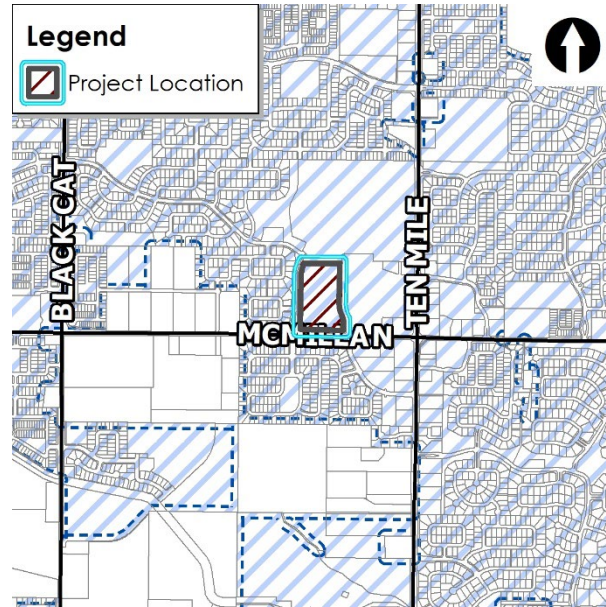




COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: 11/15/2022
 TO: Mayor & City Council
 FROM: Joseph Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0047 & CR-2022-0006
 Bridgetower Multi-family CUP
 LOCATION: The site is located at S0427438410 on the north side of W. McMillan Road between N. San Vito Way and N. Vicenza Way, near the northwest corner of N. Ten Mile Road and W. McMillan Road, in the SE 1/4 of Section 27, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Request for Conditional Use Permit (CUP) for a multi-family development consisting of 235 units on 16.61 acres of land in the R-15 zoning district, by Alpha Development Group.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	16.61 acres (R-15 zoning district)	
Future Land Use Designation	Mixed Use Community	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Multi-Family Residential	
Lots (# and type; bldg./common)	One (1) multi-family residential building lot	
Number of Residential Units (type of units)	235 multi-family units – 14 two-story buildings and one (1) 3-story building.	
Density	Gross – 14.16 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	6.78 acres (295,401 s.f.) of qualified open space proposed according to open space exhibit (approximately 40%).	
Amenities	At a minimum, 13 amenities are proposed – See amenity Exhibit in Section VII below.	
Neighborhood Meeting date	May 23, 2022	
History (previous approvals)	CPA-08-003 (Comp Plan Map Amendment to change property to Mixed-Use Community); H-2019-0001 (Summerwood MDA, DA Inst. # 2019-055407); A-2020-0162 (PBA); H-2020-	

EXHIBIT A

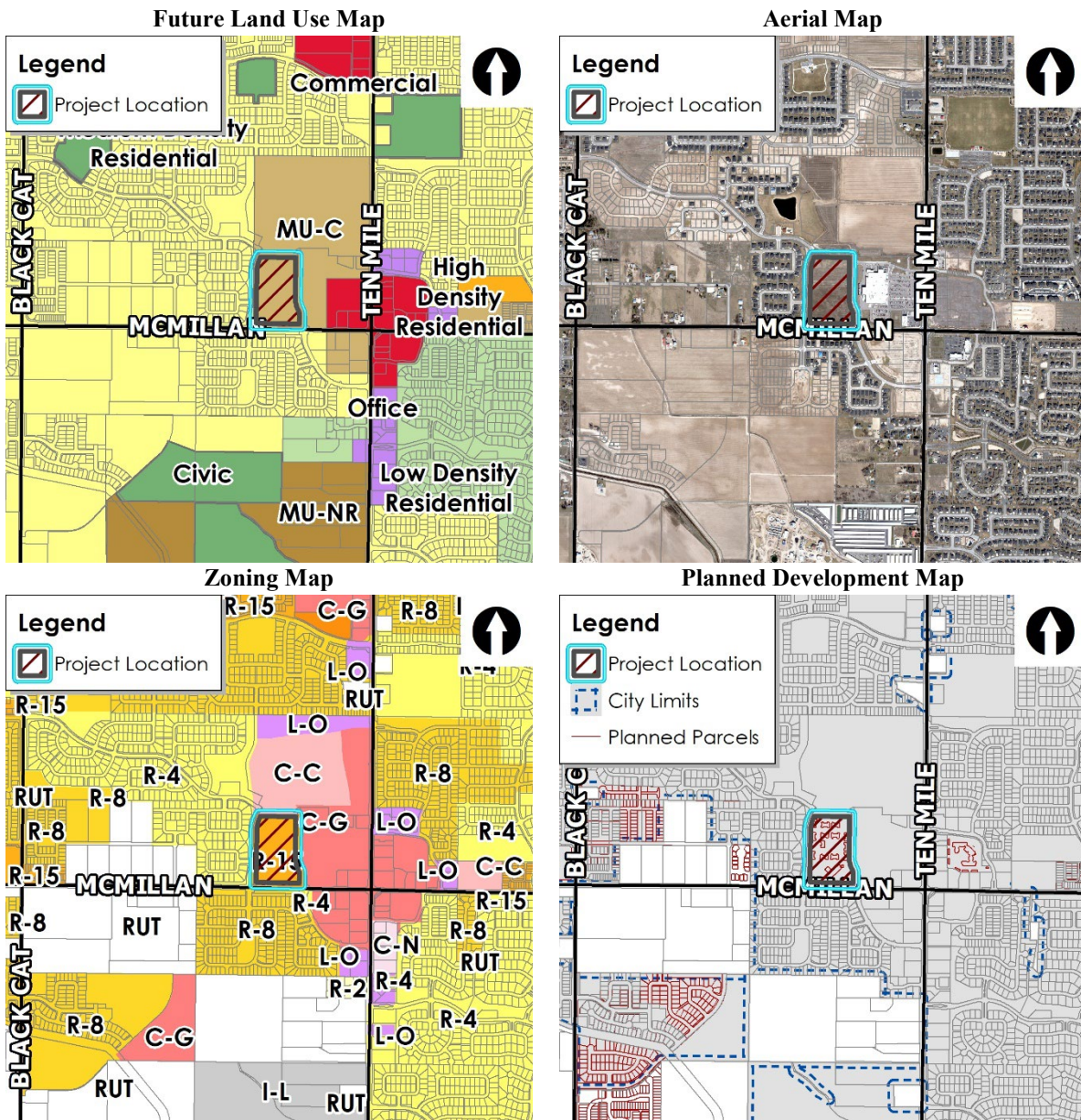
Description	Details	Page
	0108 (MDA, PP, RZ – Commission recommended denial, application was withdrawn); H-2021-0094 (MDA; Council denied MDA request).	
Public Comments	As of publication of this staff report on the morning of August 26 th , there were 24 entries of public testimony. Please see record here to review in detail. In general, the neighboring community is against the proposed multi-family project and cites additional traffic concerns, over-crowding at the local elementary school (Pleasant View), and a general desire not to have multi-family residential near their homes.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via driveway connections to existing collector roadways (San Vito Way & Vicenza Way) – two along the east boundary, and one along the west boundary.	
Stub Street/Interconnectivity/Cross Access	Interconnectivity is proposed through the site via multi-family drive aisles; no new public roads are proposed or required with this development.	
Existing Road Network	All abutting public roads are existing.	
Existing Arterial Sidewalks / Buffers	Adjacent collector and arterial roadways have existing buffers and detached sidewalks.	
Proposed Road Improvements	ACHD, per traffic study analysis, is requiring a westbound right-turn lane onto Vicenza Way on W. McMillan Road. No other road improvements are proposed or required by ACHD.	
Distance to nearest City Park (+ size)	Approximately 0.5 miles to Heroes Park to the northeast on the east side of Ten Mile Road.	
Fire Service		
<ul style="list-style-type: none"> • Distance to Fire Station • Fire Response Time 	<p>1.5 miles from Fire Station #5</p> <p>This project lies within the Meridian Fire response time goal of 5 minutes.</p>	
Wastewater		
	No issues noted.	
Water		
	No issues noted.	

