

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



In the Matter of the Request for Rezone, Short Plat, Development Agreement Modification, and Conditional Use Permit applications, by Baron Black Cat, LLC.

Case No(s). H-2020-0022

For the City Council Hearing Date of: October 13, 2020 (Findings on October 27, 2020)

A. Findings of Fact

- 1. Hearing Facts (see attached Staff Report for the hearing date of October 13, 2020, incorporated by reference)
- 2. Process Facts (see attached Staff Report for the hearing date of October 13, 2020, incorporated by reference)
- 3. Application and Property Facts (see attached Staff Report for the hearing date of October 13, 2020, incorporated by reference)
- 4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 13, 2020, 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 October 13, 2020, 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 Rezone, Short Plat, Development Agreement Modification, and Conditional Use Permit is hereby approved per the conditions of approval in the Staff Report for the hearing date of October 13, 2020, 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).

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

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 October 13, 2020

By action of the City Council at its regular meeting held on the 27th day of October, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED AYE

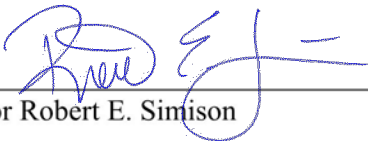
COUNCIL MEMBER JESSICA PERREAULT VOTED AYE

COUNCIL MEMBER LUKE CAVENER VOTED AYE

COUNCIL MEMBER JOE BORTON VOTED AYE

COUNCIL MEMBER LIZ STRADER VOTED AYE

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)



Mayor Robert E. Simison

Attest:



Chris Johnson
City Clerk



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

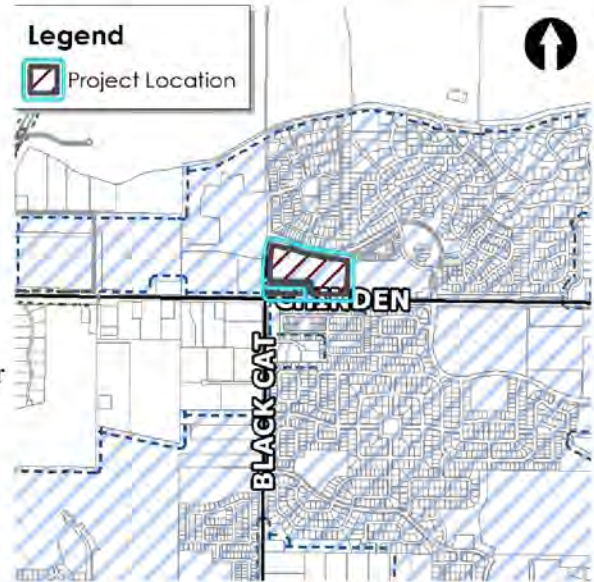
By:  Dated: 10-27-2020
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/13/2020
TO: Mayor & City Council
FROM: Joe Dodson, Associate Planner
208-884-5533
SUBJECT: H-2020-0022
Modern Craftsman at Black Cat

LOCATION: The site is located in the northeast corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26), in the SW ¼ of the SW ¼ of Section 22, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

- Rezone a total of 23.63 acres of land for the purpose of reducing the C-C zone from approximately 8 acres to ~~2.26~~ 4.23 acres and increase the R-15 zone from approximately 15.1 acres to ~~21.37~~ 19.39 acres;
- Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts;
- Conditional Use Permit for a multi-family development consisting of 196 residential units on 20.13 acres in the R-15 zone;
- Modification to the existing development agreements (Inst. #'s: 106151218; 107025555; 110059432; and 114054272) for the purpose of removing the subject property from the boundaries and terms of previous agreements and enter into a new one, consistent with the proposed development plan, by Baron Black Cat, LLC

Note: The Applicant is also applying for private streets and administrative design review. These applications are reviewed and approved by the Director; Commission action is not required. Analysis of the building and private street design are provided below in section V.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acres	23.63 (R-15 – 21.37 acres; C-C – 2.26 acres)	

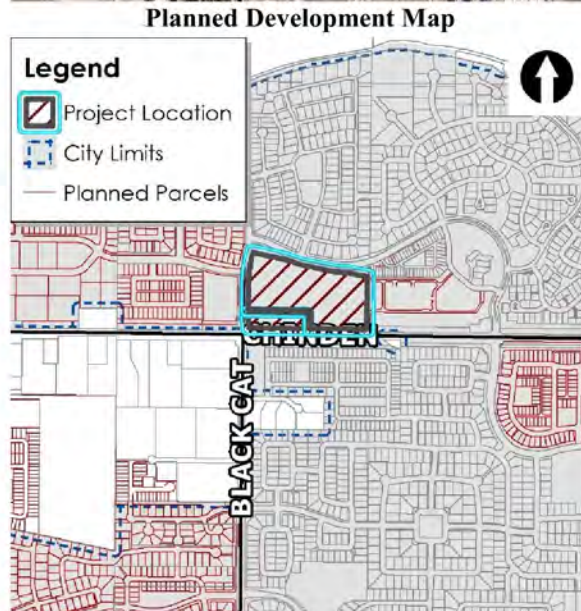
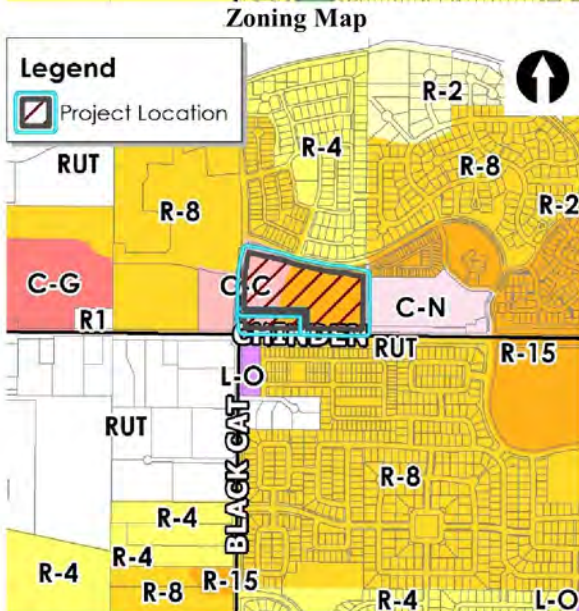
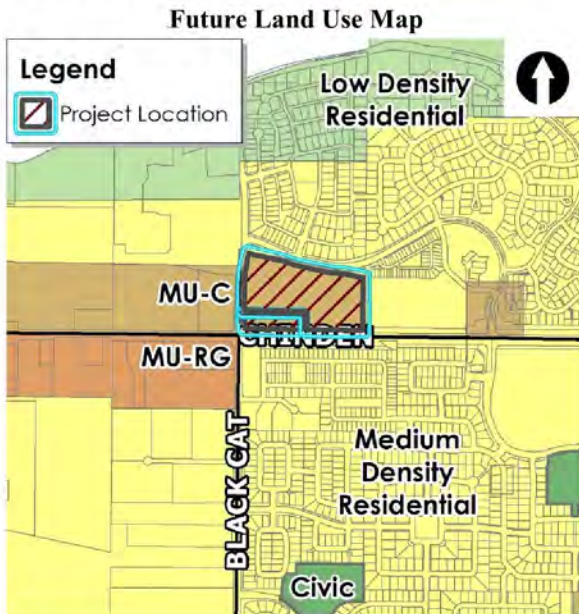
Description	Details	Page
Future Land Use Designation	Mixed Use Community	
Existing Land Use(s)	Commercial (tree farm)	
Proposed Land Use(s)	Multi-Family Residential and Commercial	
Lots (# and type; bldg./common)	4 total lots – 1 multi-family residential; 1 commercial; 1 common lots; and 1 other lot.	
Phasing Plan (# of phases)	Proposed as one phase	
Number of Residential Units (type of units)	196 single-family, for rent units (single-family style on a single lot).	
Density (gross & net)	Gross – 8.7 du/ac.; Net – 10.54 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	3.78 acres of qualified open space <u>overall</u> (approximately 17.5%) – 2.36 acres for 11-3G requirements (approximately 10.9%); 62,061 square feet proposed for 11-4-3-27 (Multi-Family) standards. 1.89 acres of private open space is proposed (82,170 square feet; approximately 419 square feet per unit).	
Amenities	5 qualifying amenities – 10’ multi-use pathway; pool; clubhouse; picnic area; and tot-lot (a dog park is also proposed but does not meet UDC requirements to be a qualifying site amenity).	
Physical Features (waterways, hazards, flood plain, hillside)	N/A	
Neighborhood meeting date; # of attendees:	January 13, 2020 – 7 attendees; June 30, 2020 – 4 attendees	
History (previous approvals)	AZ-06-004; MI-06-010/011; MI-07-004; MDA-10-004; MDA-14-006; (DA #'s 106151219, 107025555; 107141993, 110059432, & 2014-065517)	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	No	
• Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via private streets off of Black Cat Rd. and Tree Crest Way Drive. There are two access points proposed off of N. Black Cat and one off of W. Tree Crest Way Drive.	
Traffic Level of Service		
Stub Street/Interconnectivity/Cross Access	Applicant is proposing private streets throughout the development; a stub street connection is proposed to the eastern property in the northeast corner of the property (Rock Harbor Church site) and will connect with one of the driveway connections on that site. No other vehicle connections are proposed as the subject site is surrounded by streets on 3 of the 4 property boundaries.	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	Chinden Blvd (SH 20/26) abuts the southern property boundary and is currently a two-lane roadway with no improvements along its shoulder. There are no existing sidewalks along the state highway; the Applicant is proposing a 10-foot multi-use pathway within a common	

Description	Details	Page
	lot landscape buffer that will lay outside of the future ITD right-of-way for SH 20/26.	
Proposed Road Improvements Distance to nearest City Park (+ size)	0.8 miles to Keith Bird Legacy Park (7.5 acres in size)	
Fire Service		
• Distance to Fire Station	2.2 miles from Fire Station #5	
• Fire Response Time	This project lies within the Meridian Fire response time goal of 5 minutes.	
• Resource Reliability	Fire Station #5 reliability is 80%.	
• Risk Identification	Risk Factor 2 – residential with hazards (multi-family)	
• Accessibility	Proposed project meets all required access, road widths, and turnarounds; Fire has signed off on Private Street layout.	
Police Service		
• Distance to Station	8.5 miles from Meridian Police Department	
• Response Time	Approximately 5 ½ minute response time to an emergency.	
• Call Data	Between 2/1/2019- 1/31/2020, the Meridian Police Department responded to 258 calls for service within a mile of the proposed development. The crime count on the calls for service was 14. See attached documents for details. Between 2/1/2019- 1/31/2020, the Meridian Police Department responded to 5 crashes within a mile of the proposed development. See attached documents for details.	Section VII.
• Additional Concerns	None	
West Ada School District		
• Distance (elem, ms, hs)	Star Elementary – 2.7 miles; Star Middle – 5.0 miles; Meridian High School – 5.3 miles.	
• Capacity of Schools	Star Elementary – 420 students Star Middle – 1000 students Meridian High School – 2400 students	
• # of Students Enrolled	Star Elementary – 622 students Star Middle – 704 students Meridian High School – 1995 students	
Water – Service will not be by the City of Meridian, as it falls within SUEZ North America service area.		
Wastewater		
• Distance to Sewer Services	Directly adjacent	
• Sewer Shed	North Black Cat Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.9	
• Project Consistent with WW Master Plan/Facility Plan	YES	
• Impacts/Concerns	Design and number of units clustered together is of particular concern – staff is unclear as to how all units will be serviced. A utility layout depicting how all of the units will be serviced while still meeting design requirements will be required.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Baron Black Cat LLC – 1401 17th Street, Ste. 700, Denver, CO 80202

B. Owner:

Same as Applicant

C. Representative:

Kent Brown Planning – 3161 E. Springwood Drive, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/1/2020	9/25/2020
Radius notification mailed to properties within 300 feet	4/28/2020	9/23/2020
Site Posting	6/26/2020	9/29/2020
Nextdoor posting	4/28/2020	9/23/2020

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

Mixed Use Community – The purpose of this 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 (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) 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 three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The subject site is surrounded by existing City of Meridian zoning and development that is both existing and planned (the adjacent parcels are entitled but some have not yet begun construction). The proposed land use of multi-family residential and commercial are consistent with the land use types noted in the Future Land Use Map (FLUM) designation definitions and preferred uses. The proposed product type is by definition multi-family (more than 2 units on a single building lot) but the Applicant has designed the units so to emulate single-family attached and detached structures that share mews and pedestrian pathways rather than public streets. The proposed unit types also provide more private open space than traditional multi-family development, furthering its feel of single family residential. In addition, certain densities are required to be met for residential projects within the MU-C future land use designation. The proposed project as shown is approximately 8 du/ac, meeting the 6-15 du/ac requirement (see community metrics above). Therefore, Staff finds the density proposed with the short plat and rezone is consistent with the Future Land Use Map designations of Mixed Use Community (MU-C).

