

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



In the Matter of the Request for Preliminary plat (PP) Consisting of 25 Buildable Lots on 36+/- Acres of Land in the R-40 and C-C Zoning Districts for Outer Banks Subdivision; and a Conditional use permit (CUP) for a Multi-Family Development Containing a Total of 516 Residential Dwelling Units Consisting of (364) High-Density Apartments, (126) Flat and (26) Townhome Style Units in the R-40 and C-C Zoning Districts for The 10 Meridian, by JUB Engineers, Inc.

Case No(s). H-2021-0063

For the City Council Hearing Date of: December 14, 2021 (Findings on January 4, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of December 14, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 14, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 14, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 14, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the

Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of December 14, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for preliminary plat and conditional use permit is hereby approved per the conditions of approval in the Staff Report for the hearing date of December 14, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration

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

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

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of December 14, 2021

By action of the City Council at its regular meeting held on the _____ day of _____, 2021.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



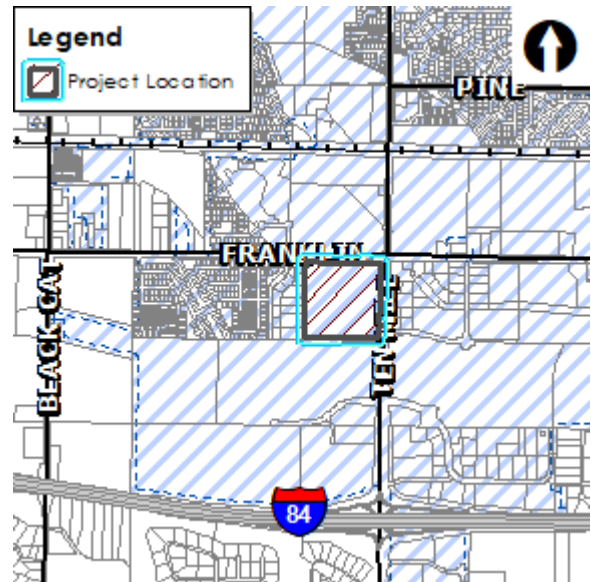
HEARING DATE: December 14, 2021

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2021-0063 – Outer Banks Subdivision/The 10 Meridian

LOCATION: SWC of W. Franklin Rd. & S. Ten Mile Rd., in the NE ¼ of Section 15, Township 3N., Range 1W. (Parcel: S1215110058)



I. PROJECT DESCRIPTION

Preliminary plat (PP) consisting of 25 buildable lots on 36+/- acres of land in the R-40 and C-C zoning districts for Outer Banks Subdivision; and a Conditional use permit (CUP) for a multi-family development containing a total of 516 residential dwelling units consisting of (364) high-density apartments, (126) flat and (26) townhome style units in the R-40 and C-C zoning districts for The 10 Meridian.

II. SUMMARY OF REPORT

A. Project Summary

| Description | Details | Page |
|---|---|------|
| Acreage | 36-acres (plat boundary) | |
| Future Land Use Designation | Mixed Use – Commercial (MU-COM); High Density Residential (HDR); and Mixed Use – Residential (MU-RES) in the Ten Mile Interchange Specific Area Plan (TMISAP) | |
| Existing Land Use | Vacant/undeveloped land | |
| Proposed Land Use(s) | Commercial, multi-family development, vertically integrated residential | |
| Current Zoning | Community Business (C-C) & High-Density Residential (R-40) | |
| Proposed Zoning | NA | |
| Lots (# and type; bldg/common) | 25 buildable lots/0 common lots | |
| Phasing plan (# of phases) | 2 | |
| Number of Residential Units (type of units) | 516 units [(364) high density apartments, (126) flat and (26) townhome style units] | |

| | | |
|---|---|--|
| Density (gross & net) | 23.07 (gross) units/acre | |
| Open Space (acres, total [%] / buffer / qualified) | 4.74 acres | |
| Amenities | A clubhouse with a swimming pool, fitness center, dog wash facilities, internet café, co-working center, game room; (6) BBQ's; (2) plazas; a fire pit;(2) sports courts (i.e. bocce ball, pickle ball); children's play equipment; open grassy areas of at least 50' x 50' in size; a dog park; a plaza; and a children's play structure. | |
| Physical Features (waterways, hazards, flood plain, hillside) | The Kennedy Lateral bisects this site. | |
| Neighborhood meeting date; # of attendees: | July 26, 2021; no attendees other than the Applicant | |
| History (previous approvals) | H-2021-0025 (DA Inst. #2021-132704 – The 10 at Meridian) | |

B. Community Metrics

| Description | Details | Page |
|--|---|------|
| Ada County Highway District | | |
| • Staff report (yes/no) | Yes | |
| • Requires ACHD Commission Action (yes/no) | No | |
| Traffic Impact Study (yes/no) | Yes | |
| Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed) | Access is proposed via W. Franklin Rd., S. Ten Mile Rd. and W. Cobalt Dr. as shown on the plat. | |
| Traffic Level of Service | W. Franklin Rd. – better than “D”/existing plus project “F”; S. Ten Mile Rd. – Better than “D” (acceptable level of service is “E”) | |
| Stub Street/Interconnectivity/Cross Access | No stub streets exist to this site from the property to the west; therefore, none can be extended. | |
| Existing Road Network | There are no existing internal roadways within the site; W. Franklin Rd. and S. Ten Mile Rd. are existing arterial streets that border the site along the north and east boundaries. | |
| Existing Arterial Sidewalks / Buffers | Curb, gutter and a 7-foot wide attached asphalt path exists along S. Ten Mile Rd. Curb, gutter and a 7-foot wide attached (near the intersection) and 5-foot wide detached (outside of the influence area of the intersection) concrete sidewalk exists along W. Franklin Rd. No buffers exist on this site along either roadway. | |
| Proposed Road Improvements | There are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP. | |
| Fire Service | | |
| • Distance to Fire Station | 1.9 mile from Station #2 | |
| • Fire Response Time | Within 5-minute response time goal | |
| • Resource Reliability | 85% (goal is 80% or greater) | |

| Description | Details | Page |
|--|---|------|
| <ul style="list-style-type: none"> • Risk Identification | 4 – current resources would <i>not</i> be adequate to supply service to this project. | |
| <ul style="list-style-type: none"> • Accessibility | Meets all required access, road widths and turnarounds | |
| <ul style="list-style-type: none"> • Special/resource needs | Will require an aerial device – can meet this need in the required time frame if a truck company is required. | |
| <ul style="list-style-type: none"> • Water Supply | Will vary depending on building size and occupancy types. | |
| <ul style="list-style-type: none"> • Other | | |
| Police Service | See Section IX.D | |

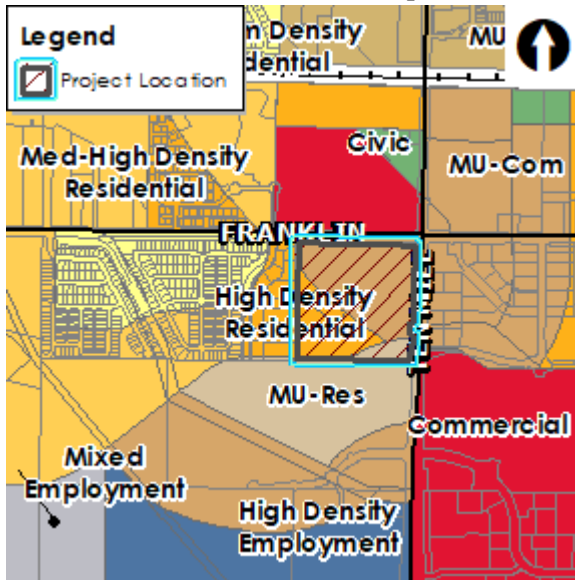
| | | | |
|---|---|-----------------|-----------------------------------|
| West Ada School District | | | |
| <ul style="list-style-type: none"> • Distance (elem, ms, hs) | Projected 21-22 Enrollment | Capacity | Miles (Dev. to School) |
| <ul style="list-style-type: none"> • Capacity of Schools | Chaparral Elementary | 494 | 700 |
| <ul style="list-style-type: none"> • # of Students Enrolled | Meridian Middle School | 1062 | 1250 |
| | Meridian High School | 1831 | 2075 |
| <ul style="list-style-type: none"> • Predicted # of students generated from proposed development | 56 | | |
| Community Development School Impact Table | https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241147&dbid=0&repo=MeridianCity | | |

| | |
|--|--|
| Wastewater | |
| <ul style="list-style-type: none"> • Distance to Sewer Services | Directly adjacent |
| <ul style="list-style-type: none"> • Sewer Shed | South Black Cat Trunk Shed |
| <ul style="list-style-type: none"> • Estimated Project Sewer ERU's | See Application |
| <ul style="list-style-type: none"> • WRRF Declining Balance | 14.21 |
| <ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan | Yes |
| <ul style="list-style-type: none"> • Impacts/Concerns | <ul style="list-style-type: none"> • Flow is committed • See Public Works Site Specific conditions in Section IX.B |
| | |

| | |
|---|---|
| Water | |
| <ul style="list-style-type: none"> • Distance to Water Services | Directly adjacent |
| <ul style="list-style-type: none"> • Pressure Zone | 2 |
| <ul style="list-style-type: none"> • Estimated Project Water ERU's | See application |
| <ul style="list-style-type: none"> • Water Quality | None |
| <ul style="list-style-type: none"> • Project Consistent with Water Master Plan | Yes |
| <ul style="list-style-type: none"> • Impacts/Concerns | See Public Works Site Specific Conditions in Section IX.B |