EXHIBIT A

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant/Representative:

Brad Watson, Alpha Development Group – 166 E. 14000 S., Suite 110, Draper, UT 84020

B. Owners:

Brad Watson, Bridgetower R15 Owner, LLC – 166 E. 14000 S., Suite 110, Draper, UT 84020

EXHIBIT A

IV. NOTICING

	Planning & Zoning Posting Date	City Council – Council Review Posting Date
Newspaper Notification	8/17/2022	10/30/2022
Radius notification mailed to properties within 500 feet	8/11/2022	10/27/2022
Public hearing notice sign posted on site	8/10/2022	11/1/2022
Nextdoor posting	8/11/2022	10/28/2022

V. STAFF ANALYSIS

A. PROPERTY HISTORY & COMPREHENSIVE PLAN ANALYSIS:

The subject property, approximately 16.6 acres, is part of a larger Mixed-Use Community (MU-C) area that encompasses more area to the north and some area at the southwest corner of McMillan and Ten Mile—this designation calls for a mix of residential and commercial land uses that are thoughtfully integrated. In addition, the other hard corners surrounding this arterial intersection are noted as commercial and have existing or developing commercial uses.

The existing DA includes a concept plan for the overall mixed-use area from 2008 when the property received a Comprehensive Plan Map Amendment to change the property from Medium Density Residential to Mixed-Use Community. The current concept plan depicts a large-scale business park consisting of a private hospital or other large employer, large and small-scale retail, professional and personal services, restaurants, and, specific to this property, an area of residential buildings that were originally intended as assisted living facilities with supportive medical offices.

Three public streets abut the subject site on the west, south, and east boundaries that limit access to the site: San Vito Way on the west, McMillan Road (an arterial street) on the south, and Vicenza Way on the east. Vicenza and San Vito are collector streets that do not currently connect north of the site but are planned to connect north of the site and continue to the northeast and connect to Ten Mile, as shown on the Master Street Map. This project is not responsible for the extension of these roads as this property owner does not own the land to the north. In addition, Vicenza Way currently only provides access to the Wal-Mart property that has access to Ten Mile through shared drive aisles whereas San Vito Way is the main access from McMillan to the Bridgetower Subdivision and W. Gondola Drive, a collector street that connects out to N. Black Cat west of the subject site.

Because of the existing conditions and the desires of neighbors, the submitted site plan depicts two access points to Vicenza Way to the east and one access point to San Vito Way to the west. Overall, these connection points and the internal drive aisle layout shown on the site plan show adequate circulation for the site and the two south access points, one to each adjacent collector street, provide a connection between parcels that should help capture nearby vehicle trips to and from the commercial area at the northwest corner of McMillan and Ten Mile and minimize the need to access the arterial street network.

Because this mixed-use area is not yet developed and the site is already zoned for residential uses (R-15 zoning district), Staff finds the proposed development helps this area comply with some mixed-use policies when incorporated into the remaining mixed-use area and the nearby commercial uses in the adjacent commercial designation. At a minimum, Staff finds the proposed development helps meet these specific mixed-use policies:

EXHIBIT A

- Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating areas at restaurants do not count towards this requirement.
- All mixed use projects should be accessible to adjacent neighborhoods by both vehicles and pedestrians. Pedestrian circulation should be convenient and interconnect different land use types. Vehicle connectivity should not rely on arterial streets for neighborhood access.
- A mixed use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.

Based on the analysis above, Staff finds the proposed plan is generally consistent with the vision of the Comprehensive Plan for this area in regard to land use, density and transportation. Specific code analysis is below.

B. UNIFIED DEVELOPMENT CODE (UDC) ANALYSIS

Conditional Use Permit (CUP) – 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.
 - 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.
 - b. To create building and site design in multi-family development that is sensitive to and well-integrated with the surrounding neighborhood.
 - 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.

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. *Based on the submitted Site Plan, this requirement appears to be met.*
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.*
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

EXHIBIT A

yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section 11-5B-5 of this title. *The submitted elevations do not clearly depict compliance with this standard but do show patios and decks for each unit. In addition, floor plans were submitted as an additional means of verification and Staff finds the proposed units do comply with this standard. Staff will verify compliance with this requirement with the future Certificate of Zoning Compliance (CZC) application; the Applicant is required to comply with this requirement or obtain Alternative Compliance.*

4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *None of these areas were used towards the common open space calculation.*
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.*
6. The parking shall meet the requirements set forth in chapter 3, "regulations applying to all districts", of this title. *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 provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development.

The Applicant is proposing more than 20 units (235 units) so the Applicant is required to provide the items above in compliance with this standard. The submitted Site Plan does not depict a maintenance storage area but all other requirements are depicted. The Applicant should revise the site plan to show the maintenance storage area with the future CZC application.

C. Common open space design requirements.

1. The total baseline land area of all qualified common open space 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 16.6 acres. According to the submitted open space exhibit, the Applicant is proposing approximately 6.7 acres of qualified open space for the project, well in excess of code requirements. See the open space section below for more specific analysis.*
2. All common open space 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 the use of land after all other elements of the development have been designed. Open space areas that has been given priority in the development design have:
 - (1) Direct pedestrian access;

EXHIBIT A

- (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.
- 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 the proposed open space complies with these standards by providing open space that is well connected, highly visible, and promotes health and well-being by supporting a range of leisure and play activities with the proposed amenities and general design of the open space.

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 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 compliance with this standard in multiple places throughout the site.
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 less 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 submitted open space exhibit and landscape plans, Staff finds the project to be in compliance with this standard by providing approximately 6.8 acres of qualified open space which equates to approximately 40% of the property to be open space. The submitted open space exhibit depicts the qualified open space. According to the submitted plans, the three largest areas of open space are located at the southeast corner of the site, the central open space area, and along the north boundary. The

EXHIBIT A

open space in the southeast corner of the site consists of the proposed swimming pool and a large open space area with trees and micro-paths totaling approximately 1.5 acres not including the McMillan street buffer. The central open space is approximately an acre in size and includes a number of amenities and a large open field area for a number of recreational activities. The open space area along the north boundary is approximately 0.8 acres in size and includes a fenced dog park and a pathway with fitness stations.

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

Some of the open space shown to qualify is adjacent to Vicenza Way, a collector street, and McMillan Road, an arterial street. All of these areas are connected to larger open space areas so Staff finds these areas should be allowed to count through the conditional use permit 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 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.

EXHIBIT A

- (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 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 235 multi-family units proposed, a minimum of four (4) amenities, one from each category, should be provided to satisfy the specific use standards and Planning and Zoning Commission is authorized to require more through this process. According to the submitted plans, 13 qualifying amenities are proposed with multiple amenities from each category exceeding this requirement. See snip below from the Applicant's amenity exhibit:

AMENITY TABLE	
AMENITY TYPE	AMENITY PROVIDED
QUALITY OF LIFE AMENITIES	CLUBHOUSE
	FITNESS FACILITY
	DOG PARK WITH WASTE STATION
	COMMERCIAL OUTDOOR KITCHEN
	FITNESS COURSE
OPEN SPACE AMENITIES	PLAZA
	PICNIC AREA WITH TABLES, BENCHES, LANDSCAPING AND SHADE
RECREATION AMENITIES	POOL
	WALKING TRAILS
	CHILDREN'S PLAY STRUCTURE
	SPORTS COURT
MULTI-MODAL AMENITIES	BIKE REPAIR STATION
	CHARGING STATIONS FOR ELECTRIC VEHICLES

EXHIBIT A

E. *Landscaping requirements.*

1. Development shall meet the minimum landscaping requirements in accord with chapter 3, "regulations applying to all districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three (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.

According to the submitted landscape plans, the Applicant is showing compliance with this standard.

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.

Applicant shall comply with this requirement and provide said document at the time of CZC submittal.

Code Analysis –

Dimensional Standards (UDC [11-2A](#)):

The proposed development is required to comply with the dimensional standards listed in UDC Table 11-2A-7 for the R-15 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 parking count.*

Access (UDC [11-3A-3](#)):

Public road access for this development is proposed via three (3) driveway connections to the adjacent collector streets to the east and west; no access is proposed or allowed to McMillan Road. ACHD has reviewed the proposed development and the submitted Traffic Impact Study (TIS) and has approved the proposed road connections and layout.

