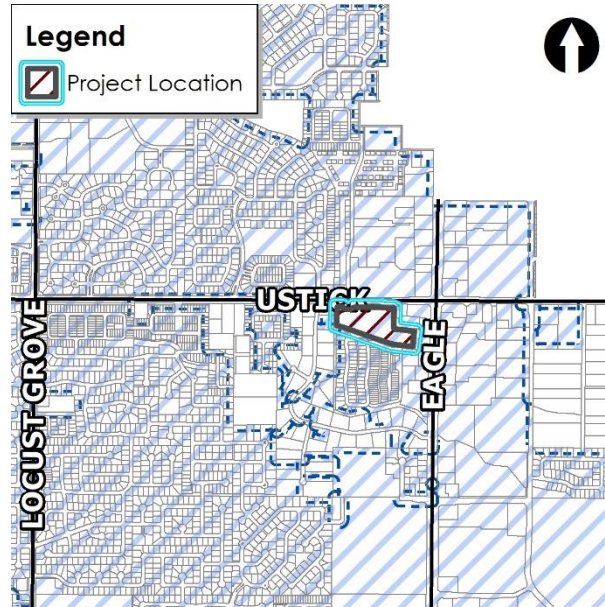


EXHIBIT A



COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: 11/17/2022
 TO: Planning & Zoning Commission
 FROM: Joseph Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0072
 Centrepoint Apartments CUP
 LOCATION: Located at 3100 N. Centrepoint Way, near the southwest corner of N. Eagle and E. Ustick Roads, in the NE 1/4 of the NE 1/5 of Section 5, Township 3N, Range 1E.



I. PROJECT DESCRIPTION

Conditional Use Permit request for 213 multi-family residential units on approximately 10 acres in the C-G zoning district, by MGM Meridian LLC.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	9.97 acres (C-G zoning district)	
Future Land Use Designation	Mixed Use Regional	
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)	213 multi-family units – One (1) two-story building and five (5) 3-story buildings.	
Density	Gross – 21.3 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	6.78 acres (295,401 s.f.) of qualified open space proposed according to the open space exhibit (approximately 40%).	
Amenities	At a minimum, 13 amenities are proposed – See the amenity Exhibit in Section VII below.	
Neighborhood Meeting date	August 18, 2022	
History (previous approvals)	H-2018-0121 (Villasport CUP, MDA); H-2022-0035 (MDA, DA Inst. # 2022-079000)	