Mixed-use designations also require at least three (3) types of land uses. The proposed project offers an area of commercial zoning that should accommodate multiple future uses. The commercial lot is proposed with two building sites that have multiple suites so there is potential

that distinct land uses will be available on-site. When analyzing projects within the MU-C future land use designation, the approved and/or developed land uses nearby must be taken into account. Therefore, Staff has taken into account adjacent land uses that can be traveled between with relative ease. Directly to the east of this site is the future Rock Harbor Church site, a different use than proposed with this project. Within a half mile to the west and off of Chinden Blvd., a mixed use project (Central Valley Plaza/Pollard Subdivision) is approved and will offer multiple additional uses and employment opportunities that these future residences could use. Within a half mile to the east, the new Costco building has been approved and is in the process of receiving building permit approval. Directly across N. Black Cat, more commercial development is proposed within the Fairbourne Subdivision.

Staff initially had concerns with the overall site design but the Applicant has worked diligently to take Staff's comments into account, specifically in relation to this mixed-use policy: "Mixed use areas should be centered around spaces that are well-designed public and quasi- public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further place-making opportunities considered."

The Applicant added additional commercial area to the project and moved the open space to a more central location to help integrate the commercial with the proposed residential. Staff particularly finds the plaza area between the clubhouse and one of the commercial buildings as a great example of integrating the uses as the commercial building fronts on the plaza and would offer great pedestrian connectivity for residents in this project. Staff may prefer additional commercial on the subject site more in line with the existing zoning areas, but Staff also understands that nearby uses help mitigate the loss of commercial zoning on this specific parcel. Staff finds that the proposed layout generally meets the MU-C future land use designation policies and goals.

The Applicant is also requesting to modify the recorded development agreements (Inst. #'s: 106151218; 107025555; 107141993; 110059432; and 2014-065517) for the purpose of removing the subject property from the boundary of the previous agreements and enter into a new development agreement (DA) consistent with the proposed development plan. Staff's recommended DA provisions are included in Section VIII.A1. The new DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting approval of the MDA by City Council and subsequent recordation.

The existing development agreement and subsequent addendums relate to a much larger area than this specific corner on Black Cat Road and Chinden Blvd. (Highway 20/26). One of the addendums (from 2007) does directly address the existing tree farm and allows it to continue its use as a tree farm until such time that the property is redeveloped. Because this new development is one of the last portions of the larger area governed by the original DA to redevelop, the Applicant wishes to remove this project site from that DA and its subsequent addendums and enter into its own DA consistent with the proposed development plan. Staff finds a new DA will allow the subject site to develop in a more cohesive and clean pattern while also eliminating the need to amend the existing DA any further.

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff 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). Modern Craftsman at Black Cat is offering a new type of development within the City of Meridian by proposing single-family attached and detached homes within a multi-family setting. To both the north and to the west

(across N. Black Cat Road) traditional detached single-family homes exist and are proposed. The Applicant hopes to add an additional housing type in this area that will delineate a new housing use in the City and add to the housing diversity available.

“Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices” (3.07.01A). The proposed site design incorporates mews, private streets, common open space, and different housing designs within the same parcel. Much of the surrounding development, especially the closest subdivisions, is of lower density, detached single-family development. Because of this, a lot of the public testimony received has requested that this subject site emulate these subdivisions. The subject site does not share the same future land use designation as the adjacent subdivisions and therefore cannot be developed in the same way. Despite being a mixed use designation, the Applicant has chosen to propose a development that is made up of mostly single-story structures. The Applicant did this in order to be more compatible with surrounding residential development.

In regards to site design, the Applicant is proposing two-story townhomes along the eastern and western boundaries; these townhomes will abut a parking lot for the adjacent Rock Harbor Church on the east side of development and abut Black Cat along the western boundary and landscape buffer. Also along the eastern boundary is a smaller landscape buffer (approx. 10-foot wide) that is approximately 520 feet in length and proposed with 5 trees and a vinyl fence. The Applicant has also proposed a few of their larger detached structures (3-bedroom units) next to the proposed townhomes along Black Cat to help with buffering along the busy collector. Interior of these townhomes is the main component of this project, attached and detached single-story homes mostly laid out in a detached four-plex configuration. Sidewalks run throughout the development and these attached and detached units making for great pedestrian connectivity throughout the site. In addition, the Applicant has proposed two sidewalk connections out to the proposed multi-use pathway extension along Chinden to help with interconnectivity between parcels. Further pedestrian and open space analysis is in other sections of the staff report below.

The Applicant is not proposing any vehicular accesses onto Chinden Blvd. which is a welcomed proposition for ITD and Staff. Reducing access points to arterial streets and state highways is a major goal within the City's Comprehensive Plan and helps funnel traffic in appropriate manners. Staff believes placing townhomes along Black Cat offers an appropriate buffer between the busy collector roadway and the single-story structures that make up a majority of the development. In addition, the subject site is bordered on three sides by public roads that have or will have landscape buffers. These landscape buffers and the public roads should offer a needed buffer.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site due to the existing subdivision to the north, per Public Works comments. This project also lies within the Fire Department response time goal. Chinden Boulevard is currently being widened in multiple places along its corridor and will connect to the planned expansion of Highway 16. It is the intent of these road improvements to help with current and future congestion along Chinden Boulevard. To help mitigate this, the Applicant is not requesting any accesses onto Chinden but instead is proposing two access points to Black Cat and one access to W. Tree Crest Drive, essentially the northern border of the property.

West Ada School District has offered comments on this project and estimate an additional 156 school age children could reside in this community. Of the closest neighborhood schools, Star Elementary is the only school shown as currently over enrolled. West Ada also notes that future students in this area could attend the Owyhee High School and Pleasant View Elementary School—Pleasant View is scheduled to open in Fall 2020. Staff understands that school

enrollment is a major issue to be dealt with but at least in the northwest Meridian area, some relief appears to be on the horizon with new schools opening up soon.

Staff finds that the existing and planned development of the immediate area create conditions for adequate levels of service to for this proposed project.

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). The proposed project offers open space that meets and exceeds the minimum requirements in the unified development code (UDC). The Applicant has increased the amount of open space over the course of discussions with Staff which improves the overall project. There are three main areas of open space in this development but smaller, qualifying open space also exists throughout the project. These three main areas hold the proposed dog park, clubhouse and pool, tot-lot, a plaza shared between some commercial and the open space lot, and a central vista that connects both ends of the development with green space. This central vista is also anchored at each end with amenities making the open space flow and feel as part of the development. See further analysis in Section V.E and V.L.

“Explore development and implementation of architectural and/or landscape standards for geographic areas of the City.” (5.01.02F). The proposed project site is not within a specific area plan for the City but because it is a multi-family product, it is subject to design review. The Applicant has submitted a concurrent administrative design review application that accompanies Staff’s review of the conceptual elevations. The architecture proposed throughout the residential portion of the project offers modern design elements that include shed roof combinations that are combined with stucco and stone sidings, finished wood as a siding and accent material, and metal as an accent material. Staff not only finds the submitted elevations to be in compliance with the Architectural Standards Manual but also finds this type of architecture as unique and a welcome addition to the neighborhood.

“Establish distinct, engaging identities within commercial and mixed use centers through design standards.” (2.09.03A). As discussed above, the proposed product type and architecture would make Modern Craftsman at Black Cat a distinct area within the City. The Applicant has worked with Staff to offer a site design that provides some integration between the commercial and residential product types. In addition, there is a similar look and feel in the development created largely by the inclusion of the central vista and large amounts of private open space for multi-family development. As noted above, Staff may desire more commercial on this parcel to offer more opportunity to be integrated, but Staff cannot and should not analyze this project without looking at the development around the subject site, without looking from a macro view of the surrounding area. When taking all of the surrounding area into consideration, Staff finds that the proposed development meets a majority of the mixed-use policies and objectives.

Staff finds this development to be generally consistent and in alignment with the Comprehensive Plan and a majority of the mixed use-policies.

C. Existing Structures/Site Improvements:

The site currently houses a tree farm that has a number of small mobile home type structures. All existing structures will be removed upon development of this site. In fact, under the terms of the existing DA, this use was to cease long before now.

D. Proposed Use Analysis:

The proposed use is multi-family residential and commercial; the commercial area is relatively small when compared to the residential, approximately 2 acres compared to 21 acres, respectively. Multi-family residential is a conditional use in R-15 zoning district per UDC Table 11-2A-2. The commercial area is already zoned and there are currently no tenants in place for the

proposed commercial building suites. Because no tenants are currently known of, Staff cannot review those uses for compliance in the C-C zoning district. Commercial buildings require Certificate of Zoning Compliance (CZC) and Design Review so at that time Staff will evaluate the uses for compliance.

The multi-family development is proposed to be constructed in one phase and incorporate both detached and attached structures; of the 196 multi-family units, 42 units are townhomes proposed along the eastern and western boundaries of the site. As discussed previously, the multi-family buildings are subject to design review and the Applicant has applied for this concurrently with the conditional use permit application. The Applicant did not provide elevations for the future commercial buildings; upon submittal of the required CZC, the Applicant will be required to submit concurrent design review for the commercial buildings. The Applicant has provided conceptual elevations of the Clubhouse and it shares in similar architecture with the proposed residential units as required by the specific use standards.

The proposed use is not a traditional type of single-family or multi-family development, it is a hybrid of the two. The Applicant could have chosen to plat each one of these buildings individually; the Applicant could also have proposed traditional 4-story garden style apartments. Both potentials have their positives and negatives and the Applicant is proposing a different product type to the City of Meridian. The proposed units are a majority of single-story one, two, and three-bedroom detached units without garages. The Applicant is proposing more traditional apartment style parking but some units do have attached one-car garages. All of the townhome units also have attached garages on their first floor.

Largely, the proposed buildings in this development look like detached single-family homes but have on-street parking and less private open space than a standard 4,000 or 8,000 square foot lot. However, the Applicant is proposing vastly more private open space than is required by UDC for multi-family development. UDC requires at least 80 square feet per unit and the Applicant is proposing an average of 400 square feet per unit via small private yards for every single unit. The design of this can be best seen on the open space exhibit (see Exhibit VII.C) and the fencing plan shown on the last page of the landscape plans (see Exhibit VII.D).

To be clear, the main proposed use is single-family detached structures with on-street parking that all reside on one single building lot, making it a multi-family development by definition. There are also traditional style townhome units but are also on the same building lot, making the whole residential product type multi-family.

E. Specific Use Standards (UDC [11-4-3](#)):

The proposed multi-family development use is subject to conditional use permit approval by the Planning and Zoning Commission and subject to specific use standards outlined in UDC 11-4-3-27 and below:

11-4-3-27 – Multi-Family Development:

A. Purpose:

1. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
2. To create quality buildings and designs for multi-family development that enhance the visual character of the community.
3. To create building and site design in multi-family development that is sensitive to and well integrated with the surrounding neighborhood.

4. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

B. Site Design:

1. Buildings shall provide a minimum setback of ten 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. *Proposed project complies with this requirement.*
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; all proposed transformer/utility vaults shall also comply with this requirement.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such 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 private, usable open space provided for each unit varies with each unit type but each one provides more than the required amount. According to the Applicant, the minimum private open space provided is 288 square feet, the maximum for any one unit would be approximately 869 square feet, and the average is approximately 419 square feet. Again, this proposed design offers private open space that is more akin to single-family developments but is still a multi-family product and the type of housing that Baron Black Cat is aiming to provide.*
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. *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. *See analysis in staff report below.*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location (including provisions for parcel mail) that provide safe pedestrian and/or vehicular access.
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

Per the submitted plans, the Applicant appears to meet these requirements.

The site plan submitted with the Certificate of Zoning Compliance application shall depict these items.

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.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

Note: Open space standards found in UDC 11-3G AND those found in these specific use standards shall apply to this project. Please see the applicability section of both code sections. Staff analysis for both open space requirements is in Section V.L of this staff report instead of splitting the analysis into two parts.

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'). *Proposed open space submitted as meeting this requirement has been reviewed. All area labeled as qualified common open space on the open space exhibit complies with 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. *This project is proposed to be developed in one (1) phase.*
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). *The buffer along N. Black Cat Road, a collector street, does not count toward the common open space requirements for these specific use standards. However, those areas along the arterial and collector roadways do count towards the minimum 10% required open space for the residential development as a whole.*

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)

Based on 195 proposed units, a minimum of four (4) amenities are required; however, the decision making body is authorized to consider other amenities in addition to those provided per the standards listed above in 2.d.

The following amenities are proposed from the quality of life, open space and recreation categories: a clubhouse with offices for rent by the residents, a tot-lot, a swimming pool, picnic shelter with a BBQ area, a plaza, community garden, and a small fenced dog park area. Therefore, the Applicant is proposing 6 qualifying site amenities. The proposed dog park does not meet the UDC requirements to qualify as a site amenity due to it not being large enough and not showing the required trash receptacles or dog washing station. Even though it is not a qualifying amenity, Staff presumes it will be used often. Staff recommends that at least trash receptacles be added to the dog park area to ensure a clean and odorless experience is incurred. In addition to these amenities, the Applicant is proposing 102 self-storage lockers (each locker is 12 square feet) spread throughout each of the garage buildings so that residents may store small amounts of personal items onsite and near their units. This is also not a qualifying site amenity but Staff finds that these will likely be heavily used even though not all residents will be allowed to participate in it due to the difference in unit count and available lockers.

