, and a bicycle

repair station with tools and a pump. All of the proposed amenities except the proposed dog park and sports court are located within the central open space area or part of the three (3) central buildings (A, B1 and B2).

E. *Landscaping requirements.*

1. Development shall meet the minimum landscaping requirements by chapter 3, "regulations applying to all districts", of this title.

The applicant is proposing a reduction in street buffer landscaping for Ustick Road and Centrepont Way by using water conserving design. UDC 11-3B-5.O allows a fifty (50%) percent reduction to the landscape buffer.

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 (3) feet wide.
 - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted.
 - c. Ground cover plants shall be planted in the remainder of the landscaped area.

Staff finds the applicant is has met this requirement.

- F. *Maintenance and ownership responsibilities.* All multifamily 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 and provide said document at the time of CZC submittal.

VI. ACTION

A. Staff:

Staff recommends approval of the requested Development Agreement Modification and Conditional Use Permit per the conditions of approval included in Section III in accord accordance with Findings in Section IV.

B. Commission:

The Meridian Planning & Zoning Commission heard these items on September 5, 2024. At the public hearing, the Commission moved to recommend denial of the subject Conditional Use Permit and Development Agreement modification requests.

1. Summary of Commission public hearing:

- a. In favor: Nicolette Womack, Chase Huber, Brandon McDougald, Nock Stoppello, Brenda Jones
- b. In opposition: Steve Grant, Kristy Hein, Landon Johnson, Janet Bailey, Jeffrey Miller, Barry Holsinger, Doug Stern, Jared Schofield, Abisay Uretta, Ruth Dickinson, Carrie Gammon, Jeff Vrba, Elizabeth Gammon
- c. Commenting: Steve Grant, Kristy Hein, Landon Johnson, Janet Bailey, Jeffrey Miller, Barry Holsinger, Doug Stern, Jared Schofield, Abisay Uretta, Ruth Dickinson, Carrie Gammon, Jeff Vrba, Elizabeth Gammon
- d. Written testimony: Bruce and Kathy Dickinson, Callie Meye, Jackson Square HOA, Joseph Lemay, Kathleen Medley, Michelle Hodges, and Randall Adams were all against the proposed development
- e. Staff presenting application: Linda Ritter
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:
 - a. Density of the proposed project, height requested for the proposed buildings, traffic from the proposed project, cut through traffic on the private roads from the proposed development
3. Key issue(s) of discussion by Commission:
 - a. Density of the project, height of the proposed buildings and increased traffic in the area
4. Commission change(s) to Staff recommendation:
 - a. Denial of the project based on building height and density
5. Outstanding issue(s) for City Council:
 - a. None

C. City Council:

The Meridian City Council heard these items on October 15, and November 19, 2024. At the public hearing, the Council moved to approve the subject Conditional Use Permit and Development Agreement Modification requests.

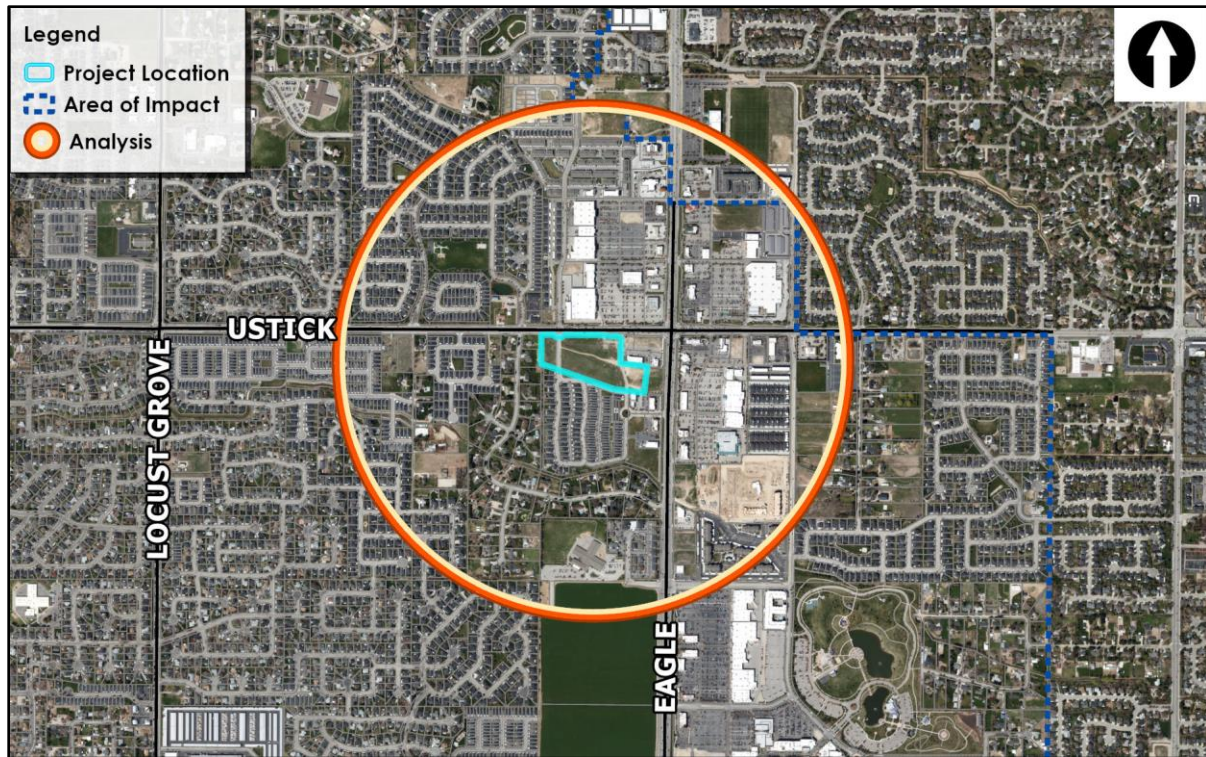
1. Summary of the City Council public hearing:
 - a. In favor: Deb Nelson representing the applicant
 - b. In opposition: Doug Stern, Joseph Lemay, Bruce Dickinson, Jeff Vrba, Monda Holsinger, Steve Grant, Carrie Gammon, Jared Schofield, Barry Holsinger, Kathleen Medley
 - c. Commenting: Doug Stern, Joseph Lemay, Bruce Dickinson, Jeff Vrba, Monda Holsinger, Steve Grant, Carrie Gammon, Jared Schofield, Barry Holsinger
 - d. Written testimony: Kathleen Medley (voicemail)
 - e. Staff presenting application: Linda Ritter
 - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
 - a. Excess traffic, increase in the number of units, building height, increased traffic and speeding on the private roads, and irrigation water pressure for the proposed development.
3. Key issue(s) of discussion by City Council:
 - a. Mitigation to slow traffic on Centrepont Way and a couple of the private roads, design of the buildings to offer privacy to the homes close by.
4. City Council change(s) to Commission recommendation:
 - a. Approved

