

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



**In the Matter of the Request for Conditional Use Permit for a Multi-family Development Consisting of 115 Residential Units on 3.76-Acres of Land in the C-G Zoning District, Located at 3570 N. Eagle Rd., by Pivot North Design.**

**Case No(s). H-2024-0028 Baldcypress Multi-family**

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

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of September 19, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of September 19, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of September 19, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of September 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 Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of September 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 Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of September 19, 2024, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Two (2) Year Conditional Use Permit Duration

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

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

#### E. Judicial Review

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

#### F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of September 19, 2024

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

COMMISSIONER MARIA LORCHER, CHAIRMAN VOTED\_\_\_\_\_

COMMISSIONER JARED SMITH, VICE CHAIRMAN VOTED\_\_\_\_\_

COMMISSIONER BRIAN GARRETT VOTED\_\_\_\_\_

COMMISSIONER ANDREW SEAL VOTED\_\_\_\_\_

COMMISSIONER PATRICK GRACE VOTED\_\_\_\_\_

COMMISSIONER MATTHEW SANDOVAL VOTED\_\_\_\_\_

COMMISSIONER SAM RUST VOTED\_\_\_\_\_

\_\_\_\_\_  
Maria Lorcher, Chairman

Attest:

\_\_\_\_\_  
Chris Johnson, City Clerk

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

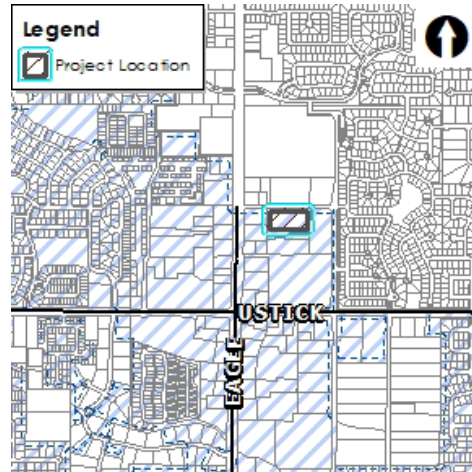
By:\_\_\_\_\_ Dated:\_\_\_\_\_  
City Clerk's Office

# EXHIBIT A

## STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: September 19, 2024  
 TO: Planning & Zoning Commission  
 FROM: Sonya Allen, Associate Planner  
 208-884-5533  
 SUBJECT: Baldecypress Multi-family CUP  
[H-2024-0028](#)  
 LOCATION: 3570 N. Eagle Rd., in the SW 1/4 of  
 Section 33, T.4N., R.1E. (Parcel:  
 #R7991140012)



### I. PROJECT DESCRIPTION

Conditional Use Permit for a multi-family development consisting of 115 residential units on 3.76-acres of land in the C-G zoning district.

### II. SUMMARY OF REPORT

#### A. Project Summary

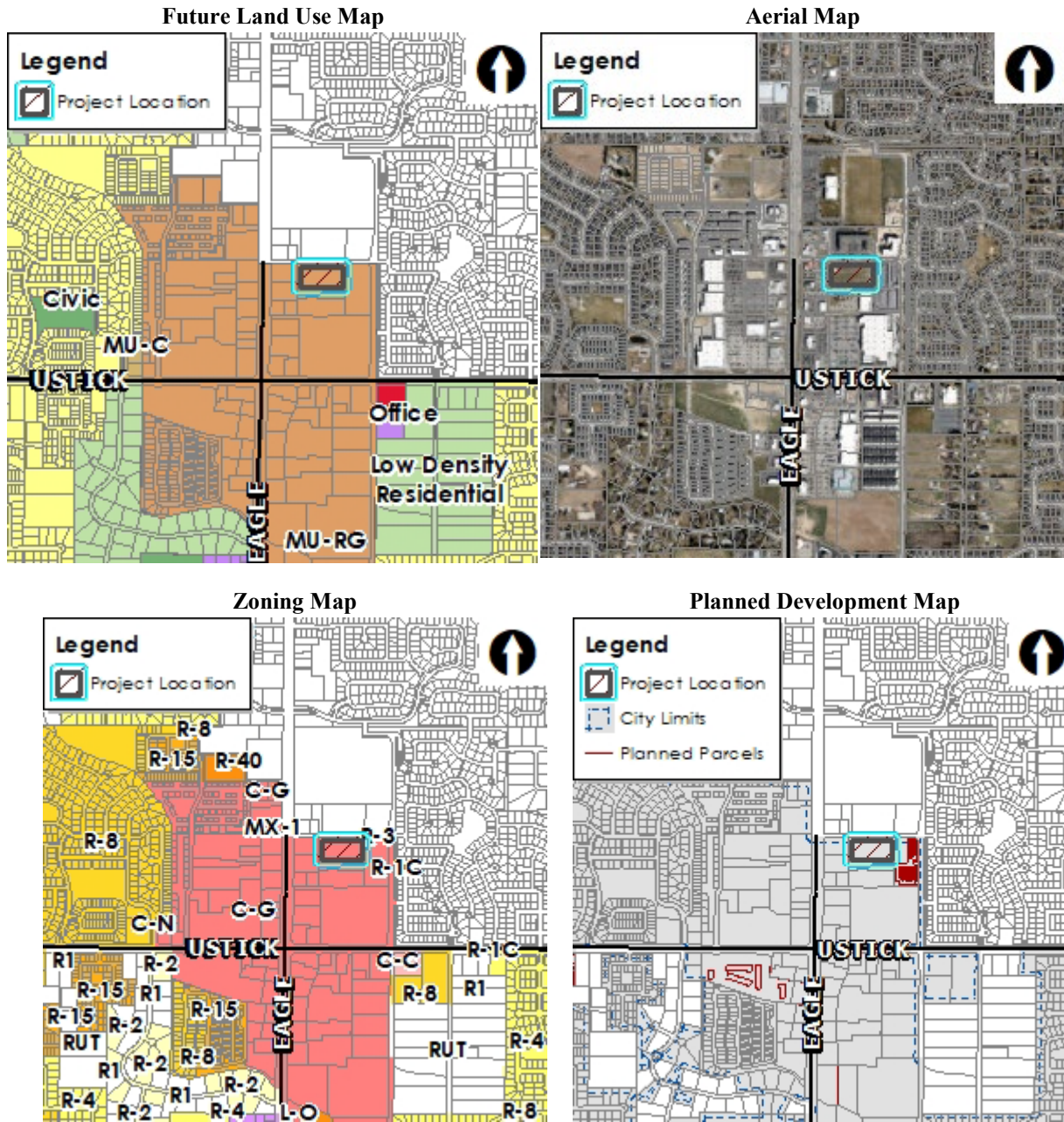
Description	Details
Acreage	3.76-acres
Future Land Use Designation	Mixed Use – Regional (MU-R)
Existing Land Use	Vacant/undeveloped land
Proposed Land Use(s)	Multi-family development
Current Zoning	General Retail and Service Commerical District (C-G)
Proposed Zoning	NA
Phasing plan (# of phases)	One (1)
Number of Residential Units (type of units)	115 apartment units
Density (gross & net)	30.58 units/acre (gross)
Open Space (acres, total [%] / buffer / qualified)	0.85-acre
Amenities	Quality of Life: A clubhouse with a swimming pool, fitness facilities, enclosed bike storage & repair station, dog park with waste station, outdoor BBQ area, enclosed storage. Open Space: Picnic area including tables, benches, landscaping and a shade structure. Recreation: Swimming pool, spa Multi-modal: Bicycle repair station
Physical Features (waterways, hazards, flood plain, hillside)	None