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 provided appears to meet these specific use standard landscape requirements. (see Exhibit VII.D)

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

The commercial and multi-family residential lots appear to meet all UDC dimensional standards per the submitted plat. In addition, all private streets appear to meet all UDC dimensional standards per the submitted plans.

In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). *The proposed short plat and submitted plans appear to meet the UDC requirements of this section.*

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access is proposed via private streets off of N. Black Cat Rd. and W. Tree Crest Drive. The two proposed access points to Black Cat Road have been approved by ACHD but typically access to Black Cat is limited by the City. The Applicant may request from City Council to keep the two access points as proposed, in accord with UDC 11-3A-3. The Applicant is also proposing an access in the northeast corner of the property via a shared driveway with the Rock Harbor Church site. Private streets are proposed throughout the development, with two running east-west (W. Waverton Ln. and W. Caragana Ln.) and two running north-south (N. Spurwing Ln and N. Agrarian Ln.). Access via Chinden Blvd. is prohibited and is not proposed. Due to the nature of the proposed use, Staff believes private streets are appropriate in this development.

Private streets are required to comply with the design and construction standards listed in UDC 11-3F-4. The proposed private streets are 25 feet wide with 5-foot or 7-foot attached sidewalks on both sides. Both open and covered parking is provided along most of the private streets. Further parking analysis is discussed in the next section, Section V.H. In addition, private streets are required to be on their own common lot or within an easement per UDC 11-3F-3B.3 standards. The submitted plat does not appear to show this requirement; Staff is recommending a condition of approval to revise the plat to show compliance with this requirement prior to the City Council hearing.

H. Parking ([UDC 11-3C](#)):

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for multi-family dwellings based on the number of bedrooms per unit. *The submitted and revised plan named "Conditional Use Plan" appears to have the most up to date parking counts and show 497 spaces for the entire development. 436 are proposed for the residents, 28 are reserved for the clubhouse, and the remaining 33 are for the proposed commercial. Of the 436 for the residential units, 179 spaces are uncovered, 134 are covered carport spaces, and the remaining 123 are garage spaces. Across the different unit types there are 64 1-bedroom units, 100 2-bedroom units, and 32 3-bedroom units. The 1-bedroom units require 1.5 spaces per unit, with at least one of the spaces being covered; the two and three bedroom units require 2 spaces per unit, also with at least one covered per unit. Therefore, the minimum amount of parking required for the multi-family portion of this development is 360 spaces, with 196 of those required to be covered. Therefore, the proposed parking count exceeds the minimum UDC requirements.*

The commercial areas proposed in the southwest corner of the site is shown as 12,789 square feet that would be spread across two building pads—the smaller pad, approximately 2,000 square feet, shares a plaza with the tot-lot and open space area near the west-central portion of the site. For commercial uses, the parking requirement is one space for every 500 square feet and the proposed commercial area requires a minimum of 26 spaces. The Applicant has proposed 33 spaces for the commercial area, exceeding the minimum amount required by the UDC. A portion of the proposed parking directly abuts the street and those utilizing the commercial parking would have to back into or drive directly onto the private street in order to exit those spaces. This is not prohibited by code but is far from ideal. Staff believes this type of parking set up may cause additional accidents and therefore recommends a redesign of the parking for the proposed commercial area. This redesign should minimally include a 5-foot wide landscape island along the edge of this proposed parking area to eliminate this conflict. The Applicant shall still provide the required number of parking stalls based upon the gross floor area of the proposed commercial area.

A parking plan can be seen in Exhibit VII.E.

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

A 10-foot wide multi-use pathway is proposed along the entire W. Chinden Blvd. street frontage and is proposed to be placed within the required arterial street landscape buffer. The proposed pathway will be approximately 60-feet from the existing edge of right-of-way of Chinden Blvd. due to future widening projects. The Applicant is dedicating a separate, 60-foot wide, non-buildable lot along Chinden Blvd. for the future benefit of Idaho Transportation Department. This section of multi-use pathway will allow further safe pedestrian connection along the SH 20/26 corridor and will directly help connect this development with the adjacent Rock Harbor Church site to the east and with development to the west and across N. Black Cat.

The multi-use pathway is also proposed to connect to a new 5-foot detached sidewalk along N. Black Cat and to two internal connections from within the development. These sidewalk connections offer further pedestrian connectivity between developments along the SH 20/26 corridor.

The proposed sidewalks in this development are essentially micro-pathways. These pathways connect throughout the entire development and traverse through every mew as well. They offer increased pedestrian connection and give future residents the opportunity to walk rather than drive within the project site.

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

Attached sidewalks are proposed along all internal private streets as part of the overall pedestrian circulation, in accord with the standards listed in UDC 11-3A-17. Part of the sidewalk plan places one within a long vista that connects all the way from the clubhouse/tot-lot area in the west of the site to the barbeque and picnic area in the east portion of the site. This area is proposed with landscaping adequate to offer both shade and green space but does not appear to be so convoluted with trees as to offer line of sight issues for public safety. Staff supports the sidewalk and pedestrian circulation plan for this development. See Exhibit VII.F.

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

A 35-foot wide street buffer is required adjacent to W. Chinden Blvd., a state highway system (SH 20/26), landscaped per the standards listed in [UDC 11-3B-7C](#). A 35-foot wide common lot is depicted on the plat to the interior of the 60-foot wide common lot for future ITD purchase. There is also a required 20-foot wide landscape buffer adjacent to N. Black Cat, a residential collector roadway. This required landscape buffer should also be placed into common lot(s) per UDC

standards in 11-3B-7C.2; Staff is recommending a condition of approval to amend the plat to show the entire buffer along N. Black Cat within a common lot. Per UDC 11-3H-4D, and within the required buffer along SH 20/26, the Applicant is also required to build a noise attenuation wall or wall and berm combination at least 10-feet in height, measured from the height of the centerline of the highway. The Applicant is proposing a wall/berm combination that appears to meet the height requirement. Staff notes that this wall is also required to modulate over the course of its length. The submitted landscape plans do not appear to show this modulation so the Applicant will be required to correct the plans prior to final plat submittal.

On the submitted landscape plans, there are no proposed trees or shrubs shown within the required landscape buffer between the commercial lot and SH 20/26. This area of the landscape buffer is also required to be landscaped and Staff is recommending a condition of approval to include landscaping in this area beyond grasses. See Section VII.D for the submitted landscape plans.

Landscaping is required along all pathways (including micro-pathways) in accord with the standards listed in *UDC 11-3B-12C*. The total lineal feet of pathways with the required and proposed number of trees are NOT included in the Landscape Calculations table on the submitted landscape plans, sheet L.4. **The addition of this data in the calculations table will be required as a condition of approval.**

Common open space is required to be landscaped in accord with the standards listed in *UDC 11-3G-3E*. The total square footage of common open space and the required number of trees to demonstrate compliance with UDC standards is NOT included in the Landscape Calculations table. **The addition of this data in the calculations table will be required as a condition of approval.**

The City Arborist has also made comments on the subject application regarding its landscaping, specifically on the type of tree species proposed. Fraxinus "Ash" tree species attract a specific and invasive pest and it is the request of the City Arborist that projects start trying to replace these types of trees with other tree species. Therefore, Staff is recommending a condition of approval that the Applicant work with the City Arborist on an appropriate alternative to their proposed "Ash" tree selection.

L. Qualified Open Space (*UDC 11-3G*):

A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required. Based on the proposed plat of 21.59 acres, a minimum of 2.16 acres of qualified common open space should be provided to satisfy this requirement. In addition, because this is a multi-family development within a residential zoning district, the common open space standards listed within the specific use standards, UDC 11-4-3-27, also apply. **The Applicant's open space calculations do not accurately depict the amount of required and proposed open space for the multi-family specific use standards; Staff is recommending a condition to correct this prior to City Council. According to Staff's calculations, a minimum of 55,000 square feet (or 1.26 acres) of additional qualifying common open space should be provided. Combined, the required amount of minimum qualifying open space that should be provided is 3.42 acres.**

According to the open space exhibit (see Exhibit VII.C), the applicant is proposing a total of 3.78 acres of qualified open space. There are a number of small areas throughout the development that are still green space but are not qualifying open space. Of the 3.78 acres proposed, 2.36 acres is proposed to meet the overall minimum 10% requirement (2.36 acres equates to 10.9%). This qualified open space consists of a 10-foot multi-use pathway, common lots with open space areas,

and required street buffers along adjacent roadways. This area exceeds the minimum UDC requirements.

The remaining 1.42 acres of open space is proposed to meet the specific use standards for multi-family development. These areas of open space consist of the mews between unit blocks (including the long vista that connects the east side of the development with the west side of the site), some end cap landscaped areas along streets, and smaller areas of open space that meet the minimum 20' x 20' dimensions. The open space proposed to meet the specific use standards exceeds the minimum UDC requirements.

As noted above, the common open space provided with this development exceeds the minimum amounts required by code. In addition, the Applicant is proposing much more additional private open space than is required by code. Staff and the Applicant worked diligently together to design the open space in such a way to integrate the commercial uses with the residential as required in the MU-C policies and goals.

The Applicant responded to these conversations by providing a community garden area that can be shared by the commercial building and the nearby residents. Perhaps a future restaurant as one of the commercial tenants could utilize this garden area for fresh produce in their daily operations. In addition, the Applicant proposed additional commercial space that shares a plaza space with the clubhouse and residents. There are a plethora of potential uses for this including a farmer's market style use or pop-up shops where tenants can utilize the sidewalk space for further interaction with customers. This plaza area is directly linked with the long vista in the center of the development via micro-pathways and stamped/colored concrete across the private streets. Staff appreciates the additional delineation of pedestrian and vehicular travel ways but wishes the Applicant would have proposed more stamped/colored concrete throughout the development to add more character to the development and its pedestrian circulation. However, Staff supports the connection of open space from one end of the site to the other and the fact that the vista and open space areas are anchored by an amenity on the east end and amenities and commercial space on the west end of the site. All in all, Staff finds that the proposed common and private open space are sufficient for a project of this size and proposed use.

M. Qualified Site Amenities (UDC 11-3G):

Based on the area of the proposed short plat (21.59 acres), a minimum of one (1) qualified site amenity is required to be provided per the standards listed in [UDC 11-3G-3C](#).

The applicant proposes one (1) qualified amenity to satisfy the requirements in this section of the UDC, a 10-foot multi-use pathway along SH 20/26. All other site amenities (analyzed in an above section) are meant to satisfy the specific use standard amenity requirements. The proposed multi-use pathway meets the minimum UDC standards.

As noted above, the Applicant is proposing a small dog park in the northwest corner of the subject site (it is not a qualifying site amenity). Multi-family specific use standards do not allow this area to count as open space if it up against a collector roadway (Black Cat Road) unless separated from the street by a berm or barrier at least 4-feet in height with breaks in it to allow for pedestrian access. According to the submitted landscape plan, there appears to be no such berm or barrier along this corner other than a fence meant to delineate the actual dog park. Therefore, the proposed dog park area is not qualifying open space or a qualifying amenity for the multi-family requirements. However, it is qualifying open space under the general minimum 10% requirement.

N. Fencing (*UDC 11-3A-6, 11-3A-7*):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is proposed as shown on the landscape plan and meets UDC standards as proposed.

O. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

As discussed in the comprehensive plan policies analysis, Staff believes most of the submitted elevations meet the required Architectural Standards. The applicant has submitted a concurrent design review application and staff finds the submitted architecture of the residential portion of the development complies with the ASM except for those elevations for the proposed townhome style units. Commercial elevations were not submitted with this application but future buildings should incorporate similar architectural features to ensure a cohesive design as envisioned by the Comprehensive Plan and ASM. A separate DES will be required for the Commercial portion of the development.

The submitted elevations for the proposed townhome home units show only one field material, stucco. The ASM requires at least two field materials for multi-family development for facades as long as those shown. Staff recommends the Applicant include more of the proposed lap siding along both the front and rear facades to meet the intent of the ASM goals. In addition, the ASM notes that no two multi-family buildings should look the same. To ensure compliance with at least the intent of this requirement, the Applicant should create differentiation between some of the 6-plex, townhome buildings through differing architectural designs and color palettes. Staff is recommending conditions of approval to correct this.

VI. DECISION

A. Staff:

Staff recommends approval of the requested conditional use permit, short plat, rezone, and development agreement modification applications per the Findings in Section IX of this staff report. The Director approved the private street and administrative design review applications.

B. The Meridian Planning & Zoning Commission heard these items on July 9, 2020 and August 20, 2020. At the August 20, 2020 public hearing, the Commission moved to recommend approval of the subject Rezone, Short Plat, Conditional Use Permit, and Development Agreement Modification requests.