VII. EXHIBITS

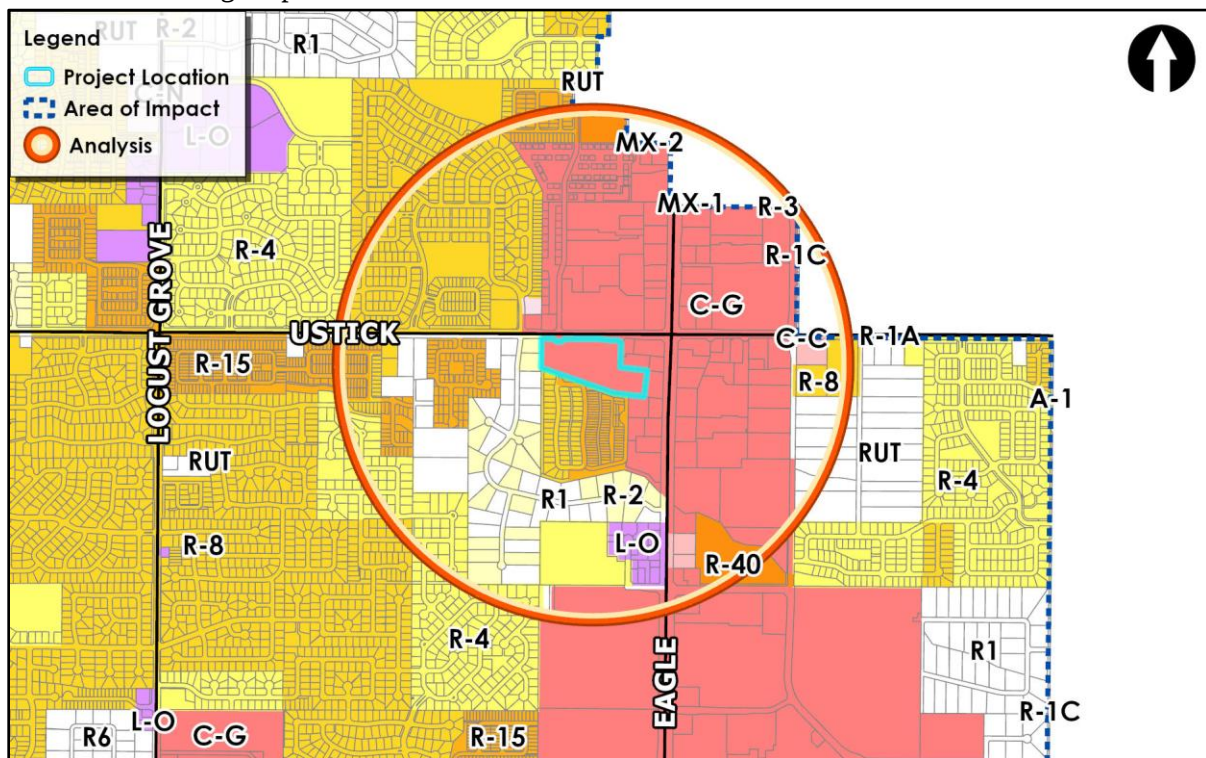
A. Project Area Maps

(link to [Project Overview](#))