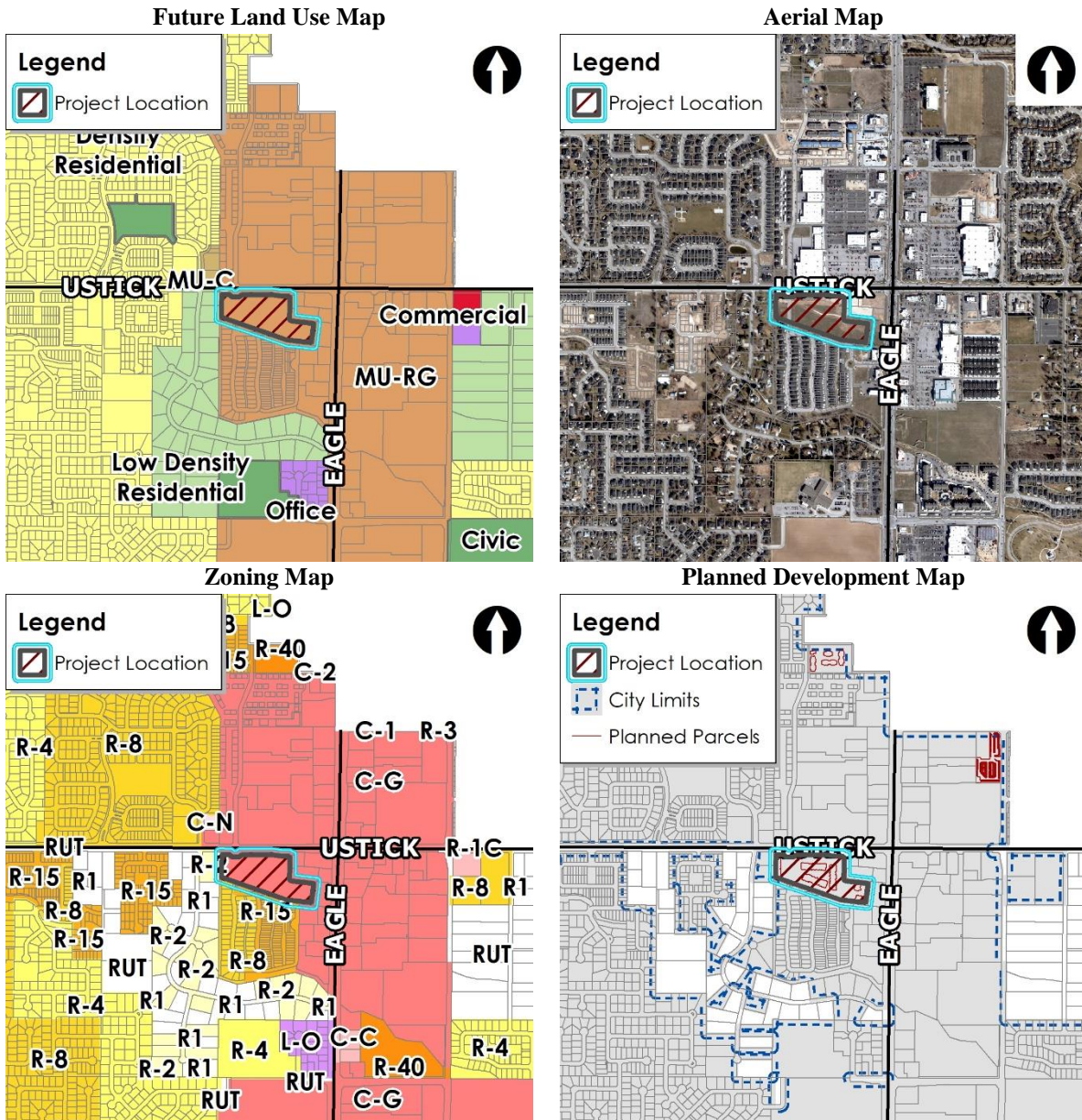
EXHIBIT A

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) 	Not as of Staff Report publishing	
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via a shared drive aisle connection to Ustick and a public street connection to Ustick, Centrepoint Way	
Stub Street/Interconnectivity/Cross Access	Interconnectivity is proposed through the existing shared drive aisle on the east half of the site and the existing local street on the west half of the site, Centrepoint Way.	
Existing Road Network	Ustick Road and Centrepoint Way are existing.	
Existing Arterial Sidewalks / Buffers	The existing arterial sidewalk along the Ustick frontage is incomplete; no buffers are existing.	
Proposed Road Improvements	Unknown at this time – Staff does not anticipate additional road improvements because the proposed use of multi-family residential generates fewer vehicle trips than the previously approved use (Villasport, athletic club).	
Fire Service		
<ul style="list-style-type: none"> • Fire Response Time 	This project lies within the Meridian Fire response time goal of 5 minutes.	
Wastewater		
	No issues noted.	
Water		
	No issues noted.	

EXHIBIT A

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant/Representative:

Trevor Schur, BDE Architecture – 53 W. Jackson Blvd., Chicago, IL 60604

B. Owner:

Mike Maffia, MGM Meridian, LLC – 5 Naranja Way, Portola Valley, CA 94028

EXHIBIT A

IV. NOTICING

	Planning & Zoning Posting Date	
Newspaper Notification	11/2/2022	
Radius notification mailed to properties within 500 feet	10/27/2022	
Public hearing notice sign posted on site	11/4/2022	
Nextdoor posting	10/28/2022	

V. STAFF ANALYSIS

A. PROPERTY HISTORY & COMPREHENSIVE PLAN ANALYSIS:

The subject property, approximately 10 acres, is part of a larger Mixed-Use Regional (MU-R)—this designation calls for a mix of residential and commercial land uses that are thoughtfully integrated.