C. Project Maps

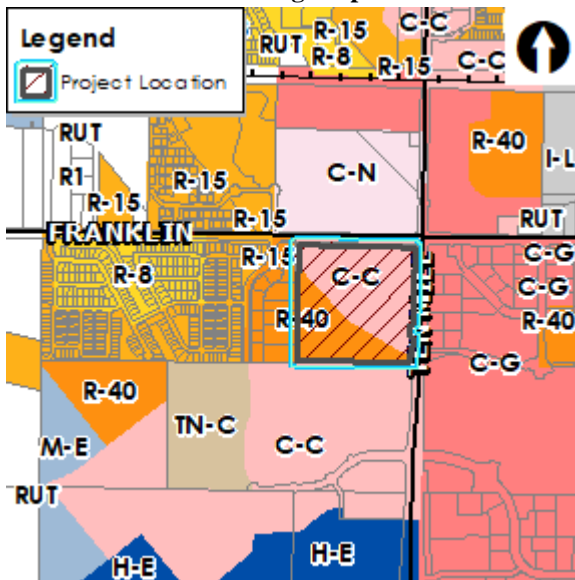
Future Land Use Map



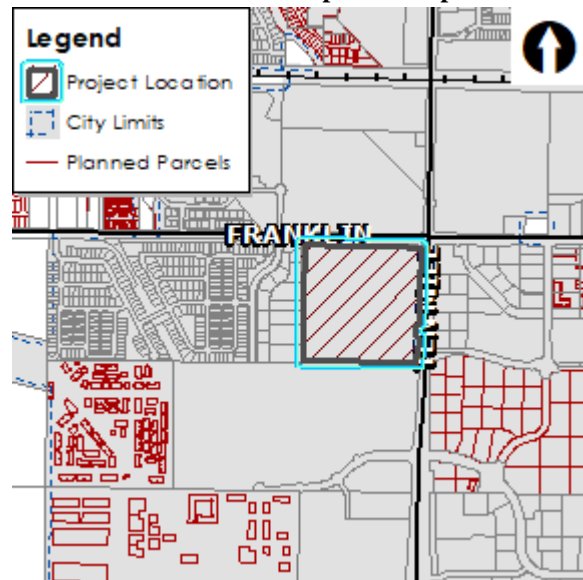
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Wendy Shrief, JUB Engineers, Inc. – 250 S. Beechwood Ave., Ste. 201, Boise, ID 83709

B. Owner:

10 Mile Franklin, LLC – 837 Jefferson Blvd., West Sacramento, CA 95691

C. Representative:

Same as Applicant

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|---|-----------------------------------|------------------------------|
| Newspaper Notification | 10/19/2021 | 11/28/2021 |
| Radius notification mailed to properties within 300 feet | 10/12/2021 | 12/2/2021 |
| Public hearing notice sign posted on site | 10/22/2021 | 11/29/2021 |
| Nextdoor posting | 10/15/2021 | 12/6/2021 |

V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPLAN](https://www.meridiancity.org/complan)):

LAND USE: The majority of this property is designated Mixed Use Commercial (MU-COM) (northeast 22+/- acres) and High Density Residential (HDR) (southwest 11+/- acres) on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#) with a narrow sliver of Mixed Use Residential (MU-RES) (3+/- acres) along the southern boundary which will be mostly be right-of-way for W. Cobalt Dr. This property is located within the area governed by the [Ten Mile Interchange Specific Area Plan](#) (TMISAP).

The purpose of the MU-COM designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multi-family or single-family attached residential uses (see pg. 3-9 in the TMISAP for more information).

HDR designated areas are multiple-family housing areas where relatively larger and taller apartment buildings are the recommended building type. HDR areas should include a mix of housing types that achieve an overall average density target of at least 16-25 dwelling units per gross acre (see pg. 3-7 in the TMISAP for more information).

The purpose of the MU-RES designation is to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, employment, and other miscellaneous uses (see pg. 3-8 in the TMISAP for more information).

Mixed use designated areas in the TMISAP are recommended locations for development of activity centers that are specifically planned to include both residential and non-residential uses. Mixed use areas are anticipated to have 3 or more significant income producing uses (i.e. retail, office, residential and lodging facilities) with significant functional and physical integration in conformance with a coherent plan (pgs. 3-7 & 3-8).

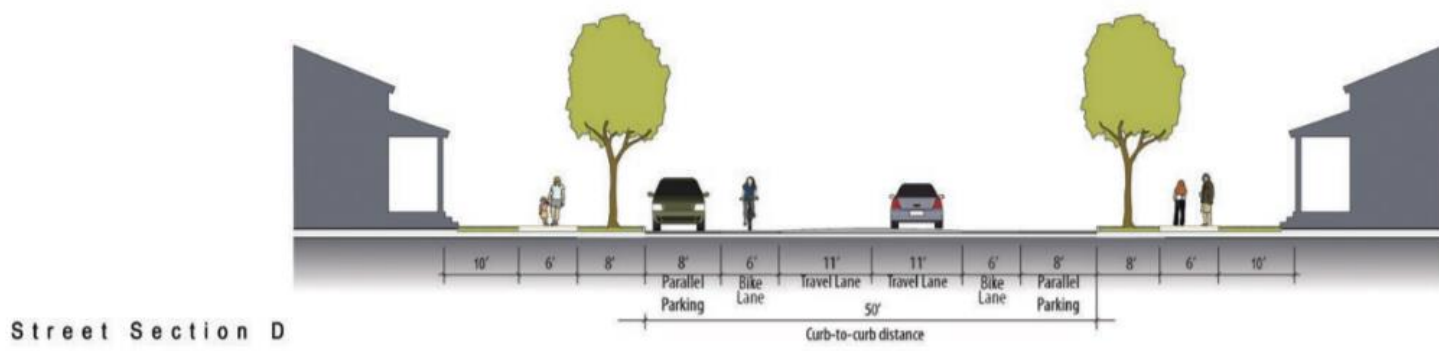
The site is proposed to develop with a mix of uses (horizontal and vertical) as shown on the site plan in Section VIII.D. High-density 4-story multi-family residential apartments (200 1-bedroom & 164 2-bedroom units) are proposed in the HDR designated area on the southwest portion of the site. Four-story multi-family flats (68 1-bedroom and 58 2-bedroom units) and 3-story multi-family townhouse style (26 3-bedroom units) units with a 15,525 square foot clubhouse/recreation center, 2-story vertically integrated mixed use [primarily retail uses on the 1st floor (28,600 s.f.) with residential (22 1-bedroom and 11 2-bedroom units) on the 2nd floor], commercial (113,200 s.f.) and QSR (i.e. fast food restaurant) with drive-throughs (8,450 s.f.) are proposed in the MU-COMM designated portion of the site adjacent to W. Franklin

Rd. and S. Ten Mile Rd. A total of 549 residential units and 150,250 s.f. of commercial uses are proposed to develop on the overall site.

Staff finds the mix of income producing uses proposed as well as the vertical and horizontal integration of such uses and residential densities interconnected by pedestrian walkways and amenities is generally consistent with the goals of the TMISAP for this area.

Transportation: W. Franklin Rd. and S. Ten Mile Rd. are existing 5-lane arterial streets that run along the north and east boundaries of the site that are fully built out.

Cobalt Drive is proposed to be extended as a collector street from S. Ten Mile Rd. at the southeast corner and off-site along the southern boundary of the site to the project's west boundary consistent with the Master Street Map in the Comprehensive Plan and the Transportation System Map in the TMISAP. The Transportation System Map depicts the Ten Mile intersection with Cobalt as right-in/right out. The Street Section Map depicts this segment of Cobalt as Street Section D, which is a residential collector street per the Transportation System Map. Buildings on such streets have limited setbacks behind the sidewalk and a tree-lawn is required. A 5-foot wide dry-utilities corridor should be provided along both sides of the street curb. Both wet utilities may be located in the street. Streetlights should be placed in the dry utilities corridor on either side of the street.



Note: ACHD has requested the City and ITD consider requiring the Applicant to extend the southbound left turn lane at the I-84/Ten Mile Rd. intersection to 700 feet and modify the landscape median to accommodate additional vehicle stacking. ACHD has not accepted the right-of-way for the segment of Ten Mile Rd. that would encompass the extension of the southbound left turn lane so this is not within their right-of-way. Staff believes the City does not have the authority to require a roadway improvement that is not on the Applicant's property and is not directly related to the application. However, staff encourages the applicant to mitigate the concerns raised and seek ITD approval to make the necessary modifications as noted above.

Design: Conceptual building elevations were submitted for the high density, flats and townhome style multi-family residential and mixed-use/vertically integrated structures and the associated clubhouse. The design of the proposed multi-family structures appears to be of a high quality and are generally consistent in style, materials and colors. Elevations weren't submitted for the commercial portion of the development as tenants are unknown at this time. **Final design of the site and all structures is required to comply with the design elements of the TMISAP per the Application of Design Elements matrix on pg. 3-49 of the TMISAP and the design standards in the Architectural Standards Manual in accord with the Development Agreement (Inst. #2021-132704, provision #5.1b). The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.**

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)

A variety of multi-family housing is proposed in this development consisting of flats, townhome and high-density apartment style units, which will contribute to the variety of housing types in the City, specifically in the Ten Mile area as desired, 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 school impact table prepared by the Community Development Dept. shows capacity at area schools below capacity although only slightly so for the middle and high school currently serving 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 at a major intersection along two major mobility arterials (Franklin and Ten Mile Roads) and in close proximity to employment centers. Transit services exist in the Ten Mile Crossing development to the east at the intersection of Vanguard/Wayfinder to serve this area – other transit stops may be added in the future. Transit services are available to serve this site via Route 40.

- “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 project with multi-family residential and a grocery store with nearby employment (retail/office uses) and restaurant uses, should provide a good mix of uses that residents won’t have to travel far for, thus reducing vehicle trips and enhancing overall 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 an enclave surrounded by City annexed land. Annexation and development of this property will maximize public services.

- “Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City's vision and the necessary extension of public services and infrastructure is provided.” (3.03.03)

The proposed development plan is generally consistent with the City’s vision for this property through the Comprehensive Plan; the developer will extend public services and infrastructure as needed for the development.

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. PRELIMINARY PLAT

A preliminary plat (PP) consisting of 25 buildable lots on 36+/- acres of land in the R-40 and C-C zoning districts is proposed for Outer Banks Subdivision (see Section VIII.A). The plat is proposed to develop in two (2) phases; the first phase is the ~~high-density apartments in the R-40 district on the southwest portion of the site (southwest of the Kennedy Lateral)~~ mixed-use area in the C-C district on the northeast portion of the site (northeast of the Kennedy Lateral) and the second phase is the ~~mixed-use area in the C-C district on the northeast portion of the site (northeast of the Kennedy Lateral)~~ high-density apartments in the R-40 district on the southwest portion of the site (southwest of the Kennedy Lateral).