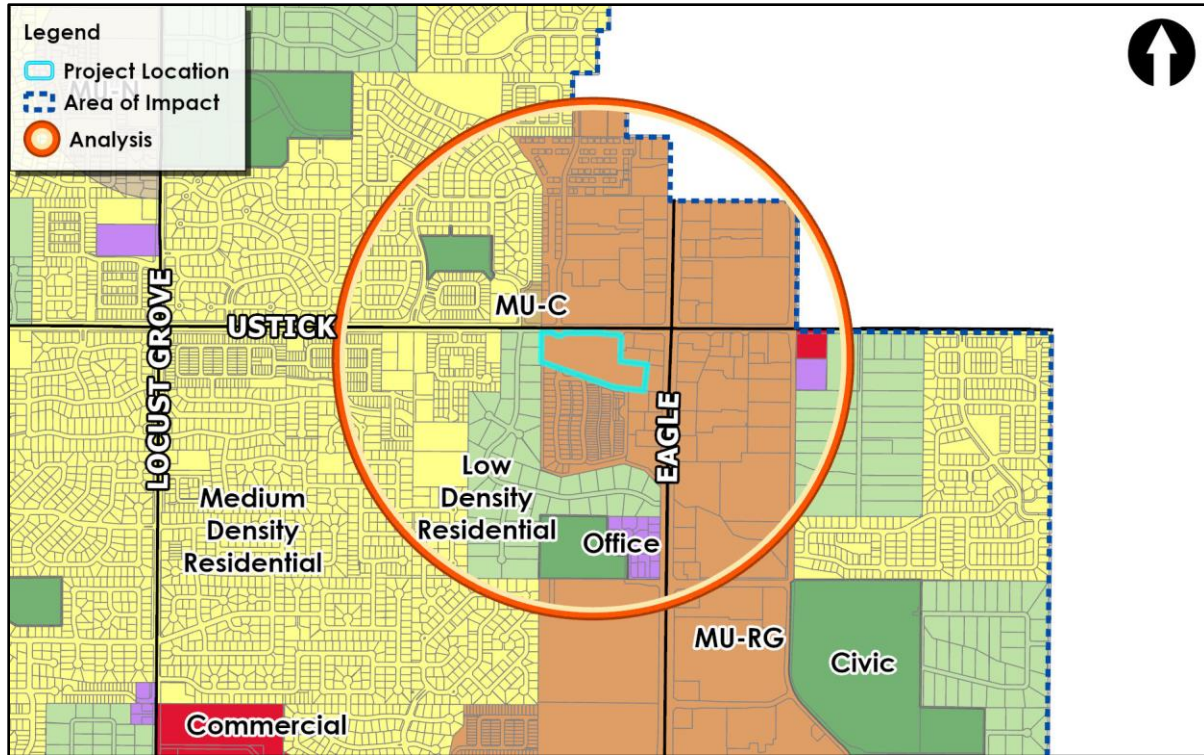
1. Aerial



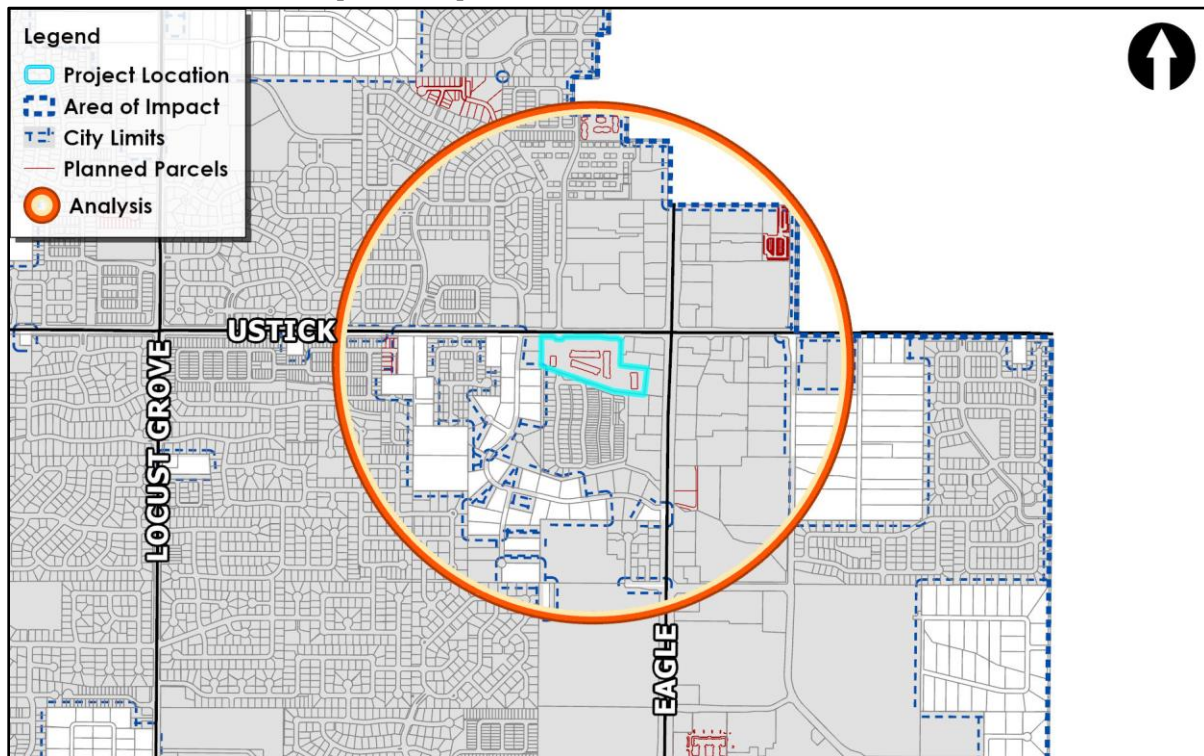
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Subject Site Photos

