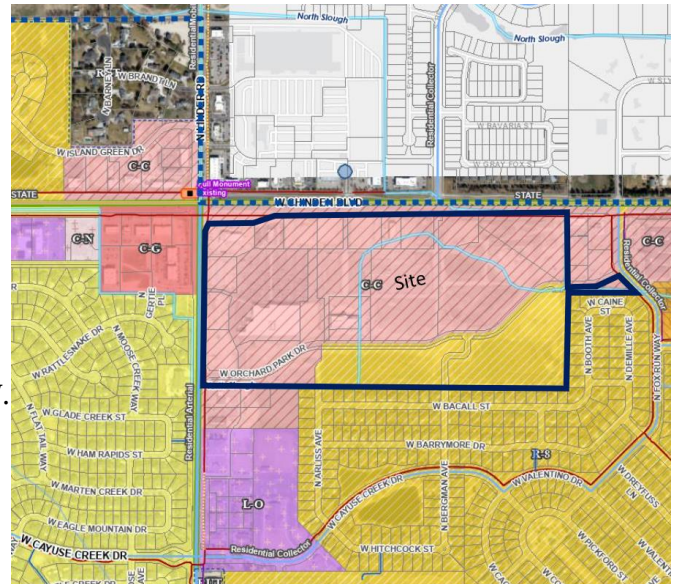


STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: July 18, 2023
 DATE: Continued from: 6/27/2023
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: Linder Village
[H-2023-0005](#)
 LOCATION: Southeast corner of N. Linder Rd. and W. Chinden Blvd., in the NW 1/4 of Section 25, T.4N., R.1W.



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (Inst. #2019-028376 & #2021-102392) to update the conceptual development and use area plans to amend some of the building footprints, vehicular/pedestrian site circulation and parking; and include multi-family residential as a future use.

II. SUMMARY OF REPORT

A. Applicant:

Mandie Brozo, CSHQA – 200 Broad St., Boise, ID 83702

B. Owner:

Joe Huarte, High Desert Development Linder Village, LLC – 2537 W. State St., Ste. 110, Boise, ID 83702

C. Representative:

Same as Applicant

III. NOTICING

	City Council Posting Date
Newspaper Notification	6/11/2023 & 7/2/2023
Radius notification mailed to properties within 300 feet	6/9/2023 & 6/30/2023

Site Posting	6/27/2023 & 7/6/2023
Next Door posting	6/8/2023 & 6/29/2023

IV. COMPREHENSIVE PLAN ANALYSIS

Land Use: Approximately 54 acres of the subject property is designated on the Future Land Use Map (FLUM) as Mixed Use – Community (MU-C) and the remaining 24+/- acres is designated Medium Density Residential (MDR).

MU-C: The purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use – Neighborhood areas, but not as large as in Mixed Use – Regional areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the Mixed-Use Community Concept Diagram depicted in Figure 3C of the Comprehensive Plan (see pg. 3-18). Sample uses in this designation include multi-family developments.

MDR: The purpose of the MDR designation is to allow smaller lots for residential purposes within City limits. Uses may include single-family homes at gross densities of 3 to 8 dwelling units per acre.

Proposed Use: The Applicant proposes to amend the conceptual development plan for this site to include an overall mix of uses, including commercial (i.e. retail, restaurant, etc.), office (medical, professional, etc.), civic (i.e. library, park, common open space, entertainment, etc.) and residential (single-family detached/attached, townhouse, multi-family and live/work) consistent with the MU-C FLUM designation. Most of these uses were previously approved to develop on this site (some in a different configuration than proposed), except for mixed-use/multi-family residential.

Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>): The applicable Comprehensive Plan policies are cited below with Staff's analysis in italics.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G).

Only one housing type (i.e. single-family) exists in this general area; the nearest apartments are approximately ¾ mile away at Prelude at Paramount, a mile away at Selway and 1.5 miles away at Olivia by Costco. A Planned Unit Development (PUD) was recently approved on the southern portion of the Linder Village development south of W. Orchard Park Dr. that includes a mix of single-family (32 detached & 40 attached units), townhome (38 units) and multi-family (29 units) (Sagarra H-2022-0027). The addition of a mixed-use/multi-family and live/work uses on this site would contribute to the diversity in housing types and uses in this area as desired.

- “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 service is available to serve the proposed development. Police and Fire protection is already provided to this property and will continue to be provided.

- “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 development (i.e. apartments & townhome-style) and live work will provide housing options in close proximity to existing and future shopping, dining, civic and employment uses in this development and general area, which will reduce vehicle trips and enhance overall livability and sustainability.

- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A)

*An updated pedestrian circulation plan was submitted with this application, which should assist in ensuring safe pedestrian access and connectivity within this development. **Staff recommends the east/west driveway between The Collection and the library is restricted to emergency access only with collapsible bollards to enhance pedestrian safety in this area.***

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)

The existing and proposed mix of commercial, residential and civic land uses with pedestrian connectivity should ensure livability and economic vitality for this development.

- “Encourage the development of high quality, dense residential and mixed-use areas near in and around Downtown, near employment, large shopping centers, public open spaces and parks, and along major transportation corridors, as shown on the Future Land Use Map.” (2.02.01E)

The proposed mixed-use/multi-family development will provide dense residential housing within the mixed-use designated area in close proximity to civic [i.e. library and schools (Paramount Elementary School and Rocky Mountain High School)], employment, shopping/retail and restaurant uses along the W. Chinden Blvd./SH 20-26 transportation corridor.

V. STAFF ANALYSIS

The Applicant proposes to amend the existing Development Agreement (DA) (Inst. #2019-028376 & #2021-102392) to update the conceptual development for Lots 1 and 2, Block 1, Linder Village West Subdivision; Lots 1, 2 and 4, Linder Village South Subdivision; and Lots 12, 13 and 16, Block 1, Linder Village Subdivision (see subdivision plats in Section VII.A). The Use Area Plan and site circulation plan are also proposed to be amended in accord with the changes proposed to the conceptual development plan (see Sections VII.H, I). Changes are proposed to some of the building footprints, vehicular/pedestrian site circulation and parking; and a mix of uses, including mixed-use/multi-family residential, is proposed to be included as a future use where office and retail uses were previously planned. *Note: Although the proposed application does not include specific information as to the number of multi-family units or the height of the structure proposed, the Applicant stated at the neighborhood meeting 500 apartments units may be proposed in a 5-story vertically integrated building.*

The proposed conceptual development plan and use area plan include the following changes: *(Staff’s comments in italics)*

- Lots 1 and 2, Block 1, Linder Village West: Four (4) building pads were previously proposed for retail use. Four (4) building pads are still proposed – one (1) for retail use and three (3) for mixed retail/health/medical/restaurant & office uses – but in a different configuration with

three (3) of the pads clustered together and the single pad still at the corner.

Staff is amenable to this change as the pad sizes are substantially the same as the previous plan and the variety of uses is desired in the MU-C FLUM designation.

- Lot 16, Block 1, Linder Village: Two (2) multi-story live/work buildings were previously proposed – now, one (1) larger multi-story live/work building is proposed.