Right-of-way (ROW) for the extension of W. Cobalt Dr. on the subject property is proposed to be dedicated with the plat; ROW for the portion on the property to the south will be dedicated separately via deed with approval from that property owner.

Existing Structures/Site Improvements:

There are no existing structures on this site. Curb, gutter and a 7-foot wide attached asphalt path exists along S. Ten Mile Rd. Curb, gutter and 7-foot wide attached (near the intersection) and 5-foot wide detached (outside the influence area of the intersection) sidewalk exists along W. Franklin Rd.

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

The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-8](#) for the R-40 zoning district and [Table 11-2B-3](#) for the C-C zoning district. In the C-C district, there are no minimum setback requirements; however, future buildings may not encroach within required street buffers and residential structures must have minimum 20-foot separation between structures per Building Code.

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

Access is proposed via W. Franklin Rd., a commercial arterial; S. Ten Mile Rd., a residential mobility arterial; and the future extension of W. Cobalt Dr., a residential collector street, as shown on the plat.

Two (2) access driveways are proposed via W. Franklin Rd. – one (1) full-access, 930' west of Ten Mile Rd. and one (1) right-in/right-out only, 450' west of Ten Mile Rd. *ACHD has approved the full access as a temporary full access and the right-in/right-out only as proposed with an eastbound right-turn lane.*

Two (2) access driveways are proposed via S. Ten Mile Rd. – one (1) right-out only, 375' south of Franklin Rd. and one (1) right-in/right-out only, 775' south of Franklin Rd. *ACHD has approved the right-out and the right-in/right-out only as proposed with an eastbound right-turn lane.*

Two (2) full-access access driveways are proposed via W. Cobalt Dr. – one (1) 388' west of Ten Mile Rd. and one (1) at the site's west boundary. A cul-de-sac meeting Fire Dept. standards is required to be constructed at the terminus of the road. The Applicant has been working with the property owner to the south on the location and design of the portion of Cobalt Drive that's on their property (Parcel #S1215131400) (see road plan in Section VIII.B). A [Road Construction and Cooperative Development Agreement](#) has been signed by the two property owners in accord with the Development Agreement (provision #5.1f) but is in the process of being amended. The extension of Cobalt will be constructed prior to or with the first phase of development.

The abutting property to the west has recently developed and no streets, driveways or pathway stubs were provided to this site. For this reason, Staff isn't recommending a cross-access easement/driveway is provided.

A Fire Protection Access/Phasing plan was submitted with this application, which is included in the Fire Dept. comments in Section IX.C.

Based on ACHD's traffic counts, with development of this property Franklin Rd. will still operate at an acceptable level of service (i.e. "D") but Ten Mile Rd. will not (it'll go from "D" to "F"). An acceptable level of service is "E". *The improvements requested by ACHD (i.e. the extension of the southbound left turn lane at the I-84/Ten Mile Rd. intersection to accommodate additional vehicle stacking) would not change the level of service.*

Road Improvements: Ten Mile Rd. and Franklin Rd. are fully improved with 5-lanes; road widening is not required.

ACHD is requiring additional ROW to be dedicated for the extension of the eastbound right-turn lane storage on Franklin Rd. with the first phase of development; the intersection of Cobalt/Ten Mile is restricted to right-in/right-out/left-in; and a dedicated southbound right-turn lane is required to be constructed on Ten Mile Rd. at Cobalt Dr.

Cobalt Dr. is proposed to be extended from Ten Mile Rd. to the west boundary of the site within 70 feet of ROW (46-foot back of curb to back of curb, see Section VIII.B). Cobalt will be partially on this site and partially on the abutting property to the south and will include a bridge across the Kennedy Lateral.

As noted above in Section V, the Transportation System Map in the TMISAP depicts a right-in/right out collector street at the intersection at Cobalt/Ten Mile. ACHD has approved Cobalt as a public street with a right-in/right-out/left-in only from Ten Mile Rd. based on the TIS. Because the TIS supports this access, Staff is amenable to this change from the TMISAP.

As noted above in Section V, Cobalt is designated as Street Section D, a residential collector street, on the Street Section Map in the TMISAP. As such, it should have (2) 11-foot wide travel lanes, 6-foot wide on-street bike lanes and 8-foot wide parallel parking within 50-foot curb to curb, 8-foot wide planter strips (i.e. tree lawn/parkway) and detached 6-foot wide sidewalks as shown on the diagram above. The proposed street section reflects 3-lanes (2-travel lanes with a center turn lane), 3.5-foot wide bike lanes, curb, gutter, 7-foot wide planter strips and 5-foot wide detached sidewalks.

ACHD's staff report states if parallel parking is required by the City, it should be located to the west of the horizontal curve for Cobalt Dr. and be located beyond the sight distance required for the access proposed on Cobalt Dr. (parking is not allowed to be striped on ACHD roadways). Bike lanes are required to be a minimum of 6-feet wide. **Staff recommends Cobalt is constructed in accord with Street Section D in the TMISAP, as recommended by ACHD.**

Pathways (UDC [11-3A-8](#)):

There are no multi-use pathways depicted on the Pathways Master Plan for this site. However, a pathway is proposed through the common area that separates the high-density apartments from the mixed-use area within the Kennedy Lateral easement. Walkways are proposed throughout the site for pedestrian access and interconnectivity.

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

A 7-foot wide attached sidewalk exists along Franklin Rd. abutting the site within the influence area of the intersection transitioning to a 5-foot wide detached sidewalk for the remaining site frontage. **A 7-foot wide attached asphalt pathway exists along Ten Mile Rd. which should be replaced with a minimum 6-foot wide detached sidewalk, separated from the curb by a minimum 8-foot wide tree lawn/parkway, consistent with Street Section A in the TMISAP (see pg. 3-20). A 10-foot wide pathway is preferred based on ACHD's adopted Livable Streets Performance Measures but not required.**

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

Street buffer landscaping is required to be provided with the subdivision in accord with the widths specified in UDC [Table 11-2A-8](#) for the R-40 zoning district and [11-2B-3](#) for the C-C zoning district based on the street classification and planted in accord with the standards listed in UDC [11-3B-7C](#). A landscape plan was submitted for the proposed subdivision landscaping, included in Section VIII.B.

Required street buffer widths are as follows: 25-feet along W. Franklin Rd., an arterial street; 35-feet along S. Ten Mile Rd., an arterial street and entryway corridor; and 20-feet along W. Cobalt Dr., a collector street. The street buffers along Franklin Rd., Cobalt Dr. and the portion along Ten Mile Rd. north of the driveway access nearest the intersection appear to meet the minimum width standard; **however, the portion along Ten Mile Rd. south of the driveway nearest the intersection does not meet the minimum width standard and needs to be widened (see UDC [11-3B-7C.1a](#) for measurement standards); the plans should be revised accordingly. A common lot or a permanent dedicated buffer for the street buffers should be depicted on the plat and should be maintained by the property owner or business owners' association in accord with UDC 11-3B-7C.2b.**

The number of trees proposed in buffers meets the minimum standard; however, a mix of trees and shrubs with lawn or other vegetative groundcover is required – shrubs should be added to the buffers in accord with UDC 11-3B-7C.3a. Tree lawns need to be provided along Franklin Rd., Ten Mile Rd. and Cobalt Dr. consistent with the TMISAP where not proposed.

Landscaping is required along all pathways per the standards listed in UDC 11-3B-12C, which requires a *mix* of trees, shrubs, lawn, and/or other vegetative ground cover – a minimum of one (1) tree per 100 linear feet of pathway is required. **The landscape plan should be revised accordingly to include shrubs along the pathway.**

Landscaping is required in common open space areas in the R-40 portion of the development in accord with the standards listed in UDC [11-3G-3E](#).

With development of the C-C zoned portion of the site, a 25-foot wide buffer to residential uses is required along the west boundary of the site landscaped per the standards in UDC [11-3B-9C](#).

A calculations table should be included on the landscape plan submitted with the final plat application that demonstrates compliance with the above standards.

Common Open Space & Site Amenities (UDC [11-3G-3](#)): The standards for common open space & site amenities listed in UDC 11-3G-3 only apply to residential districts; therefore, only the R-40 zoned portion of the site is required to comply with these standards.

A minimum of 10% qualified open space is required to be provided within the multi-family development in the R-40 district, which consists of approximately 13 acres. Therefore, a minimum of 1.3 acres of qualified open space area is required.

A minimum of one (1) qualified site amenity is required to be provided for every 20 acres of development area. Based on 13 acres, a minimum of one (1) qualified site amenity is required.

The proposed open space and site amenities meet and exceed the minimum standards; see CUP analysis below for details on the open space & site amenities proposed.

Waterways (UDC [11-3A-6](#)):

The Kennedy Lateral bisects this site and is proposed to be piped throughout the development in accord with UDC 11-3A-6, which requires laterals to be piped unless improved as a water amenity or linear open space.

Utilities (UDC [11-3A-21](#)):

Connection to City water and sewer services is required in accord with UDC 11-3A-21.

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. **Pedestrian-scale street lights consistent with Street Sections A and B in the TMISAP are required along W. Franklin Rd. and S. Ten Mile Rd. (see pg. 3-22). Streetlights shall be placed in the dry utilities corridor on either side of the Cobalt in accord with Street Section D in the TMISAP (pg. 3-23).**

Dry utilities should be located at the back of the curb in the dry utilities corridor along S. Ten Mile Rd. and W. Franklin Rd. in accord with Street Sections A and B in the TMISAP (pg. 3-22).

A 5-foot wide dry-utilities corridor should be provided along both sides of Cobalt Dr.; both wet utilities may be located in the street.