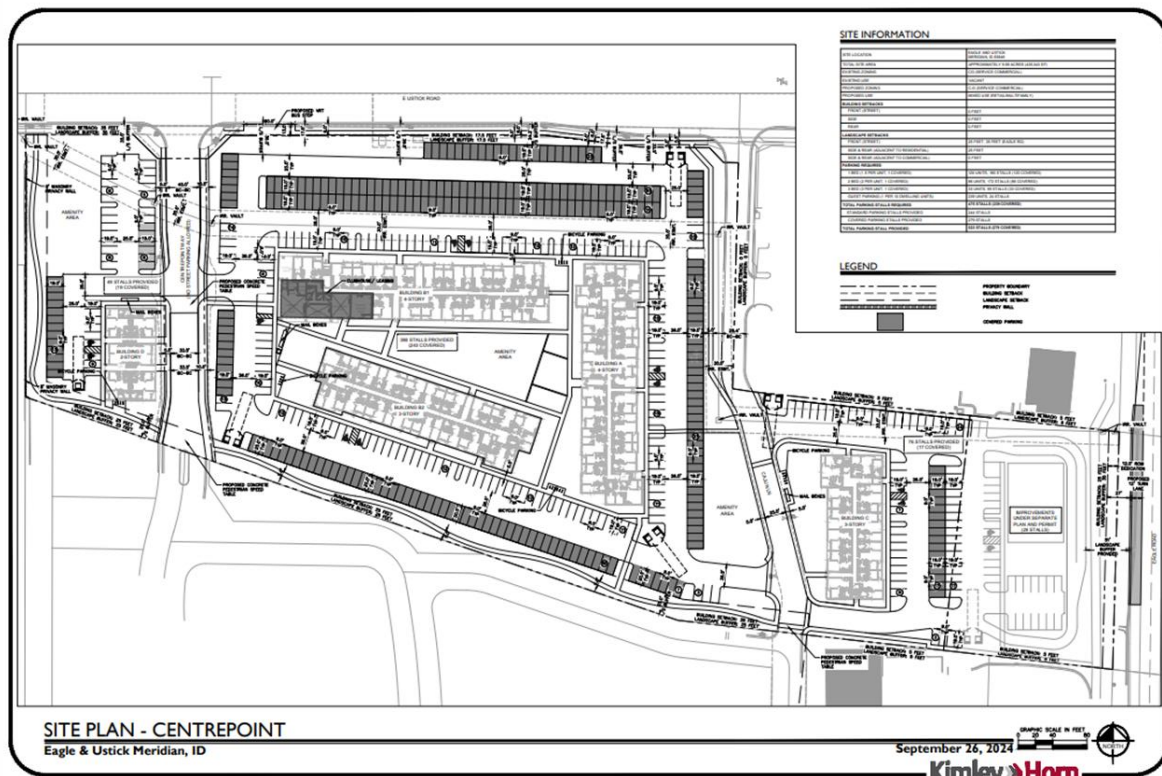




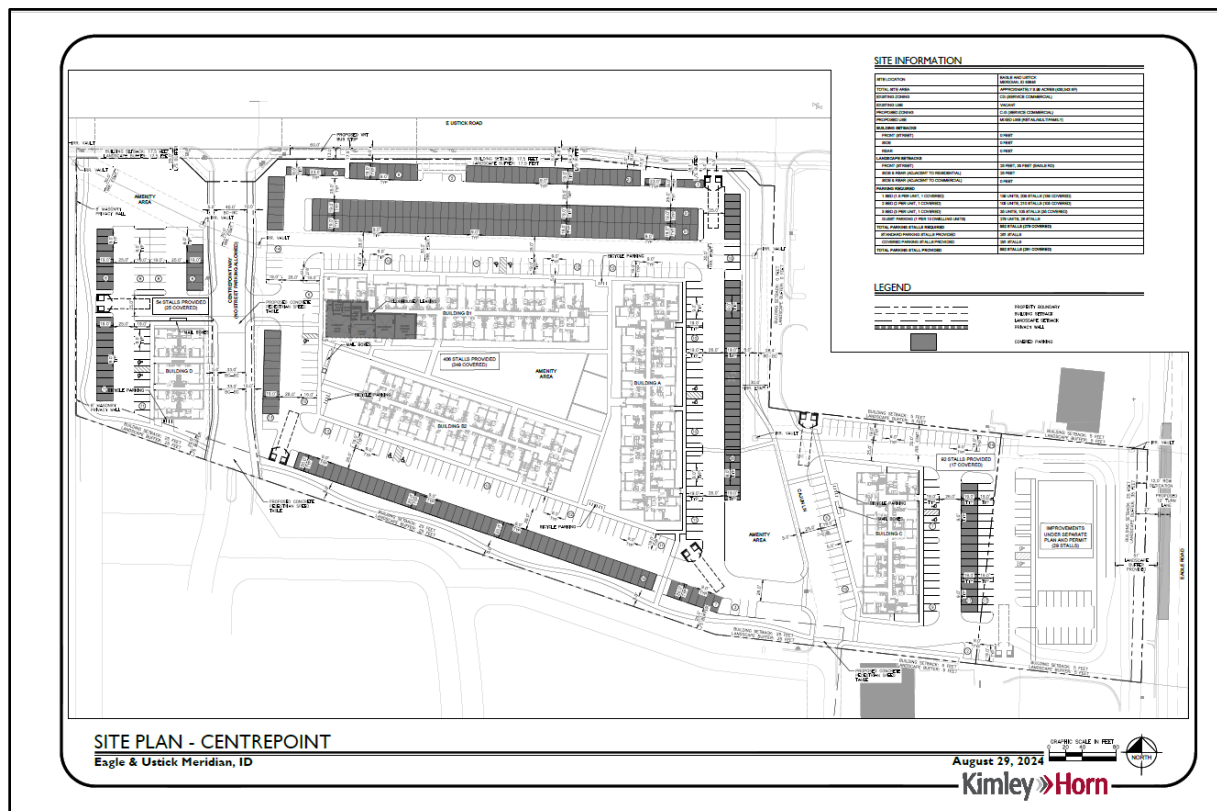
C. Service Accessibility Report

PARCEL S1105110111 SERVICE ACCESSIBILITY		
Overall Score: 37		82nd Percentile