Staff is amenable to this change as the use is the same and the size is substantially the same. (Note: A live/work residential project is subject to the specific use standards listed in UDC [11-4-3-50](#) and is different from a vertically integrated residential project, which is subject to the specific use standards listed in UDC [11-4-3-41](#). The previous version of the UDC did not differentiate between the two uses when the previous conceptual development plan was approved.)

- Lot 1, Block 1, Linder Village South: This lot was planned to develop with a mix of specialty retail and restaurant uses in four (4) centralized 2-story buildings with a north/south drive aisle through the center with diagonal parking – now, eight (8) single-story buildings are proposed (i.e. The Collection) for specialty retail and restaurant uses with a pedestrian walkway and plaza for safe pedestrian circulation where the drive aisle and parking was previously planned. Conceptual elevations were submitted for the proposed structures, included in Section VII.M.

*Staff is amenable to this change as the use is the same; replacing the driveway and parking with a pedestrian walkway/plaza area is preferable to the previous design. **Staff recommends the east/west driveway between The Collection and the Market West and The Wylder buildings is restricted to emergency access only with collapsible bollards for pedestrian safety; the plans should be updated to reflect this change prior to City Council approval of the Findings.***

- Lot 4, Block 1, Linder Village South: Three (3) attached mid-anchor buildings were planned on the southern portion of this lot for entertainment/soft good uses, and one (1) pad for mixed retail/health & medical was planned at the northeast corner – now, one (1) vertically integrated multi-level/multi-tenant structure is proposed (i.e. The Barn) for entertainment/mixed retail/health/restaurants/office uses and the pad has been removed.

*Staff is amenable to this change as it should provide for a variety of uses as desired in the MU-C FLUM designation and contributes to the pedestrian-oriented community/plaza area where The Collection and the library are located. Conceptual elevations were submitted for The Barn structure, included in Section VII.M. **The proposed plans depict 90-degree parking in front of the building requiring vehicles to back out into the main east/west drive aisle, which creates safety concerns with vehicles backing out into a main drive aisle. Therefore, Staff recommends the plans are revised to remove the parking in this area prior to City Council approval of the Findings.***

- Lots 12 & 13, Block 1, Linder Village: One (1) large office and a smaller office pad were planned along with five (5) retail building pads for future office/retail use – now, two (2) live/work buildings, three (3) multi-family (townhome-style) structures, and one very large mixed use/multi-family building is proposed for entertainment/mixed retail/residential/multi-family/health/restaurant/office uses. (Note: The footprint of the proposed multi-family building is preliminary and subject to change and future agency approval.)

The proposed change still includes office and retail uses but allows for a mix of other uses, including multi-family residential. A conditional use permit is required for a multi-family development in the C-C zoning district per UDC Table 11-2B-2, which requires subsequent

approval if the proposed MDA is approved.

*While the Comprehensive Plan does support higher density and/or multi-family residential development for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, Staff is concerned with the provision of an adequate mix of uses on Lots 12 & 13 so that the area isn't primarily multi-family and includes community-serving uses consistent with the purpose statement of the MU-C designation. Staff is also concerned with the height of the structure(s) being compatible with adjacent existing and future buildings in the general area. **Therefore, Staff recommends a new DA provision limiting the overall residential density on these two lots to a maximum of 15 units/acre based on the 13.66-acre area (which equates to a maximum of 205 units), consistent with the density desired in MU-C designated areas. Additionally, in accord with the MU-C guidelines, Staff recommends a DA provision that limits the building footprint of structures to 30,000 square feet unless a structure contains a mix of both residential and office, or residential and commercial land uses. Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for additional residential densities and/or an increase to the maximum building footprint. Finally, Staff recommends the height of the structure(s) is limited to 3-stories in height for compatibility with adjacent existing and future structures in the area.***

The Applicant also proposes a change to the phasing plan. Originally, the 2-acre park on Lot 1, Block 2, Linder Village Subdivision, south of W. Orchard Park Dr., was planned to develop as part of the Phase 1 improvements – now, the Applicant proposes to develop it with the first phase of the residential development to the east (see original and proposed phasing plans in Section VII.E, J). *Staff is amenable to this change as it's located on the south side of the collector street with the residential development and makes sense for it be constructed at the same time. Note: The final plat application for the first phase of development is currently in process.*

An updated open space exhibit was submitted for the western portion of the development, that incorporates the revisions made to the conceptual development plan (see Section VII.K). An updated landscape plan was also submitted for the overall development consistent with the changes proposed to the development plan as shown in Section VII.L.

Conceptual building elevations were submitted for the buildings in The Collection and The Barn as shown in Section M. **The design of these buildings is not approved with this application; final design should be consistent with the design standards in the Architectural Standards Manual.**

Overall, the proposed changes to the conceptual development plan and use area plan still provide a mix of at least three (3) different land use types [i.e. commercial (includes retail, restaurants, etc.), civic (i.e. library, public open space, parks, entertainment venues, etc.), office (i.e. healthcare, professional, etc.) and residential (i.e. single-family attached/detached, townhomes and multi-family)] as desired in Mixed-Use designated areas. The proposed changes are consistent with the general mixed use and mixed-use community guidelines in the Comprehensive Plan. Therefore, Staff is supportive of the requested amendment to the DA with the recommended amended and new DA provisions in Section VII.M.

Note: Many [letters of testimony](#) have been received from adjacent neighbors requesting denial of the proposed amendment to the conceptual development plan that would allow 500 multi-family units in a 5-story building as presented at the neighborhood meeting. The objections stated include, but are not limited to, the following: the density proposed is too high; negative impact on traffic on already congested roadways; extra strain on already overcrowded area schools; a 5-story structure(s) would be out of scale and character in this area and isn't compatible or proportionate with adjacent structures in the area; perceived negative effect on property values and quality of life; etc.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S89°04'50"E	4.00
L2	N00°55'10"E	168.11
L3	N89°04'46"W	8.00
L4	N00°55'10"E	234.10
L5	N00°55'10"E	26.10
L6	N00°55'10"E	120.80
L7	N00°55'10"E	69.27
L8	N00°55'10"E	42.53
L9	N00°55'10"E	255.37
L10	N00°55'10"E	15.00
L11	N00°55'10"E	17.00
L12	N00°55'10"E	17.00
L13	N00°55'10"E	17.00
L14	N00°55'10"E	17.00
L15	N00°55'10"E	17.00
L16	N00°55'10"E	17.00
L17	N00°55'10"E	17.00
L18	N00°55'10"E	17.00
L19	N00°55'10"E	17.00
L20	N00°55'10"E	17.00
L21	N00°55'10"E	17.00
L22	N00°55'10"E	17.00
L23	N00°55'10"E	17.00
L24	N00°55'10"E	17.00
L25	N00°55'10"E	17.00
L26	N00°55'10"E	17.00
L27	N00°55'10"E	17.00
L28	N00°55'10"E	17.00
L29	N00°55'10"E	17.00
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L62	N00°55'10"E	17.00
L63	N00°55'10"E	17.00
L64	N00°55'10"E	17.00
L65	N00°55'10"E	17.00