The subject application encompasses one of two parcels surrounding the southwest corner of N. Eagle Road and E. Ustick Road. These parcels were part of a Development Agreement Modification and Conditional Use Permit (CUP) application in 2019 that removed the subject parcels from an existing Development Agreement (DA) to enter into a new DA (H-2018-0121, DA Inst. # 2019-060877) to obtain approval for a new athletic club and spa (indoor recreation facility), Villasport. The CUP approval for the indoor recreation facility has expired, and the property has been sold to the current owner. Earlier this year, the Applicant received DA modification approval (H-2022-0035) from City Council to terminate the old DA and enter into a new agreement with a concept plan depicting multi-family residential on the 10-acre piece and commercial space on the smaller 1-acre piece along Eagle Road. The approved concept plan is more detailed when compared to most concept plans approved with DA Modifications to present a more complete and finished design at the DA stage rather than waiting for future applications—the subject Conditional Use Permit (CUP) application is the next step in establishing the approved use and concept plan and the submitted site plan and elevations are substantially consistent with the approved plans within the newest DA (DA Inst. #2022-079000).

The subject site is part of a much larger area of MU-R along the Eagle Road corridor that includes The Village, Regency at River Valley apartments, as well as multiple other commercial users. Specifically, within the MU-R area in this southwest corner of Eagle and Ustick, there is the Jackson Square development and commercial buildings to the south and on the hard corner to the northeast that includes an urgent care and future restaurant uses. To the north are several big box stores (Kohl’s, Dick’s, and Hobby Lobby) and the new Brickyard vertically integrated development; to the northeast is Lowe’s and various other commercial and restaurant buildings; to the east is Trader Joe’s, multiple restaurants, and the Verraso townhomes; and to the southeast are traditional garden style apartments, restaurant users, and the Village. In terms of the ratio of commercial to residential uses within this area, there is currently a healthy mix within walking distance of each other but is more commercial than residential by land areas. Through the recent Development Agreement Modification (MDA) application for this site, Staff found the proposed project and additional multi-family units to be generally consistent with the MU-R designation because the subject MU-R area currently consists of several retail, restaurant, office, and residential uses available to the region and the addition of these units would not over-saturate this area with residential. City Council approved the subject MDA in July 2022 with a reduction in units from what was originally submitted.

EXHIBIT A

The main points of discussion through the MDA process were regarding traffic, parking, and the proposed building heights. The Applicant did an abbreviated traffic study to obtain updated traffic generation counts. ACHD did not require a Traffic Impact Study (TIS) because the proposed project generates less than 40% of the anticipated vehicle trips from the previously approved use, Villasport (3,213 trips compared to 1,249 trips). This is a significant reduction in vehicle trips for the adjacent local and private streets as well as to the intersection of Eagle and Ustick. In addition, parking for the units was heavily discussed by City Council. City Council required each “area” of the project to be self-parked so that residents would not have to cross any drive aisle or Centrepoint Way to get to their assigned parking space. This issue coincided with the proposed building height being 4-story units upon application submittal. Through the public hearing process, the Applicant reduced the building height to 3-story for the three largest buildings within the center of the development and proposed a new 2-story building along the west boundary. Following the changes to the building height and unit count, the Applicant was able to self-park each area of the site as directed by City Council. The submitted site plan continues compliance with these DA provisions from Council.

Based on the analysis above and that within the approved DA Modification (H-2022-0035) with the addition of the noted comprehensive plan policies with the Applicant’s Narrative, Staff finds the proposed CUP to be generally consistent with the vision of the Comprehensive Plan for this area regarding 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.

EXHIBIT A

The Applicant is proposing a total of six (6) buildings within three (3) distinct areas for the Centrepoint Apartments. The west area (west of Centrepoint Way) includes Building F, two stories tall (30-foot building height to the roof's peak). The central area includes the three largest buildings, Buildings A, B, & C, and are 41 feet tall to the roof peak. East of the shared drive aisle that connects Cajun Lane to Ustick Road, two 3-story buildings are shown closest to the approved drive-thru along Eagle Road.

Based on the submitted Site Plan, this requirement is met because no two buildings are proposed closer than approximately 15 feet and at least 25 feet from any property boundary.