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	Not within 1/4 of current or future transit route	RED
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	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

D. Proposed Site Plan (date: 9/26/2024)

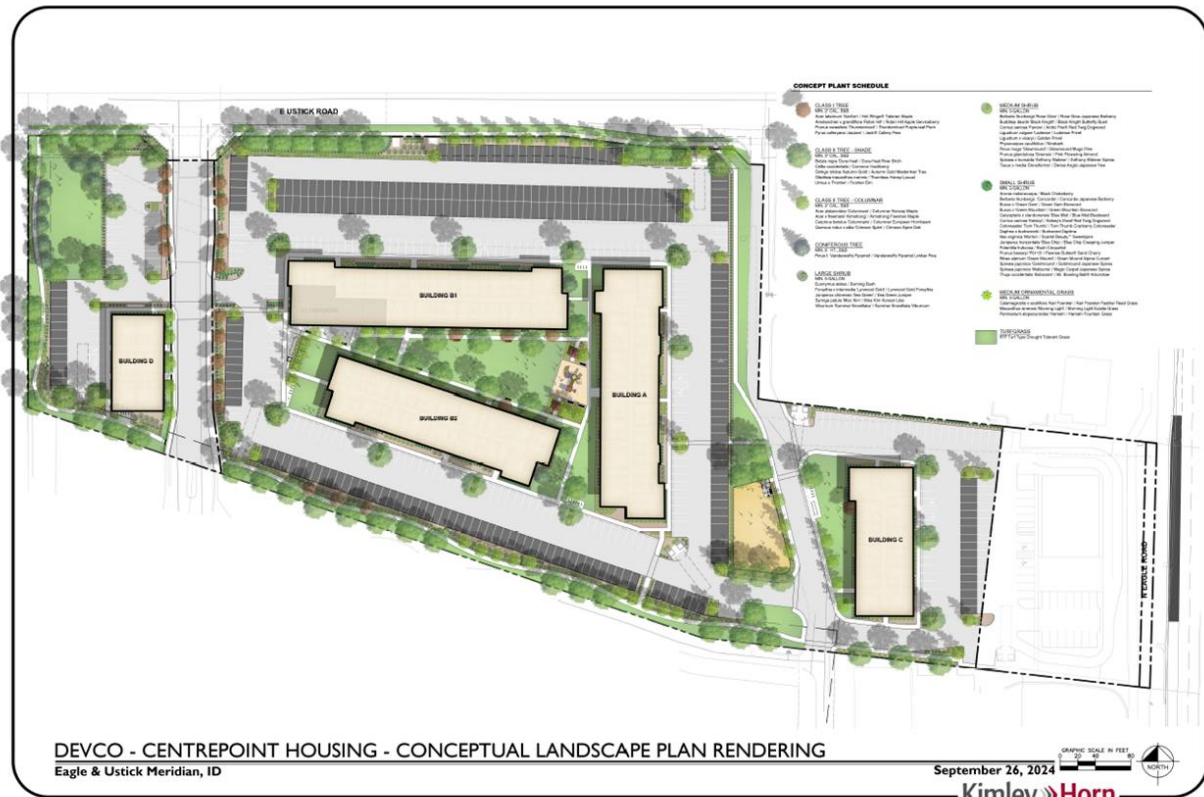
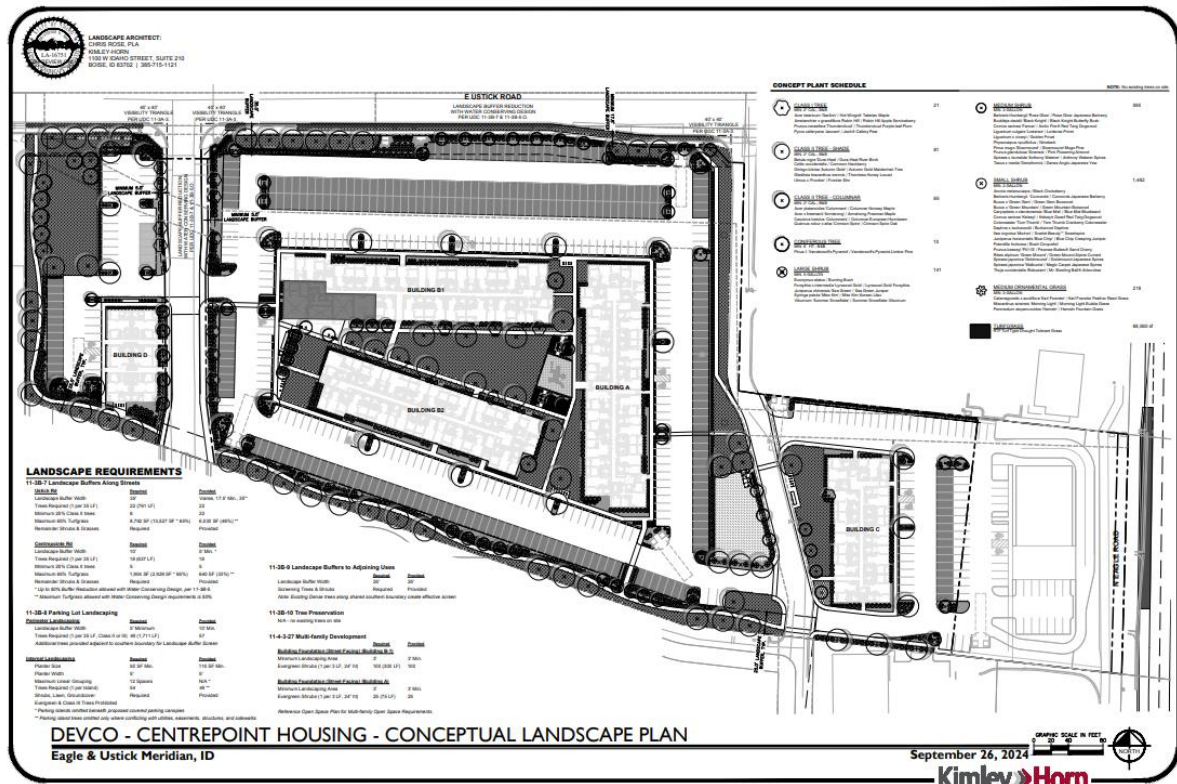