1. Summary of Commission public hearing:

- a. In favor: Matthew Riggs, Owner; Elizabeth Schloss, Development Manager; Deborah Nelson, Owner Representative.
- b. In opposition: Joe Warchol, neighbor; Nancy Everard, neighbor; Richard Gilkey, neighbor; Dave Jacobs, neighbor;
- c. Commenting: Scott Freeman, neighbor; Joe Warchol; Nancy Everard; Richard Gilkey; Dave Jacobs; Lynn Southam, neighbor.
- d. Written testimony: 49 written testimonies outlining the same issues brought up during the hearing with the addition of a desire by a number of the neighbors for this land to be developed similarly to Spurwing and not a mixed use development.
- e. Staff presenting application: Joseph Dodson, Current Associate Planner
- f. Other Staff commenting on application: Andrea Pogue, Deputy City Attorney

2. Key issue(s) of public testimony:

- a. Amount of parking available for future residents and for commercial buildings; specifically, will there be no parking signs placed along Tree Crest Drive and how will the commercial parking be revised;
- b. Added traffic of development and nature of apartment populations;

- c. Location of any public transportation and any public park;
 - d. Cost of high-end apartments and affordability of proposed apartment units;
 - e. Amount of commercial and a desire for more neighborhood commercial instead of multi-family residential;
3. Key issue(s) of discussion by Commission:
- a. The amount of commercial acreage and why it is being reduced – this was the main reason the project was continued to a new hearing date with a request that the Applicant increase the commercial area. The Applicant did accommodate this request;
Viability of incorporating vertically integrated development into the project to increase the commercial and not lose any units;
 - b. Street type of Tree Crest Drive and whether parking is allowed – Tree Crest Drive is a collector and there is no on-street parking allowed;
 - c. Design of the proposed commercial on the hard corner of Chinden and Black Cat – will it be one or two stories;
 - d. Is the intent of the offices within the clubhouse intended to serve the development or go beyond its borders;
 - e. Potential issues and resolutions of the required 25-foot buffer between the commercial zoning and the residential buildings.
4. Commission change(s) to Staff recommendation:
- a. Update the staff report to include those provisions from the Staff memo following the Applicant’s changes to the commercial area of the site.
5. Outstanding issue(s) for City Council:
- a. The Applicant will need to request a waiver from the City Council to reduce the land use buffer between the C-C zoning and the multi-family units proposed on the R-15 portion of the project – specifically, that area between the Clubhouse and the smaller commercial building and the residential to its east.
- C. The Meridian City Council heard these items on October 13, 2020. At the public hearing, the Council moved to approve the subject Rezone, Short Plat, Conditional Use Permit, and Development Agreement Modification requests.
1. Summary of the City Council public hearing:
- a. In favor: Deborah Nelson, Applicant Legal Representative; Kent Brown, Applicant Rep.
 - b. In opposition: Jessica Rieke, neighbor; Karl Bennion, neighbor; Joseph Hammer, neighbor; Denise LaFever, neighbor; Ray Parkinson, neighbor
 - c. Commenting: Deborah Nelson; Jessica Rieke; Karl Bennion; Joseph Hammer; Denise LaFever; Kent Brown; Ray Parkinson.
 - d. Written testimony: One written comment since the Commission hearing – “DL”- reiterating the issues presented previously at both Commission hearings regarding density, traffic, and commercial area.
 - e. Staff presenting application: Joseph Dodson, Associate Planner
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
- a. The proposed density and how it meshes with the existing Spurwing Development to the north;
 - b. The reduction in the amount of commercial space is of major concern and should be remain as is currently zoned to help mitigate any density issue;
 - c. What is the difference between the zoning districts and future land use designations, specifically what is their importance to the conversation about density allowed,
 - d. Amount of usable open space proposed and how it might force residents to use open space within Spurwing Subdivision to the north.

3. Key issue(s) of discussion by City Council:
 - a. Amount of commercial zoning remaining from existing 8 acres of C-C as well as overall square footage of leasable commercial space—how does the reduction in commercial zoning affect the overall development;
 - b. Location of leasable commercial space within C-C zone and whether area within Clubhouse is available to the public or just future residents;
 - c. Overall layout of development but specifically, why so much of the amenities and open space are congregated in the western third of the site – Applicant has stated that this is intentional so as to allow residents the option of living near to or further away from the proposed amenities;
 - d. Proposed architectural design of structures appearing to not offer much variety (specifically in color palette);
 - e. Difference in school enrollment numbers presented by the Applicant versus those provided to the City – the Applicant obtained more up to date numbers by reaching out to West Ada directly following the original submittal of the application months ago;
 - f. What is the purpose of requesting less than a two-story commercial building on the hard corner and does the two-story concept offer enough parking and more leasable space.
4. City Council change(s) to Commission recommendation:
 - a. Strike condition VIII.A-1.f as requested by the Applicant.
 - b. Approve the Applicant's request for a waiver of the required 25-foot land use buffer between the C-C zoning district and the R-15 zoning district—Staff to determine final language on revised provision/condition.
 - c. Council approved change in language regarding building permit application timeline to remove requirement that plat must be recorded prior to applying for building permits.

VII. EXHIBITS

A. Revised Rezone Legal Descriptions and Exhibit Maps

EXHIBIT ____

**DESCRIPTION FOR
MODERN CRAFTSMAN SUBDIVISION
R-15 ZONING DISTRICT**

A portion of Lots 1 and 2, Block 1 of Puma Subdivision as filed in Book 71 of Plats at Pages 7263 through 7264, records of Ada County, Idaho and a portion of the SW 1/4 of the SW 1/4 of Section 22, T.4N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the SW corner of said Section 22 from which the S1/4 corner of said Section 22 bears South 89°17'18" East, 2647.24 feet;

thence along the South boundary line of said Section 22 South 89°17'18" East, 287.86 feet to the **REAL POINT OF BEGINNING**;

leaving said South boundary line North 00°40'53" East, 359.40 feet;

thence North 19°12'20" East, 30.18 feet;

thence North 00°40'46" East, 227.75 feet;

thence North 83°45'26" West, 300.46 feet to a point on the West boundary line of said Section 22;

thence along said West boundary line North 00°30'42" East, 253.71 feet;

thence leaving said West boundary line and along the southerly boundary line of Tree Farm Subdivision No. 2 as filed in Book 114 of Plats at Pages 16914 through 16921, records of Ada County, Idaho and the northwesterly extension thereof South 78°03'14" East, 104.00 feet to an angle point on the southerly boundary line of Lot 2, Block 7 of said Tree Farm Subdivision No. 2;

thence along said southerly boundary line of said Tree Farm Subdivision No. 2 the following 5 course and distances:

thence 61.63 feet along the arc of a non-tangent curve to the left, said curve having a radius of 1,552.00 feet, a central angle of 02°16'31" and a long chord which bears North 10°48'30" East, 61.63 feet;

thence North 55°40'41" East, 10.27 feet;

thence 151.39 feet along the arc of a non-tangent curve to the right, said curve having a radius of 700.00 feet, a central angle of 12°23'31" and a long chord which bears South 71°18'06" East, 151.10 feet;

thence South 65°06'21" East, 221.65 feet;

thence 56.81 feet along the arc of a non-tangent curve to the left, said curve having a radius of 850.00 feet, a central angle of 03°49'45" and a long chord which bears South 67°01'18" East, 56.80 feet to a corner common to Lot 2, Block 7 of said Tree Farm Subdivision No. 2, and Lot 1, Block 7 of Tree Farm Subdivision No. 1 as filed in Book 113 of Plats at Pages 16498 through 16505, records of Ada County, Idaho;

thence along the South boundary line of said Lot 1, Block 7 the following 4 courses and distances:

thence 135.28 feet along the arc of curve to the left, said curve having a radius of 850.00 feet, a central angle of 09°07'08" and a long chord which bears South 73°29'44" East, 135.14 feet;

thence South 78°03'14" East, 263.21 feet;

thence 183.86 feet along the arc of curve to the left, said curve having a radius of 841.73 feet, a central angle of 12°30'53" and a long chord which bears South 84°18'41" East, 183.49 feet;

thence 237.50 feet along the arc of a non-tangent curve to the left, said curve having a radius of 841.73 feet, a central angle of 16°09'58" and a long chord which bears North 81°20'52" East, 236.71 feet to the SE corner of said Lot 1, Block 7, point also being a point on the West boundary line of said Rockbury Subdivision;

thence South 00°30'49" West, 720.31 feet along said West boundary line and the southerly extension thereof to a point on the South boundary line of said Section 22;

thence along said South boundary line North 89°17'18" West, 1,036.05 feet to the **REAL POINT OF BEGINNING**. Containing 19.39 acres, more or less.



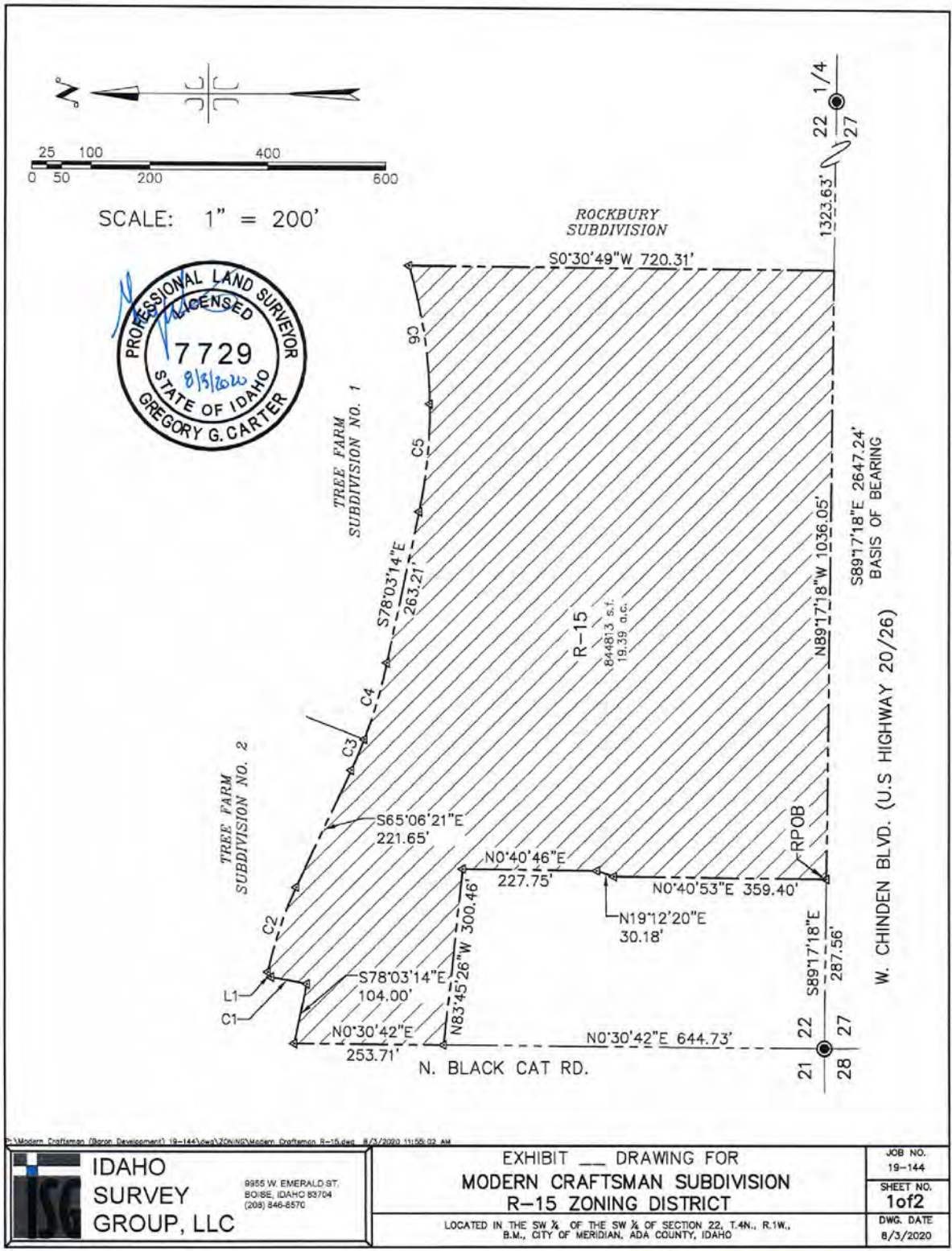


EXHIBIT ____

DESCRIPTION FOR

**MODERN CRAFTSMAN SUBDIVISION
C-C (COMMERCIAL) ZONING DISTRICT**

A portion of Lots 1 and 2, Block 1 of Puma Subdivision as filed in Book 71 of Plats at Pages 7263 through 7264, records of Ada County, Idaho and a portion of the SW 1/4 of the SW 1/4 of Section 22, T.4N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

BEGINNING at the SW corner of said Section 22 from which the S1/4 corner of said Section 22 bears South 89°17'18" East, 2647.24 feet;

thence along the West boundary line of said Section 22 North 00°30'42" East, 644.73 feet;

thence leaving said West boundary line South 83°45'26" East, 300.46 feet;