Neighborhood meeting date	6/12/2024
History (previous approvals)	AZ-04-009 (Market Square – DA Inst. #104107404)

B. Community Metrics

Description	Details															
Ada County Highway District																
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> </ul>	Yes															
<ul style="list-style-type: none"> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	No															
Traffic Impact Study (yes/no)	No															
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via three (3) entrances from the existing drive along the west boundary of the site, which connects to W. Baldcypress St., a commercial collector street along the north boundary of the site.															
Fire Service	No comments were submitted.															
Police Service	No comments were submitted.															
West Ada School District																
<ul style="list-style-type: none"> <li>• Capacity of Schools</li> </ul>	<table border="1"> <thead> <tr> <th></th> <th><u>Enrollment</u></th> <th><u>Capacity</u></th> </tr> </thead> <tbody> <tr> <td>Joplin Elementary School</td> <td>247</td> <td>375*</td> </tr> <tr> <td>Lowell Scott Middle School</td> <td>791</td> <td>1000</td> </tr> <tr> <td>Centennial High School</td> <td>1730</td> <td>1900</td> </tr> <tr> <td></td> <td></td> <td>*Program Capacity</td> </tr> </tbody> </table>		<u>Enrollment</u>	<u>Capacity</u>	Joplin Elementary School	247	375*	Lowell Scott Middle School	791	1000	Centennial High School	1730	1900			*Program Capacity
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Lowell Scott Middle School	791	1000														
Centennial High School	1730	1900														
		*Program Capacity														
<ul style="list-style-type: none"> <li>• Predicted # of students generated from proposed development</li> </ul>	19															

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Danielle Stehman, Pivot North Design – 116 S. 6<sup>th</sup> Street, Boise, ID 83706

B. Owner:

Ustick Marketplace Development, LLC – 412 E. Parkcenter Blvd., Boise, ID 83706

C. Representative:  
 Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	9/3/2024	
Radius notification mailed to properties within 500 feet	8/30/2024	
Public hearing notice sign posted on site	9/4/2024	
Nextdoor posting	8/27/2024	

**V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPPLAN](https://www.meridiancity.org/compplan)):**

**LAND USE:** The property is designated Mixed Use – Regional (MU-R) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). The purpose of the MU-R designation is to provide a mix of employment, retail, residential dwellings, and public uses near major arterial intersections.

The site is proposed to develop with 115 residential apartment units on 3.76-acres of land at a gross density of 30.58 units per acre, which is consistent with the density desired in MU-R designated areas of 6 to 40 units per acre.

**Transportation:** Access is proposed via three (3) entrances from the existing drive along the west boundary of the site, which connects to W. Baldcypress St., a commercial collector street along the northern boundary of the site.

**Goals, Objectives, & Action Items:** Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)  
*The proposed multi-family housing will contribute to the variety of housing types in the City, that should cater to different financial capabilities.*
- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)  
*City water and sewer services are available and can be extended by the developer with development in accord with UDC 11-3A-21. The West Ada School shows student enrollment at area schools below capacity in this area.*
- “Locate higher density housing near corridors with existing or planned transit, Downtown, and in proximity to employment centers.” (2.01.01H)  
*The site is located along the Eagle Road corridor in close proximity to employment centers along Eagle Road. Transit services are not available in this area.*
- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)



*The proposed multi-family residential development will provide housing options in close proximity to commercial uses (i.e. shopping, dining, entertainment) in the area, thus reducing vehicle trips and enhancing livability and sustainability.*

- “Slow the outward progression of the City's limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

*This property is located along the northern boundary of Area of City Impact boundary and surrounded by City annexed land to the west, east and south. The development of this property will maximize public services.*

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the area of City impact.” (6.01.03B).

*A collector street (W. Baldcypress St.) exists along the northern boundary of this site, consistent with the MSM.*

- Provide housing options close to employment and shopping centers”. (3.07.02D)

*The multi-family housing proposed in this development will provide housing options in close proximity to employment and shopping centers in the area.*

*Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan as discussed above and is consistent with the approved Development Agreement.*

## VI. STAFF ANALYSIS

### A. CONDITIONAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT

Conditional use permit (CUP) for a multi-family development containing a total of 115 residential dwelling units [(22) studio units, (61) 1-bedroom units and (32) 2-bedroom units] on 3.76-acres of land in the C-G zoning district. One (1) 4-story structure is proposed to house all of the units.

The existing development agreement states that residential uses are allowed with a CUP and that a planned development (PUD) is required. The Director determined that a CUP is all that's required; an amendment to the DDA isn't necessary to remove the requirement of a PUD. Therefore, Staff finds the proposed development is in substantial compliance with the Development Agreement (Inst. [#104107404](#)) as required.