Proposed Site Plan (date: 8/29/2024)

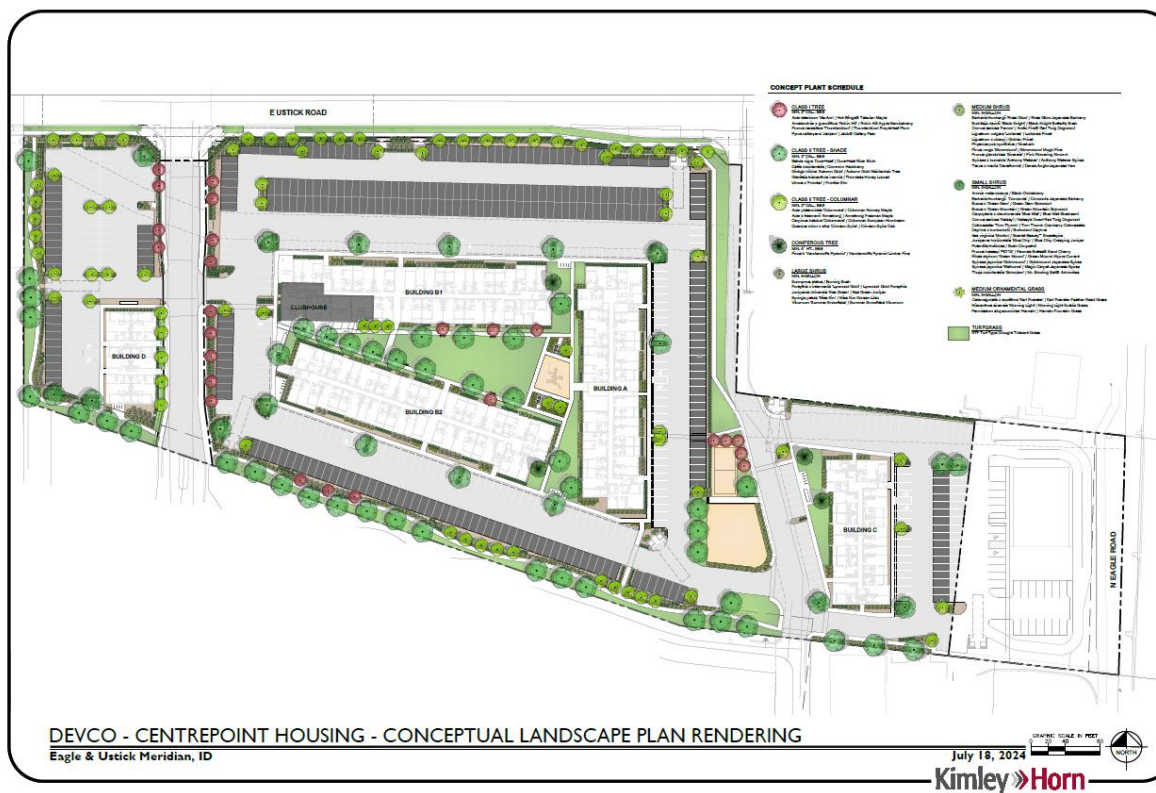
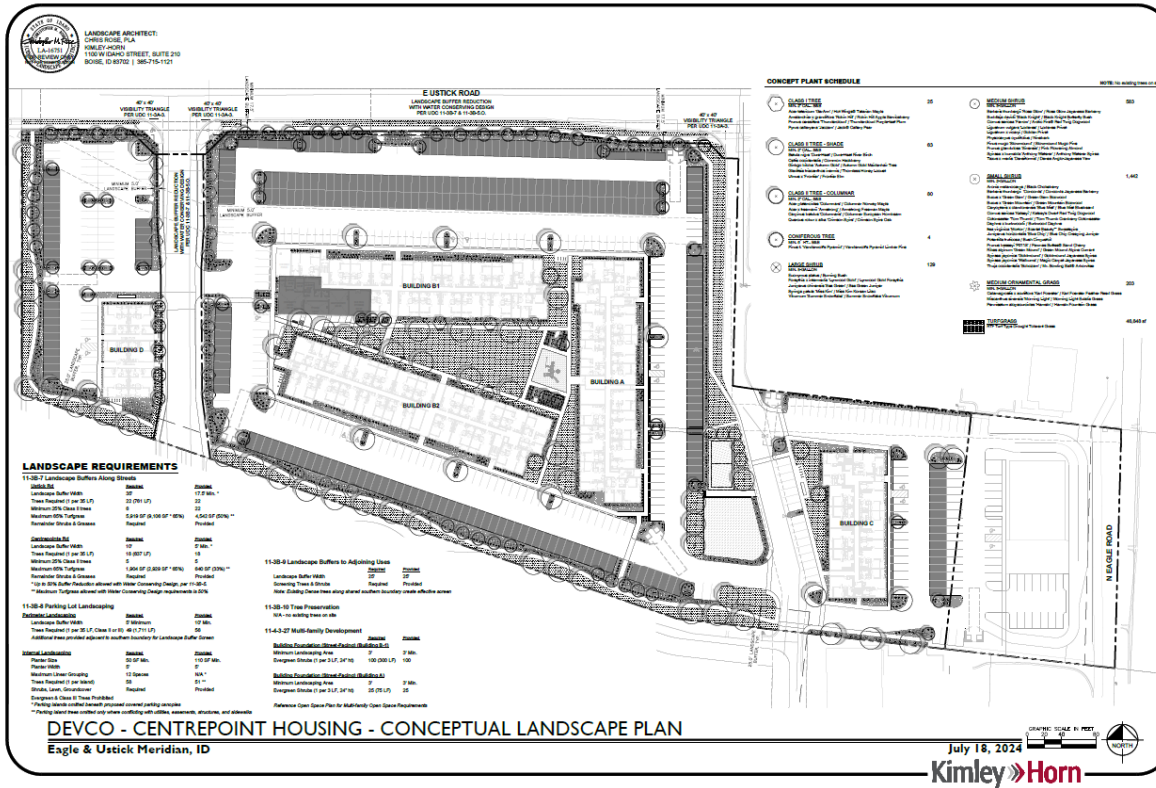