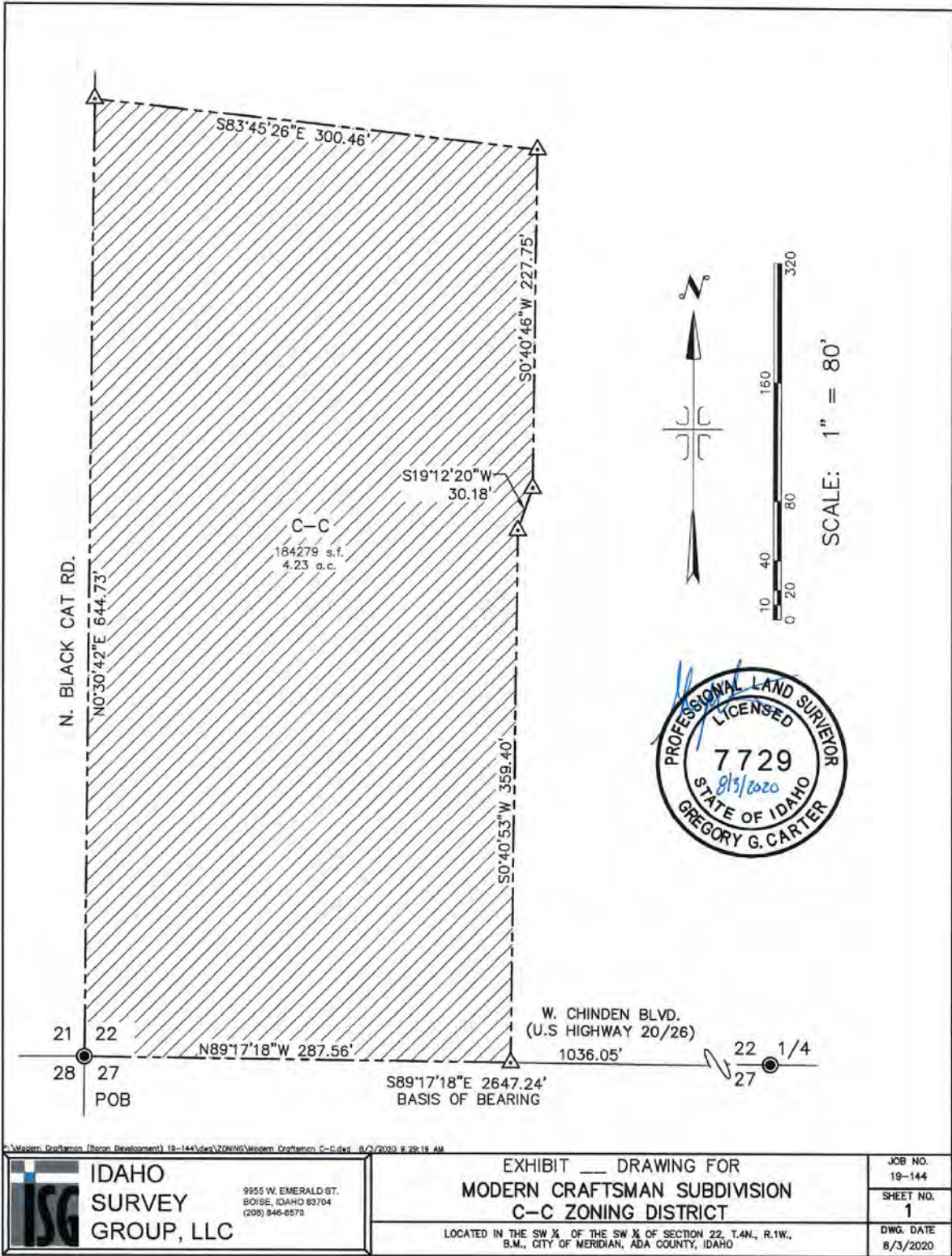
thence South 00°40'46" West, 227.75 feet;

thence South 19°12'20" West, 30.18 feet;

thence South 00°40'53" West, 359.40 feet to a point on the South boundary line of said Section 22;

thence along said South boundary line North 89°17'18" West, 287.56 feet to the **POINT OF BEGINNING**. Containing 4.23 acres, more or less.





C. Open Space Exhibit (date: 1/23/2020 9/29/2020)



D. Revised Landscape Plans (date: 6/18/2020 8/7/2020)

MODERN CRAFTSMAN AT BLACK CAT
CONCEPT LANDSCAPE PLAN
 MERIDIAN, ID

AUGUST 7, 2020
 SCALE: 1" = 40'

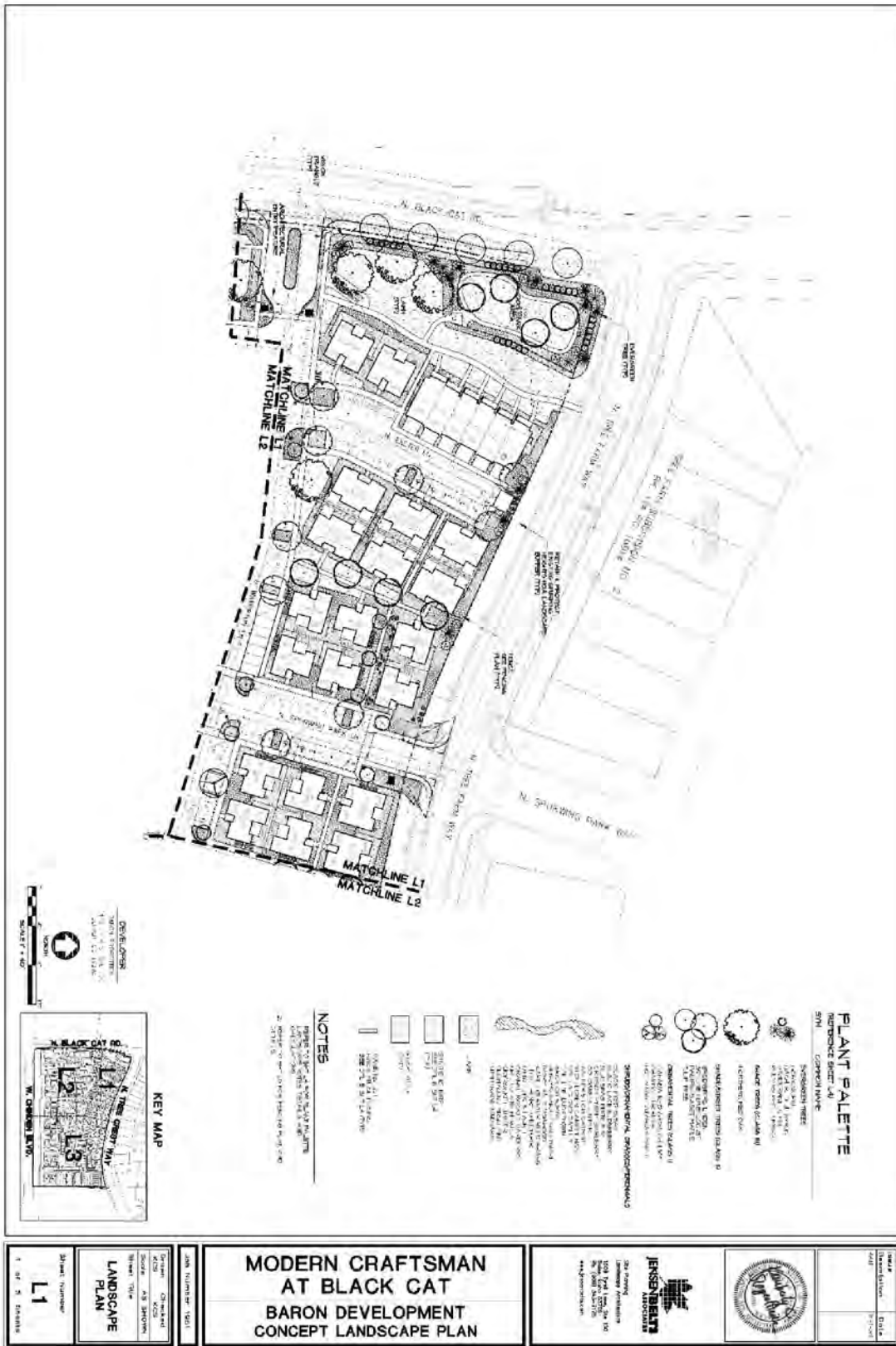


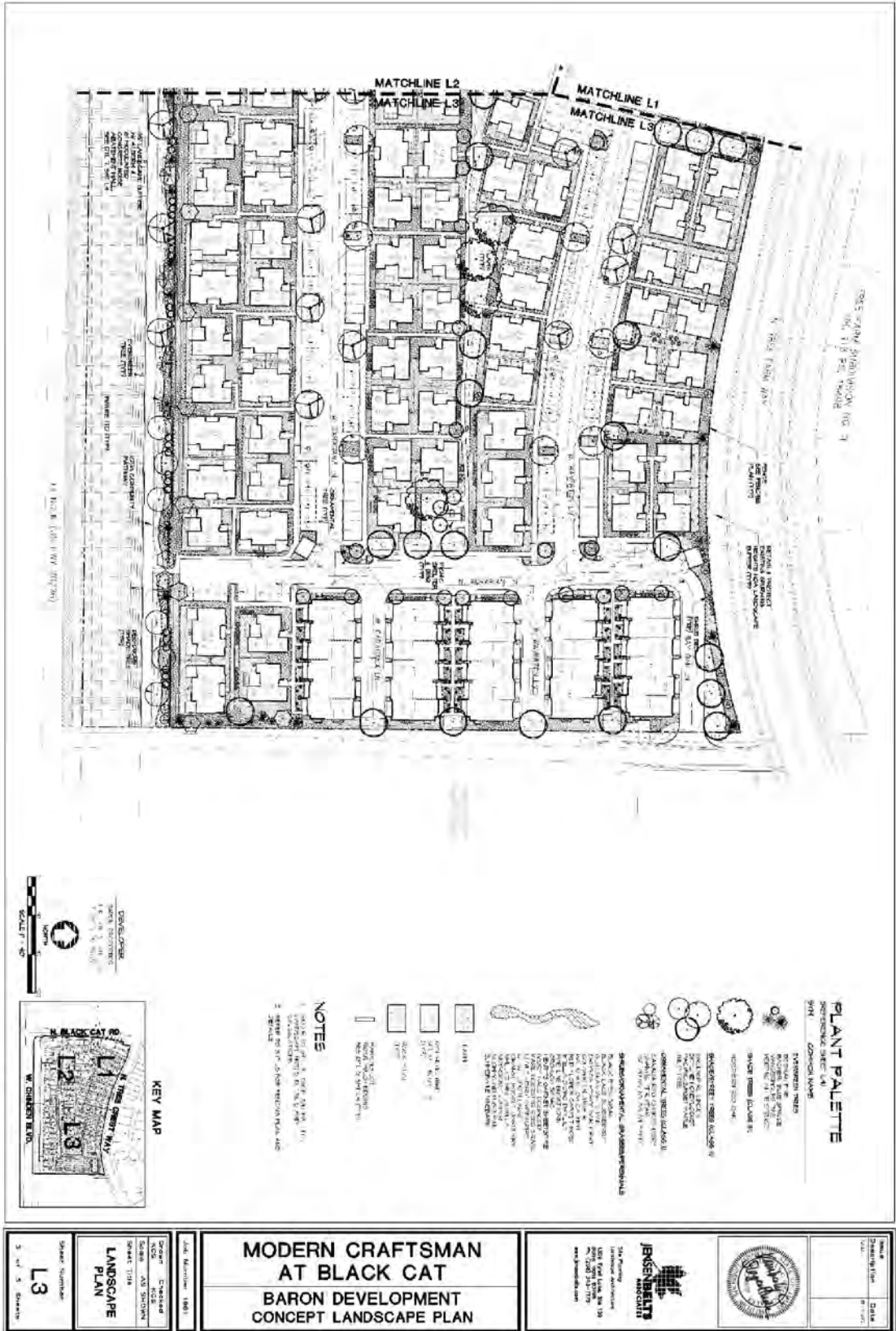
JENSEN BELT
 LANDSCAPE ARCHITECTURE
 1000 N. 10TH ST. SUITE 100
 MERIDIAN, ID 83645
 TEL: 208.333.1111
 WWW.JENSENBELT.COM