According to the submitted TIS, this development is estimated to generate an additional 1,788 vehicle trips per day and 148 trips in the PM peak hour. ACHD has stated within their staff report that McMillan is operating at a level of service "E" or better during the PM peak hour and the additional PM peak hour trips generated by this development still allows McMillan to operate at an acceptable level of service. Note that ACHD has not obtained traffic counts since 2018 for this corridor of McMillan Road. In addition, the TIS indicated that a dedicated westbound right-turn line from McMillan onto Vicenza Way is warranted under the future 2025 traffic conditions; ACHD has required this turn lane be constructed with the project per the TIS findings. ACHD has not required any additional road improvements for this project. Staff agrees that this turn lane is necessary but has concerns with the timing of this improvement as the additional right-of-way required to construct it will require land that this owner does not own; the turn lane would need to take land currently owned by Wal-Mart.

Despite Staff's general support of the project, it is well documented that McMillan Road is a constrained corridor due to the large irrigation facility and power poles along its southern edge. McMillan is planned in the CIP to be reconstructed as a 3-lane (two lanes in each direction plus

EXHIBIT A

a center turn lane) arterial in the 2031-2035 time range. Even at this full-build out in approximately 10 years, any additional traffic added to this corridor of McMillan is concerning for both vehicular and pedestrian safety. Because the City does not own and operate our public roads, Staff cannot require additional improvements to the adjacent public streets. Furthermore, this property owner does not own the property to the north that will extend the collector streets northeast to Ten Mile which will create additional options to traversing this area.

In order to help the flow of traffic in this area and further minimize trips along McMillan, Staff recommends adding an additional connection to San Vito Way in the northwest corner of the property. This connection was discussed and proposed with previous applications and Staff fully supports its inclusion as it will allow for cross-access between this multi-family site and the commercially zoned property directly to the north. Further, this cross-access will assist this property and the property to the north to better comply with the mixed-use policies and vision within the Comprehensive Plan, reduce the number of access points to this collector street by having a shared access, and it will offer pedestrian connectivity to the future commercial that is required by City code. This Applicant does not own the property to the north where this connection should occur at the Gondola and San Vito intersection so this Applicant must work with that adjacent property owner to get permission to construct this additional access OR, at a minimum, stub a connection to the shared boundary so the City can require its extension when the commercial property develops in the future. See snip below for the example from previous applications:



Road Improvements:

In accord with the submitted TIS, ACHD is requiring the Applicant construct a dedicated westbound right-turn lane from McMillan Road onto Vicenza Way. When the commercially zoned area north of this property develops in the future, additional road improvements along McMillan may be required for that developer. However, at this time, no other improvements are required by ACHD for the McMillan Road corridor adjacent to this development. See the ACHD staff report in Section VIII.C.

Off-street Parking ([UDC 11-3C-6](#)):

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 235 units consisting of 26 studios, 131 1-bedroom units, 52 2-bedroom units, and 26 3-bedroom units.

Based on the total number of units proposed and the bedroom count distribution, a minimum of 403 parking spaces, with a minimum of 209 of these spaces to be covered in a garage or by a carport. According to the submitted site plan, the Applicant is proposing 462 spaces with 235 of these spaces to be covered by a carport or located within a garage. The proposed parking

EXHIBIT A

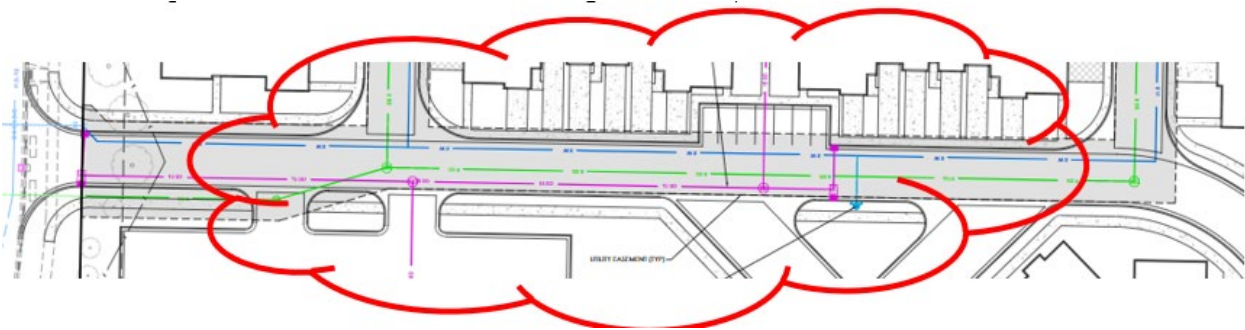
exceeds minimum code requirements by 59 spaces. Based on the site design and building distribution, Staff supports the proposed parking number and locations except for the seven (7) spaces shown along the south side of the central open space between two buildings; Staff recommends dispersing these spaces to other areas of the site per the recommendations in the next section.

Sidewalks (UDC [11-3A-17](#)) and Pathways:

Detached sidewalks are existing along all three (3) adjacent public roads, San Vito, Vicenza, and McMillan. The Applicant is also proposing sidewalks and pathways throughout the development. However, it does not appear these sidewalks are at least 5 feet in width as required by code. In addition, there is also a new segment of regional multi-use pathway required along the north and east boundaries of the site that should connect to the existing detached sidewalk along McMillan Road, per the Meridian Pathways conditions of approval.

As noted above, it appears the internal sidewalks are 4 feet wide instead of 5 feet wide. Staff is recommending all of these are revised and shown as 5-foot wide with the future CZC application. In addition, the submitted plans depict the required multi-use pathway along the east boundary but not along the north boundary nor shows a connection to the existing detached sidewalk along McMillan, as required by Parks. The Applicant should revise all plans to show this 5-foot sidewalk as 10-foot and add a connection to the McMillan sidewalk with the future CZC application.

The drive aisle near the south end of the site connecting San Vito Way to Vicenza Way separates the townhome style product from the 3-story internally accessed apartment building. Staff has noted to the Applicant that some form of traffic calming should occur along this drive aisle to help with pedestrian safety; as currently proposed, Staff believe this drive aisle to be an unsafe area for residents to cross to access the amenities and open space located in the center of the development or the arterial sidewalk along McMillan.



For this reason, Staff is recommending revisions to this area of the site plan to help make this area safer:

- 1. Rotate the two center buildings that take access from this drive aisle 90 degrees to have their driveway accesses to the east and west instead;*
- 2. Relocate the 7 off-street parking stalls in this area to remove back-out parking altogether;*
- 3. Show at least two bulb-outs on this drive aisle to help choke this drive aisle for traffic calming with one of them being located where the north-south pedestrian facility is shown from the center of the site to the stacked building;
 - a. Make this crossing with different material per UDC 11-3A-19B.4 (i.e. brick, pavers, stamped/colored concrete) and with a table-top speed bump consistent with Fire department standards.**

EXHIBIT A

4. *Staff would prefer the west north-south drive aisle align with one of the drive aisle entrances for the parking lot in the southwest corner of the property.*

Staff finds that with these revisions to the site plan, overall vehicular and pedestrian safety will be increased for this development.

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

Because there are three existing and completed public roadways adjacent to the site, the required landscape buffers along each road are already constructed. Any development of the subject site must protect and maintain these buffers. 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.

According to the submitted landscape plans, all required landscaping appears to be shown except for additional trees along the multi-use pathway segment that should be along the north boundary (required to be shown on future plans). The Applicant should add the required trees adjacent to this pathway along the north boundary when the plans are revised to include this additional pathway segment.

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 new fencing is shown in the legend of the landscape plans but new fencing is depicted near the northeast corner of the site for the proposed dog park. The Applicant should correct the plans to depict the type of fencing proposed for the dog park area and to ensure compliance with UDC 11-3A-7. Any existing fencing is noted to be protected and remain on the site.

Storm Drainage (UDC [11-3A-18](#)):

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth 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.

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

The Applicant has submitted for Administrative Design Review approval with the subject CUP application; an application for Certificate of Zoning Compliance will be required to be submitted for this entire development prior to building permit submittal.