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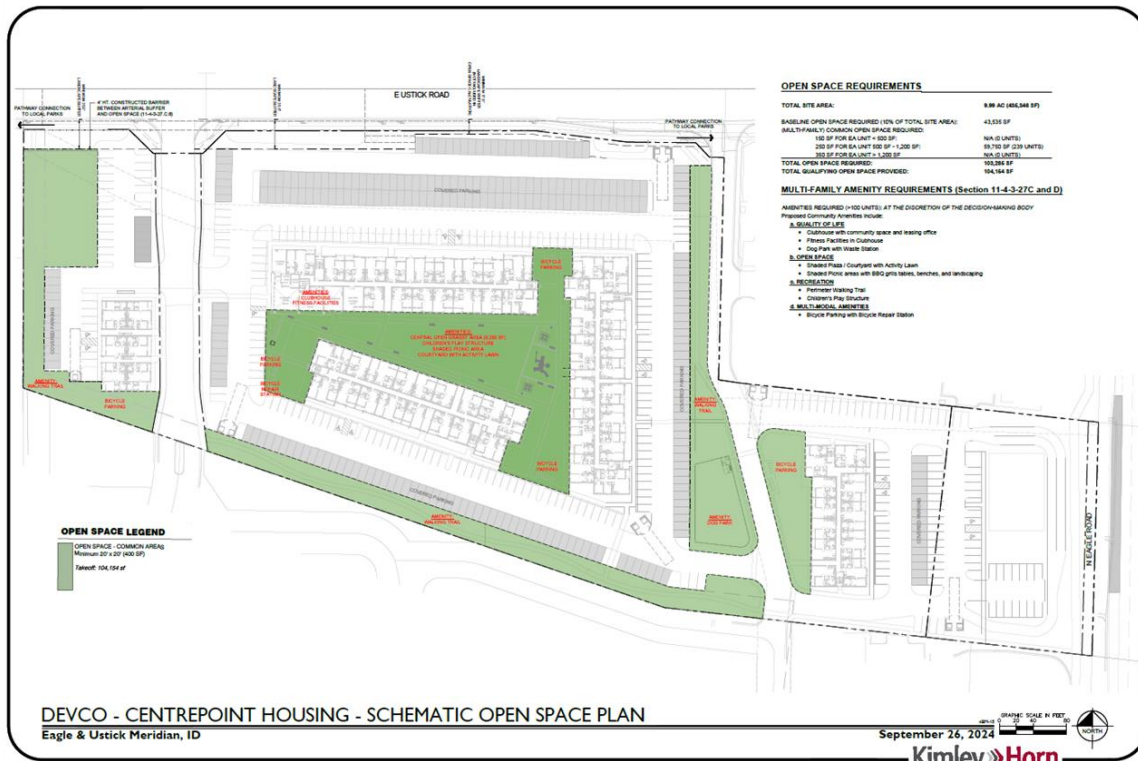
E. Landscape Plan (date: 9/26/2024)



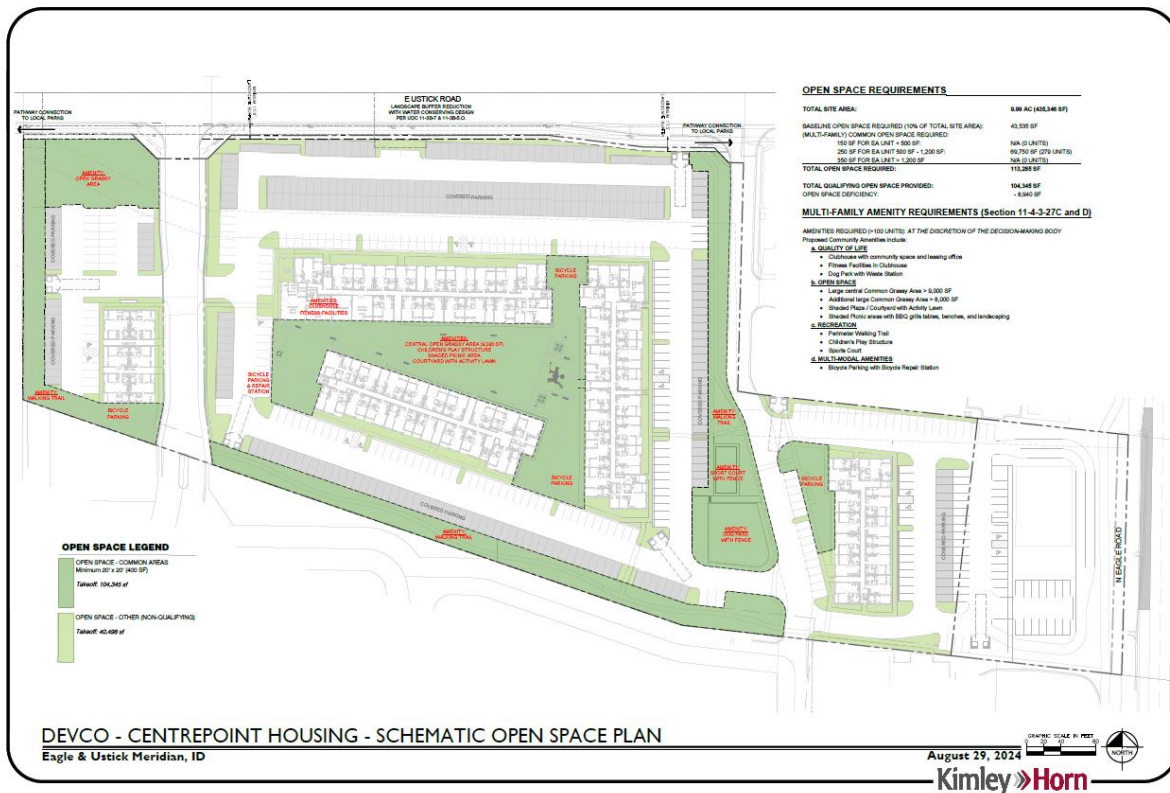
Landscape Plan (date: 7/18/2024)



F. Qualified Open Space Exhibit (date: 9/26/2024)



Qualified Open Space Exhibit (date: 8/29/2024)



G. Building Elevations (date: 5/6/2024)