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

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

#### **11-4-3-27: MULTI-FAMILY DEVELOPMENT:**

##### 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. Residential 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 residential building complies with the minimum setback requirement of 10-feet.*
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 site plan depicts screened trash enclosures not visible from a public street; all proposed transformer/utility vaults and other service areas shall comply with this requirement.*
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 amenity exhibit depicts 80 square foot patios or decks for each unit that complies with this standard. **Floor plans should be submitted with the Certificate of Zoning Compliance application that demonstrate compliance.***
4. For 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 in the 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 outlined in chapter 3, "regulations applying to all districts", of this title. *Based on the number of bedrooms per unit, a minimum of 189 off-street parking spaces are required, which includes 12 guest parking spaces, with 93 of those in a covered carport or garage; a minimum of eight (8) bicycle parking spaces are required.*

*Per the application narrative, a total of 190 spaces are proposed with 115 of those covered as noted with "CP" on the site plan; the number of bicycle parking spaces are not specified. There are 20 additional on-street parallel parking spaces available along the south side of Baldcypress St. along the northern boundary of the site for overflow parking. The on-site parking meets and exceeds UDC standards by one (1) space; the additional on-street spaces will provide overflow parking if needed.*

*Vehicle parking should comply with the required stall and drive aisle dimensions in UDC Table 11-3C-5; bicycle parking should comply with the standards in UDC 11-3C-5C. A bicycle rack(s) capable of holding at least eight (8) bicycles is required; a bike rack holding 8 bicycles is depicted on the site plan near the resident entry on the east end of the building. **A detail of the bicycle rack should be submitted that demonstrates compliance with the aforementioned standards.***

7. Developments with twenty (20) units or more shall provide the following:

- a. A property management office. *Located on the first floor of the building.*
- b. A maintenance storage area. *This shall be provided.*
- c. A central mailbox location, including provisions for parcel mail, that provides safe pedestrian and/or vehicular access. *Located on the first floor of the building.*
- d. A directory and map of the development at an entrance or convenient location for those entering the development. *Located at the entry to the development.*

***The site plan submitted with the Certificate of Zoning Compliance application should depict the location of these items in accord with this standard.***

- 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. *This site is below 5-acres in size; therefore, this is not required.*
  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.
    - 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 comply with these standards.*
  3. Alternative compliance is available for the standards listed in subsections (C)1 and (C)2 above, 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.
  4. 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 one (1) 5,010 s.f. common grassy area on the south side of the building and a linear open space area on the east side of the building for a dog run. **The Commission should determine if this is commensurate with the size of the proposed development or if additional area should be required.***

- 5. 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. *None of the units are below 500 square feet (s.f.) 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. *All 115 units are between 500 and 1,200 s. f.; therefore, a total of 0.66-acre (28,750 square feet) of common open space is required.*
  - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *None of the units are above 1,200 s.f. of living area.*

*A total of 37,311 square feet (or 0.86-acre) is proposed, which exceeds the minimum standards. Open space areas consist of the street buffer along Baldcypress St., a collector street, linear open space where the dog run is proposed along the east side of the building, two (2) landscaped areas along the southern boundary of the site at the east and west ends, and the open grassy area and outdoor amenity area. **In order to count the buffer along the collector street, it has to meet the enhanced buffer requirements in UDC 11-4-3-27C.9 and 11-3B-7C.3f; the landscape plan submitted with the Certificate of Zoning Compliance application should be revised to reflect compliance with these standards.***

- 6. 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. *The common open space areas depicted for the development meet this requirement.*
- 7. 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. *Not applicable*
- 8. 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.
- 9. Buffer(s): One hundred (100) percent of the landscape buffer along collector streets and fifty (50) percent of the landscape buffer along arterial streets that meet the enhanced buffer requirements below may count towards the required baseline open space.
  - a. Enhanced landscaping as set forth in Article 11-3B, Landscaping Requirements;
  - b. Multi-use pathways;
  - c. Enhanced amenities with social interaction characteristics;
  - d. Enhanced context with the surroundings.

*The common open space exhibit depicts the street buffer along W. Baldcypress St., a collector street, as part of the required open space. Therefore, the buffer shall comply with the enhanced*

***buffer requirements as noted, except for a multi-use pathway, which is not required because there is an existing sidewalk along Baldcypress.***

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.

The Applicant proposes the following amenities from each category:

Quality of Life: A clubhouse with a swimming pool, fitness facilities, enclosed bike storage & repair station, dog park with waste station, outdoor BBQ area, enclosed storage.

Open Space: Picnic area including tables, benches, landscaping and a shade structure.

Recreation: Swimming pool, spa

Multi-modal: Bicycle repair station

*Staff is of the opinion the proposed amenities are commensurate with the number of units proposed.*

E. *Landscaping requirements.*

1. Development shall meet the minimum landscaping requirements by 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.

*The landscape plan depicts landscape areas at least 3' wide and evergreen shrubs every three (3) linear feet and ground cover plants in the remainder of the landscaped area; **the species, mature size of the plantings and tree class should be included in the Landscape Legend on the plan submitted with the Certificate of Zoning Compliance application that demonstrates compliance with this standard and those in UDC 11-3B.***

- 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 prior to issuance of the Certificate of Occupancy for the development.***
- G. Police access under exigent circumstances. **Multifamily developments with units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.**

**Access:** Access is proposed via three (3) entrances from the existing drive along the west boundary of the site, which connects to W. Baldcypress St., a commercial collector street along the north boundary of the site. The Smitchger Subdivision North plat includes information on cross-access easements/ingress to

and egress from/easements for access roads for all lots within the subdivision (see note #8 for more information).

ITD has submitted comments on this application requesting a traffic memo from an engineering firm to show potential impacts to SH-55 through the developer's traffic distribution and daily trip generation numbers. The Applicant is working with ITD to fulfill this requirement.

**Landscaping (UDC 11-3B):**

A minimum 20-foot wide street buffer is required along W. Baldcypress St., a collector street, landscaped per the standards listed in UDC 11-3B-7C. There is an existing 15'+/- wide street buffer along Baldcypress with grass and trees, which are being retained. The proposed landscaping meets and exceeds the minimum standards for such.