2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The Applicant shall comply with this standard. However, there are existing transformer and utility vaults along Ustick Road that were in place before this owner obtained the property. Staff does not find it prudent or feasible to require these vaults to be relocated as they are previously existing and the proposed landscaping will beautify these structures along the street frontage for added screening.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway, and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standards would create an inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as outlined in section 11-5B-5 of this title. *The submitted elevations depict several outdoor patios and balconies that may qualify for the requirement. However, without floor plans, Staff cannot verify if each unit is proposed with the minimum required area. Compliance with this standard will occur with the future Certificate of Zoning Compliance (CZC) application; the Applicant is required to comply with this requirement or obtain Alternative 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. *See the parking section in the general analysis below.*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provides safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development.

The Applicant is proposing more than 20 units (213 units) so the Applicant is required to provide the items above in compliance with this standard. The submitted plans do not

EXHIBIT A

depict the location of these items. With the future CZC application, the Applicant should revise the site plan to show these items.

C. Common open space design requirements.

1. The total baseline land area of all qualified common open spaces shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *The multi-family area is greater than 5 acres in size, approximately 10 acres. According to the submitted open space exhibit, the Applicant is proposing open space over this standard. See the open space section below for more specific analysis.*

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 areas comply 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. See the submitted landscape plan and rendering for a visual of compliance with this standard.

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

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

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

EXHIBIT A

The submitted plans depict one open common grassy area of approximately 4,000 square feet, below the noted 5,000 square foot minimum. However, due to an existing irrigation facility that bisects the site along the north boundary, the site could not be shifted north to accommodate a larger area; the Applicant is also providing amenities above code requirements within this central open space area instead of only providing a common grassy area. Furthermore, several linear open space areas are larger than the 5,000 square foot area required but are not open areas. Staff finds the proposed open space complies with this standard through the proposed site design.

4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or fewer square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

Per the property size and the unit counts and their sizes, the minimum open space required to be provided is 97,385 square feet (approximately 2.23 acres). According to the submitted open space exhibit and landscape plans, Staff finds the project to comply with this standard by providing 110,169 square feet (approximately 2.53 acres) of qualified open space. This equates to approximately 25% of the property being open space. The submitted open space exhibit also includes 50% of the arterial street buffer to Ustick Road as part of the open space calculation amounting to approximately 9,854 square feet; Staff did not include this into the qualifying area as it is not allowed to count towards the common open space area with the old open space code (updated October 2022) unless it is separated from the street by a berm or constructed barrier (see requirement #7 below). This buffer area is shown to include the required detached sidewalk along Ustick Road which will likely be heavily used by future and existing residences. As noted, the buffer area is not needed to meet the minimum qualified open space requirement but if Commission determines this area should count towards the qualified open space, the Applicant's proposed open space would further exceed the minimum requirement.

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

See the analysis above.

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:

EXHIBIT A

- 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.

EXHIBIT A

For the 213 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 and narrative, nine (9) qualifying amenities are proposed with amenities from each category. The proposed amenities include a clubhouse with a business lounge, plaza areas, a swimming pool, a fitness facility, an outdoor kitchen, a dog run, a micro-path system, sports courts, and a bicycle repair room. All of the proposed amenities except the proposed dog run are located within the central open space area or part of the three (3) central buildings.

These buildings are the largest and would contain the largest number of residents so Staff supports the location of the amenities being centrally located within the overall project. In addition, the Applicant has included a gathering area at the very northwest corner of the property for residents of the western building to enjoy. Furthermore, the residents within the western building have a direct path across Centrepoint Way to the central amenities area via 5-foot wide sidewalks. The Applicant is proposing to choke this crossing down to reduce the width of the public street and act as a traffic calming mechanism for safer pedestrian access east-west through the site. This is consistent with a provision within the new DA to include traffic calming along Centrepoint Way for these residents as well as existing residents to the south. Overall, Staff supports the proposed amenities for this project.

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.

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.

The 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 11-2B-3 for the C-G zoning district and those within the specific use standards for Multi-family Development discussed above (UDC 11-4-3-27).

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

EXHIBIT A

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

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

As discussed above, ACHD did not require a new TIS with this application due to the anticipated trip generation being less than 40% of the previously approved trip generation with the Villasport approvals. Furthermore, the required shared drive aisle and the right-turn lane from Ustick onto this drive aisle have already been constructed per the previous approvals and required traffic mitigation. Despite not yet receiving a formal staff report from ACHD, Staff does not anticipate additional road improvements will be required for this project.