Staff has analyzed the submitted building elevations against the Architectural Standards Manual and finds the submitted elevations to be generally compliant. Staff is recommending specific revisions to be submitted with the future CZC application showing compliance with the following standards:

1. *R1.2A, 3.2D, & 5.2A – add additional color combinations or materials;*
2. *R3.4A – extend the roof overhangs or apply for a Design Standard Exception;*
3. *R5.2D – Comply; add qualifying masonry material along the base of the multi-plex buildings;*

EXHIBIT A

VI. DECISION

A. Staff:

Staff recommends approval of the of the requested Conditional Use Permit per the conditions of approval included in Section VIII in accord with the Findings in Section IX.

B. The Meridian City Council heard these items on November 15, 2022. At the public hearing, the Council moved to approve the subject Conditional Use Permit request.

1. Summary of the City Council public hearing:

a. In favor: Dustin Holt, Applicant; Geoffrey Wardle, Applicant Legal Representative

b. In opposition: None

c. Commenting: A number of residents provided public testimony, many of which, if not all, provided written testimony prior to the public hearing – review public record for specific comments.

d. Written testimony: 66 entries of public testimony – see public record [here](#).

e. Staff presenting application: Joseph Dodson, Current Associate Planner

f. Other Staff commenting on application: Bill Nary, City Attorney; Joe Bongiorno, Deputy Fire Marshal.

2. Key issue(s) of public testimony:

a. Inadequate safety measures for access to Pleasant View Elementary across McMillan and along Gondola;

b. Overall school capacities in north Meridian;

c. Public safety issues associated with McMillan road and its constrained nature;

d. Desire for project to be denied due to traffic increase and because project is apartments versus single-family;

3. Key issue(s) of discussion by City Council:

a. School capacity in north Meridian but specifically at the nearby Pleasant View Elementary School;

b. Potential pedestrian crossing across McMillan at San Vito intersection for added pedestrian safety to and from the school and Bridgetower amenities;

c. ACHD traffic counts versus TIS traffic counts versus updated counts within the pedestrian study;

d. Traffic concerns along McMillan Road due to constrained nature of roadway and timeline of future mitigation or relief from other transportation projects aimed to alleviate the stress along McMillan (i.e. other road widenings, SH 16 extension, and disconnection of McMillan from McDermott);

e. Timeline of nearby road improvements, including McMillan widening to 3 lanes and future extension of San Vito Way to the northeast to connect to Ten Mile Road;

f. Process in front of Council due to previous entitlement of the property being annexed and zoned already and the narrow breadth of review for Council on this application;

4. City Council change(s) to Commission recommendation:

a. Add condition regarding proposed pedestrian crossing across McMillan at the San Vito Way intersection, per ACHD;

b. Add/revise condition regarding proposed access to San Vito Way by adding access to the northwest and making southwest access emergency only.

EXHIBIT A

VII. EXHIBITS

A. Site Plan (NOT APPROVED)

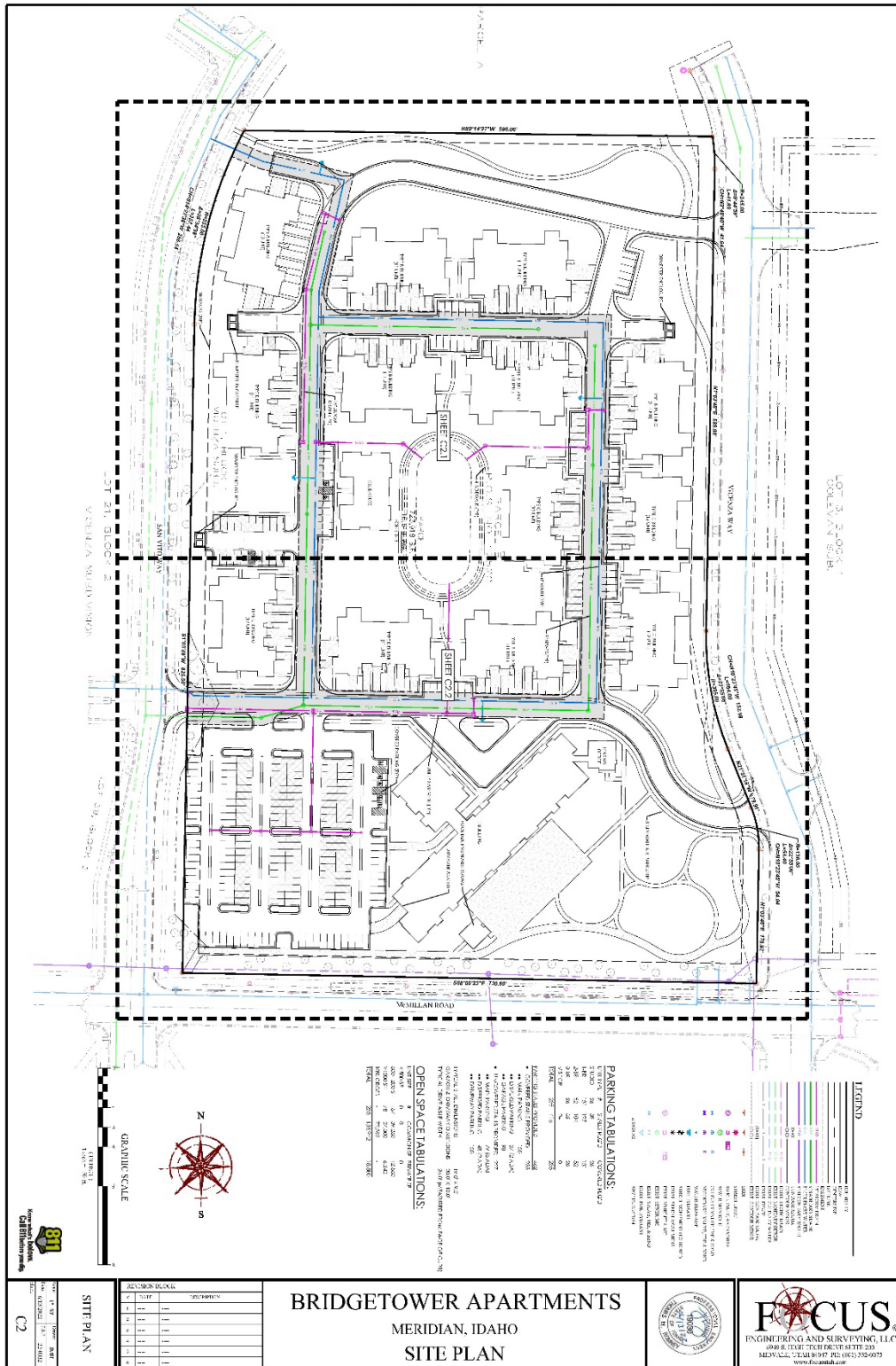


EXHIBIT A

B. Landscape Plan

TREE PROTECTION NOTES:

1. ALL TREES TO BE REMOVED SHALL BE RECORDED AND A PERMIT OBTAINED FOR REMOVAL PRIOR TO CONSTRUCTION.
2. ALL TREES TO BE REMOVED SHALL BE RECORDED AND A PERMIT OBTAINED FOR REMOVAL PRIOR TO CONSTRUCTION.
3. ALL TREES TO BE REMOVED SHALL BE RECORDED AND A PERMIT OBTAINED FOR REMOVAL PRIOR TO CONSTRUCTION.
4. ALL TREES TO BE REMOVED SHALL BE RECORDED AND A PERMIT OBTAINED FOR REMOVAL PRIOR TO CONSTRUCTION.
5. ALL TREES TO BE REMOVED SHALL BE RECORDED AND A PERMIT OBTAINED FOR REMOVAL PRIOR TO CONSTRUCTION.

TREE MITIGATION CALCULATIONS:

NET MITIGATION: 100% (100% TREES TO BE REMOVED)

LANDSCAPE NOTES:

1. ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE'S LANDSCAPE DESIGN AND INSTALLATION MANUAL.
2. ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE'S LANDSCAPE DESIGN AND INSTALLATION MANUAL.
3. ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE'S LANDSCAPE DESIGN AND INSTALLATION MANUAL.
4. ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SEATTLE'S LANDSCAPE DESIGN AND INSTALLATION MANUAL.