Parking lot landscaping is required in accord with the standards listed in UDC 11-3B-8C. **Due to an existing water easement along the western portion of the southern boundary of the site, no trees can be placed in that location; an alternative compliance application should be submitted to UDC 11-3B-8C.1b.**

**Because this site is surrounded by commercial uses, Staff recommends dense landscaping is provided in perimeter buffers along the west, south and east boundaries of the parking area in accord with the standards in UDC 11-3B-9C (trees aren't allowed within the water easement but shrubs should be allowed).**

**Sidewalks/Pathways:** There is an existing 5-foot wide attached sidewalk along W. Baldcypress St., a collector street. The UDC (11-3A-17C) requires detached sidewalk to be provided along all collector streets. At the time the sidewalk was constructed, Baldcypress was classified as a local street so an attached sidewalk was allowed. For this reason and because this sidewalk is still in good condition, Staff doesn't recommend it's required to be reconstructed as a detached sidewalk.

A sidewalk connection is provided from the perimeter sidewalk along Baldcypress to each of the ground floor units and to the south side of the building to the resident entries and common areas. A pedestrian walkway is also provided from the sidewalk along the south side of the building to the southern boundary of the site in alignment with the sidewalk in front of the commercial building to the south for pedestrian interconnectivity.

**Parking:** Off-street parking is required in accord with the standards listed in UDC Table 11-3C-6 as discussed above in #B.6. **Per Fire code requirements, structures over 2-stories in height are required to have 26-foot wide drive aisles closest to the building; the plans should be revised accordingly.**

When a bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced 2' in length if 2' is added to the width of the sidewalk or landscaped area planted in groundcover, per UDC 11-3C-5B.4. Alternatively, wheel restraints may be provided to prevent vehicle overhang per UDC 11-3C-5B.3. **There is parking along the west and south sides of the building and along the southern and eastern perimeter boundaries of the site that don't have wheel restraints to prevent vehicle overhang – Staff recommends wheel restraints are provided or an additional 2' is added to the abutting sidewalk or perimeter buffer to accommodate vehicle overhang in accord with UDC standards.**

**Existing Easements:** There are existing easements that run along the northern, western and a portion of the southern boundary of the site as shown below; no structures should encroach and no trees should be planted within these easements.

**The proposed structure encroaches in the easement along the north boundary; the Applicant plans to vacate this easement (ESMT-2007-0133 Smitchger Subdivision North). The vacation application**

should be submitted and approved prior to submittal of the Certificate of Zoning Compliance application for this site.



**Fencing:** All fencing is required to comply with the standards listed in UDC 11-3A-7. A 6' tall steel panel open vision fence is proposed around the dog run on the east side of the building. The storage buildings on the abutting property to the east back up to the property line providing a wall along the east boundary of the site.

**Building Elevations** (*UDC 11-3A-19; Architectural Standards Manual; TMISAP*)

Conceptual building elevations were submitted for the proposed 4-story multi-family structure as shown in Section VIII.E. Building materials consist of plaster or EIFS and brick cladding in a mix of neutral colors and vinyl or composite windows with metal railing and canopies. **Final design is required to comply with the design standards in the Architectural Standards Manual.**

**A Certificate of Zoning Compliance and administrative Design Review application should be submitted for approval of the use and design of the proposed structure prior to submittal of the building permit application for the structure.**

## VII. DECISION

### A. Staff:

Staff recommends approval of the proposed Conditional Use Permit per the provisions included in Section IX in accord with the Findings in Section X.

### B. The Meridian Planning & Zoning Commission heard this item on 9/19/24. At the public hearing, the Commission moved to approve the subject CUP request.

#### 1. Summary of the Commission public hearing:

- a. In favor: Danielle Stehman, Pivot North Design (Applicant's Representative)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Danielle Stehman, Pivot North Design (Applicant's Representative)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

#### 2. Key issue(s) of public testimony:

- a. None

#### 3. Key issue(s) of discussion by Commission:

- a. None

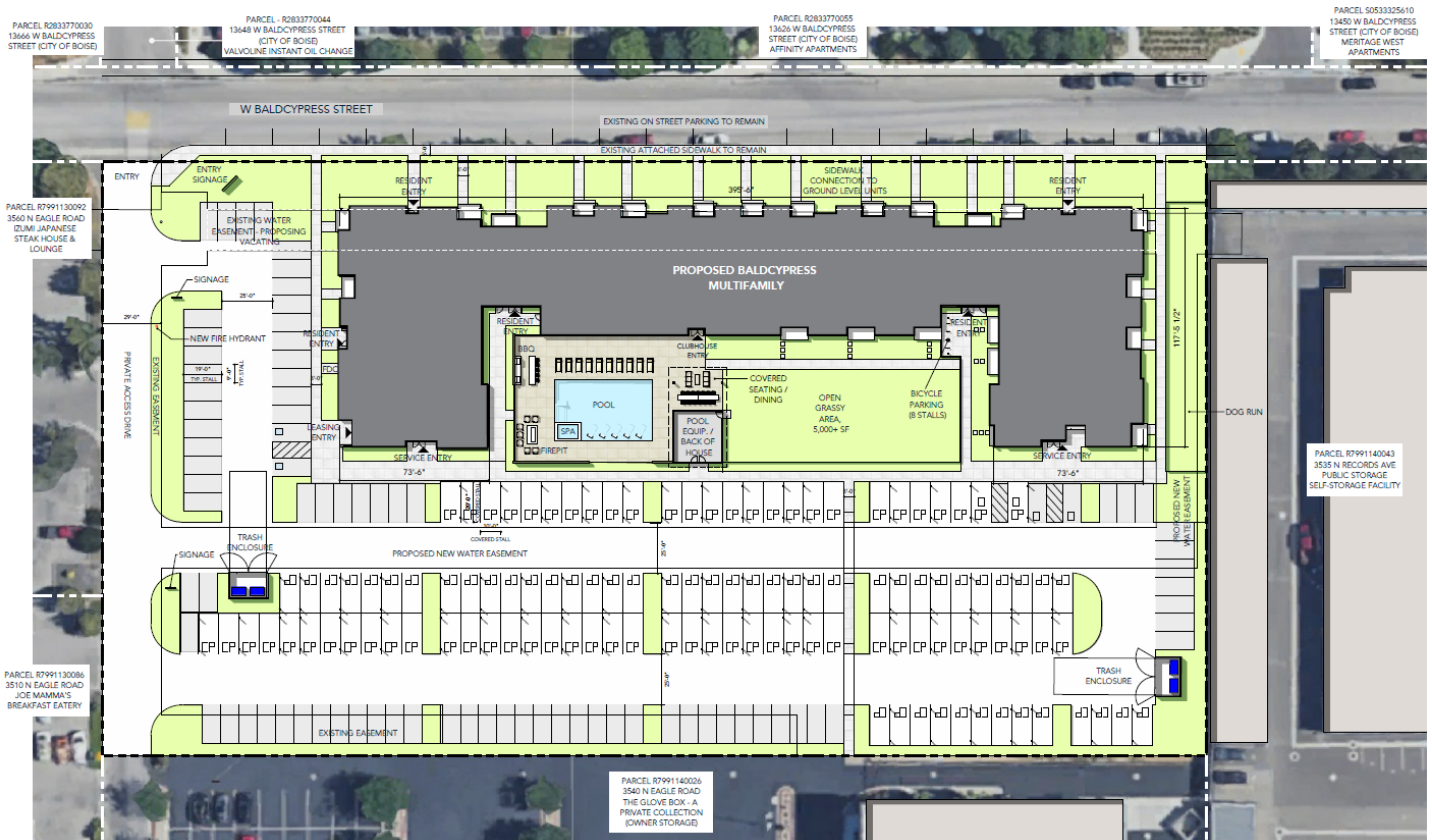
#### 4. Commission change(s) to Staff recommendation:

- a. None



# VIII. EXHIBITS

## A. Site Plan (dated: 7/24/24)



SP1 CONCEPT SITE PLAN

SCALE: 1" = 20' @ 24x36

**Baldcypress Multifamily**

07.24.2024 3570 N. Eagle Rd., Meridian ID 83646

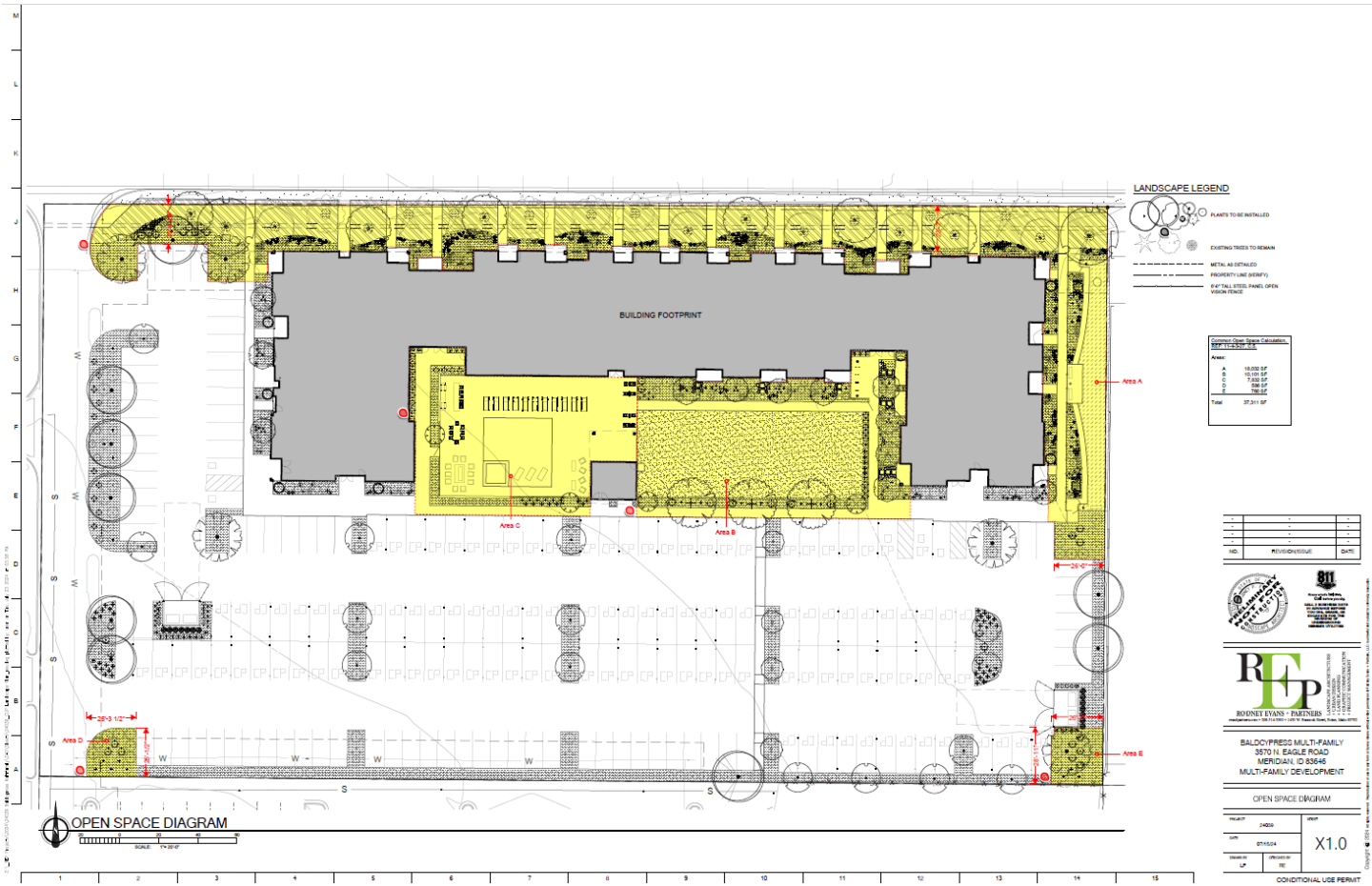
PNA\_JOB 2024-011

**pivot north**

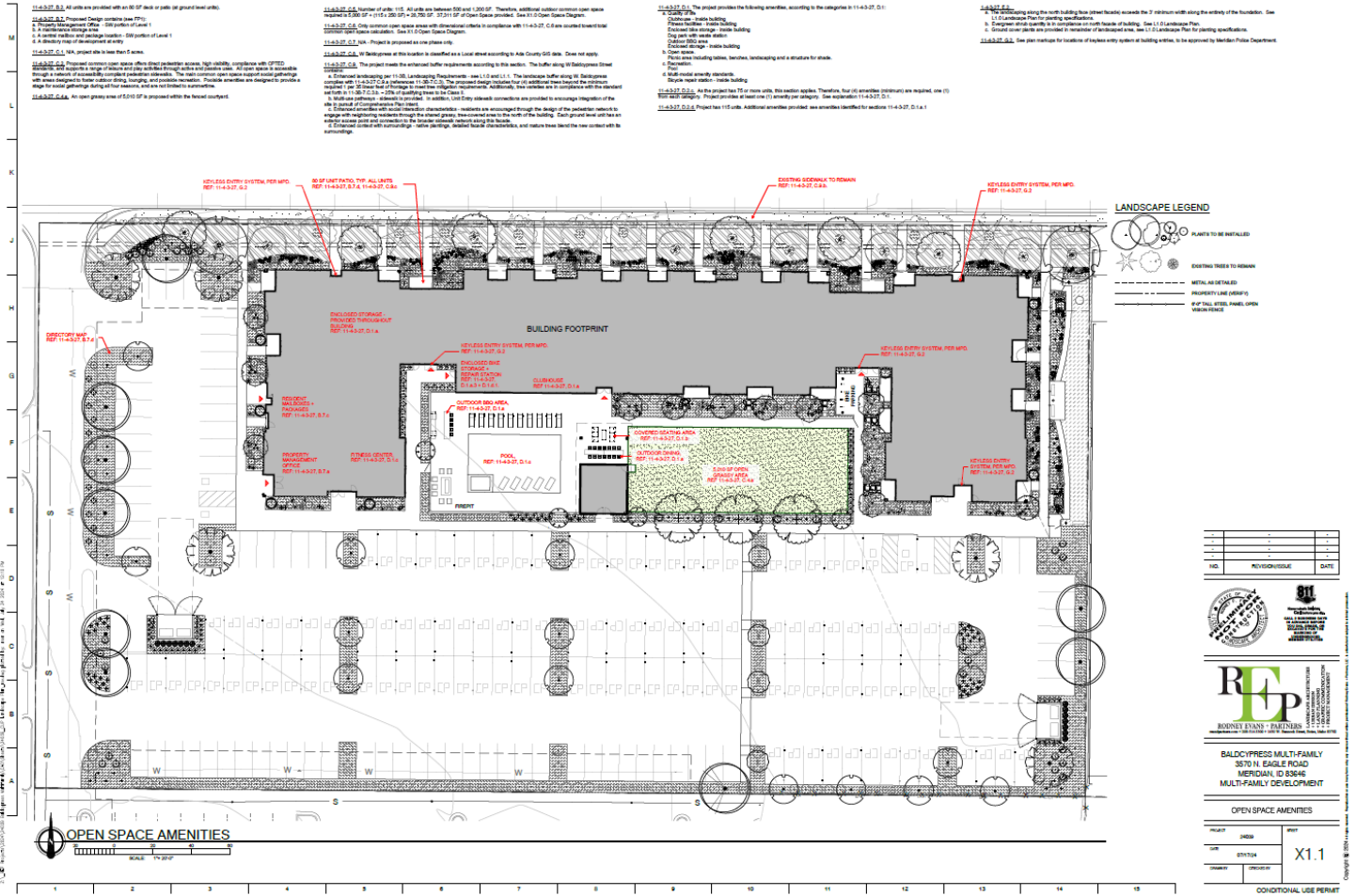




C. Qualified Open Space Exhibit (dated: 7/15/2024)



# D. Site Amenity Plan (dated: 7/17/24)



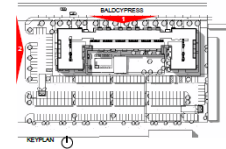
E. Conceptual Elevations & Floor Plans for Multi-Family Structures (dated: 7/24/24)



1. NORTH (BALDCYPRESS) ELEVATION



2. WEST (ENTRY DRIVE) ELEVATION



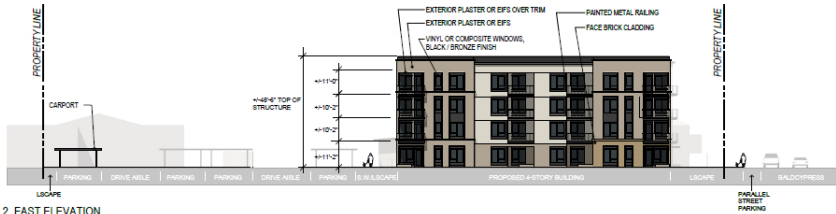
E1 CONCEPT ELEVATION VIEWS SCALE: 1/16" = 1'-0" @ 24x36