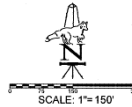
LINE TABLE		
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L68	N00°55'10"E	38.00
L69	N00°55'10"E	195.32
L70	N00°55'10"E	82.81
L71	N00°55'10"E	20.00
L72	N00°55'10"E	100.49
L73	N00°55'10"E	57.80
L74	N00°55'10"E	57.80
L75	N00°55'10"E	19.80
L76	N00°55'10"E	20.00
L77	N00°55'10"E	32.34

* 2021111595
W Orchard Park Dr shall replace
W Plaza Shops Dr

LINDER VILLAGE SUBDIVISION

A REPLAT OF LOTS 5-8, MIDWAY PLACE SUBDIVISION
SITUATED IN THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 25
TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO

2021



Sheet 1: Plat, Line and Curve Tables
Sheet 2: Details, Plat Notes, Narrative and Record Data
Sheet 3: Easements and Easement Notes
Sheet 4: Joint Utility Easement and Notes
Sheet 5: Owners Signatures
Sheet 6: Agency Approvals and Recording

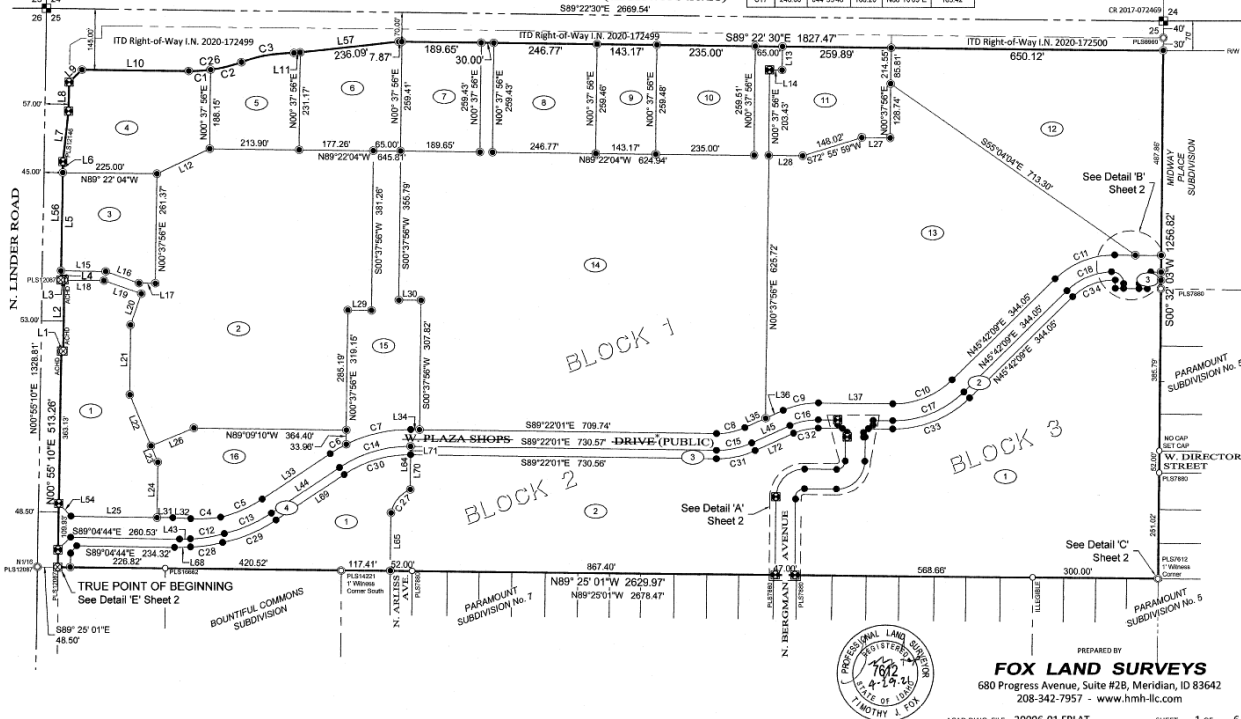
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C3	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C4	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C5	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C6	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C7	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C8	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C9	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C10	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
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C12	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
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C14	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C15	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C16	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C17	362.13	68°18'40"	52.54	N89°20'00"E	52.49	

CURVE TABLE						
CRV	RAD	DELTA	LEN	CH. BRG	CH. LEN	
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C20	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C21	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C22	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C23	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C24	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C25	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C26	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C27	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C28	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C29	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C30	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C31	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C32	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C33	362.13	68°18'40"	52.54	N89°20'00"E	52.49	
C34	362.13	68°18'40"	52.54	N89°20'00"E	52.49	

LEGEND

- Subdivision Boundary
- Lot Lines
- Section
- Record Boundary
- Common Utility Lines Easement
- Record Easement as noted
- ACHD Permanent Easement
- Permanent Landscape Buffer
- ITD Permanent Easement
- City of Meridian Easement
- Found Aluminum Cap Monument
- Found 5/8" Rebar, As Noted
- Found 1/2" Rebar, As Noted
- Found Brass Cap Monument, As Noted
- Set 5/8" Rebar, Plastic Cap "PL51 PL57612"
- Set 1/2" Rebar Plastic Cap "PL51 PL57612"
- Set Copper Cap Monument "PL51 PL57612"
- Calculation Point, Nothing Found or Set
- Lot Number
- Instrument Number
- Corner Record Instrument Number

W. CHINDEN BLVD (HIGHWAY 20/26)
S89°22'30"E 2699.54'



PREPARED BY
FOX LAND SURVEYS
680 Progress Avenue, Suite #28, Meridian, ID 83642
208-342-7957 - www.hmh-llc.com

PLAT OF LINDER VILLAGE SOUTH SUBDIVISION

A Replat of Lot 14, Block 1 of Linder Village Subdivision
Sited in the North 1/2 of the Northwest 1/4 of Section 25, Township 4
North, Range 1 West, B.M., City of Meridian, Ada County, Idaho
2023



SHEET INDEX

- SHEET 1 - SUBDIVISION PLAT
- SHEET 2 - EASEMENT DETAILS
- SHEET 3 - EASEMENT DETAILS AND LINE & CURVE TABLES
- SHEET 4 - CERTIFICATE OF OWNERS AND NOTES
- SHEET 5 - CERTIFICATES AND APPROVALS

LEGEND

- FOUND ALUMINUM CAP AS NOTED
- ⊙ FOUND 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS PLS 7612", UNLESS NOTED OTHERWISE
- ⊙ FOUND BRASS PLUG MARKED "FOX PLS 7612"
- ⊙ SET 5/8-INCH REBAR WITH PLASTIC CAP MARKED "ALB 12459"
- ⊙ SET 30-FT WITNESS CORNER WITH A 5/8-INCH REBAR AND PLASTIC CAP MARKED "WC ALB 12459"
- ⊙ SET BRASS PLUG (WITH MAGNETIC INSERT) MARKED "ALB PLS 12459"
- △ CALCULATED POINT, NOTHING FOUND OR SET
- (11) LOT NUMBER
- (21) ADJACENT LOT NUMBER
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- EASEMENT LINE, AS NOTED
- ||||| CITY OF MERIDIAN SEWER AND WATER EASEMENT PER INST. NO. 2021-014150

REFERENCES

- R1. PLAT OF LINDER VILLAGE SUBDIVISION, BOOK 120 OF PLATS AT PAGES 1880E-1881E, RECORDS OF ADA COUNTY, IDAHO.
- R2. RECORD OF SURVEY No. 13252, RECORDS OF ADA COUNTY, IDAHO.