LANDSCAPE REQUIREMENTS:

REQUIREMENT	REQUIRED	PROPOSED
TREE RETENTION	100%	100%
TREE REMOVAL	0%	0%
TREE REPLACEMENT	100%	100%

LANDSCAPE PLAN - OVERALL

BRIDGETOWER APARTMENTS
MERIDIAN, IL
SCALE: 1/4" = 1'-0"

STATE SOCIETY OF LANDSCAPE ARCHITECTS
LANDSCAPE ARCHITECTS
1011 12TH AVENUE S.W.
SEATTLE, WA 98144
PHONE: (206) 462-7500
FAX: (206) 462-7501
WWW.STASOCIETY.COM

DATE: 10/1/2014
PROJECT: BRIDGETOWER APARTMENTS
SCALE: 1/4" = 1'-0"

EXHIBIT A

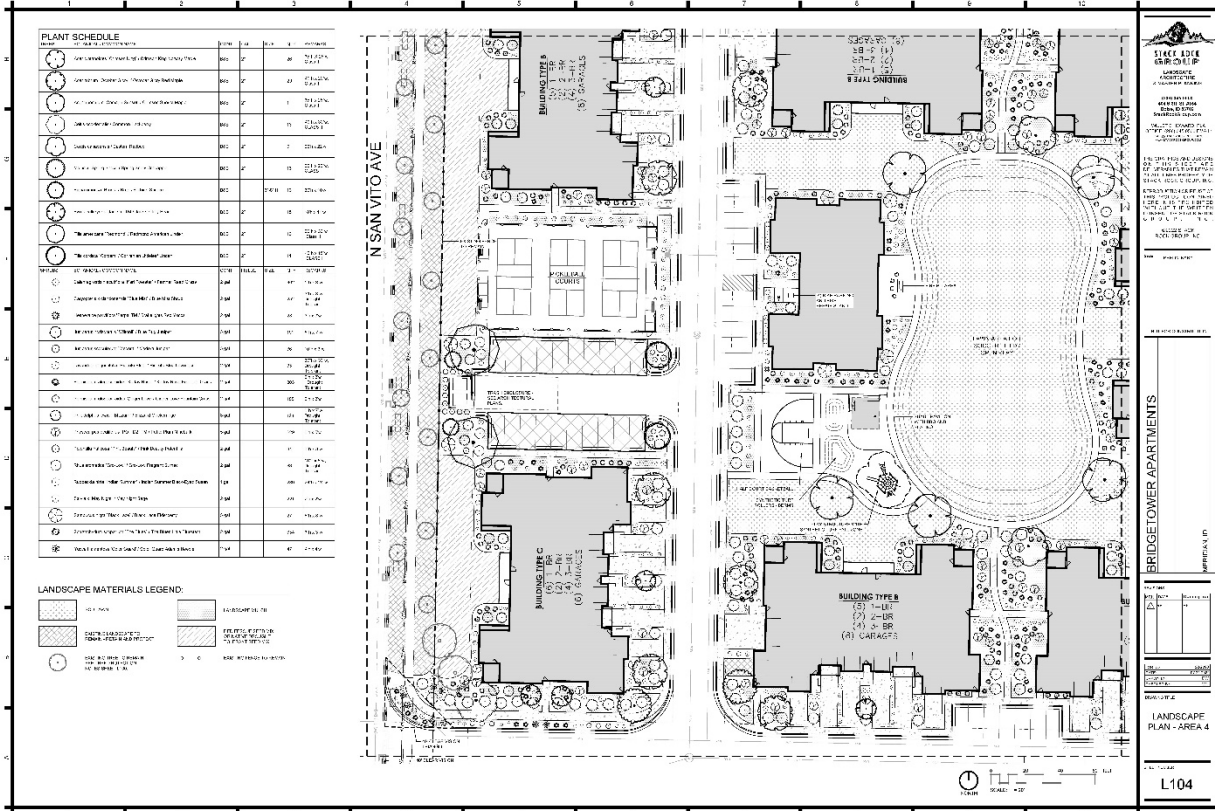
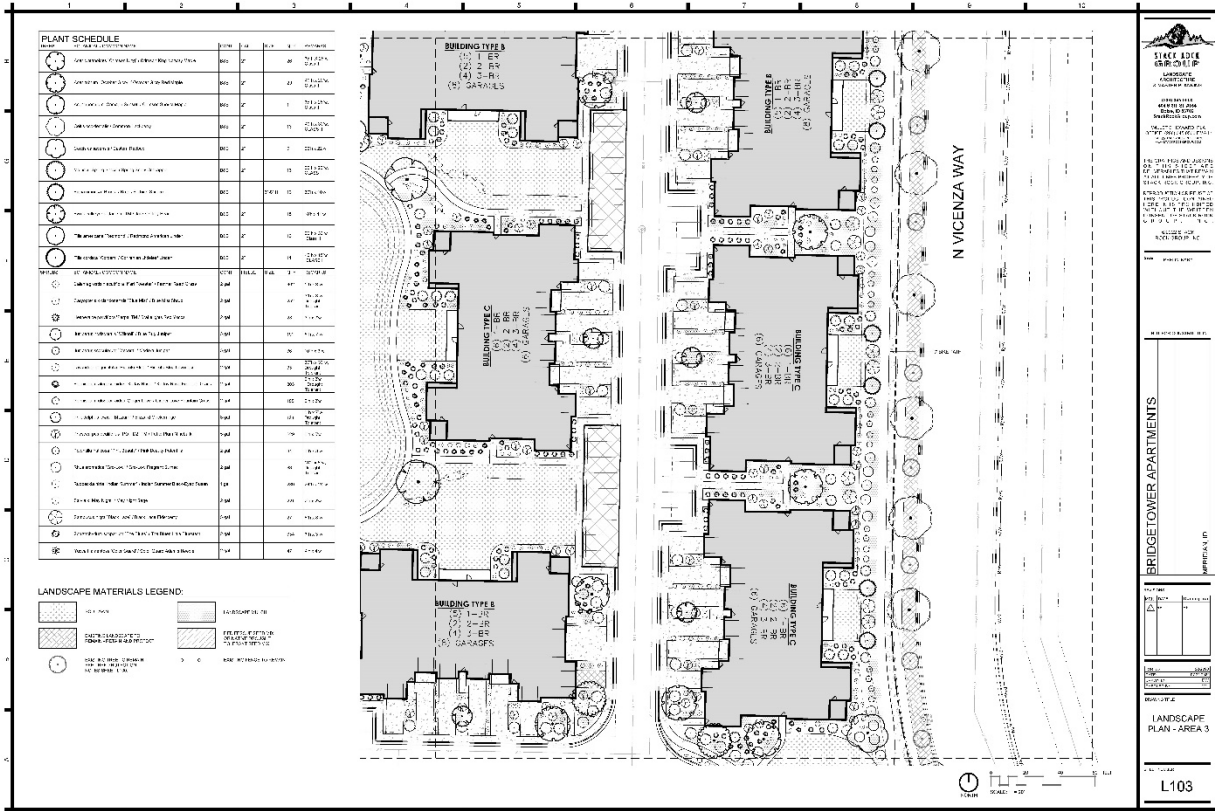


