

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



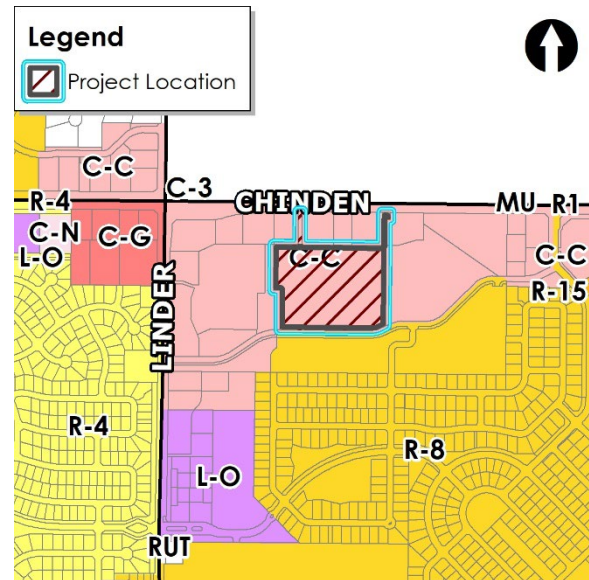
HEARING DATE: 10/4/2022

TO: Mayor & City Council

FROM: Joseph Dodson, Associate Planner
 208-884-5533

SUBJECT: SHP-2022-0012
 Linder Village South Short Plat

LOCATION: Located at 1268 W. Orchard Park Road, near the southeast corner of Linder Rd. and W. Chinden Blvd., in the North 1/2 of the NW 1/4 of Section 25, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Short Plat request to subdivide an existing commercial lot (Lot 14, Block 1) within the Linder Village Subdivision into four (4) commercial building lots on approximately 13.4 acres of land in the C-C zoning district for ownership purposes, by KM Engineering.

II. APPLICANT INFORMATION

A. Applicant:

Cameron Scott, KM Engineering, LLP – 5725 N Discovery Way, Boise, ID 83713

B. Owner:

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

C. Representative:

Same as Applicant

III. NOTICING

	City Council Posting Date
Legal notice published in newspaper	9/18/2022
Radius notice mailed to property owners within 500 feet	9/15/2022

IV. STAFF ANALYSIS

The proposed short plat will split an existing commercial lot in the Linder Village (Orchard Park) Subdivision into four (4) commercial building lots for ownership purposes. The existing lot is within the center of the overall Linder Village Subdivision and has public road frontage along W. Orchard Park Drive, a local street, that bisects the Linder Village project and is constructed at their full anticipated width. In addition, the subject short plat includes two drive aisles that are the project's main connections to W. Chinden. Directly to the west of the subject site is the Linder Village WinCo site and the existing lot has two approved Certificate of Zoning Compliance (CZC) and Design Review (DES) approvals—one for the Linder Village Library (A-2020-0177) and one for the adjacent "Market West Building" (A-2021-0211) north of the library that includes a shared plaza for the overall development. These existing approvals will be on Lots 2 & 3, Block 1 on the submitted short plat. Any future commercial buildings located on the proposed lots will require CZC and DES approval prior to building permit submittal to ensure compliance with development regulations (i.e. previous approvals, pedestrian connectivity, parking, parking lot landscaping, etc.).

Access to the property is through existing drive aisles that connect to both Orchard Park Drive and Chinden Blvd. The noted drive aisles also connect throughout the development and no changes are proposed to the circulation element of the overall project with this application. The Applicant has submitted a concept plan depicting the existing approvals on the property and a conceptual site plan for the remaining lots; Staff has included this in Exhibit VI.B below for informational purposes and to show the buildings in relation to the proposed lot lines.

There is an existing cross-parking and cross-access agreement for the overall Subdivision which these subject sites should also be bound by—staff has included a condition of approval consistent with this. The submitted landscape plans reference the original subdivision landscaping which includes the Orchard Park Drive buffer along the south boundary—this buffer is existing and vegetated adjacent to this site. Any additional landscaping required with future development will be reviewed with future administrative applications (i.e. parking lot landscaping).