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE LAND SHOWN HEREON. THE SURVEY IS BASED UPON THE INFORMATION OF THE PLAT LISTED IN THE REFERENCES HEREON AND A FIELD SURVEY OF EXISTING MONUMENTATION. MONUMENTATION RECOVERED WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE REFERENCES LISTED HEREON. ALL PROPERTY CORNERS WHERE MONUMENTS OF RECORD WERE NOT FOUND WERE SET/RESET AS SHOWN HEREON.



JOB NO. 21-266

SHEET 1 OF 5

B. Existing Conceptual Development Plan (dated: 5/25/21)



CSHQ

CLIENT: DMG Real Estate Partners, LLC
LOCATION: BOISE, IDAHO
DRAWING TITLE: CONCEPT SITE PLAN

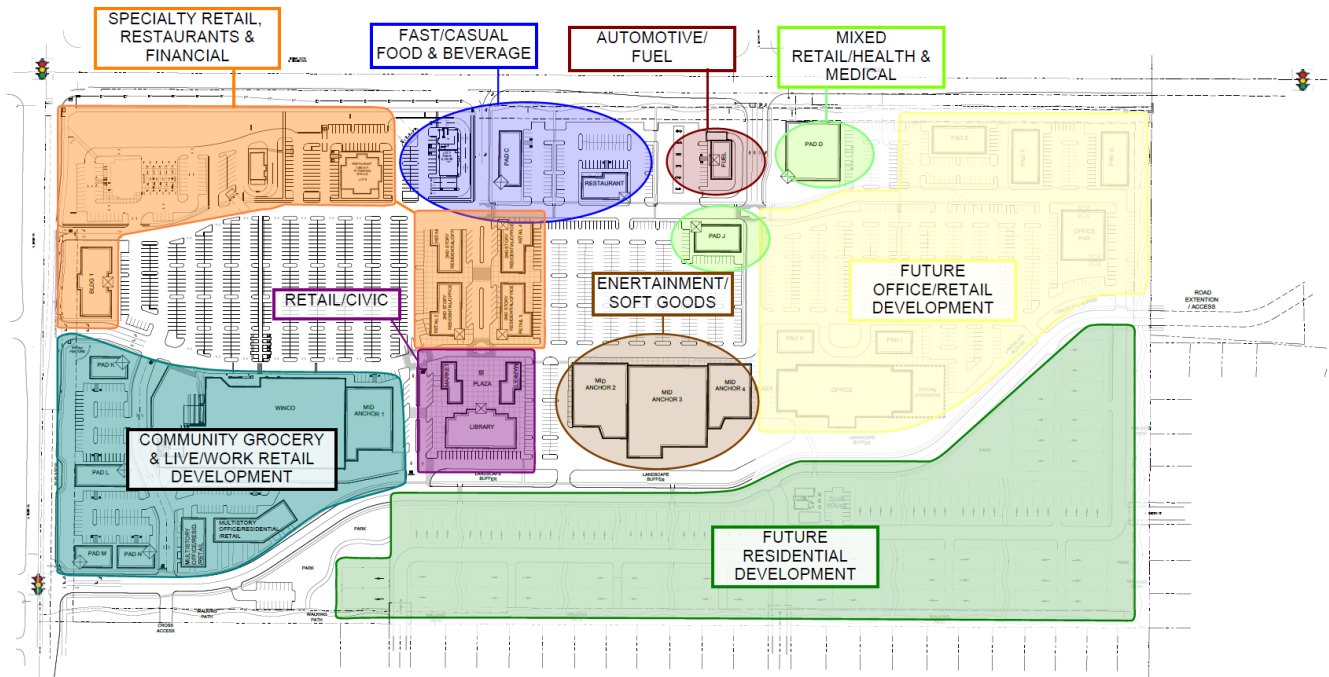
DATE: 05/25/21 REV
BY: AMS
PROJECT #: 07142

CONCEPT
SITE PLAN

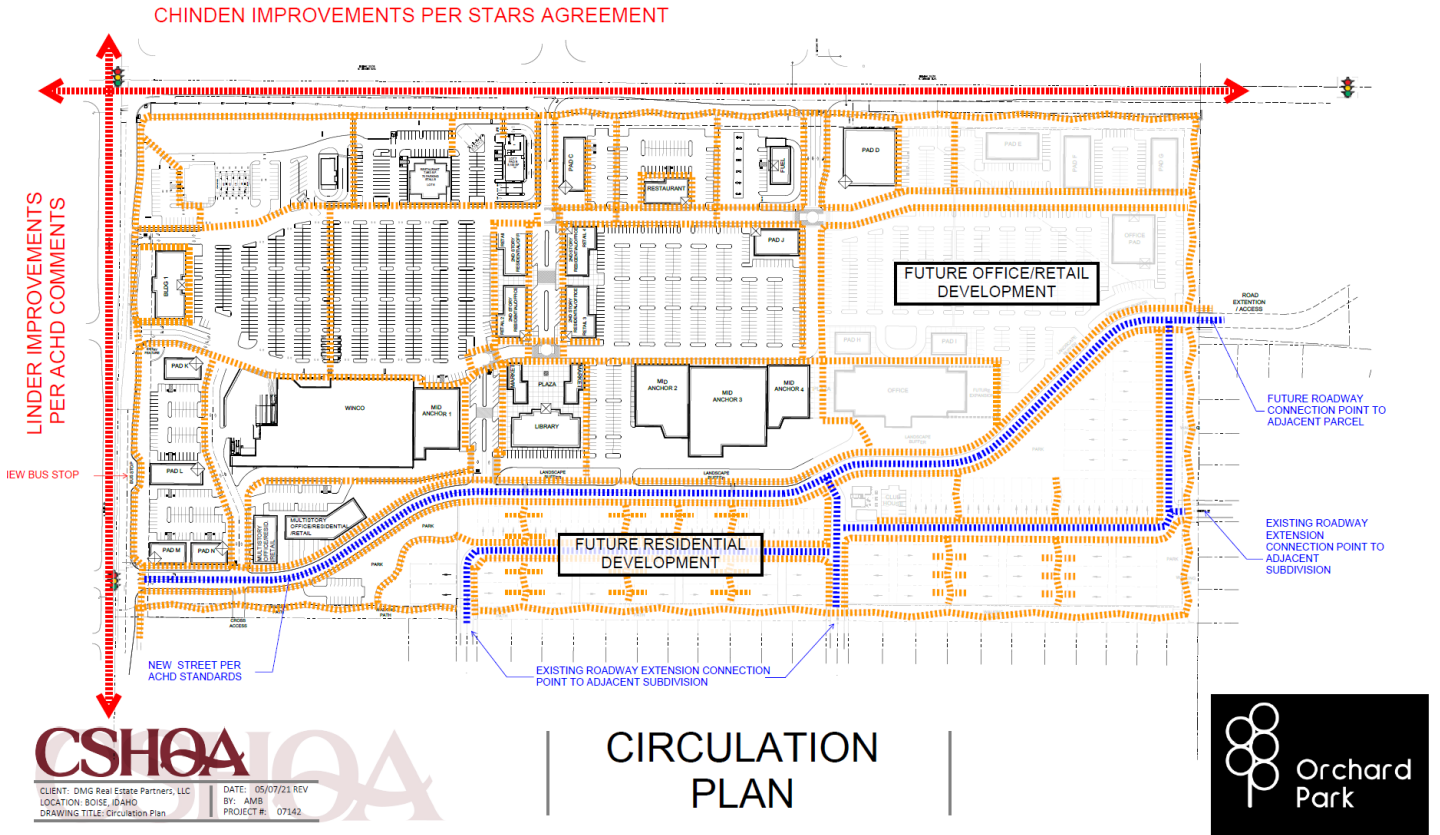
1 CONCEPT PLAN
SCALE: 1" = 50'
1" = 40'