EXHIBIT A

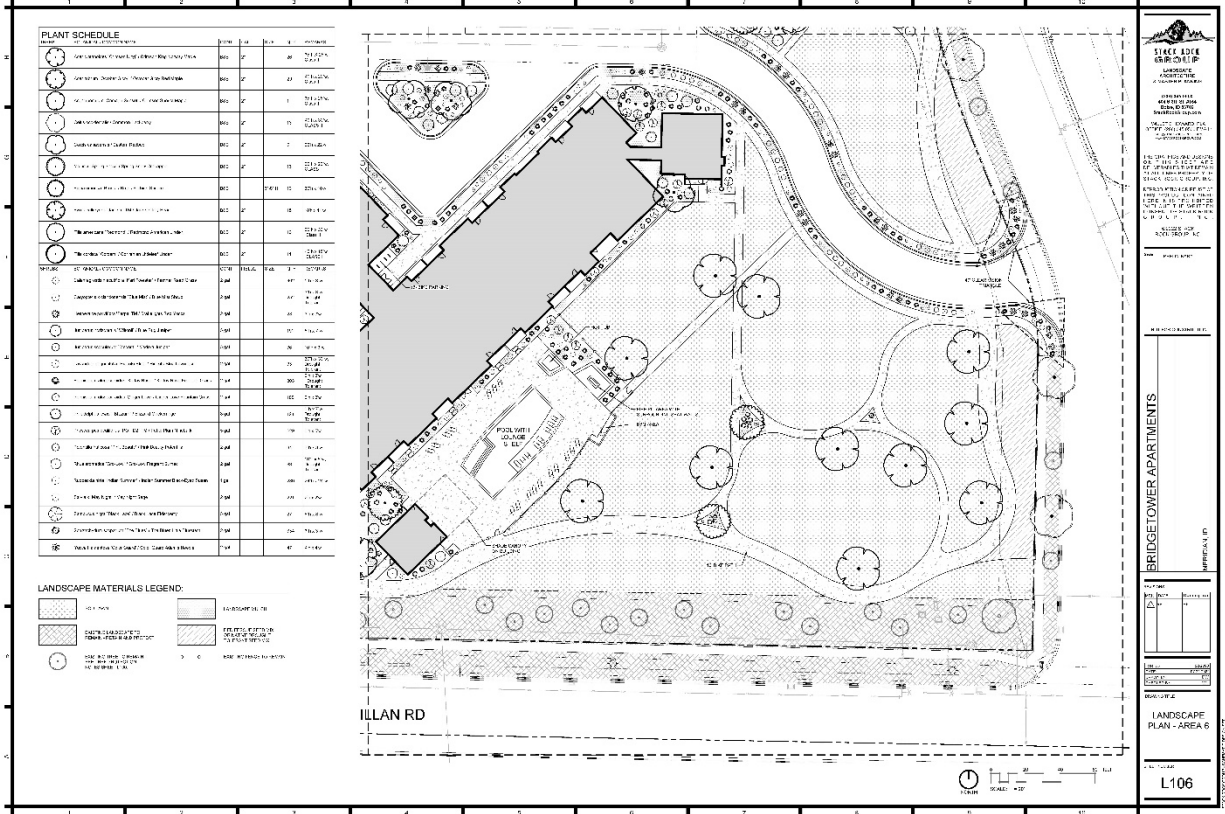
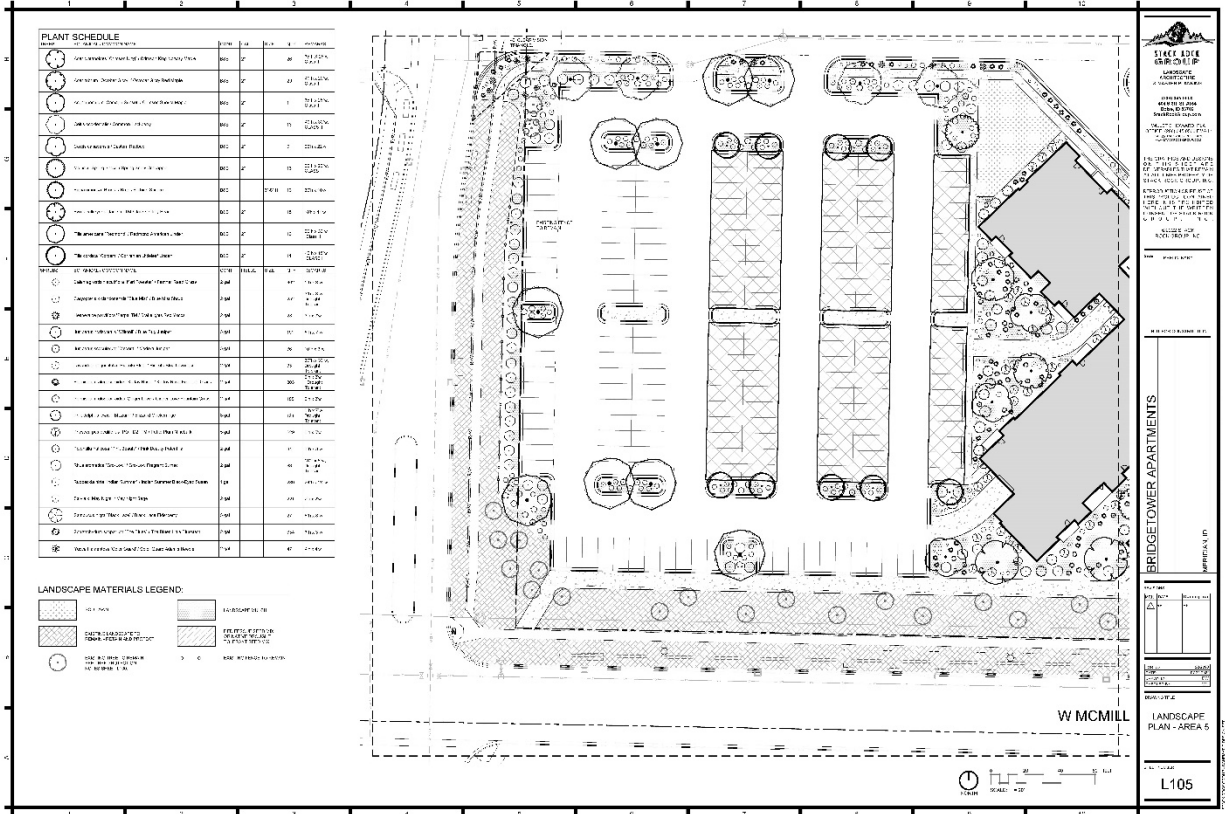
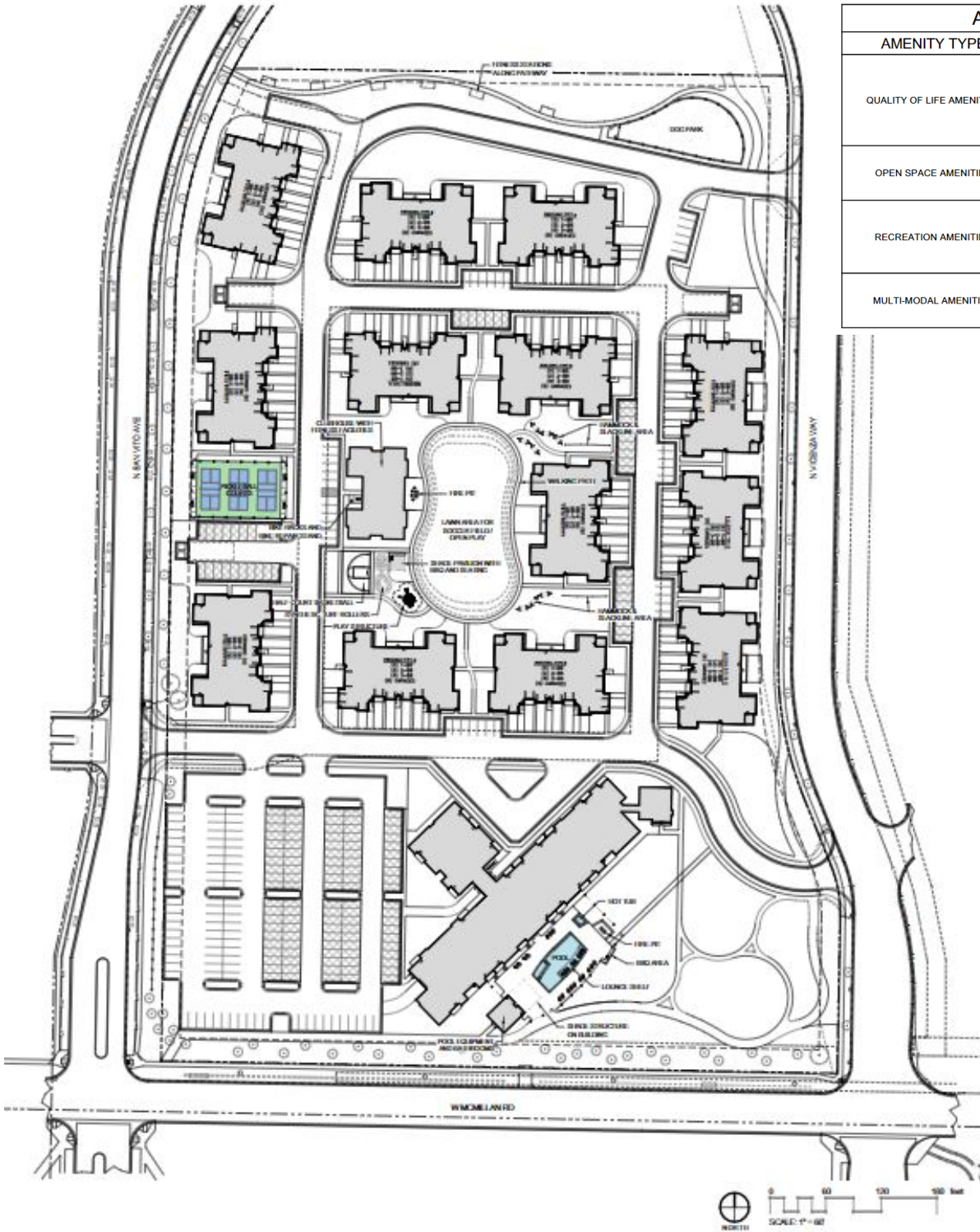