**Baldcypress Multifamily**  
07.24.2024 3370 N. Eagle Rd., Meridian ID 83646

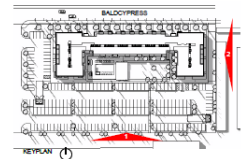
PNA JOB 2024-011



1. SOUTH ELEVATION



2. EAST ELEVATION



E2 CONCEPT ELEVATION VIEWS SCALE: 1/16" = 1'-0" @ 24x36

**Baldcypress Multifamily**  
07.24.2024 3370 N. Eagle Rd., Meridian ID 83646

PNA JOB 2024-011





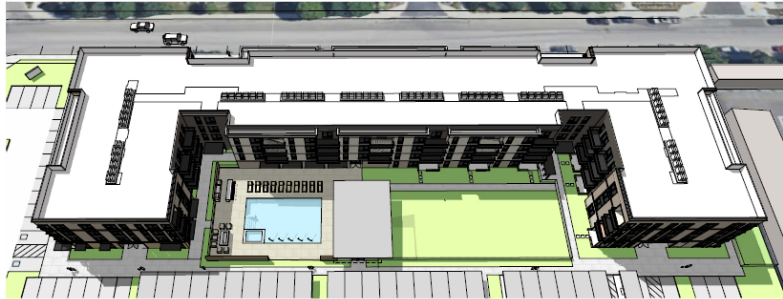
<b>PROJECT INFORMATION:</b>	
SITE AREA:	3.67 AC
<b>HEIGHT LIMIT:</b> 65' (+/- 50' PROPOSED)	
<b>ZONING:</b> C-G	
<b>SETBACKS REQ. / PROPOSED:</b>	
FRONT	20' / 20' 6" (LSCAPE COLLECTOR)
SIDE INTERIOR:	0' / 5'
REAR:	0' / 5'
<b>UNIT MIX:</b>	
22 STUDIOS	550 SF AVERAGE
61 1-BEDROOMS	695 SF AVERAGE
32 2-BEDROOMS	1,005 SF AVERAGE
115 TOTAL UNITS	754 SF AVERAGE
<b>PARKING REQUIRED:</b>	
22 STUDIOS	1.0 / DU
92 1-BEDROOMS	1.5 / DU
64 2-BEDROOMS	2.0 / DU
12 GUEST	1/10 DU
190 TOTAL REQUIRED (1.65 RATIO)	
<b>PARKING PROVIDED:</b>	
TOTAL PROVIDED:	
75+ STALLS UNCOVERED	
115 STALLS COVERED (1:1)	
190+ TOTAL PROVIDED	
<b>OPEN SPACE:</b>	
COMMON O.S. REQUIRED:	28,750 SF (250 SF PER UNIT)
COMMON O.S. PROPOSED:	28,750 SF MIN.
PRIVATE O.S. REQUIRED:	9,200 SF (80 SF PER UNIT)
PRIVATE O.S. PROPOSED:	9,200 SF

CS COVERSHEET

**Baldcypress Multifamily**

06.21.2024 3570 N. Eagle Rd., Meridian ID 83646

PNA JOB 2024-011



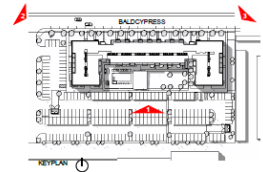
1. COURTYARD PERSPECTIVE



2. ENTRY PERSPECTIVE



3. VIEW FROM NE



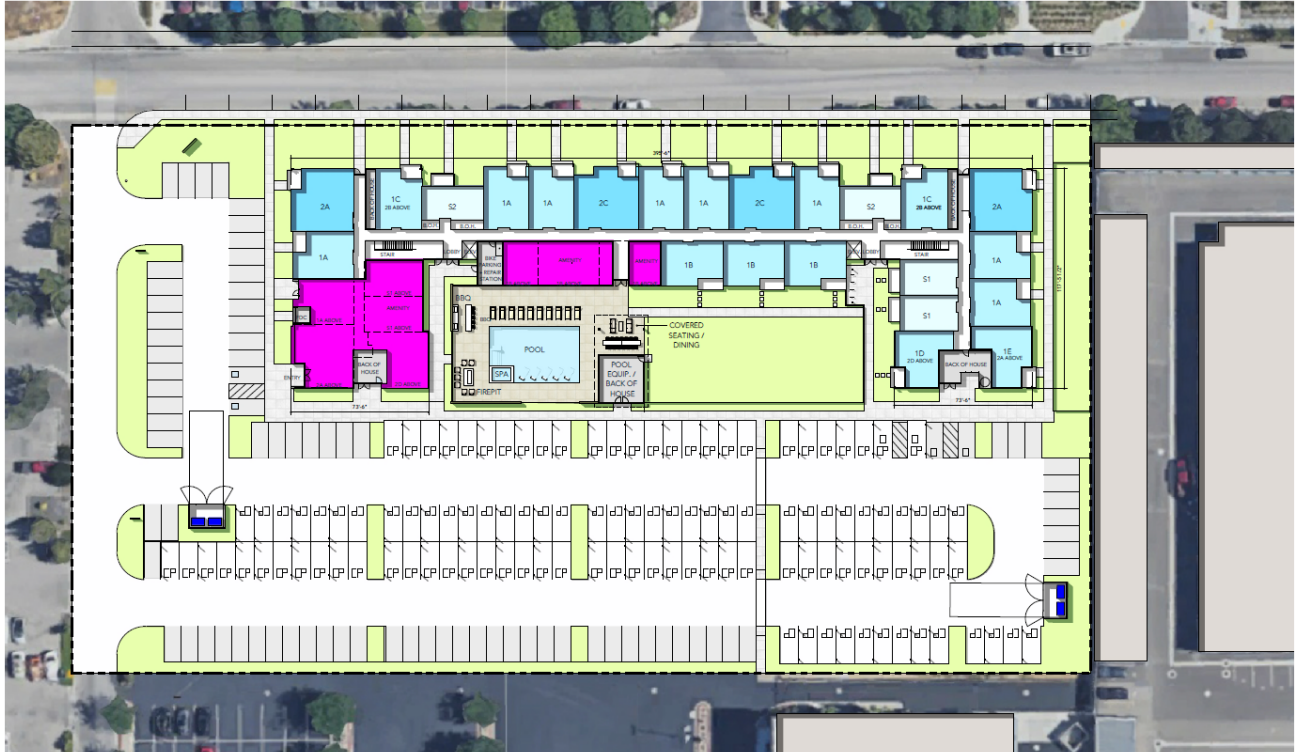
E3 CONCEPT PERSPECTIVE VIEWS NOT TO SCALE