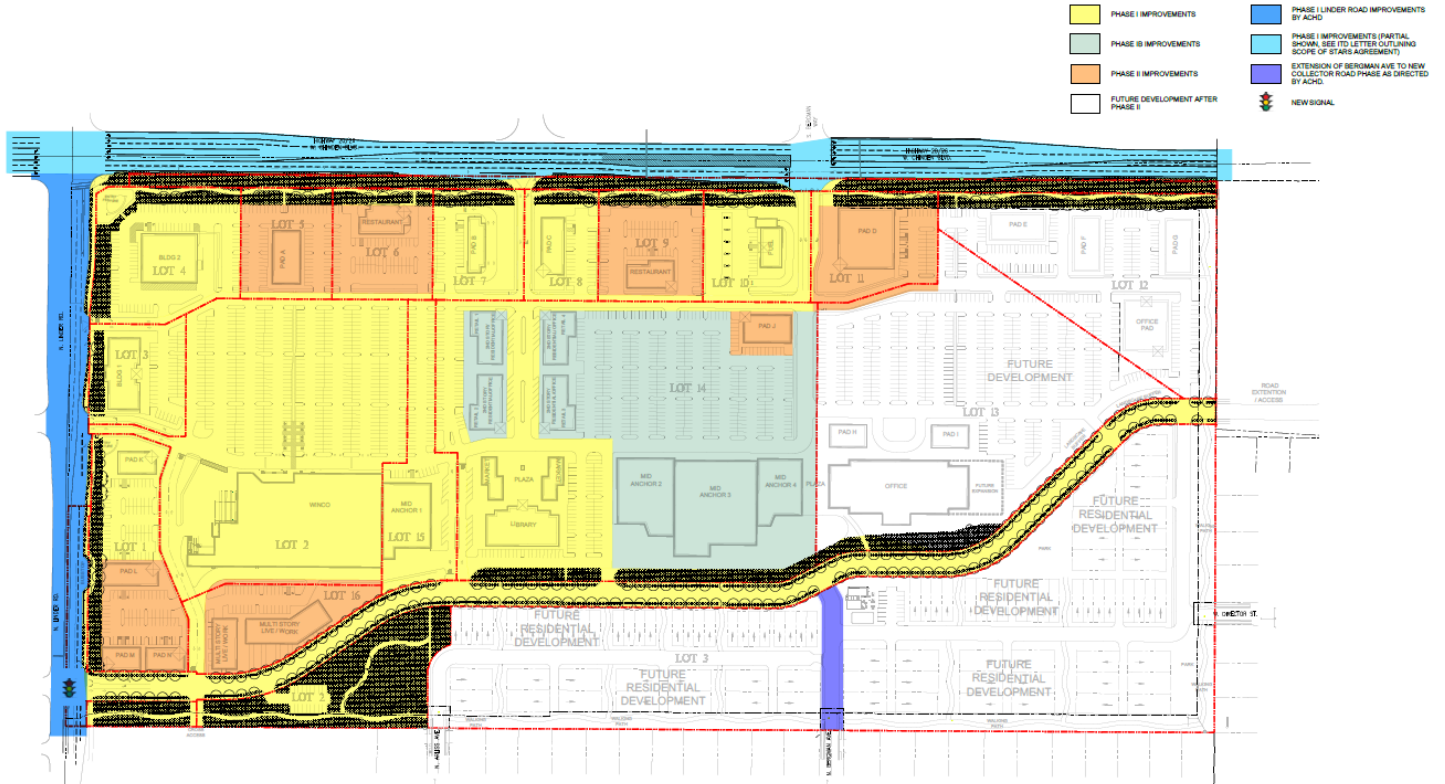
C. Existing Use Area Plan (dated: 5/7/21):



D. Existing Site Circulation Plan (dated: 5/7/21):



E. Existing Phasing Plan (dated: 10/25/2018)



CSHQA

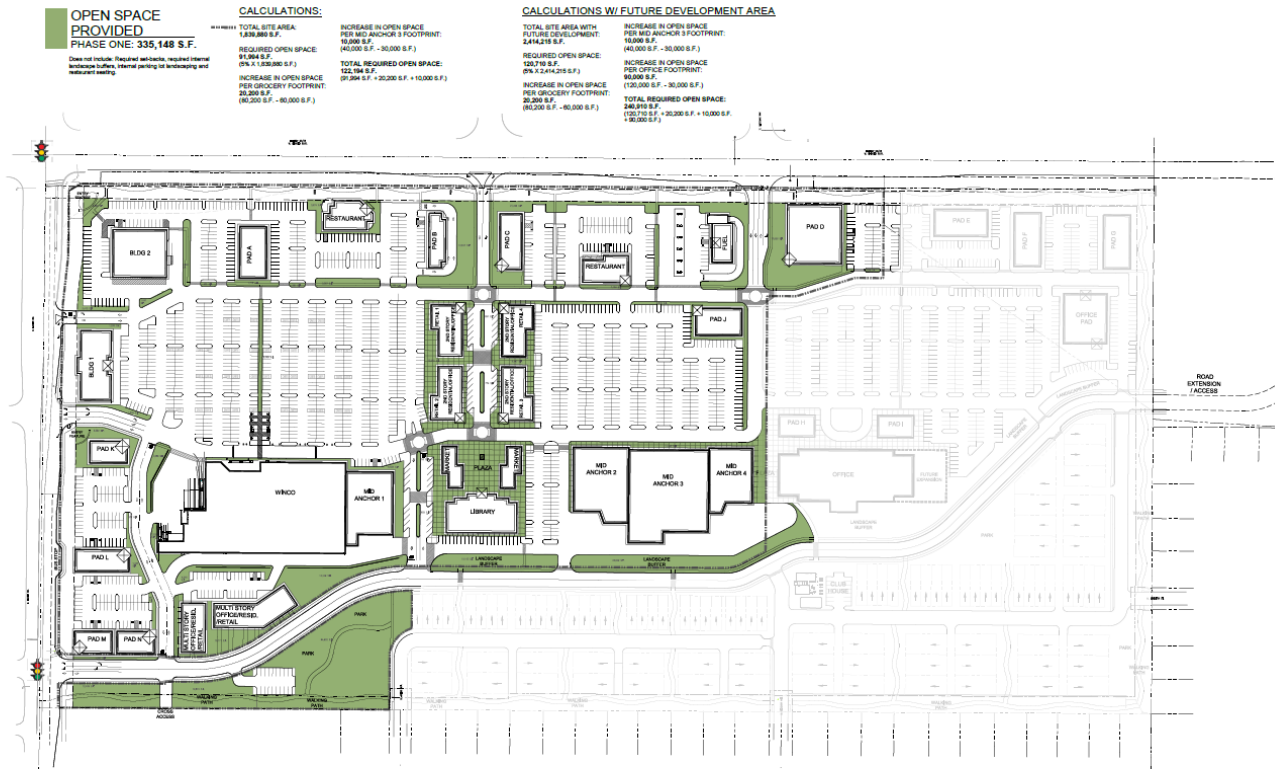
CLIENT: DMG Real Estate Partners, LLC
LOCATION: BOISE, IDAHO
DRAWING TITLE: Phasing Plan