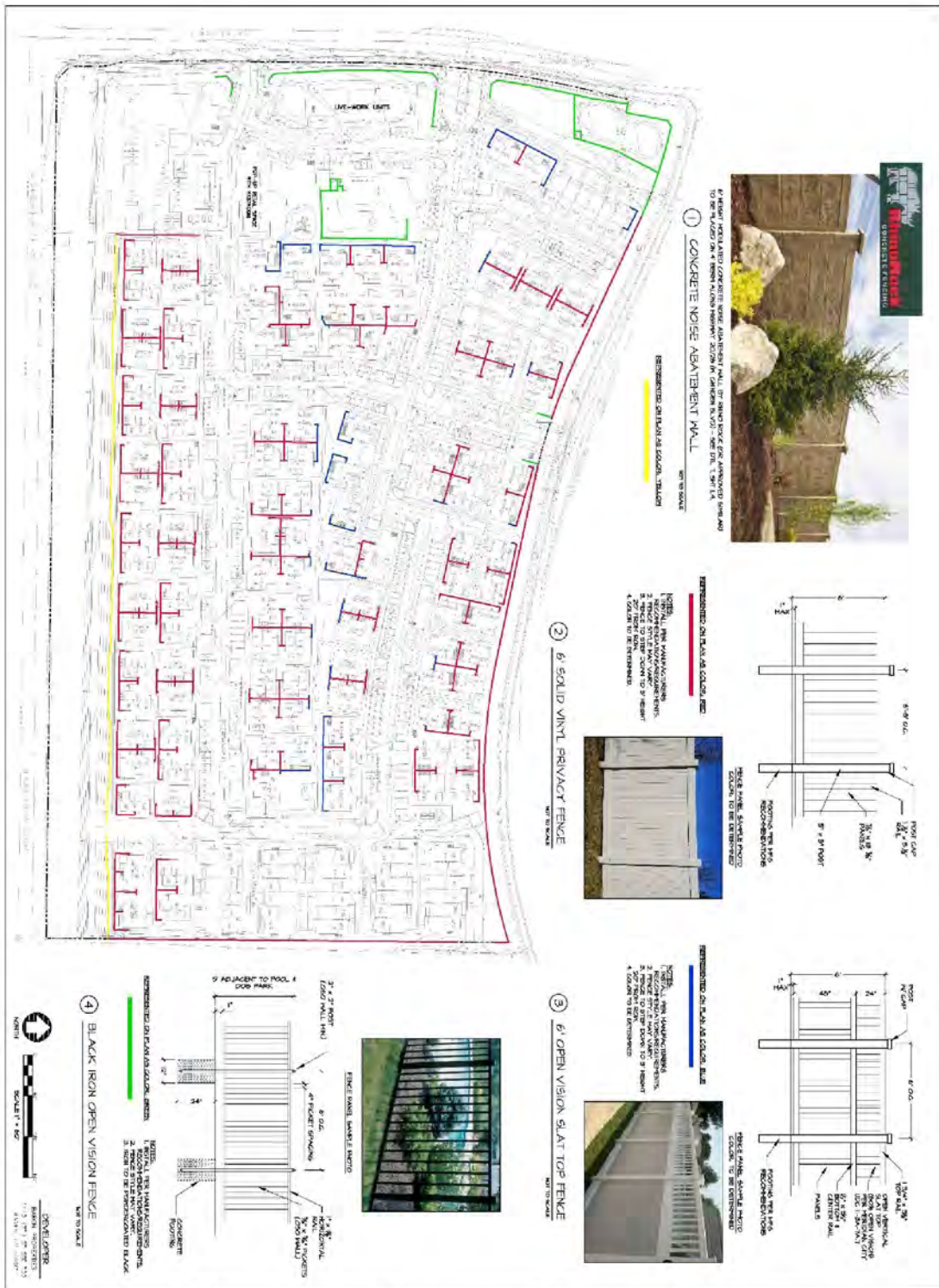


PLAN LEGEND

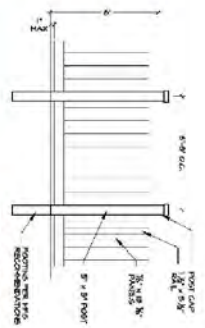
	SITE BOUNDARY
	PROPOSED FENCE
	EXISTING TREES (CLASS B)
	PROPOSED TREES (CLASS B)
	EXISTING TREES (CLASS A)
	PROPOSED TREES (CLASS A)
	SHRUBS
	LAWN
	GRAVEL
	CONCRETE
	ASPHALT
	PARKING
	WALKWAY
	DRIVEWAY
	UTILITY
	EXISTING BUILDING
	PROPOSED BUILDING



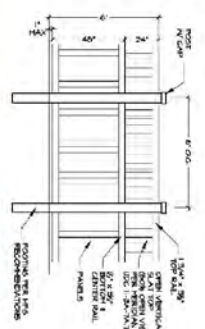




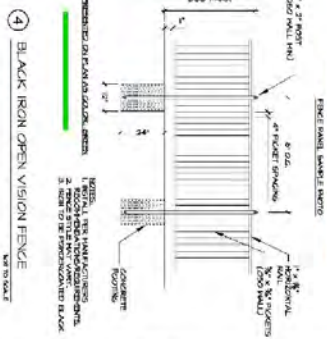
1 CONCRETE NOISE ABATEMENT WALL
 REPRESENTED ON PLAN AS SOLID YELLOW
 6" HIGH POLYMER CONCRETE NOISE ABATEMENT WALL, 2" RIBBED TOP FOR ABSORBED SOUND AND TO BE FINISHED ON 4" FINISH ALUMINUM TRIMMER 20208 IN GARDEN B.L. (2) - SEE DET. 1.591.1A
 SEE TO SCALE



2 6" SOLID VINYL PRIVACY FENCE
 REPRESENTED ON PLAN AS SOLID RED
 6" HIGH POLYMER VINYL PRIVACY FENCE, 2" RIBBED TOP FOR ABSORBED SOUND AND TO BE FINISHED ON 4" FINISH ON 4" FINISH ALUMINUM TRIMMER 20208 IN GARDEN B.L. (2) - SEE DET. 1.591.1A
 SEE TO SCALE



3 6" OPEN VISION SLAT TOP FENCE
 REPRESENTED ON PLAN AS SOLID BLUE
 6" HIGH POLYMER VINYL PRIVACY FENCE, 2" RIBBED TOP FOR ABSORBED SOUND AND TO BE FINISHED ON 4" FINISH ON 4" FINISH ALUMINUM TRIMMER 20208 IN GARDEN B.L. (2) - SEE DET. 1.591.1A
 SEE TO SCALE



4 BLACK IRON OPEN VISION FENCE
 REPRESENTED ON PLAN AS SOLID GREEN
 3 1/2" HIGH POLYMER VINYL PRIVACY FENCE, 2" RIBBED TOP FOR ABSORBED SOUND AND TO BE FINISHED ON 4" FINISH ON 4" FINISH ALUMINUM TRIMMER 20208 IN GARDEN B.L. (2) - SEE DET. 1.591.1A
 SEE TO SCALE



<p>Drawn: Chakradhar Kulkarni</p> <p>Scale: AS SHOWN</p> <p>Sheet Title: LANDSCAPE FENCE PLAN</p> <p>Sheet Number: L5</p> <p>9 of 9 Sheets</p>	<p>DATE: 10/13/2023</p> <p>PROJECT: BARON DEVELOPMENT</p> <p>CLIENT: CHANDLER</p> <p>LOCATION: 10000 N. 100TH AVENUE, CHANDLER, AZ 85226</p>	<p>MODERN CRAFTSMAN AT BLACK CAT</p> <p>BARON DEVELOPMENT</p> <p>CONCEPT LANDSCAPE PLAN</p>	<p>JENSEN BERLETTI ASSOCIATES</p> <p>504 Phoenix</p> <p>Landmark Center</p> <p>1000 N. 10th St., Suite 200</p> <p>Phoenix, AZ 85004</p> <p>PH: 602.955.7222</p> <p>www.jensenberletti.com</p>	
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MODERN CRAFTSMAN AT BLACK CAT

MERIDIAN, ID

CONCEPT LANDSCAPE PLAN



PLAN LEGEND

CONTRACT NAME

- INDUSTRIAL PLOTS
- PLANTING: TREES (1" DIA @ 10')
- PLANTING: TREES (2" DIA @ 10')
- PLANTING: TREES (3" DIA @ 10')
- PLANTING: TREES (4" DIA @ 10')
- PLANTING: TREES (5" DIA @ 10')
- PLANTING: TREES (6" DIA @ 10')
- PLANTING: TREES (7" DIA @ 10')
- PLANTING: TREES (8" DIA @ 10')
- PLANTING: TREES (9" DIA @ 10')
- PLANTING: TREES (10" DIA @ 10')
- PLANTING: TREES (11" DIA @ 10')
- PLANTING: TREES (12" DIA @ 10')
- PLANTING: TREES (13" DIA @ 10')
- PLANTING: TREES (14" DIA @ 10')
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- PLANTING: TREES (42" DIA @ 10')
- PLANTING: TREES (43" DIA @ 10')
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- PLANTING: TREES (45" DIA @ 10')
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- PLANTING: TREES (47" DIA @ 10')
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- PLANTING: TREES (55" DIA @ 10')
- PLANTING: TREES (56" DIA @ 10')
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- PLANTING: TREES (65" DIA @ 10')
- PLANTING: TREES (66" DIA @ 10')
- PLANTING: TREES (67" DIA @ 10')
- PLANTING: TREES (68" DIA @ 10')
- PLANTING: TREES (69" DIA @ 10')
- PLANTING: TREES (70" DIA @ 10')
- PLANTING: TREES (71" DIA @ 10')
- PLANTING: TREES (72" DIA @ 10')
- PLANTING: TREES (73" DIA @ 10')
- PLANTING: TREES (74" DIA @ 10')
- PLANTING: TREES (75" DIA @ 10')
- PLANTING: TREES (76" DIA @ 10')
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- PLANTING: TREES (78" DIA @ 10')
- PLANTING: TREES (79" DIA @ 10')
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- PLANTING: TREES (81" DIA @ 10')
- PLANTING: TREES (82" DIA @ 10')
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- PLANTING: TREES (86" DIA @ 10')
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- PLANTING: TREES (89" DIA @ 10')
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- PLANTING: TREES (95" DIA @ 10')
- PLANTING: TREES (96" DIA @ 10')
- PLANTING: TREES (97" DIA @ 10')
- PLANTING: TREES (98" DIA @ 10')
- PLANTING: TREES (99" DIA @ 10')
- PLANTING: TREES (100" DIA @ 10')

AUGUST 7, 2020

SCALE: 1" = 40'

JENSENBERG

LANDSCAPE ARCHITECTS

1000 S. BRIDGEMAN BLVD.

BOISE, ID 83725

TEL: 208.333.1111

WWW.JENSENBERG.COM

E. Revised Parking Plan (date: 5/1/2020 8/4/2020)



G. Conceptual Building Elevations



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



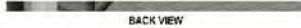
FLOOR PLAN



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW



BACK VIEW

FLOOR PLAN

MODERN CRAFTSMAN AT BLACK CAT

GEOMETRIC

1 BED - 1 BATH - DUPLEX

MODERN CRAFTSMAN

ARCHITECTS - CHARTERED



BACK VIEW



SIDE VIEW



FRONT VIEW

MODERN CRAFTSMAN AT BLACK CAT

CLUBHOUSE

MODERN CRAFTSMAN

ARCHITECTS - CHARTERED



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN

BRUNNEN 08/14/16 1:10 PM



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

MODERN CRAFTSMAN AT BLACK CAT

COLOR PALETTE #1

1. WALLS: LIGHT GRAY
 2. FLOOR: DARK GRAY
 3. CEILING: WHITE
 4. ACCENT: DARK WOOD
 5. ROOF: DARK GRAY

COLOR PALETTE #2

1. WALLS: LIGHT GRAY
 2. FLOOR: DARK GRAY
 3. CEILING: WHITE
 4. ACCENT: DARK WOOD
 5. ROOF: DARK GRAY

COLOR PALETTE #3

1. WALLS: LIGHT GRAY
 2. FLOOR: DARK GRAY
 3. CEILING: WHITE
 4. ACCENT: DARK WOOD
 5. ROOF: DARK GRAY

2 BED - 2 BATH - A

PROJECT: W. BRUNNEN
 MODERN CRAFTSMAN
 BRUNNEN 08/14/16 1:10 PM



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN

BRUNNEN 08/14/16 1:10 PM



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

MODERN CRAFTSMAN AT BLACK CAT

COLOR PALETTE #1

1. WALLS: LIGHT GRAY
 2. FLOOR: DARK GRAY
 3. CEILING: WHITE
 4. ACCENT: DARK WOOD
 5. ROOF: DARK GRAY

COLOR PALETTE #2

1. WALLS: LIGHT GRAY
 2. FLOOR: DARK GRAY
 3. CEILING: WHITE
 4. ACCENT: DARK WOOD
 5. ROOF: DARK GRAY

COLOR PALETTE #3

1. WALLS: LIGHT GRAY
 2. FLOOR: DARK GRAY
 3. CEILING: WHITE
 4. ACCENT: DARK WOOD
 5. ROOF: DARK GRAY

2 BED - 2 BATH - B

PROJECT: W. BRUNNEN
 MODERN CRAFTSMAN
 BRUNNEN 08/14/16 1:10 PM



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

MODERN CRAFTSMAN AT BLACK CAT

COLOR PALETTE #1

- 1. EXTERIOR: HONEY-GOLDEN OAK 2" X 4"
- 2. INTERIOR: WHITE WASHED OAK 2" X 4"
- 3. FLOORING: BLENDED GREY CONCRETE POLISHED
- 4. ACCENT: BLACK SLATE
- 5. TRIM: DARK GREY

COLOR PALETTE #2

- 1. EXTERIOR: HONEY-GOLDEN OAK 2" X 4"
- 2. INTERIOR: WHITE WASHED OAK 2" X 4"
- 3. FLOORING: BLENDED GREY CONCRETE POLISHED
- 4. ACCENT: BLACK SLATE
- 5. TRIM: DARK GREY

COLOR PALETTE #3

- 1. EXTERIOR: HONEY-GOLDEN OAK 2" X 4"
- 2. INTERIOR: WHITE WASHED OAK 2" X 4"
- 3. FLOORING: BLENDED GREY CONCRETE POLISHED
- 4. ACCENT: BLACK SLATE
- 5. TRIM: DARK GREY