**Baldcypress Multifamily**

07.24.2024 3570 N. Eagle Rd., Meridian ID 83646

PNA JOB 2024-011





FP1 GROUND LEVEL PLAN SCALE: 1" = 20' @ 24x36

**Baldcypress Multifamily**  
 07-24-2024 3570 N. Eagle Rd., Meridian ID 83646

PNA\_JOB 2024-011



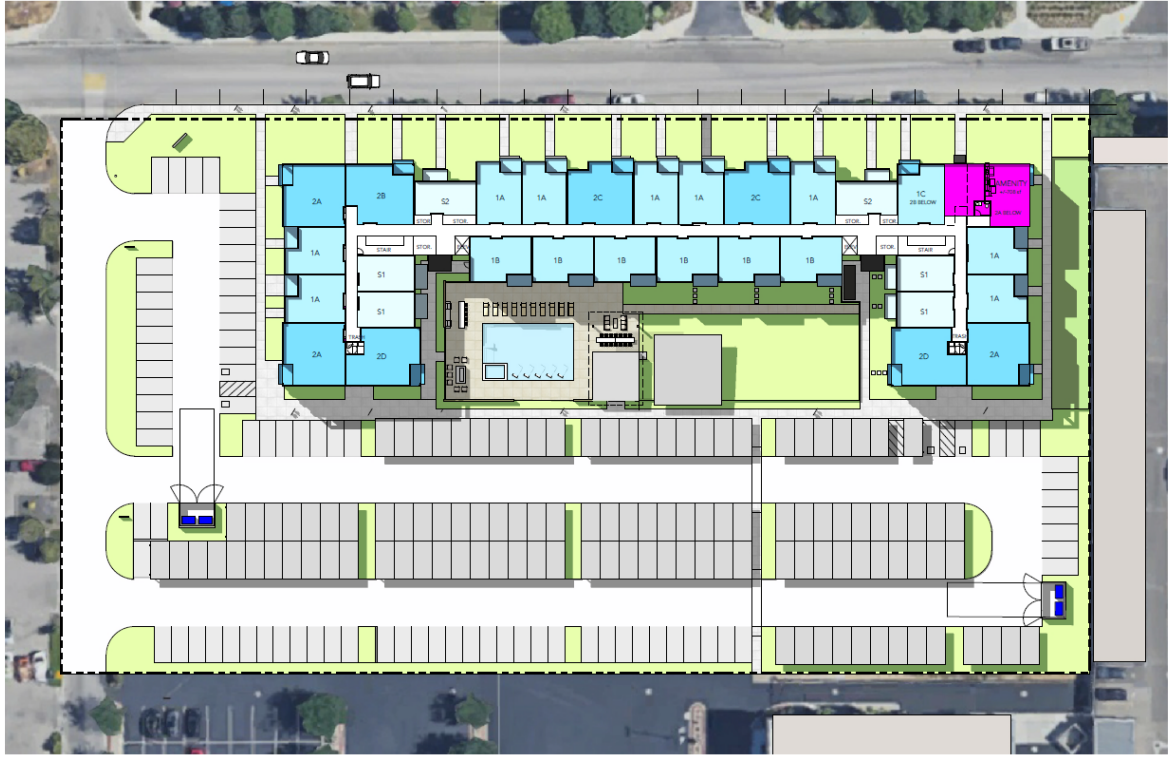
FP2 LEVEL 2-3 PLAN SCALE: 1" = 20' @ 24x36

**Baldcypress Multifamily**  
 07-24-2024 3570 N. Eagle Rd., Meridian ID 83646

PNA\_JOB 2024-011







FP3 LEVEL 4 PLAN SCALE: 1" = 20' @ 24x36

**Baldcypress Multifamily**

07.24.2024

3570 N. Eagle Rd., Meridian ID 83544

PNA\_JOB 2024-011

**pivot north**

## IX. City/Agency Comments & Conditions

### PLANNING DIVISION

1. Future development shall comply with the provisions in the existing Development Agreement (Inst. #[104107404](#), AZ-04-009) and the conditions in this report.
2. The multi-family development shall have an ongoing obligation to comply with the specific use standards listed in UDC 11-4-3-27.
3. The multi-family development shall record a legally binding document that states the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC 11-4-3-27F. **A recorded copy of said document shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development.**
4. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
  - a. Depict the location of the maintenance storage area in accord with UDC 11-4-3-27B.7.
  - c. All transformer and utility vaults and other service areas shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC 11-4-3-27B.2.
  - d. The species, mature size of the plantings and tree class should be included in the Landscape Legend on the landscape plan demonstrating compliance with the minimum UDC standards for such in UDC 11-3B and 11-4-3-27.
  - e. Include a detail of the bicycle rack that demonstrates compliance with the required standards in UDC 11-3C-5C.
  - f. Internal drive aisles shall be widened to 26-feet around the building in accord with Fire code requirements.
  - g. Wheel restraints shall be depicted in parking spaces that abut sidewalks or perimeter buffers; or, an additional 2-feet shall be added to the abutting sidewalks and perimeter buffers to accommodate vehicle overhang in accord with UDC 11-3C-5B.3-4.
  - h. The street buffer along W. Baldcypress St. shall comply with the enhanced buffer requirements listed in UDC 11-4-3-27C.9 and 11-3B-7C.3f, except for a multi-use pathway, which is not required.
  - i. Depict dense landscaping in perimeter buffers along the west, south and east boundaries of the parking area in accord with the standards in UDC 11-3B-9C (trees aren't allowed within the water easement but shrubs should be allowed).
5. An alternative compliance application shall be submitted to UDC 11-3B-8C.1b, which requires trees to be planted in perimeter buffers in parking lots, for the area encumbered by the water main easement (ESMT-2017-0058 Model Home Furnishings) along the western portion of the southern boundary of the site.
6. A vacation application shall be submitted to vacate the existing easement (ESMT-2007-0133 Smitchger Subdivision North) along the northern boundary of the site.
7. Multifamily developments with units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common

corridors under exigent circumstances as set forth in UDC 11-4-3-27G. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.

8. Floor plans shall be submitted for the residential units that depict a minimum 80 square feet of private, usable open space for each unit in accord with UDC 11-4-3-27B.3.
9. A Certificate of Zoning Compliance and Design Review application(s) shall be submitted for the multi-family development and approved prior to submittal of application(s) for building permits. The plans submitted shall substantially comply with those approved with this application and with any required modifications noted herein. The design of structures shall comply with the design standards in the Architectural Standards Manual.

*Comments from other agencies can be found in the [project file](#) in the public record.*

## IX. FINDINGS

### A. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

*The Commission finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the C-G zoning districts (see Analysis, Section V for more information).*

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

*The Commission finds that the proposed use is consistent with the future land use map designation of MU-R and is allowed as a conditional use in UDC Table 11-2B-2 in the C-G zoning district.*

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

*The Commission finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other existing uses in this area and with the intended character of the area and that such use will not adversely change the character of the area.*

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

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

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

*The Commission finds that essential public services are available to this property and that the use should be adequately served by these facilities. Comments received from the West Ada School District reflect that student enrollment at area schools are under capacity and can accommodate this development.*