DATE: 10/25/18
BY: SBM
PROJECT #: 07142

PHASING
PLAN

LINDER
VILLAGE

F. Existing Open Space Exhibit (dated: 1/14/2019)



OPEN SPACE PLAN



CLIENT: DMG Real Estate Partners, LLC
LOCATION: BOISE, IDAHO
DRAWING TITLE: Open Space Plan

DATE: 1/14/19
BY: JGG
PROJECT #: 07142

G. Proposed Conceptual Development Plan (dated: 3/29/23)



29 MARCH, 2023



Scale: 1:100

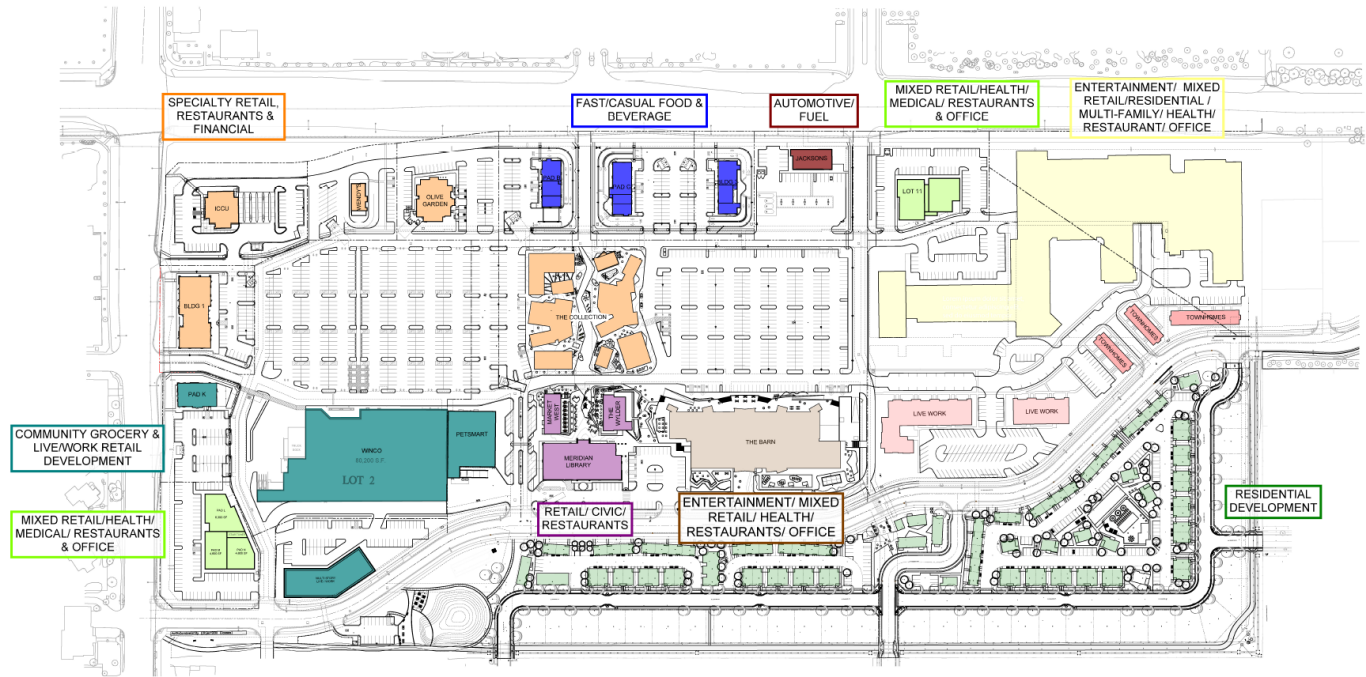
OVERALL SITE PLAN
SD | pg. 1

H. Proposed Use Area Plan (dated: 5/31/23)

CSH6A