Pressurized Irrigation System (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

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

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. A [Preliminary Geotechnical Engineering Report](#) dated 12/11/2018 was submitted with this application; **an updated copy should be submitted prior to or with the first final plat application.**

B. CONDITIONAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT

Conditional use permit (CUP) for a multi-family development containing a total of 516 residential dwelling units consisting of 364 high-density apartments (200 1-bedroom and 164 2-bedroom units), 126 flats (68 1-bedroom and 58 2-bedroom units) and 26 townhome (3-bedroom units) style units in the R-40 and C-C zoning districts for The 10 Meridian. *Note: A vertically integrated residential project is also proposed that contains 33 dwelling units; however, it's a principal permitted use in the C-C zoning district so it's not included in the CUP request.*

The proposed development plan is in substantial compliance with the conceptual development plan and building elevations included in the Development Agreement (Inst. #[2021-0025](#)) 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:

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') 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. *Flats F-3 and the garages along the west boundary do not meet the minimum setback requirement of 10'; revise accordingly.*
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 access ways shall not count toward this requirement. In

circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *The floor plans submitted with this application depict patios and balconies that meet this standard. Floor plans should be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with this standard.*

4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
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 comply with this requirement.*
6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *The proposed parking meets and exceeds UDC standards (see parking analysis below).*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office. *Located in clubhouse.*
 - b. A maintenance storage area. *Located in clubhouse.*
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access. *Depict on site plan.*
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018) *Depict on site plan.*

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. A minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *NA*
 - 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 516 multi-family units are between 500 and 1,200 square feet.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *NA*

At a minimum, a total of 129,000 s.f. (or 2.96-acres) of outdoor common open space is required to be provided in the proposed development. A total of ~~206,622~~ 225,000 square feet (or ~~4.74~~ 5.17-acres) is proposed to be provided in excess of UDC standards. Note: Although street buffers along the arterial & collector streets do not qualify toward the open space standards in UDC 11-4-3-27C, they do qualify toward the open space standards in UDC 11-3G-3 (i.e. half the buffer along arterials and the entire buffer along collectors qualify). Overall, the proposed qualified open space complies with the standards in UDC 11-3G-3 and 11-4-3-27C.

2. 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 feet (20'). *The common open space areas depicted on the open space exhibit in Section VIII.E meet this requirement.*
3. 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. *The Applicant shall comply with this requirement.*
4. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *All of the common open space area required for the multi-family development is located internally.*

D. Site Development Amenities:

1. All multi-family 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.
 - b. Open space:
 - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
 - (2) Community garden.
 - (3) Ponds or water features.
 - (4) Plaza.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
2. The number of amenities shall depend on the size of multi-family development as follows:
 - a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
 - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
 - d. For multi-family 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. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

A total of 516 units are proposed. The following amenities are proposed from each category: a clubhouse with a swimming pool, fitness center, dog wash facilities, internet café, co-working center, game room; (6) BBQ's; (2) plazas; a fire pit; (2) sports courts (i.e. bocce ball, pickle ball); children's play equipment; open grassy areas of at least 50' x 50' in size; a dog park; a plaza; and a children's play structure. Staff is of the opinion the proposed amenities are appropriate for the development proposed and doesn't recommend any additional amenities are provided.

E. Landscaping Requirements:

1. Development shall meet the minimum landscaping requirements in accord with [chapter 3](#), "Regulations Applying to All Districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three feet (3') wide.
 - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
 - c. Ground cover plants shall be planted in the remainder of the landscaped area.

The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping along the street facing elevations adjacent to W. Cobalt Dr. in accord with these standards.

- F. Maintenance and Ownership Responsibilities: All multi-family 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.***

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

Street buffer landscaping is required to be provided with the subdivision improvements as noted above in Section VI.A.

Landscaping is required to be provided along pathways per the standards listed in UDC [11-3B-12C](#). **A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway is required all pathways.**

Parking: Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). Based on (268) 1-bedroom units, (248) 2- and 3-bedroom units, a minimum of 898 off-street spaces are required with 516 of those being in a covered carport or garage. **A total of 902 995 spaces are proposed, including 530 517 covered and 62 41 compact spaces – compact stalls are discouraged but may be used for any parking above the number of required spaces per UDC [11-3C-5A.6](#). Because there are four (4) extra spaces above the minimum required, a minimum of 58 compact spaces should be converted to full-size spaces in order to meet the minimum parking standards. Although the proposed parking meets the minimum standards, Staff is concerned there may not be adequate parking for the site to accommodate guests. The**

~~Commission and Council should determine if additional parking should be provided as a condition of approval of the CUP.~~

Off-street parking is required for the clubhouse as set forth in UDC 11-3C-6B.1 for non-residential uses. Based on 15,525 square feet, a minimum of 31 spaces are required to be provided; ~~37~~ 31 spaces are proposed in ~~excess of~~ accord with the minimum standard. Overall, a *minimum* of ~~646~~ 929 spaces are required.

Bicycle parking is required per the standards listed in UDC [11-3C-6G](#) and should comply with the standards listed in UDC [11-3C-5C](#). One bicycle parking space is required for every 25 proposed vehicle parking spaces or portion thereof. Based on ~~902~~ 1,026 spaces, a minimum of ~~36~~ 41 spaces are required. The site plan states a total of ~~50~~ 52 spaces are proposed for the overall development which includes commercial and vertically integrated/mixed use portions of the development. **Bike racks should be provided in central locations for each building as proposed and comply with the standards listed in UDC [11-3C-5C](#).**

Fencing (UDC [11-3A-7](#)): No fencing is depicted on the landscape plan for this development.

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

Conceptual building elevations were submitted for the various types of multi-family units proposed in this development as shown in Section VIII.F. All of the structures appear to be of a high quality of design and consist of a complementary mix of materials, including wood-look siding, Hardie siding, metal siding, stucco, tile, stone veneer and glazing, and colors.

The high-density and flats are 4-story buildings and the townhome style buildings are 3-stories in height. The high-density apartments will have secure entrances and be accessed by an internal hallway. **The Applicant should work with the Police Dept. on a plan for emergency police access into each building entry point using a multi-technology keypad (see Section IX.D for more information).**

An administrative Design Review application is required to be submitted for approval of the design of the multi-family structures and clubhouse prior to submittal of building permit application for those structures. An application for Certificate of Zoning Compliance is also required to be submitted along with the Design Review application. The design of the structures is required to be consistent with the design standards in the Architectural Standards Manual and the design guidelines in the [TMISAP](#) as noted in the Development Agreement (Inst. #[2021-132704](#)) (see the Application of the Design Elements table on pg. 3-49 of the TMISAP).

VII. DECISION

A. Staff:

Staff recommends approval of the proposed Preliminary Plat and 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 these items on November 4, 2021. At the public hearing, the Commission moved to recommend approval of the subject PP and CUP requests.

1. Summary of Commission public hearing:

- a. In favor: Wendy Shrief, JUB Engineers; Lane Borges; Hethe Clark, Clark-Wardle
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

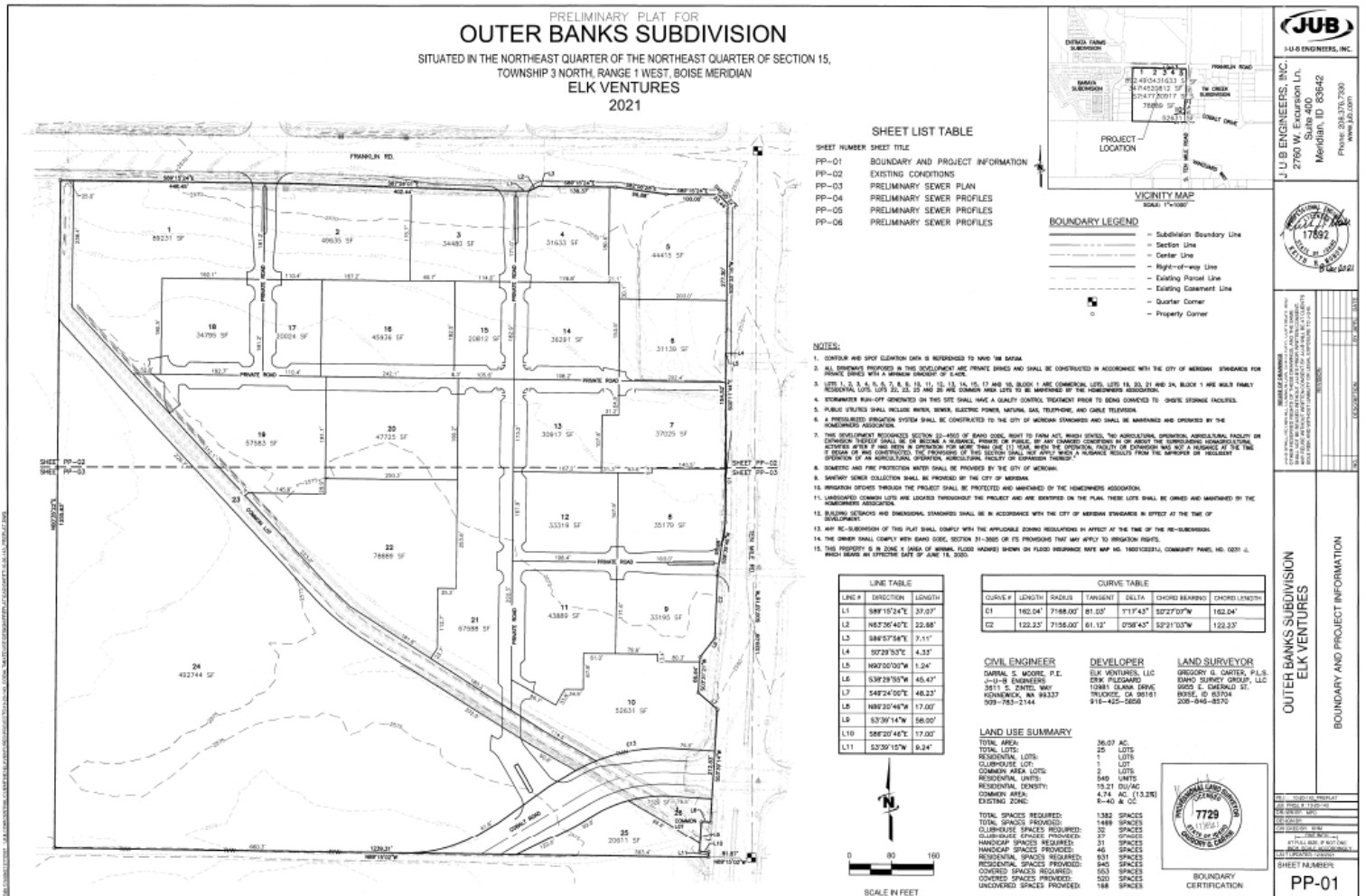
- a. The Applicant requests the extension of Cobalt is within 70-feet of right-of-way as proposed and requests to work with Staff on the details of the street section.
- 3. Key issue(s) of discussion by Commission:
 - a. Concern pertaining to traffic generated from the proposed development and its effect on area streets, especially the functionality of Ten Mile Rd. which will be at level of service "F";
 - b. Concern pertaining to adequacy of proposed parking in the multi-family development and garages being used as storage instead of parking.
- 4. Commission change(s) to Staff recommendation:
 - a. No changes were made to Staff's recommendation; however, the Commission did direct the Applicant to work with Staff on the road section for Cobalt Dr. and improve the parking ratios for the development.
- 5. Outstanding issue(s) for City Council:
 - a. Since the Commission meeting, the Applicant worked with Staff on the design of Cobalt Dr. and has added more parking for the multi-family development. Revised plans were submitted that reflect the following changes: 1) a re-design of Cobalt Dr. that complies with the street section in the TMISAP as recommended by Staff; 2) a re-design of the residential parking areas to provide a surplus of 97 spaces above the minimum required (compact spaces were reduced from 58 to 41 and are provided above the minimum requirements); 3) the garages along the western boundary have been relocated to comply with the minimum setback; 4) the property lines at Building F-3 have been adjusted to comply with the minimum setback; and 5) the sidewalk along Ten Mile Rd. has been modified to reflect a 6-foot wide detached sidewalk with an 8-foot wide planter/parkway area – the staff report has been updated to include these revisions.