Specific to the proposed use and submitted site design, access to the required parking and the proposed units is via drive aisle connections to Centrepoint Way and the shared drive aisle on the east half of the site. The Applicant is proposing two connections, one on each side, to Centrepoint Way in alignment with each other and at least 150 feet south of the signal at Ustick; the Applicant is also proposing an additional drive aisle connection to Centrepoint approximately 125 feet south of those already noted. Staff is not sure if this southern connection will meet ACHD offset requirements but the future ACHD staff report will verify this. Should this connection be required to be closed, Staff does not anticipate its closure to inflict a measurable impact on the overall traffic patterns within the site.

The Applicant is proposing three connections to the shared drive aisle on the east half of the site all in alignment with each other or an existing approach. For example, the Applicant is proposing two connections near the south end of the drive aisle, one for access from the central area on the west side of this drive aisle and one on the east side for access to the two smallest buildings and the future commercial site along Eagle. In addition, the Applicant is proposing another access on the west side of this drive aisle closer to Ustick in alignment with the existing connection from the commercial development to the east located on the hard corner.

Based on the submitted plans, the existing access improvements, and discussions with ACHD, Staff supports the proposed accesses for the subject development.

Road Improvements:

By the previous approvals, ACHD required a drive aisle connection from Ustick Road to Cajun Lane to the south and required a right-turn lane from Ustick onto this shared drive aisle. Both the drive aisle and the turn lane have been constructed. As discussed, Staff has not received an ACHD staff report and any additional road improvements would be noted within that report.

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 213 units consisting of 24 studios, 86 1-bedroom units, 80 2-bedroom units, and 23 3-bedroom units. In addition, one (1) guest space for every 10 units is required and the leasing & clubhouse areas must comply with the commercial parking standards (1 space per 500 square feet).

EXHIBIT A

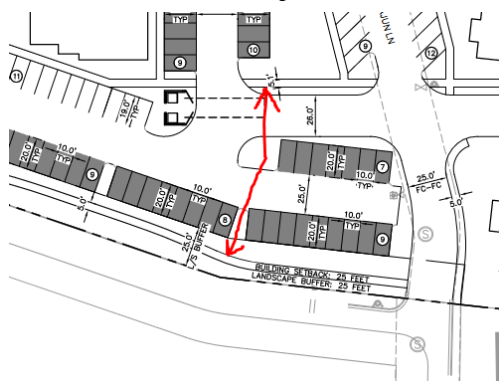
Based on the total number of units proposed and their bedroom count distribution, a minimum of 380 parking spaces, with a minimum of 189 of these spaces to be covered in a garage or by a carport. Further, the leasing office and clubhouse require an additional 6 spaces for a total requirement of 386 parking spaces. According to the submitted site plan, the Applicant is proposing 449 spaces with 205 of these spaces to be covered by a carport or located within a garage (12 spaces are in attached garages for Buildings D & E). The proposed parking exceeds minimum code requirements by 63 spaces. In addition to meeting the minimum off-street parking amount, the current DA requires that each area of the site be self-parked in that all of the required parking be located within each respective area for those buildings. According to the submitted plans, the Applicant is compliant with this DA requirement by providing parking in each area as required. Based on the site design and building distribution, Staff supports the proposed parking number and locations consistent with the requirements of the approved DA.

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

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

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

Staff supports the proposed sidewalk and micro-path network except for the lack of connectivity to the southern micro-path near the southeast corner of the central area (see snip). There is no



internal connection to this micro-path and it also does not connect to any sidewalk along the shared drive aisle. So, there is minimal opportunity to access this desirable micro-pathway from within the site.

Therefore, per the red markup to the left, Staff is recommending a loss of one parking space left of the planter island and the addition of more 5-foot wide sidewalk/pathway in the general location depicted to increase the pedestrian connectivity and further activate the micro-path along the south boundary.