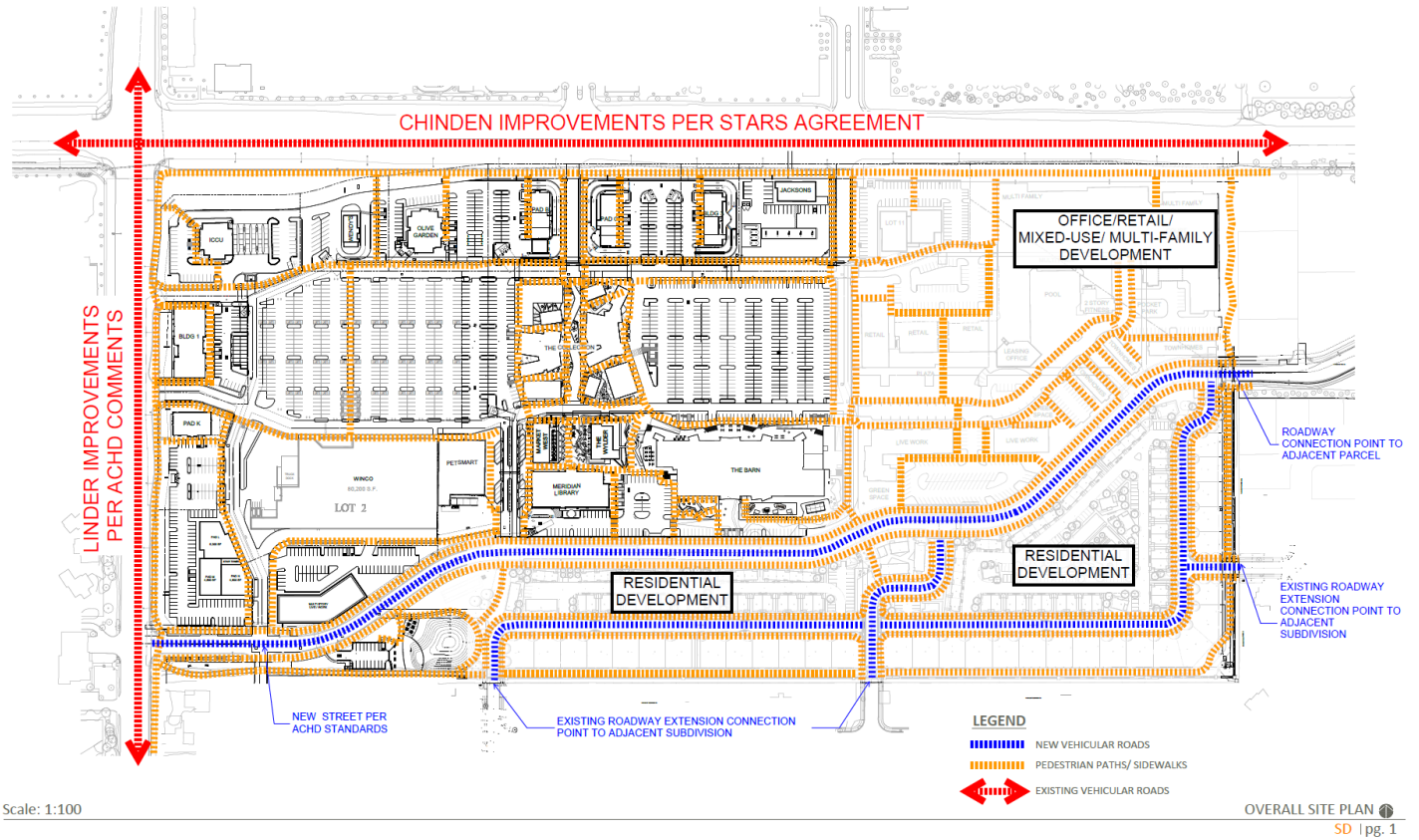
31 MAY, 2023



Scale: 1:100

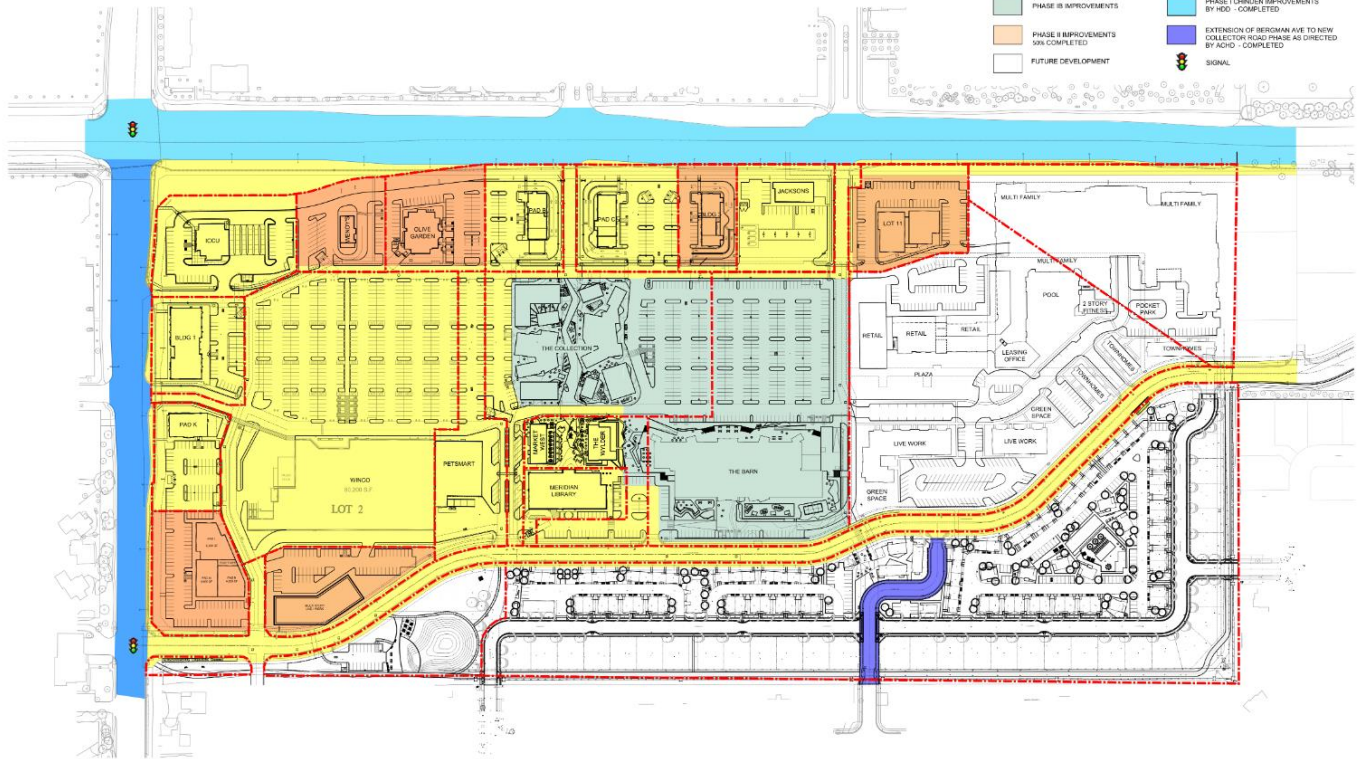
OVERALL SITE PLAN SD | pg. 1

I. Proposed Site Circulation Plan (dated: 3/29/23)





	PHASE I IMPROVEMENTS - 100% COMPLETED		PHASE I UNDER ROAD IMPROVEMENTS BY AGHD - COMPLETED
	PHASE II IMPROVEMENTS		PHASE I CHINDEN IMPROVEMENTS BY HOD - COMPLETED
	PHASE II IMPROVEMENTS 100% COMPLETED		EXTENSION OF BERGMAN AVE TO NEW COLLECTOR ROAD PHASE AS DIRECTED BY AGHD - COMPLETED
	FUTURE DEVELOPMENT		SIGNAL