2 BED - 2 BATH - GARAGE

ROBERTSON & ROBERTSON ARCHITECTS, CHARLOTTE, NC

MODERN CRAFTSMAN



SINGLE SLOPE ROOF - FRONT VIEW



HIP ROOF - FRONT VIEW



FLOOR PLAN



SINGLE SLOPE ROOF - BACK VIEW



HIP ROOF - BACK VIEW

MODERN CRAFTSMAN AT BLACK CAT

COLOR PALETTE #1

- 1. EXTERIOR: HONEY-GOLDEN OAK 2" X 4"
- 2. INTERIOR: WHITE WASHED OAK 2" X 4"
- 3. FLOORING: BLENDED GREY CONCRETE POLISHED
- 4. ACCENT: BLACK SLATE
- 5. TRIM: DARK GREY

COLOR PALETTE #2

- 1. EXTERIOR: HONEY-GOLDEN OAK 2" X 4"
- 2. INTERIOR: WHITE WASHED OAK 2" X 4"
- 3. FLOORING: BLENDED GREY CONCRETE POLISHED
- 4. ACCENT: BLACK SLATE
- 5. TRIM: DARK GREY

COLOR PALETTE #3

- 1. EXTERIOR: HONEY-GOLDEN OAK 2" X 4"
- 2. INTERIOR: WHITE WASHED OAK 2" X 4"
- 3. FLOORING: BLENDED GREY CONCRETE POLISHED
- 4. ACCENT: BLACK SLATE
- 5. TRIM: DARK GREY

3 BED - 2 BATH

ROBERTSON & ROBERTSON ARCHITECTS, CHARLOTTE, NC

MODERN CRAFTSMAN



MODERN CRAFTSMAN
AT BLACK CAT

COLOR PALETTE #1

WALLS: WHITE GRAY
 FLOORING: BROWN
 ROOFING: GRAY

WALLS: WHITE GRAY
 FLOORING: BROWN
 ROOFING: GRAY

ENTRY FEATURE

MODERN CRAFTSMAN
 ARCHITECTS & BUILDERS
 10000000



FRONT VIEW

MODERN CRAFTSMAN
AT BLACK CAT

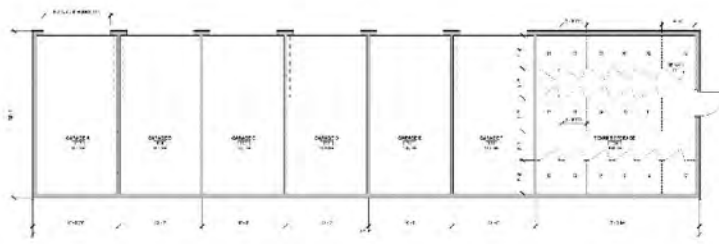
COLOR PALETTE #1

WALLS: WHITE GRAY
 FLOORING: BROWN
 ROOFING: GRAY

WALLS: WHITE GRAY
 FLOORING: BROWN
 ROOFING: GRAY

GARAGE - STORAGE BUILDING

MODERN CRAFTSMAN
 ARCHITECTS & BUILDERS
 10000000



FLOOR PLAN



FRONT VIEW



FLOOR PLAN - LEVEL 1

MODERN CRAFTSMAN
AT BLACK CAT

COLOR PALETTE #1

- 1. EXTERIOR: BRICK, METAL, WOOD
- 2. INTERIOR: BRICK, METAL, WOOD
- 3. FLOORING: LIGHT, MEDIUM, DARK WOOD
- 4. PAINT: GREY, WHITE, BLACK, METAL

COLOR PALETTE #2

- 1. EXTERIOR: BRICK, METAL, WOOD
- 2. INTERIOR: BRICK, METAL, WOOD
- 3. FLOORING: LIGHT, MEDIUM, DARK WOOD
- 4. PAINT: GREY, WHITE, BLACK, METAL

COLOR PALETTE #3

- 1. EXTERIOR: BRICK, METAL, WOOD
- 2. INTERIOR: BRICK, METAL, WOOD
- 3. FLOORING: LIGHT, MEDIUM, DARK WOOD
- 4. PAINT: GREY, WHITE, BLACK, METAL

TOWNHOUSES - 6 PLEX

MODERN CRAFTSMAN

HOLEYON & BURBYNCH
ARCHITECTS, CHARLESTON, SC



BACK VIEW



FLOOR PLAN - LEVEL 2

MODERN CRAFTSMAN
AT BLACK CAT

COLOR PALETTE #1

- 1. EXTERIOR: BRICK, METAL, WOOD
- 2. INTERIOR: BRICK, METAL, WOOD
- 3. FLOORING: LIGHT, MEDIUM, DARK WOOD
- 4. PAINT: GREY, WHITE, BLACK, METAL

COLOR PALETTE #2

- 1. EXTERIOR: BRICK, METAL, WOOD
- 2. INTERIOR: BRICK, METAL, WOOD
- 3. FLOORING: LIGHT, MEDIUM, DARK WOOD
- 4. PAINT: GREY, WHITE, BLACK, METAL

COLOR PALETTE #3

- 1. EXTERIOR: BRICK, METAL, WOOD
- 2. INTERIOR: BRICK, METAL, WOOD
- 3. FLOORING: LIGHT, MEDIUM, DARK WOOD
- 4. PAINT: GREY, WHITE, BLACK, METAL

TOWNHOUSES - 6 PLEX

MODERN CRAFTSMAN

HOLEYON & BURBYNCH
ARCHITECTS, CHARLESTON, SC



FRONT VIEW



FLOOR PLAN - LEVEL 1

MODERN CRAFTSMAN AT BLACK CAT

COLOR PALETTE #1

1. WALLS: LIGHT NEUTRAL TONES
 2. ACCENT: BROWN WOODS
 3. FLOORING: CLEAR POLISHED HARDWOOD
 4. TILE: CEMENT TILE

COLOR PALETTE #2

1. WALLS: LIGHT NEUTRAL TONES
 2. ACCENT: BROWN WOODS
 3. FLOORING: CLEAR POLISHED HARDWOOD
 4. TILE: CEMENT TILE

COLOR PALETTE #3

1. WALLS: BROWN WOODS
 2. ACCENT: LIGHT NEUTRAL TONES
 3. FLOORING: CLEAR POLISHED HARDWOOD
 4. TILE: CEMENT TILE

TOWNHOUSES - 6 PLEX

MODERN CRAFTSMAN



BACK VIEW



FLOOR PLAN - LEVEL 2

MODERN CRAFTSMAN AT BLACK CAT

COLOR PALETTE #1

1. WALLS: LIGHT NEUTRAL TONES
 2. ACCENT: BROWN WOODS
 3. FLOORING: CLEAR POLISHED HARDWOOD
 4. TILE: CEMENT TILE

COLOR PALETTE #2

1. WALLS: LIGHT NEUTRAL TONES
 2. ACCENT: BROWN WOODS
 3. FLOORING: CLEAR POLISHED HARDWOOD
 4. TILE: CEMENT TILE

COLOR PALETTE #3

1. WALLS: BROWN WOODS
 2. ACCENT: LIGHT NEUTRAL TONES
 3. FLOORING: CLEAR POLISHED HARDWOOD
 4. TILE: CEMENT TILE

TOWNHOUSES - 6 PLEX

MODERN CRAFTSMAN



FRONT VIEW



FLOOR PLAN - LEVEL 1

MODERN CRAFTSMAN
AT BLACK CAT

COLOR PALETTE #1

1. STUCCO: LIGHT AND MEDIUM TONES
 2. WOOD: RECLAIMED OR FARMHOUSE
 3. METAL: COLD, INDUSTRIAL AND BRASS
 4. TILE: ALL PALETTE #1 1" SQUARE/RECTANGLE

COLOR PALETTE #2

1. STUCCO: LIGHT AND MEDIUM TONES
 2. WOOD: RECLAIMED OR FARMHOUSE
 3. METAL: COLD, INDUSTRIAL AND BRASS
 4. TILE: ALL PALETTE #1 1" SQUARE/RECTANGLE

COLOR PALETTE #3

1. STUCCO: LIGHT AND MEDIUM TONES
 2. WOOD: RECLAIMED OR FARMHOUSE
 3. METAL: COLD, INDUSTRIAL AND BRASS
 4. TILE: ALL PALETTE #1 1" SQUARE/RECTANGLE

TOWNHOUSES - 6 PLEX

MODERN CRAFTSMAN



BACK VIEW



FLOOR PLAN - LEVEL 2

MODERN CRAFTSMAN
AT BLACK CAT

COLOR PALETTE #1

1. STUCCO: LIGHT AND MEDIUM TONES
 2. WOOD: RECLAIMED OR FARMHOUSE
 3. METAL: COLD, INDUSTRIAL AND BRASS
 4. TILE: ALL PALETTE #1 1" SQUARE/RECTANGLE

COLOR PALETTE #2

1. STUCCO: LIGHT AND MEDIUM TONES
 2. WOOD: RECLAIMED OR FARMHOUSE
 3. METAL: COLD, INDUSTRIAL AND BRASS
 4. TILE: ALL PALETTE #1 1" SQUARE/RECTANGLE

COLOR PALETTE #3

1. STUCCO: LIGHT AND MEDIUM TONES
 2. WOOD: RECLAIMED OR FARMHOUSE
 3. METAL: COLD, INDUSTRIAL AND BRASS
 4. TILE: ALL PALETTE #1 1" SQUARE/RECTANGLE