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

Landscaping (UDC 11-3B):

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

EXHIBIT A

According to the submitted landscape plans, all required landscaping appears to be shown including the required number of trees adjacent to the micro-path along the south boundary. Staff notes the Applicant is proposing a 25-foot wide linear open space along the entire southern boundary and west boundary for added transition and separation between the proposed multi-family use and the existing single-family residential to the south and west. The Applicant is depicting dense vegetation over code requirements with some of the proposed trees to be an evergreen variety for year-round screening between uses. Because the Applicant is complying or excels with ding code requirements in all landscape areas, Staff supports the proposed landscaping for this development.

Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

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

No fencing is shown on the submitted plans except for a new privacy wall along the west boundary, as required by the DA. The Applicant should include an exhibit of the proposed privacy wall for Staff review with the future Certificate of Zoning Compliance (CZC) application. In addition, the Applicant should include any fencing proposed for the noted dog run along the existing shared north-south drive aisle.

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

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

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

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

An initial review of the submitted elevations against the Architectural Standards Manual finds the submitted elevations to be generally compliant. To help the future administrative approval process, Staff is recommending the Applicant ensure compliance with specific standards as noted below:

- 1. R1.2A, 3.2D, & 5.2A –additional color combinations or materials are needed to better differentiate the proposed buildings;*
- 2. R5.2D – A qualifying material along the base of the buildings is needed (i.e. masonry);*

EXHIBIT A

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard this item on November 17, 2022. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

- a. In favor: Mike Maffia, Applicant/Owner; Elizabeth Koeckeritz, Applicant Representative
 - b. In opposition: Steve Grant, neighbor; Janet Bailey, neighbor.
 - c. Commenting: Mike Maffia; Elizabeth Koeckeritz; Jared Schofield, neighbor; Steve Grant; Janet Bailey.
 - d. Written testimony: Two (2) pieces submitted from nearby neighbors – concerns with privacy and security along shared west boundary with apartments looking into the backyards of adjacent homes and the overall increase in traffic with more residential, specifically at the peak AM and PM hours.
 - e. Staff presenting application: Joseph Dodson, Associate Planner
 - f. Other Staff commenting on application: None
- ##### 2. Key issue(s) of public testimony:
- a. Privacy and security concerns with proposed two-story building along west boundary that could look down into the backyards of adjacent R-2 lots;
 - b. Desire for proposed masonry wall to continue on the same plane as the existing wall to the south (previously approved to place wall closer to property line by City Council);
 - c. Concerns with increase in traffic in the neighborhood to the south and the speed of traffic;
- ##### 3. Key issue(s) of discussion by Commission:
- a. Height of buildings specifically the west building along the west boundary;
 - b. Proposed screening along west boundary and the types of vegetation that could be used to help screen the second story decks from viewing adjacent R-2 properties;
 - c. Placement of the required screen wall along west boundary;
 - d. Traffic movements through site and anticipated striping and width of Centrepoint Way;
- ##### 4. Commission change(s) to Staff recommendation:
- a. No new condition but Commission reiterated within their motion for Staff and the Applicant to continue working together to help provide adequate privacy and security for adjacent neighbors.