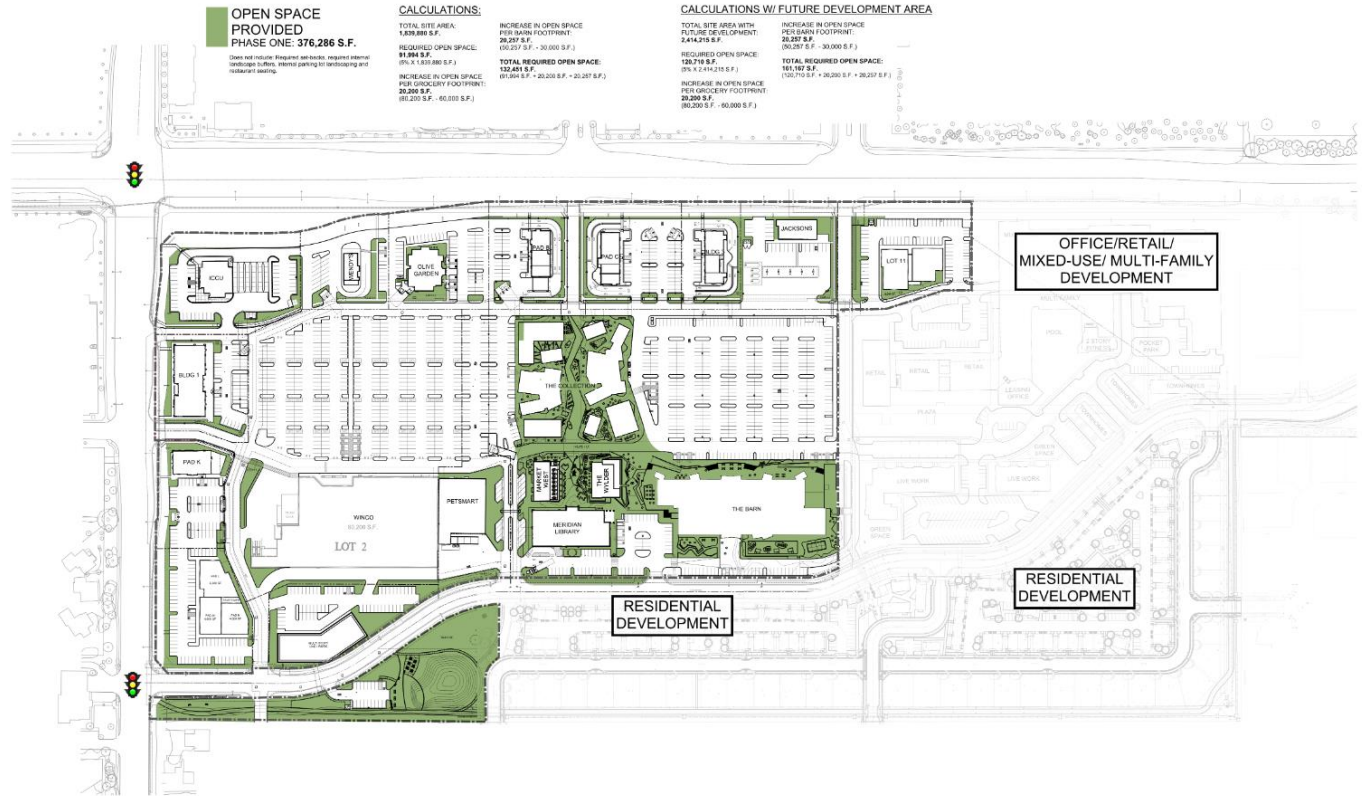
OVERALL SITE PLAN

SD | pg. 1

K. Proposed Open Space Exhibit (dated: March 29, 2023)



29 MARCH, 2023



Scale: 1:100

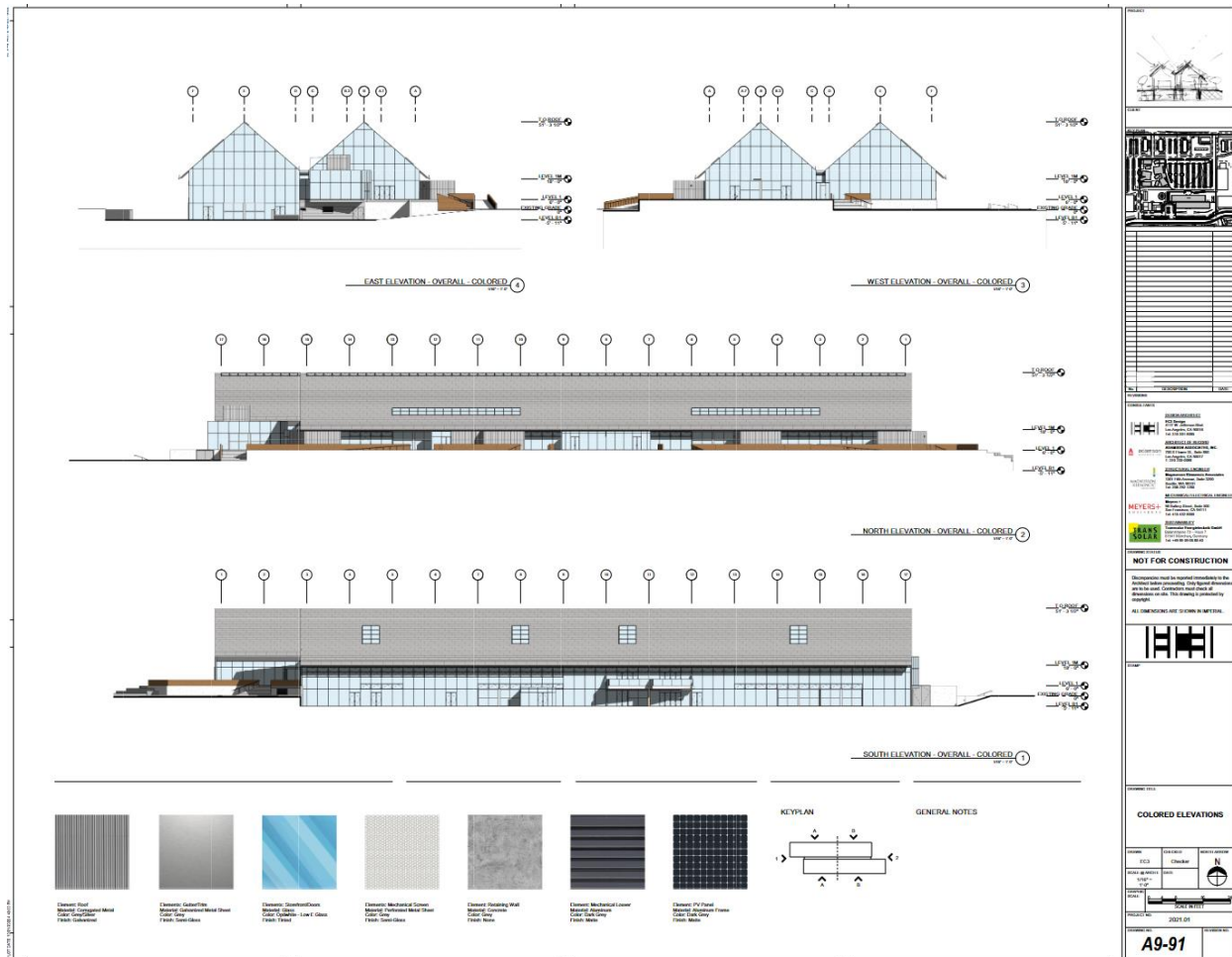
OVERALL SITE PLAN SD pg. 1

L. Proposed Landscape Plan



M. Proposed Conceptual Elevations for The Collection & The Barn





- N. Staff Recommended Modifications to Existing Development Agreement Provisions: *(Proposed changes shown in strike-out/underline format; all other provisions remain the same.)*

Staff recommends the following amendments to existing DA provisions:

#5.1a: “Future development of this site shall substantially comply with the concept site plan, use area plan, circulation plan, open space plan, phasing plan, preliminary plat, landscape plan and conceptual building elevations for ~~the Mid Retail and Shops Retail Options~~ The Collection and The Barn, and Residential Examples included in Exhibit A of the staff report that is attached to the Findings of Fact and Conclusions of Law, attached hereto as Exhibit “B”; the conceptual building elevations for the Major Retail Option (i.e. WinCo) attached hereto as Exhibit “C”; and the conditions contained herein.”

#5.1k: “A minimum gross density of 6 units per acre shall be provided within the future residential development area depicted on the concept site plan on the south side of W. Orchard Park Dr.”

Staff recommends the following additional new DA provisions:

#5.1p: “The overall residential gross density on Lots 12 and 13, Block 1, Linder Village Subdivision, shall be limited to a maximum of 15 units/acre based on the 13.66-acre area with a maximum building height of 3-stories. Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for additional residential densities.”

#5.1q: “The building footprint of structures shall be limited to a maximum of 30,000 square feet unless a structure contains a mix of both residential and office, or residential and commercial land uses, in accord with the Mixed-Use Community future land use designation in the Comprehensive Plan. Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for an increase to the maximum building footprint.”