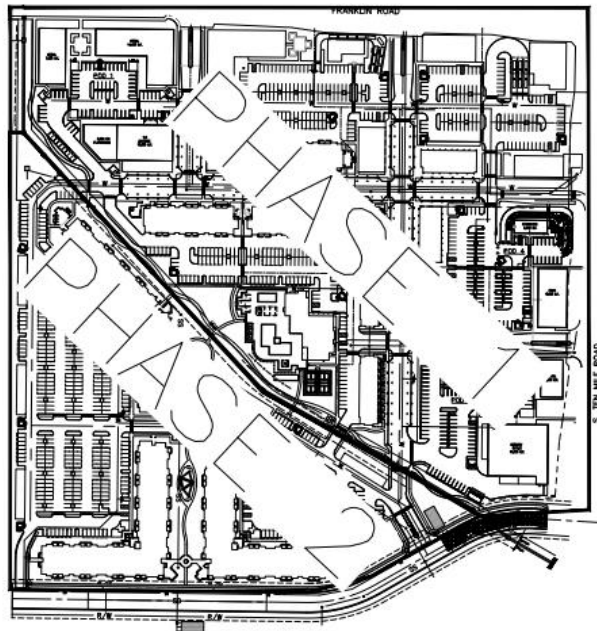
C. The Meridian City Council heard these items on December 14, 2021. At the public hearing, the Council moved to approve the subject PP and CUP requests.

- 1. Summary of the City Council public hearing:
 - a. In favor: Wendy Shrief, JUB Engineers; Lane Borges; Josh Leonard, Clark-Wardle; Erik Pilegaard
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - 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 City Council:
 - a. Concern pertaining to impact on traffic in this area generated from this development.
- 4. City Council change(s) to Commission recommendation:
 - a. None

VIII. EXHIBITS

A. Preliminary Plat (date: ~~09/22/2021~~ 12/8/2021) & Phasing Plan – Revised Phasing Plan





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J-U-B ENGINEERS, INC.
 2760 W. Excursion Ln.
 Suite 400
 Meridian, ID 83642
 Phone: 208.375.7330



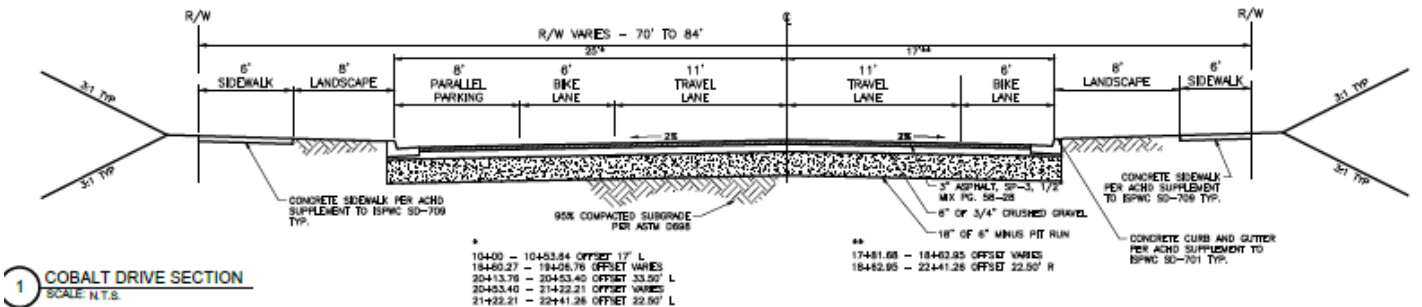
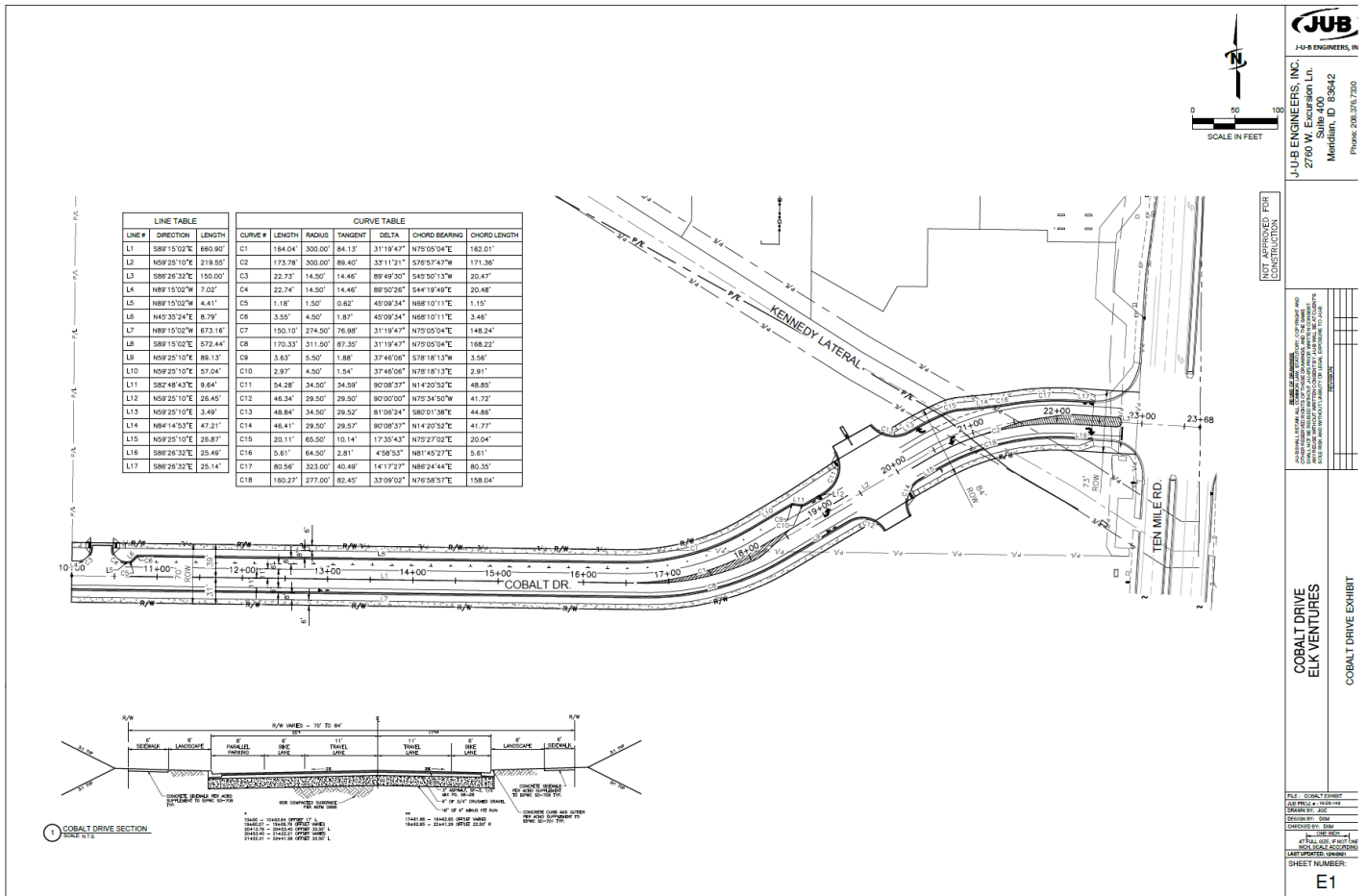
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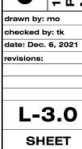
B. Cobalt Road Plan and Road Construction & Cooperative Development Agreement - APPROVED