EXHIBIT A

B. Landscape Plan (dated: September 19, 2022):



EXHIBIT A

C. Open Space and Amenity Exhibits (dated: September 19, 2022):

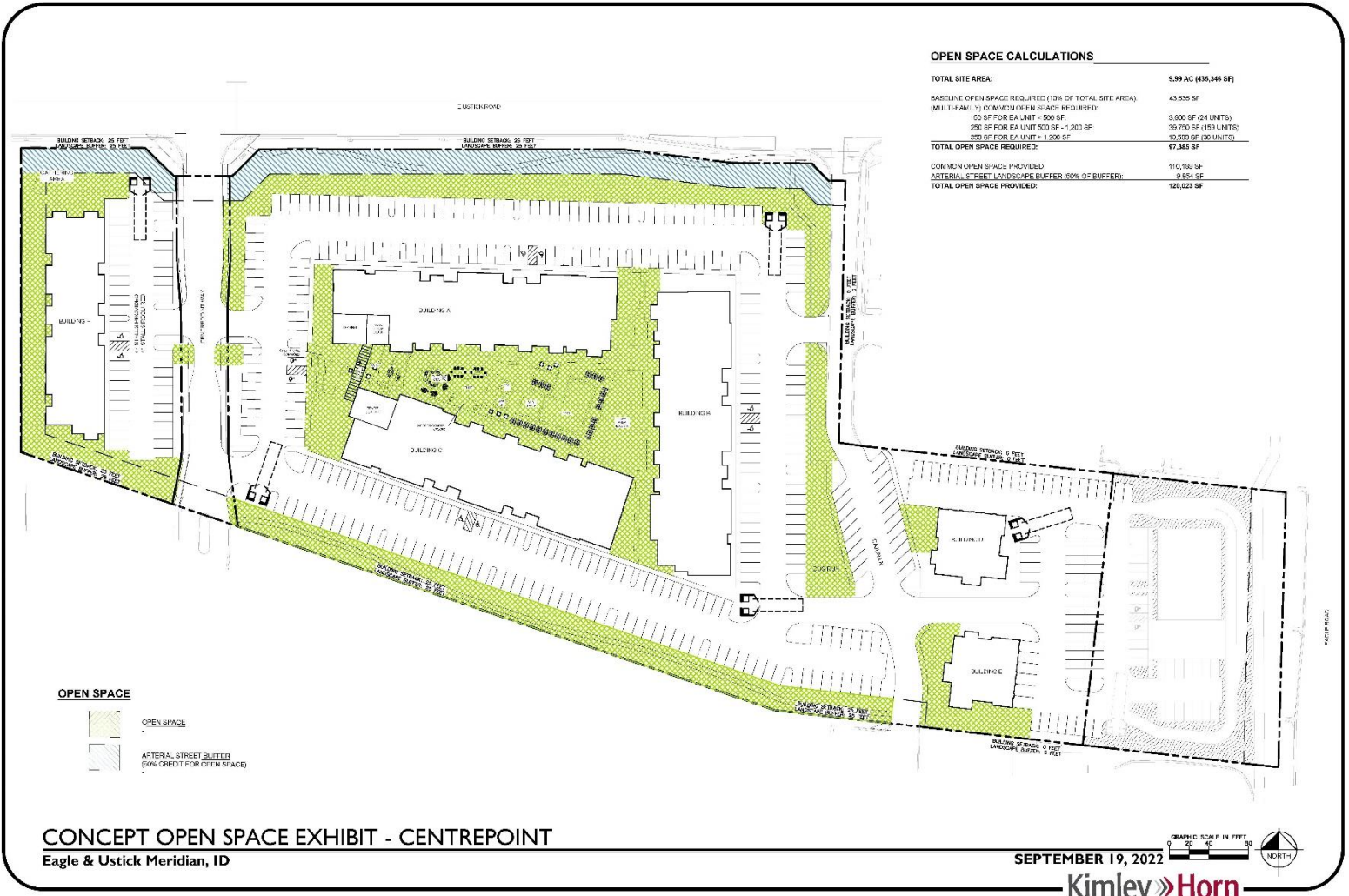


EXHIBIT A

D. Conceptual Building Elevations (dated: August 30, 2022)



BUILDING A - EAST ELEVATION 4
1/16" = 1'-0"



BUILDING A - WEST ELEVATION 3
1/16" = 1'-0"



BUILDING A - SOUTH ELEVATION 2
1/16" = 1'-0"



BUILDING A - NORTH ELEVATION 1
1/16" = 1'-0"



BUILDING A - ELEVATIONS 1/16" = 1'-0" **AP0.30**

2223 - BUILDING A

BOISE, ID

08/30/22

All drawings and data are provided as conceptual only. All dimensions are based on the information provided on the drawings. All dimensions are subject to change without notice.

EXHIBIT A



BUILDING D - WEST ELEVATION 4

1/16" = 1'-0"



BUILDING D - NORTH ELEVATION 2

1/16" = 1'-0"



BUILDING D - EAST ELEVATION 3

1/16" = 1'-0"



BUILDING D - SOUTH ELEVATION 1

1/16" = 1'-0"



BUILDING E ELEVATIONS

1/16" = 1'-0" **AP0.34**

2223 - BUILDING E

BOISE, ID

08/30/2022

© 2022 HOK, Inc. All rights reserved. HOK, the HOK logo, and the HOK logo with the word "HOK" are trademarks of HOK, Inc. in the United States and other countries. Other names may be trademarks of their respective owners.