EXHIBIT A



AMENITY TABLE	
AMENITY TYPE	AMENITY PROVIDED
QUALITY OF LIFE AMENITIES	CLUBHOUSE
	FITNESS FACILITY
	DOG PARK WITH WASTE STATION
	COMMERCIAL OUTDOOR KITCHEN
OPEN SPACE AMENITIES	FITNESS COURSE
	PLAZA
RECREATION AMENITIES	PICNIC AREA WITH TABLES, BENCHES, LANDSCAPING AND SHADE
	POOL
	WALKING TRAILS
MULTI-MODAL AMENITIES	CHILDREN'S PLAY STRUCTURE
	SPORTS COURT
	BIKE REPAIR STATION
	CHARGING STATIONS FOR ELECTRIC VEHICLES

EXHIBIT A

D. Building Elevations

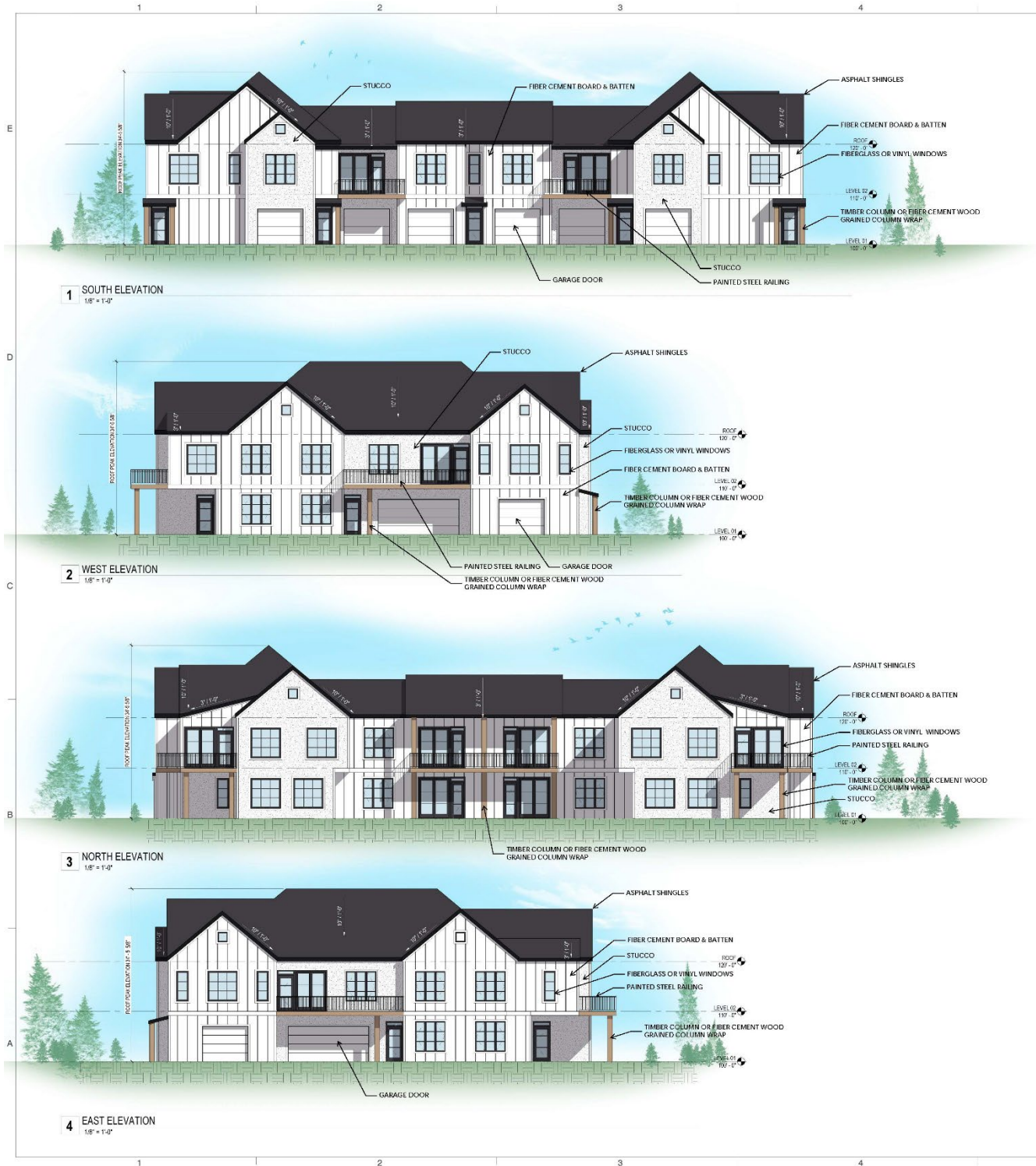


EXHIBIT A



EXHIBIT A

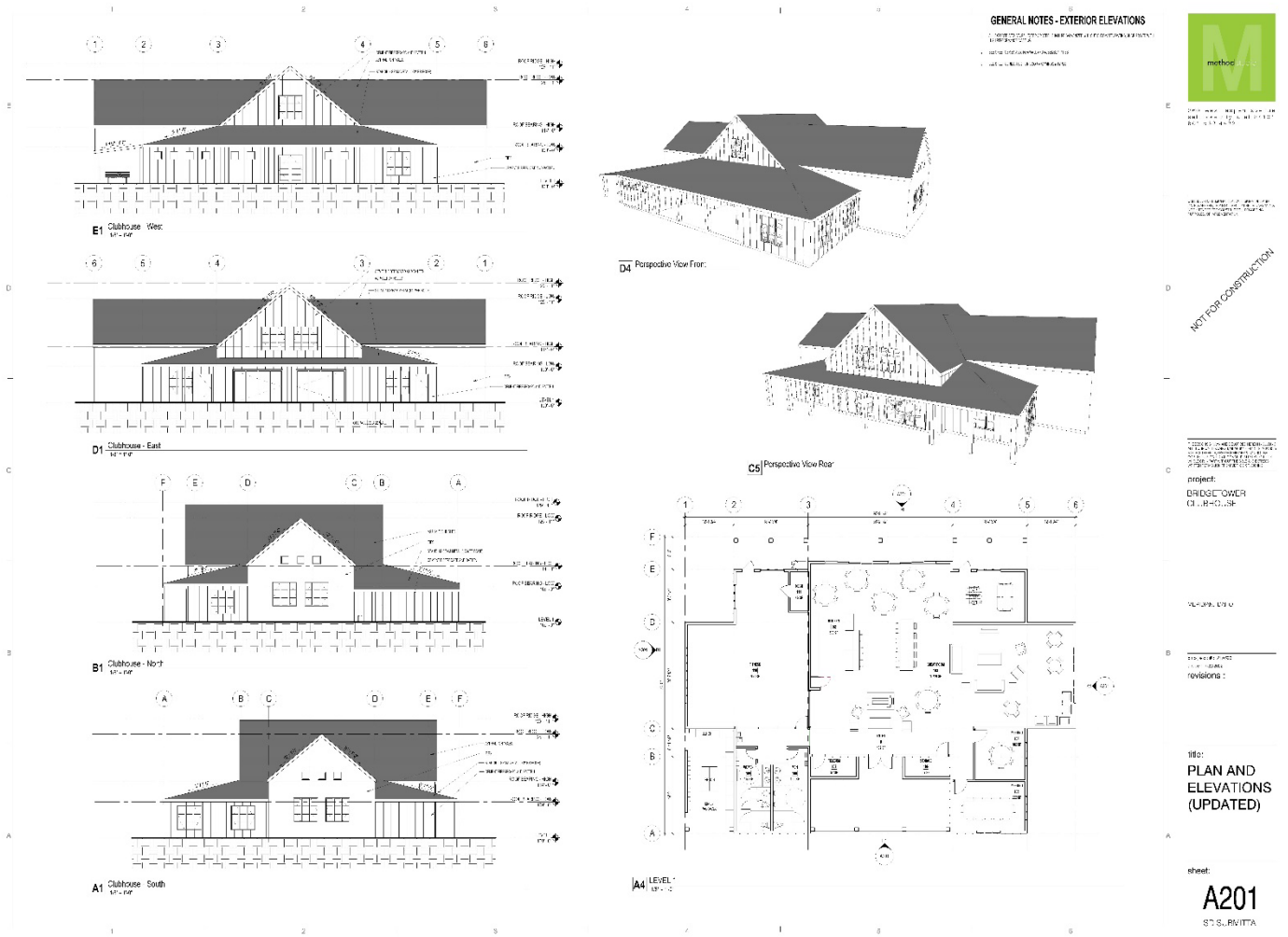


EXHIBIT A

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit:

1. **Future development of the site shall be substantially compliant with the approved site plan, landscape plan, open space exhibit, amenity exhibit, and building elevations attached in Section VII of this report and shall comply with all previous conditions of approval associated with the site and the, including but not limited to: CPA-08-003 (Comp Plan Map Amendment to change property to Mixed-Use Community); H-2019-0001 (Summerwood MDA, DA Inst. # 2019-055407); A-2020-0162 (PBA).**
2. With the future CZC application, the site plan included in Section VII.A, shall be revised as follows:
 - a. Show all sidewalks as a minimum 5 feet wide except for those required to be multi-use pathways;
 - b. Depict a 10-foot wide multi-use pathway along the north and east boundaries that connect to the San Vito and Gondola intersection and to the existing arterial sidewalk along McMillan road near the southeast corner of the site; the sidewalk along the south boundary currently shown as 10 feet may be reduced to 5 feet per this condition.
 - c. Show any pedestrian facility that crosses a drive aisle to be constructed in accord with UDC 11-3A-19B.4 (i.e. brick, pavers, stamped/colored concrete).
 - d. Show the required maintenance storage area per the specific use standards (UDC 11-4-3-27).
 - e. Rotate the two south-center buildings that take access from the southern drive aisle 90 degrees to have their driveway accesses to the east and west instead.
 - f. Relocate the 7 off-street parking stalls along the southern drive aisle to remove back-out parking in this area.
 - g. Show at least two bulb-outs on the south east-west drive aisle to help choke down this drive aisle for traffic calming with one of them being located where the north-south pedestrian facility is shown from the central open space area to the stacked "T" building.
 - h. Realign the west north-south drive aisle with one of the drive aisle entrances for the parking lot in the southwest corner of the property.
 - i. Consistent with ACHD standards and future plan approval, the Applicant shall construct a Pedestrian Hybrid Beacon (PHB) crossing across McMillan Road at the San Vito and McMillan intersection prior to release of the first certificate of occupancy.
 - j. Add an additional driveway connection to N. San Vito Way in alignment with W. Gondola Drive across the southwest corner of the adjacent property (S0427417210) to the north and extend the sidewalk to this intersection in accord with UDC 11-3A-3 and UDC 11-3B-9C.3. ~~If this connection cannot be constructed at this time, Applicant may stub driveway connection to shared property line and provide a cross access ingress/egress easement at its location for future connectivity.~~
 - k. Depict existing access to San Vito Way in the southwest quadrant of the project to be an emergency-only access; obtain Meridian Fire Department approval for this access.

EXHIBIT A

3. With the future CZC application, the landscape plan included in Section VII.B shall be revised as follows:
 - a. Revise the plans to reflect Staff's recommended changes above.
 - b. Add any proposed fencing to the Landscape Plan legend (i.e. fencing proposed for the fenced dog park).
 - c. Depict the required street buffers along San Vito Way, Vicenza Way, and McMillan Road regardless of ownership status to ensure compliance with UDC dimensional standards in UDC Table 11-2A-7 and to be landscaped per UDC 11-3B-7.
 - d. Add the required trees adjacent to the new multi-use pathway segment along the north boundary per UDC 11-3B-12.
4. With the future CZC application, revise the multi-plex elevations to reflect compliance with the required Architectural Standards per the analysis in the Building Elevations section above in Section V:
 - a. Add additional color combinations and materials to comply with R1.2A, 3.2D, & 5.2A;
 - b. Extend the roof overhangs or apply for a Design Standard Exception to comply with R3.4A;
 - c. Add qualifying masonry material along the base of the multi-plex buildings to comply with R5.2D.
5. The Applicant shall submit a revised open space exhibit with the future CZC application that reflects the most up to date site plan, landscape plan, and any staff recommended revisions for the development.
6. The Applicant shall comply with all specific use standards for the proposed use of Multi-family Residential Development (UDC 11-4-3-27).