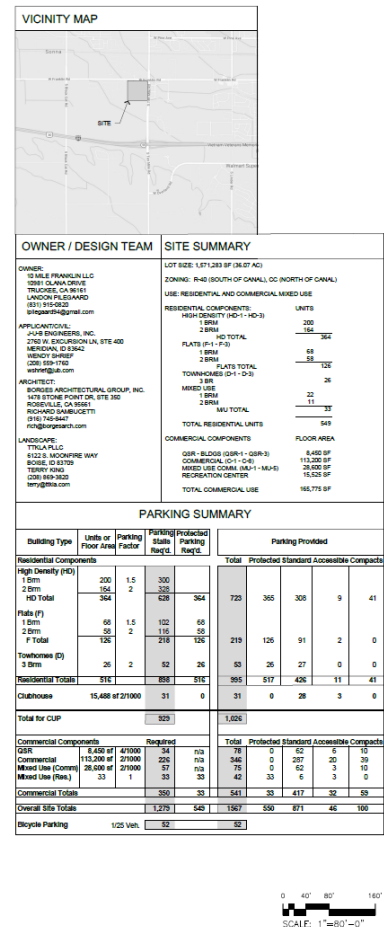
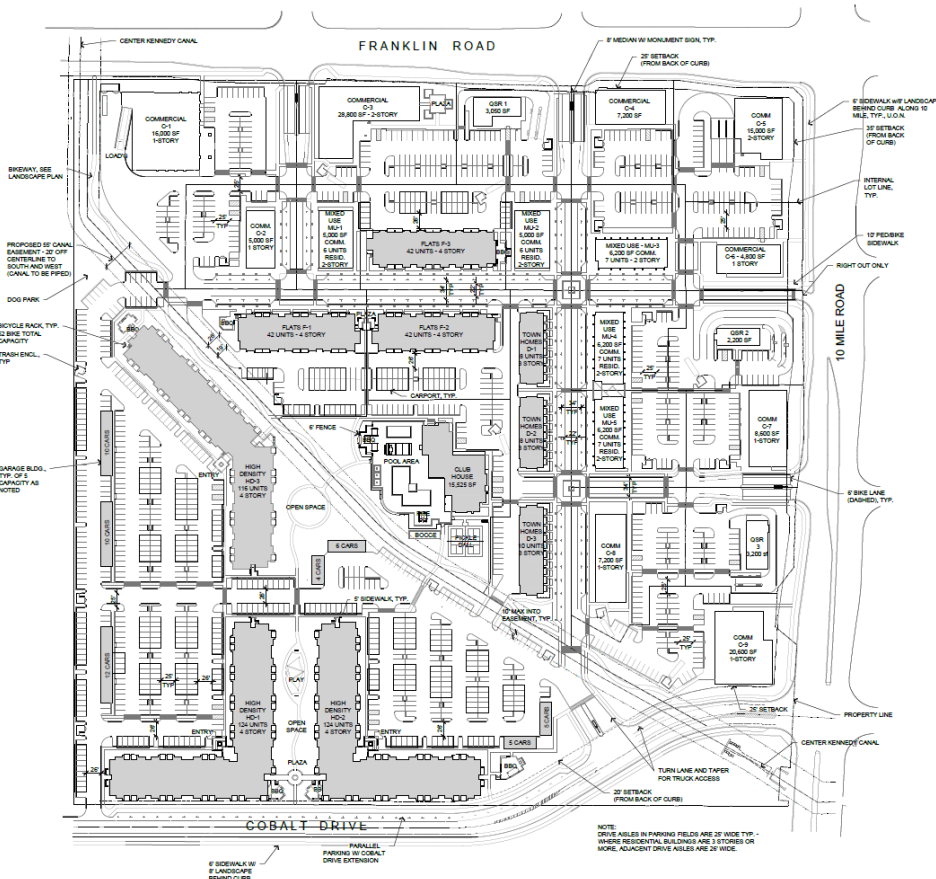
Road Construction and Cooperative Development Agreement - Updated

C. Landscape Plan for Preliminary Plat (dated: ~~9/16/24~~ 12/6/2021) – REVISED





D. Site Plan for Multi-Family Portion of Development (date: ~~8/23/2021~~ 12/03/2021) - REVISED



OUTER BANKS SUBDIVISION SITE PLAN

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021 REV. 12.03.2021

1478 STONE POINT DRIVE SUITE 350 ROSEVILLE, CA 95661 T | 916 782 7200 borgesarch.com

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ARCHITECTURAL GROUP
Borges

THE 10 MERIDIAN

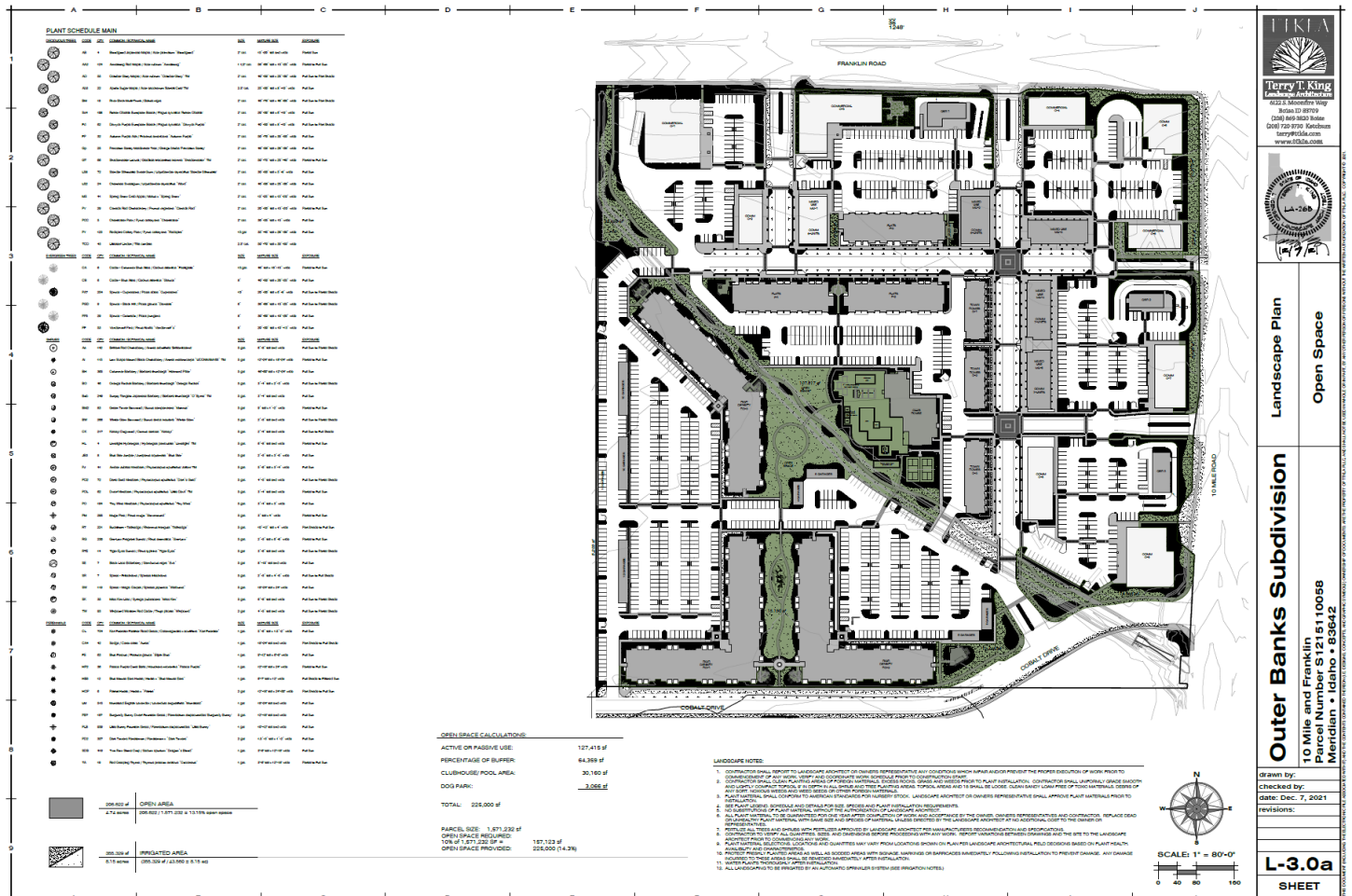
Conditional Use Permit Residential Project Summary

| | |
|-----------------------------------|-------------|
| High Density Apartments HD1 - HD3 | 364 units |
| 1 BR - 200 units = 55 % | |
| 2 BR - 164 units = 45 % | |
| Flats B1 - B3 | 126 units |
| 1 BR - 68 units = 54 % | |
| 2 BR - 58 units = 46 % | |
| Townhomes D1 - D3 | 26 units |
| 3 BR - 26 units | |
| Total Residential Units | 516 units |
| Parking Required | 929 spaces |
| Parking Provided | 1026 spaces |



Outer Bank Subdivision - Preliminary Site Development Plan

E. Qualified Open Space Exhibit (dated: 9/16/21-12/7/2021) - REVISED



F. Conceptual Building Elevations & Renderings for Multi-Family Structures & Clubhouse



OUTER BANKS SUBDIVISION BUILDING F - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

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OUTER BANKS SUBDIVISION BUILDING F - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

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OUTER BANKS SUBDIVISION FLATS (F-1) FRONT VIEW

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

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A-901

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OUTER BANKS SUBDIVISION FLATS (F-1 & F-2) FROM NORTHWEST

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

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A-901.1

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1 FRONT ELEVATION
1/8" = 1'-0"



2 RIGHT ELEVATION
1/8" = 1'-0"



1 KEYNOTES
1/8" = 1'-0"

OUTER BANKS SUBDIVISION BUILDING HD-1 & HD-2 - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

1476 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T | 916 782 7280 borgesarch.com

A-205



1 REAR ELEVATION
1/8" = 1'-0"



2 LEFT ELEVATION
1/8" = 1'-0"



1 KEYNOTES
1/8" = 1'-0"

OUTER BANKS SUBDIVISION BUILDING HD-1 & HD-2 - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

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A-206





OUTER BANKS SUBDIVISION HIGH DENSITY (HD-1 & HD-2) FROM COBALT A-902.1

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1419 STONE POINT DRIVE SUITE 200 BOZEVILLE, CA 95601 T: (916) 762-1200 borgesarch.com



OUTER BANKS SUBDIVISION HIGH DENSITY (HD-1 FROM COBALT) A-902.1

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1419 STONE POINT DRIVE SUITE 200 BOZEVILLE, CA 95601 T: (916) 762-1200 borgesarch.com



OUTER BANKS SUBDIVISION HIGH DENSITY (HD-1) ENTRY A-902.2

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1419 STONE POINT DRIVE SUITE 200 BOZEVILLE, CA 95601 T: (916) 762-1200 borgesarch.com



1 FRONT ELEVATION
100' x 112'



2 REAR ELEVATION
100' x 112'



1 KEYNOTES

OUTER BANKS SUBDIVISION BUILDING HD-3 - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

1478 STONE POINT DRIVE SUITE 100 ROSEVILLE, CA 95661 T 916 782 7200 borgesarch.com

A-207 **Borges**



1 RIGHT ELEVATION
100' x 112'



2 LEFT ELEVATION
100' x 112'



1 KEYNOTES

OUTER BANKS SUBDIVISION BUILDING HD-3 - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