EXHIBIT A



BUILDING F - NORTH ELEVATION 4

1/8" = 1'-0"



BUILDING F - WEST ELEVATION 2

1/8" = 1'-0"



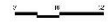
BUILDING F - SOUTH ELEVATION 3

1/8" = 1'-0"



BUILDING F - EAST ELEVATION 1

1/8" = 1'-0"



BUILDING F - ELEVATIONS

AP0.35



2223 - BUILDING F

BOISE, ID

08/30/2022

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, and conceptual building elevations attached in Section VII of this report and shall comply with all previous conditions of approval associated with the site: H-2022-0035 (DA Inst. #[2022-079000](#)).**
2. With the future CZC application, the site plan included in Section VII.A, shall be revised as follows:
 - a. Show any pedestrian facility that crosses the main drive aisle entrances into a respective area to be constructed in accord with UDC 11-3A-19B.4 (i.e. brick, pavers, stamped/colored concrete).
 - b. Depict the four (4) required items noted in the specific use standards (UDC 11-4-3-27B.7) to include: property management office, maintenance storage area, central mailbox location, and the location of the directory and map for the complex at all necessary locations.
 - c. Add a pedestrian connection from the micro-pathway along the south boundary north to an existing sidewalk near the southeast corner of the site, generally consistent with the exhibit within the Staff Analysis section above (Section V.B).
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. Provide an exhibit within the landscape plan that depicts the type of privacy fencing proposed along the west boundary.
4. The Applicant shall comply with all specific use standards for the proposed use of Multi-family Residential Development (UDC 11-4-3-27).
5. The Applicant shall obtain a Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approvals before submitting for any building permit within this development.
6. At the time of Design Review submittal, the Applicant should address compliance with architectural standards R1.2A, 3.2D, 5.2A, & 5.2D per the analysis in Section V.B.
7. 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.

EXHIBIT A

8. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3-7 for the C-G zoning district.
9. Off-street parking is required to be provided by both the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
10. The Applicant shall comply with all ACHD conditions of approval.
11. Provide a pressurized irrigation system consistent with the standards as outlined in UDC 11-3A-15, UDC 11-3B-6, and MCC 9-1-28.
12. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as outlined in UDC 11-3B-14.
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 outlined in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as outlined in UDC 11-5B-6F.4.

B. PUBLIC WORKS

Site-Specific Conditions of Approval

1. Unused sewer stubs must be abandoned per City standards.
2. Sewer/water easement varies depending on sewer depth. Sewers 0-20 ft deep requires a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Adjust easements accordingly.

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. The minimum cover over sewer mains is three feet if the over or the on top of the pipe to subgrade is less than three feet then alternate materials shall be used in conformance with the 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. The 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 the public right of way (including all water services and hydrants). The easement widths shall be 20 feet wide for a single utility, or 30 feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed, and dated by a Professional Land Surveyor. **DO NOT RECORD.**
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is

EXHIBIT A

utilized, the developer will be responsible for the payment of assessments for the common areas prior before development plan approval.

5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to comply 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 a record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. All improvements related to public life, safety, and health shall be completed before occupancy of the structures.
10. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, before the issuance of a plan approval letter.
11. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3 feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicant's design engineer shall be responsible for the inspection of all irrigation and image facilities within this project that does not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. The applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved before receiving a certificate of occupancy for any structure within the project.
18. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.

EXHIBIT A

19. 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. Applicants must apply to the 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)

~~No report at this time.~~

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=281918&dbid=0&repo=MeridianCity>

D. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278468&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277982&dbid=0&repo=MeridianCity>

F. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=280510&dbid=0&repo=MeridianCity&cr=1>

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.**

Commission finds the submitted site plan shows compliance with all dimensional and development regulations in the C-G 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, Commission finds the proposed site design and use of multi-family residential are harmonious with the comprehensive plan designation of Mixed-Use Regional and the requirements of this title when included in the overall MU-R designated area.

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

Despite the proposed use being different from the residential uses to the west and south, Commission finds the site design, construction, and proposed operation and maintenance will

EXHIBIT A

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 site 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.**

Commission 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.**

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

- 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 Commission 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 because 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, Commission 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).**

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