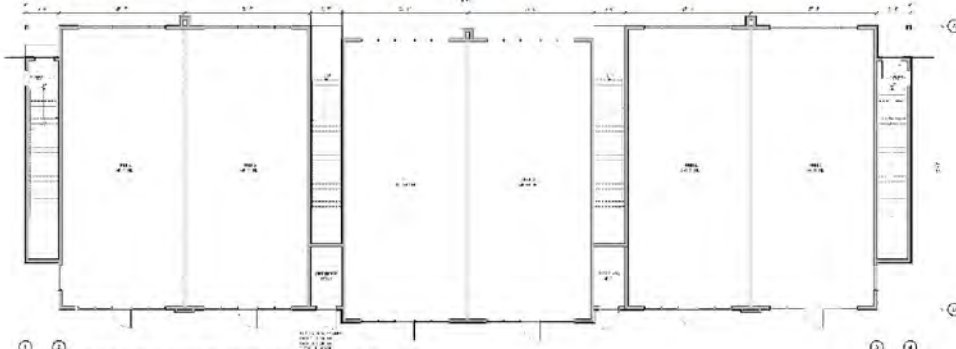
TOWNHOUSES - 6 PLEX

MODERN CRAFTSMAN

H. Vertically Integrated Building Rendering



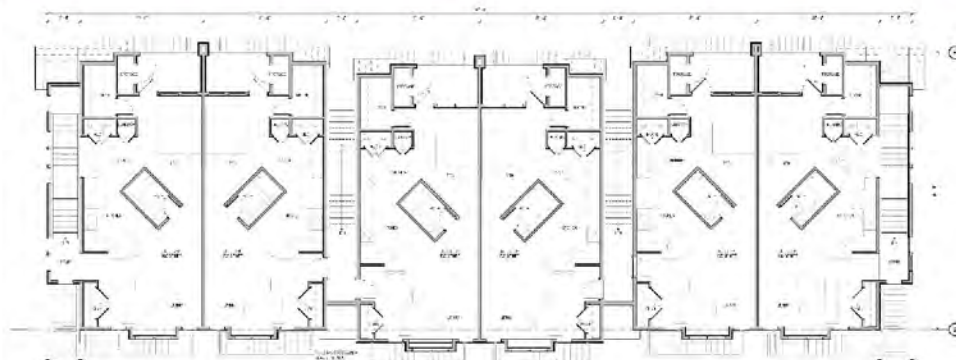
FRONT ISO VIEW



LEVEL 1 - FLOOR PLAN - PRELIMINARY - GROSS AREA LEVEL 1 = 6,138 SF



REAR ISO VIEW



LEVEL 2 - FLOOR PLAN - PRELIMINARY - GROSS AREA LEVEL 2 = 5,242 SF

PRELIMINARY
NOT FOR
CONSTRUCTION

MODERN CRAFTSMAN AT BLACK CAT
VERTICAL INTEGRATED RESIDENTIAL /
COMMERCIAL BUILDING

LEVEL 1
DATE: 11/11/2024
SCALE: 1/8" = 1'-0"
PERSPECTIVE
A0.0

PRELIMINARY
NOT FOR
CONSTRUCTION

MODERN CRAFTSMAN AT BLACK CAT
VERTICAL INTEGRATED RESIDENTIAL /
COMMERCIAL BUILDING

LEVEL 2
DATE: 11/11/2024
SCALE: 1/8" = 1'-0"
PERSPECTIVE
A0.1

I. Corner Commercial Rendering – 2-story Concept



<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	
NO.	DESCRIPTION DATE
<p>MODERN CRAFTSMAN AT BLACK CAT 2-STORY CONCEPT COMMERCIAL BUILDING</p>	
<p>1. OWNER: [unreadable] 2. ARCHITECT: [unreadable] 3. [unreadable] 4. [unreadable] 5. [unreadable] 6. [unreadable] 7. [unreadable] 8. [unreadable] 9. [unreadable] 10. [unreadable] 11. [unreadable] 12. [unreadable] 13. [unreadable] 14. [unreadable] 15. [unreadable] 16. [unreadable] 17. [unreadable] 18. [unreadable] 19. [unreadable] 20. [unreadable] 21. [unreadable] 22. [unreadable] 23. [unreadable] 24. [unreadable] 25. [unreadable] 26. [unreadable] 27. [unreadable] 28. [unreadable] 29. [unreadable] 30. [unreadable] 31. [unreadable] 32. [unreadable] 33. [unreadable] 34. [unreadable] 35. [unreadable] 36. [unreadable] 37. [unreadable] 38. [unreadable] 39. [unreadable] 40. [unreadable] 41. [unreadable] 42. [unreadable] 43. [unreadable] 44. [unreadable] 45. [unreadable] 46. [unreadable] 47. [unreadable] 48. [unreadable] 49. [unreadable] 50. [unreadable] 51. [unreadable] 52. [unreadable] 53. [unreadable] 54. [unreadable] 55. [unreadable] 56. [unreadable] 57. [unreadable] 58. [unreadable] 59. [unreadable] 60. [unreadable] 61. [unreadable] 62. [unreadable] 63. [unreadable] 64. [unreadable] 65. [unreadable] 66. [unreadable] 67. [unreadable] 68. [unreadable] 69. [unreadable] 70. [unreadable] 71. [unreadable] 72. [unreadable] 73. [unreadable] 74. [unreadable] 75. [unreadable] 76. [unreadable] 77. [unreadable] 78. [unreadable] 79. [unreadable] 80. [unreadable] 81. [unreadable] 82. [unreadable] 83. [unreadable] 84. [unreadable] 85. [unreadable] 86. [unreadable] 87. [unreadable] 88. [unreadable] 89. [unreadable] 90. [unreadable] 91. [unreadable] 92. [unreadable] 93. [unreadable] 94. [unreadable] 95. [unreadable] 96. [unreadable] 97. [unreadable] 98. [unreadable] 99. [unreadable] 100. [unreadable]</p>	
<p>INDUSTON & SUBATECH ARCHITECTS, CHARTERED 10000 10th Street Suite 1000 Houston, TX 77036 P: 281.465.4444 F: 281.465.4444</p>	
Drawn by	1803
Checked by	12/06/20
Scale	AS SHOWN
Project	1803
Issued to	OWNER
<p>PERSPECTIVE VIEWS</p>	
<p>A0.0</p>	

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (DA) (Inst. #'s: 106151218; 107025555; 107141993; 110059432; and 2014-065517) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council granting subject modification. The new DA shall incorporate the following provisions:
 - a. Future development of this site shall be generally consistent with the submitted plat, site plan, landscape plan, open space exhibit, and conceptual building elevations for included in Section VII and the provisions contained herein.
 - b. The 10-foot multi-use pathway along Chinden Boulevard shall be constructed with Phase 1 of the development, and should be placed at least four (4) feet from the edge of the common lot abutting the common lot reserved for ITD.
 - c. Direct lot access to W. Chinden Boulevard (SH 20/26) shall be prohibited.
 - d. The existing accesses onto Chinden Boulevard and N. Black Cat Road shall be closed upon development of the subject site.
 - e. Additional right-of-way shall be reserved for dedication to Idaho Transportation District for the future widening of Chinden Boulevard, as shown on the plat as Lot 1, Block 1.
 - ~~f. The only approved access to N. Black Cat Road is the northernmost access shown on the proposed CUP Plan as W. Waverton Lane, unless City Council approves the second access in accord with UDC 11-3A-3.~~
 - g. The required landscape street buffers shall be constructed and vegetated along the entire perimeter (along N. Black Cat and Chinden Boulevard) with the first phase of development.
 - h. The Applicant shall vegetate the common lot (Lot 1, Block 1), reserved for future dedication to Idaho Transportation Department (ITD), with grass and not gravel until such time that this lot is dedicated to ITD.
 - i. The proposed commercial building located near the intersection of N. Black Cat Road and W. Chinden Boulevard (SH 20/26) shall be constructed as a two-story structure as depicted in the submitted concept renderings (see exhibit VII.1) and as noted on the revised CUP Site Plan.
 - j. The Vertically Integrated Residential Project area of the site shall adhere to the specific use standards as outlined in UDC 11-4-3-41.
 - k. The required land use buffer between the C-C zoning district and the R-15 zoning district is hereby waived as approved by City Council; the minimum distance between buildings and across zoning districts is ten (10) feet per the multi-family specific use standards (UDC 11-4-3-27).
2. The short plat included in Section VII.B, dated June 2020, shall be revised as follows prior to the City Council hearing:
 - ~~a. Revise the plat to include the entire required landscape buffer along N. Black Cat Road in a common lot(s) per UDC 11-3B-7C.2.~~

- ~~b. Add common lot or perpetual ingress/egress easement for the private streets in accord with UDC 11-3F-3B.3.~~
 - c. Stamped and signed by the licensed land surveyor.
3. The landscape plan included in Section VII.D, dated 06/18/2020, shall be revised as follows prior to submittal of the Certificate of Zoning Compliance application:
 - ~~a. The Landscape Calculations/Requirements table shall include the following: 1) the total linear feet of pathways and the required number of trees per UDC 11-3B-12); the total square footage of common open space and required number of trees per UDC 11-3G-3E.~~
 - ~~b. Revise the landscape plans to show the required modulation in the required noise attenuation wall along W. Chinden Blvd. in accord with UDC 11-3H-4D.~~
 - ~~c. Revise the landscape plans and add trees, shrubs, and other vegetative ground cover to the areas of the landscape buffers between the future commercial buildings and Chinden Blvd. and Black Cat Road in accord with UDC 11-3B-7C~~
 - ~~d. Revise the landscape plans to add a 5-foot wide landscape buffer along the northern boundary of the commercial parking area to eliminate conflict of cars backing out into the path of traffic on the private street. The buffer shall be landscaped in accord with UDC 11-3B-8C.~~
 - e. Revise the landscape plans to show trash receptacles and bags for waste disposal throughout the proposed dog park area.
 - f. Revise the landscape plans to mirror any changes made to the site plan and plat.
 - g. Show the common lot dedicated for future ITD right-of-way (Lot 1, Block 1) to be landscaped with grass and not gravel.
 4. The residential elevations included in Section VII.G, dated February 2020, shall be revised as follows at least 10 days prior to the City Council hearing: are approved as submitted.
 - ~~a. Add additional area of a secondary field material for the proposed townhome units to help break up the large amount of stucco as a field material.~~
 - ~~b. Create at least two (2) more design palettes for the proposed townhome units to include at the least different color palettes and field material combinations.~~
 - ~~c. Continue the stone material along the bottom of all building façades of the proposed clubhouse.~~
 5. ~~The Open Space Exhibit calculations table shall be corrected to reflect the correct amount of common open space required per the specific use standards in UDC 11-4-3-27.~~
 6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6, UDC Table 11-2B-3, and those listed in the specific use standards for multi-family development, UDC 11-4-3-27.
 7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
 8. With the CZC submittal, the Applicant shall correct the applicable plans to show additional colored or stamped concrete (or similar) of the main pedestrian sidewalk that traverses through the center of development to further delineate the pedestrian pathways.

9. The Applicant shall work with the City Arborist on an appropriate alternative to their proposed "Ash" tree selection and obtain approval from the City Arborist prior to Final Plat approval.
10. The Applicant shall comply with all ACHD conditions of approval.
11. The Applicant shall obtain Administrative Design Review approval for the future commercial buildings with the submittal of the Certificate of Zoning Compliance for the entire site. The architecture of the commercial buildings shall complement that of the residential portion of the project.
12. The Applicant shall obtain Certificate of Zoning Compliance approval for the entire subject site prior to applying for any building permit.
13. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
14. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
15. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
17. The applicant and/or assigns shall comply with the private street standards as set forth in UDC 11-3F-3 and 11-3F-4.
18. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.
19. Prior to issuance of Certificate of Occupancy on any building, the applicant shall submit a public access easement for the multi-use pathway(s) along Chinden Boulevard to the Planning Division for approval by City Council and subsequent recordation.
20. Business hours of operation within the C-C zoning district shall be limited from 6 am to 11 pm as set forth in UDC 11-2B-3A.4.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Design and number of units clustered together is of particular concern – staff is unclear as to how all units will be serviced. A utility layout depicting how all of the units will be serviced while still meeting design requirements shall be required.
- 1.2 Sanitary sewer mainlines are not allowed within common drives, only sewer services (reminder that a maximum of three services are allowed into a manhole, with a minimum 30-degrees of angle separation).
- 1.3 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation agreement is required for the streetlights on Chinden Blvd. Contact the Meridian Transportation and Utility Coordinator for additional information.
- 1.4 Water service to this site is being proposed via extension of water mains under the jurisdiction of SUEZ North America.

- 1.5 Though the City of Meridian will not own or maintain the water system in this development, final fire hydrant location shall be coordinated with and receive approval from the Meridian Public Works Department and Meridian Fire Department prior to construction plan approval.
- 1.6 Structures of 3600 square feet and larger including the garage, shall comply with the fire flow, and hydrant requirements of appendix b and c of the 2015 International Fire Code.
- 1.7 Prior to construction plan approval, the applicant shall submit documentation from SUEZ North America indicating that they have approved the water plans.
- 1.8 Prior to scheduling of a pre-construction meeting, the applicant shall submit documentation from SUEZ North America that all of their requirements have been met to be able to go to construction.

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 than 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-foot wide for a single utility, or 30-foot 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 12-13-8.3). 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 existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 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 Prior to applying for building permits, the following minimum items shall be completed: street signs are to be in place, the installation of sanitary sewer and water systems (with the water system being fully activated), a compacted road base capable of supporting an 80,000 lb. fire truck shall be approved by design engineer, with written confirmation of such approval submitted to the Meridian Building Department.
- 2.11 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.
- 2.12 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.
- 2.13 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.
- 2.14 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.
- 2.15 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.16 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.17 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.18 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.
- 2.19 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.
- 2.20 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.
- 2.21 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.

- 2.22 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.
- 2.23 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.
- 2.23 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=184359&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184598&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=185184&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184930&dbid=0&repo=MeridianCity>

G. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184482&dbid=0&repo=MeridianCity>

H. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184914&dbid=0&repo=MeridianCity>

I. CENTRAL DISTRICT HEALTH DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184498&dbid=0&repo=MeridianCity>

J. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184482&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190915&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

Council finds the proposed zoning map amendment to adjust the areas of the existing R-15 and C-C zoning districts and subsequent development is consistent with the Comprehensive Plan, if all conditions of approval are complied with.

2. The map amendment complies with the regulations outlined for the proposed districts, specifically the purpose statement;

Council finds the proposed zoning map amendment and request for the development of multi-family residential will contribute to the range of housing opportunities available within the City. Council finds the proposed addition of commercial within the development is generally consistent with the purpose statement of the commercial district and future land use designation of Mixed Use Community.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;

Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

5. The annexation (as applicable) is in the best interest of city.

The subject property is already annexed; therefore Council finds that this finding is not applicable.

B. Short Plat Findings:

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

Council finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

Council finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

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

Because City water and sewer and any other utilities will be provided by the development at their own cost, Council finds that the subdivision will not require the expenditure of capital improvement funds.

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

Council finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII for more information.)

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

Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis but has not provided comments at this time.

6. The development preserves significant natural, scenic or historic features.

Council is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.

C. Conditional Use Permit Findings:

The commission shall base its determination on the conditional use permit request upon the following:

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

Council finds that the submitted conditional use plat appears to meet all dimensional and development regulations in the R-15 zoning district in which it resides.

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

Council finds the proposed use of multi-family residential and commercial are harmonious with the comprehensive plan designation of Mixed-Use Community and the requirements of this title.

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

Despite the proposed use being different than the residential uses closest to the subject site, Council finds the design, construction, and proposed operation and maintenance will be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area.

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

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

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

Council finds the proposed use will be served adequately by essential public facilities and services as all services are readily available and nearby streets are currently being widened to accommodate additional traffic flow.

- 6. **That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.**

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

- 7. **That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**

Although traffic will likely increase in the vicinity with the proposed use, all major roadways adjacent to the site are planned for improvements in the near future. Therefore, Council finds the proposed use will not be detrimental to any persons, property, or the general welfare.

- 8. **That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

Council is not aware of any such features; the proposed use should not result in damage of any such features.

D. Private Street Findings:

In order to approve the application, the director shall find the following:

- 1. **The design of the private street meets the requirements of this article;**

The Director finds that the proposed private street design meets the requirements.

- 2. **Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and**

The Director finds that the proposed private streets would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity if all conditions of approval are met.

- 3. **The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

The Director finds the use and location of the private streets do not conflict with the comprehensive plan or the regional transportation plan because the proposed design meets all requirements.

- 4. **The proposed residential development (if applicable) is a mew or gated development. (Ord. 10-1463, 11-3-2010, eff. 11-8-2010)**

NA