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A-208 **Borges**



OUTER BANKS SUBDIVISION HIGH DENSITY (HD-3) FROM SOUTHEAST A-902.3
A MIXED-USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1410 STONE POINT DRIVE SUITE 100 ROSELAND, CA 95061 T: 916.761.1000 borgesarch.com



OUTER BANKS SUBDIVISION HIGH DENSITY (HD-3) FROM EAST (OPEN SPACE) A-902.4
A MIXED-USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1410 STONE POINT DRIVE SUITE 100 ROSELAND, CA 95061 T: 916.761.1000 borgesarch.com



OUTER BANKS SUBDIVISION HIGH DENSITY (HD-3) WEST ENTRY A-902.5
A MIXED-USE COMMUNITY - MERIDIAN, IDAHO 20013 08.23.2021 1410 STONE POINT DRIVE SUITE 100 ROSELAND, CA 95061 T: 916.761.1000 borgesarch.com



1 FRONT ELEVATION
A-209



2 RIGHT ELEVATION
A-209



OUTER BANKS SUBDIVISION BUILDING D-1, D-2, & D-3 - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

1479 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T: 916 762 7200 borgesarch.com

A-209



1 REAR ELEVATION
A-210



2 LEFT ELEVATION
A-210



OUTER BANKS SUBDIVISION BUILDING D-1, D-2, & D-3 - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

1479 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T: 916 762 7200 borgesarch.com

A-210





OUTER BANKS SUBDIVISION CLUB HOUSE - EXTERIOR ELEVATIONS

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 200113

08/23/2021

LEVIN KOTZMAN ARCHITECTS PLLC, SILVER SPRING, MARYLAND 20910-1000

A-212



OUTER BANKS SUBDIVISION CLUB HOUSE FRONT FROM SOUTHEAST

A MIXED USE COMMUNITY - MERIDIAN, IDAHO 200113

08/23/2021

LEVIN KOTZMAN ARCHITECTS PLLC, SILVER SPRING, MARYLAND 20910-1000

A-904





OUTER BANKS SUBDIVISION CLUB HOUSE FROM EAST ACROSS POOL

A-904.1



A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T: 916 782 7200 borgesarch.com



OUTER BANKS SUBDIVISION CLUB HOUSE POOL AREA

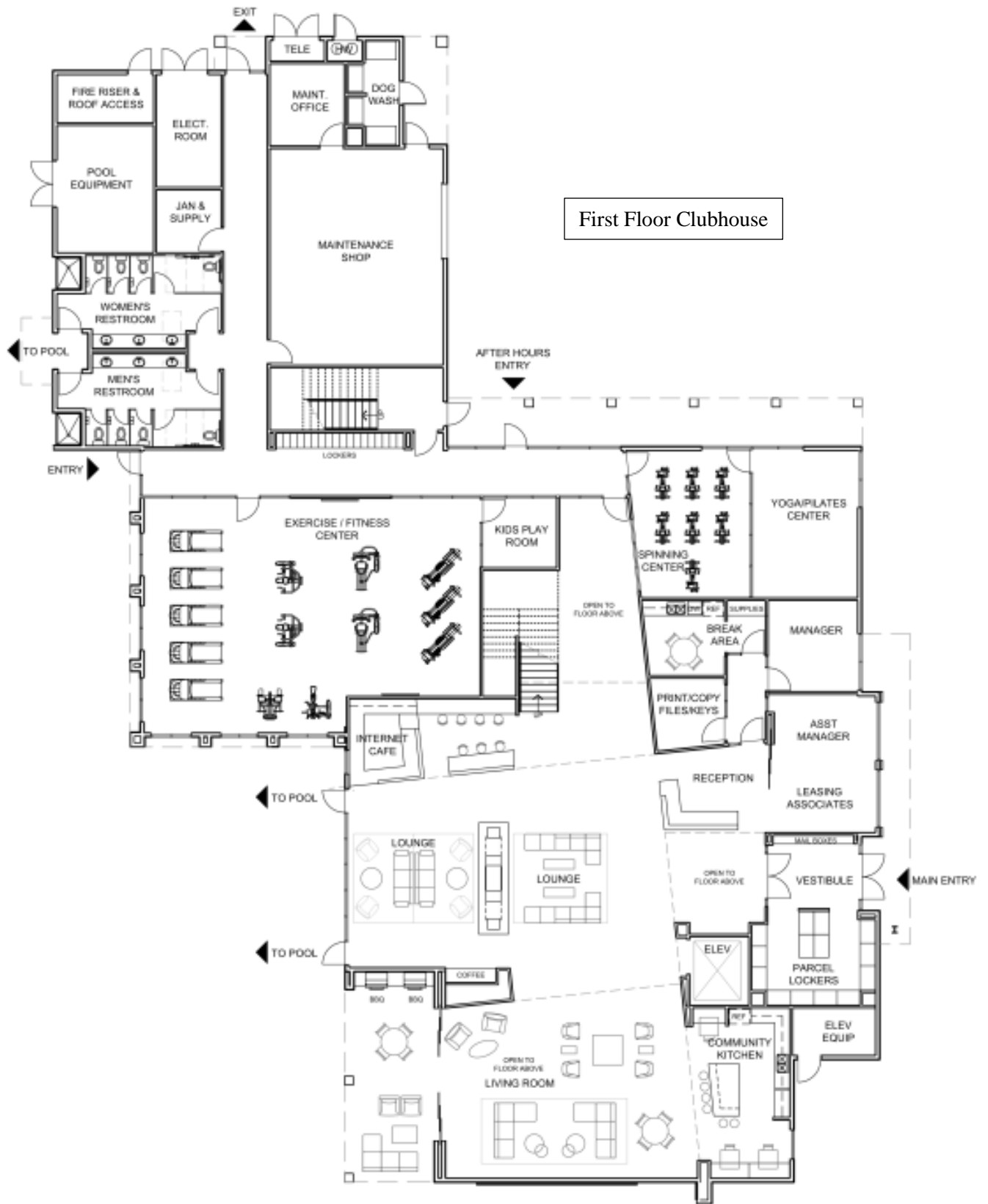
A-904.2



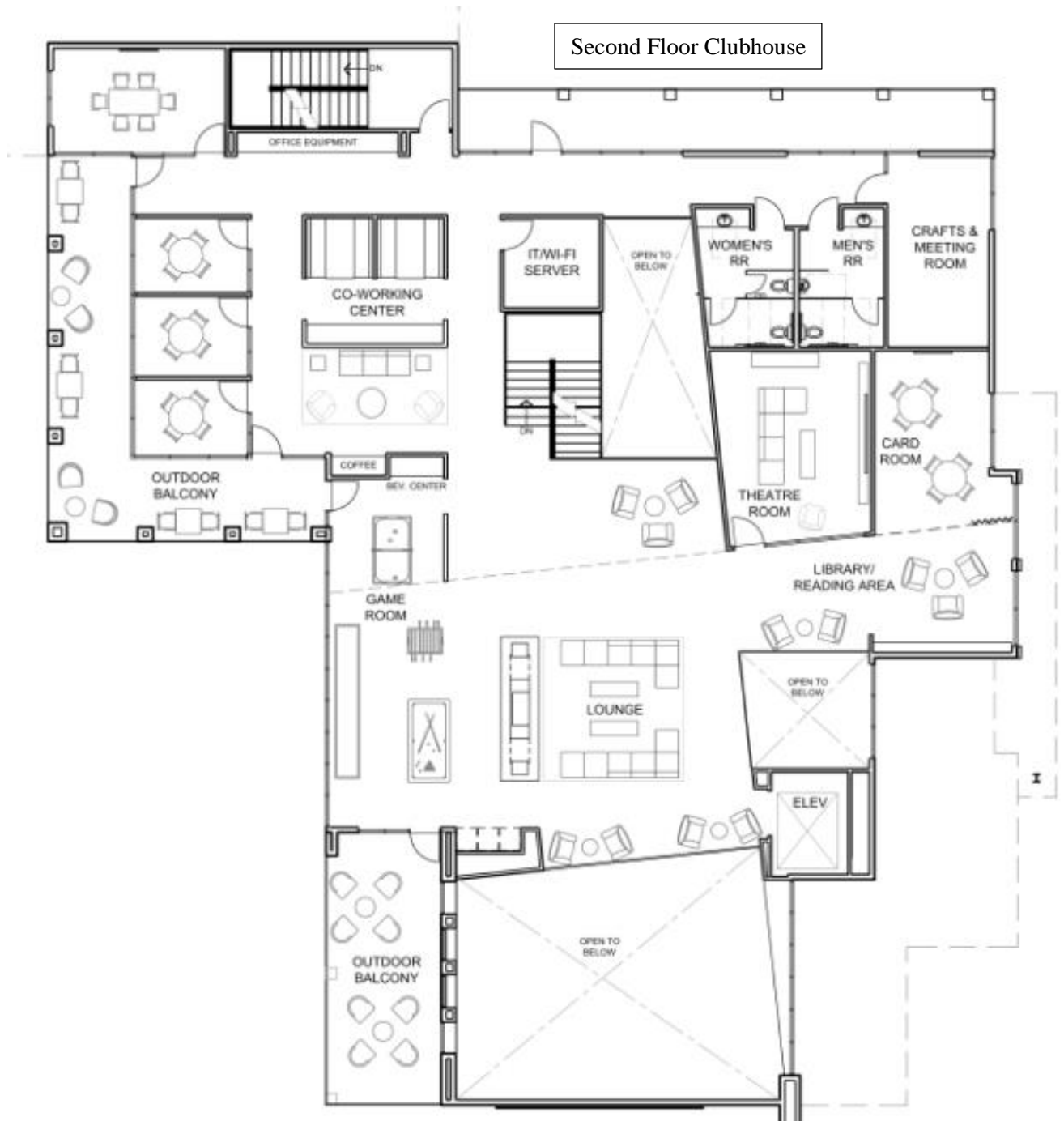
A MIXED USE COMMUNITY - MERIDIAN, IDAHO 20013

08.23.2021

1478 STONE POINT DRIVE SUITE 300 ROSEVILLE, CA 95661 T: 916 782 7200 borgesarch.com



First Floor Clubhouse



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Future development shall comply with the provisions in the existing Development Agreement (Inst. #[2021-132704](#), H-2021-0025) and the conditions in this report.