7. The Applicant shall obtain Certificate of Zoning Compliance (CZC) approval for any building within this development prior to submittal for any building permits for the.
8. 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.
9. Prior to building permit submittal, a 14-foot wide public pedestrian easement for the multi-use pathway segments shall be submitted to the Planning Division for approval by City Council and subsequent recordation.
10. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district.
11. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
12. The Applicant shall comply with all ACHD conditions of approval.
13. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.

EXHIBIT A

14. 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 set forth in UDC 11-3B-14.
14. The conditional use 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 set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Two water main valves required on tee at northern most connection to existing water main on N. San Vito Way.
2. A 20' water easement is needed up to fire hydrants and water meters and extending 10' beyond or the maximum distance available.
3. On Sheet C2.1 there is storm drain infrastructure overtop of the waterline. This needs to be relocated. (See comment on sheet C2.1)
4. 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. Adjust easements accordingly.
5. Ensure no sewer services pass through infiltration trenches.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point

EXHIBIT A

- connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
 6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
 7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
 8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
 9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
 10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
 11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
 12. 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.
 13. 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.
 14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 15. Developer shall coordinate mailbox locations with the Meridian Post Office.
 16. 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.
 17. 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.
 18. 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.
 19. 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.
 20. 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

EXHIBIT A

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.

21. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=229161&dbid=0&repo=MeridianCity>

D. MERIDIAN PATHWAYS COORDINATOR

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=268829&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=268838&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=270086&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit Findings ([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.**

City Council finds the submitted site plan shows compliance with all dimensional and development regulations in the R-15 zoning district in which it resides.

2. **That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.**

If all conditions of approval are met, City Council finds the proposed site design and use of multi-family residential is harmonious with the comprehensive plan designation of Mixed-Use Community and the requirements of this title when included in the overall MU-C designation area.

EXHIBIT A

- 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.**

Despite the proposed use being different than the residential uses directly to the west, City Council finds the 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, so long as the Applicant constructs the buildings as proposed.

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

City Council finds the proposed use, if it complies with all conditions of approval imposed, 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.**

City Council finds the proposed use will be served adequately by essential public facilities and services because all services are readily available and ACHD has approved the proposed layout and traffic mitigation.

- 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.**

All public facilities and services are readily available for the subject site so City Council finds that the proposed use will not be detrimental to the economic welfare of the community or create excessive additional costs for public facilities and services.

- 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.**

Although traffic is sure to increase in the vicinity with the addition of more residential units, this area of the City is underdeveloped in that it is existing zoning within a mixed-use area planned for residential uses at higher densities than what exists to the west and south. Therefore, City Council finds the proposed use will not 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. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005).**

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