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. All street buffers are required to be placed in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association, as set forth in UDC [11-3B-7C.2b](#). *Required street buffers are as follows: minimum 25-feet wide along W. Franklin Rd., an arterial street; minimum 35-feet wide along S. Ten Mile Rd., an entryway corridor; and minimum 20-feet wide along W. Cobalt Dr., a collector street. Street buffers are measured from the back of sidewalk where attached sidewalks are provided and from the back of curb where detached sidewalks are provided per UDC 11-3B-7C.1a.*
 - b. The extension of W. Cobalt Dr. from the east to the west property boundary shall be included in the construction drawings for the first phase of development; or, may be included in a separate submittal to ACHD.
 - c. Depict the Irrigation District's easement for the Kennedy Lateral.
 - d. The street section for Cobalt Dr. shall include (2) 11-foot wide travel lanes, 6-foot wide bike lanes, 8-foot wide parallel parking, curb, gutter, 8-foot wide planter strips (i.e. tree lawn/parkway) and detached 6-foot wide sidewalks consistent with Street Section D in the [TMISAP](#) (see Pg. 3-21). Parallel parking shall be located to the west of the horizontal curve for Cobalt Dr. and be located beyond the sight distance required for the access proposed on Cobalt Dr. as required by ACHD.
 - e. A 5-foot wide dry-utilities corridor shall be provided along both sides of Cobalt Dr.; both wet utilities may be located in the street. Streetlights shall be placed in the dry utilities corridor on either side of the street in accord with Street Section D in the [TMISAP](#) (pg. 3-23).
 - f. Provide a minimum 8-foot wide tree lawn/parkway along S. Ten Mile Rd. in accord with the [TMISAP](#).
 - g. Dry utilities shall be located at the back of the curb in the dry utilities corridor along S. Ten Mile Rd. and W. Franklin Rd. in accord with Street Sections A and B in the [TMISAP](#) (pg. [3-22](#)).
3. The landscape plan included in Section VIII.C shall be revised as follows:
 - a. Include shrubs (along with the trees and lawn or other vegetative groundcover) in the proposed street buffers as set forth in UDC [11-3B-7C.3a](#) and along pathways as set forth in UDC [11-3B-12C.2](#).
 - b. Street buffers at the required width are required to be placed in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association as set forth in UDC [11-3B-7C.2](#) (see #2a above for required widths).
 - c. Include a calculations table on the landscape plan that demonstrates compliance with the landscape standards for street buffers listed in UDC [11-3B-7C.3b](#); common open space areas listed in UDC [11-3G-3E.2](#); and pathways listed in UDC [11-3B-12C](#).
 - d. Depict a minimum 5-foot wide detached sidewalk along S. Ten Mile Rd. in accord with UDC [11-3A-17A](#).

- e. Depict a tree lawn along S. Ten Mile Rd. (minimum 8-feet wide) and W. Franklin Rd. and pedestrian-scale street lights consistent with Street Sections A and B in the TMISAP (see pg. [3-22](#)).
 - f. Depict a minimum 8-foot wide tree lawn along W. Cobalt Dr. with street lights in the dry utilities corridor on either side of the street consistent with Street Section D in the TMISAP (see pg. [3-23](#)).
 - g. Depict a minimum 6-foot wide detached sidewalk within the street buffer along S. Ten Mile Rd. consistent with Street Section A in the TMISAP (see pg. [3-20](#)). A 10-foot wide pathway is preferred based on ACHD's adopted Livable Streets Performance Measures but not required.
4. The subject property shall be subdivided prior to issuance of the first Certificate of Occupancy for the development as set forth in the Development Agreement (Inst. #2021-132704, provision #5.1d).
 5. Submit an updated Geotechnical Engineering Report prior to or with the first final plat application.
 6. The entirety of Cobalt Dr. from the east to the west property boundary, on-site and off-site, shall be constructed prior to or with the first phase of development in accord with the specifications noted herein.
 7. A Certificate of Zoning Compliance and Design Review application shall be submitted for each structure (or group of structures if desired) and approved prior to submittal of application(s) for building permits. The plans submitted shall comply with the design elements of the Ten Mile Interchange Specific Area Plan (TMISAP) and the design standards in the Architectural Standards Manual (see the Application of Design Elements matrix on pg. 3-49 of the Plan) as required by the Development Agreement. The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.
 8. Public art shall be provided within the development consistent with the Development Agreement and the TMISAP (pg. 3-49). A detail of such shall be included with the final plat application.

Conditional Use Permit:

8. The multi-family development shall have an ongoing obligation to comply with the specific use standards listed in UDC 11-4-3-27.
9. For each of the multi-family units, a minimum of eighty (80) square feet of private, usable open space shall be provided for each unit as set forth in UDC 11-4-3-27B.3. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. **Floor plans with square footage noted for patios and balconies shall be submitted with the Certificate of Zoning Compliance application that demonstrate compliance with this standard.**
10. 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.**
11. Comply with building code requirements for separation between structures within the development.
12. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:

- a. Landscaping is required along all pathways per the standards listed in UDC [11-3B-12C](#); depict shrubs in addition to the trees along the pathways.
 - b. Depict the locations of the property management office, maintenance storage area, central mailbox location (including provisions for parcel mail, that provide safe pedestrian and/or vehicular access), and a directory and map of the development at an entrance or convenient location for those entering the development 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 configuration/location of the Flats F-3 building and the ~~garage carport~~ structures along the project's west boundary need to be revised to comply with the minimum setback requirement of 10-feet in UDC [11-4-3-27B.1](#); the configuration of Lot 16 may be revised on the plat in order for the building (i.e. F-3) to meet the required setback.
 - e. Depict landscaping along the foundations of all street facing elevations adjacent to W. Cobalt Dr. in accord with the standards listed in UDC [11-4-3-27E.2](#).
 - f. Include a detail of the fire pit, BBQ's, public art and children's play structure.
 - g. A minimum of ~~902~~ 995 off-street parking spaces shall be provided as proposed, including ~~530~~ 517 covered spaces. Compact stalls are discouraged but may be used for any parking above the number of required spaces per UDC [11-3C-5A.6](#). *This does not include the 31 spaces required for the clubhouse, vertically integrated/mixed use or commercial uses.*
 - h. A minimum of 36 bicycle parking spaces that comply with the standards listed in UDC [11-3C-5C](#) shall be provided in central locations for each building (High Density, Flats and Townhomes).
12. 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 as set forth in UDC [11-4-3-27C.3](#).
 13. 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 elements of the Ten Mile Interchange Specific Area Plan (TMISAP) (see the Application of Design Elements matrix on pg. 3-49 of the Plan) and the design standards in the Architectural Standards Manual. *One application may be submitted for the entire multi-family development.*
 14. Public art shall be provided within the development consistent with the Development Agreement and the TMISAP (pg. 3-49). A detail of such shall be included with the first Certificate of Zoning Compliance/Design Review application for the development.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Extend water main to existing blow off to the west
- 1.2 Extend water main to the southern boundary in the right-of-way.
- 1.3 Eliminate dead ends by looping water through the development.
- 1.4 Dead end water mains must end in a hydrant.
- 1.5 Water and sewer mains require a minimum 20-foot-wide easement per utility or 30 foot combined with minimum separation maintained between mains. All easements must be free from permanent structures including but not limited to buildings, carports, streetlights, infiltration trenches, trees, bushes, trash enclosures, etc.
- 1.6 Manholes should not be placed in curb or gutter.
- 1.7 Proposed manhole SSWR-16 at the corner of Ten Mile and Cobalt should be removed from the sidewalk.
- 1.8 Access roads and easements are required for all manholes outside of right-of-way.
- 1.9 Angles in and out of manholes must be a minimum 90 degrees in the direction of flow.
- 1.10 No sewer service lines should pass through infiltration trenches.

2. General Conditions of Approval

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

- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 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.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.8 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.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.17 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and

approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.20 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 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.
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=238635&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

The Police Department can service this area if the application is approved.

Do these units have climate-controlled hallways (not garden style) with controlled access entry points? If that is the case the applicant will be required to plan for emergency police access into each building entry point using a multi-technology keypad. This will allow police access, if there is an emergency, into the building if someone isn't able to come to the door to allow police entrance. Otherwise, police would have to breach the door to gain access which isn't ideal for anyone and delays our response. The Loft project at 10-mile/Franklin and the Bri at the Village use a product police recommend for this purpose. Police can work with the applicant on placement of the access. Police will have their own access code (same for each building) to use in an emergency.

All townhomes and or multi-family units shall be clearly marked with addresses and unit numbers visible day or night for emergency response. The applicant shall place a way-finding map at each entrance.

All qualified open space provided in the development, to include all amenities, must be in an open area in order to allow for natural observation opportunities. Pathways and landscaping should not create hiding spots or blind spots that would promote criminal opportunities.

E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240473&dbid=0&repo=MeridianCity>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240055&dbid=0&repo=MeridianCity>

G. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239094&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241148&dbid=0&repo=MeridianCity>

I. COMMUNITY DEVELOPMENT DEPARTMENT – SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241147&dbid=0&repo=MeridianCity>

J. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242630&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Preliminary Plat (UDC 11-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

The City Council finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions and conditions of approval in Section IX.

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

The City Council finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.

3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;

The City Council finds there are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.

4. There is public financial capability of supporting services for the proposed development;

The City Council finds there is public financial capability of supporting services for the proposed development.

5. The development will not be detrimental to the public health, safety or general welfare; and

The City Council finds the proposed development will not be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

The City Council is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

B. 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 City Council finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 and C-C 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 City Council finds that the proposed use is consistent with the future land use map designations of HDR, MU-COM and MU-RES and is allowed as a conditional use in UDC Table 11-2B-2 in the R-40 and C-C zoning districts.

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 City Council finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses 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 City Council finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area. The Council should weigh any public testimony provided to determine if the development will adversely affect other properties 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.

The City Council finds that essential public services are available to this property and that the use should be adequately served by these facilities with the exception of Ten Mile Rd., which the ACHD report states will not function at an acceptable level of service upon development of this project based on traffic counts.