Staff has reviewed the proposed short plat for substantial compliance with the criteria set forth in UDC 11-6B-5A.2 and the required zoning regulations of the C-C zoning district and deems the short plat to be in substantial compliance with said requirements.

V. DECISION

Staff:

Staff recommends approval of the proposed short plat with the conditions noted in Section VII of this report and in accord with the findings in Section VIII.

B. The Meridian City Council heard these items on October 4, 2022. At the public hearing, the Council moved to approve the subject Short Plat request.

1. Summary of the City Council public hearing:

- a. In favor: Cameron Scott, Applicant Representative
- b. In opposition: None
- c. Commenting: Cameron Scott
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None
- 3. Key issue(s) of discussion by City Council:
 - a. None
- 4. City Council change(s) to Staff recommendation:
 - a. None

A. Short Plat (dated: 7/22/2022)



PLAT OF
LINDER VILLAGE SOUTH SUBDIVISION

CERTIFICATE OF OWNERS

KNOW ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PROPERTY HEREAFTER DESCRIBED.

A PARCEL OF LAND BEING LOT 14, BLOCK 1 OF LINDER VILLAGE SUBDIVISION (BOOK 120 OF PLATS, PAGE 1808-1811, RECORDS OF ADA COUNTY, IDAHO) AND ALSO SHOWN IN A PORTION OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SAID SECTION 25, WHICH BEARS N89°22'30"E A DISTANCE OF 2,689.54 FEET FROM AN ALUMINUM CAP MARKING THE NORTH 1/4 CORNER OF SAID SECTION 25, THENCE FOLLOWING THE NORTHERLY LINE OF THE NORTHWEST 1/4 OF SAID SECTION 25, S89°22'30"E A DISTANCE OF 1,084.45 FEET; THENCE LEAVING SAID NORTHERLY LINE, S89°22'30"E A DISTANCE OF 70.00 FEET TO A 5/8-INCH REBAR ON THE BOUNDARY OF SAID LOT 14, BLOCK 1 OF SAID LINDER VILLAGE SUBDIVISION AND BEING THE POINT OF BEGINNING.

THENCE FOLLOWING THE BOUNDARY OF LOT 14, BLOCK 1 OF SAID LINDER VILLAGE SUBDIVISION THE FOLLOWING SEVENTEEN (17) COURSES:

1. S89°22'30"E A DISTANCE OF 86.00 FEET TO A 5/8-INCH REBAR;
2. S00°33'59"W A DISTANCE OF 56.08 FEET TO A 5/8-INCH REBAR;
3. N89°22'30"E A DISTANCE OF 30.00 FEET TO A BRASS PEG;
4. S00°33'59"W A DISTANCE OF 828.37 FEET TO A 5/8-INCH REBAR;
5. S65°40'52"W A DISTANCE OF 34.84 FEET TO A 5/8-INCH REBAR;
6. 88.44 FEET ALONG THE ARC OF A CIRCULAR CURVE TO THE NORTH, SAID CURVE HAVING A RADIUS OF 180.00 FEET, A DELTA ANGLE OF 24°32'04", A CHORD BEARING OF 578°11'56"W, AND A CHORD DISTANCE OF 69.80 FEET TO A 5/8-INCH REBAR;
7. N89°22'30"E A DISTANCE OF 738.74 FEET TO A 5/8-INCH REBAR;
8. N00°33'59"E A DISTANCE OF 307.83 FEET TO A 5/8-INCH REBAR;
9. N89°22'30"E A DISTANCE OF 22.81 FEET TO A 5/8-INCH REBAR;
10. N00°33'59"E A DISTANCE OF 365.78 FEET TO A 5/8-INCH REBAR;
11. S89°22'30"E A DISTANCE OF 189.65 FEET TO A 5/8-INCH REBAR;
12. N00°33'59"E A DISTANCE OF 299.45 FEET TO A 5/8-INCH REBAR;
13. S89°22'30"E A DISTANCE OF 30.00 FEET TO A 5/8-INCH REBAR;
14. S00°33'59"W A DISTANCE OF 253.43 FEET TO A 5/8-INCH REBAR;
15. S89°22'30"E A DISTANCE OF 108.30 FEET TO A 5/8-INCH REBAR;
16. S89°22'30"E A DISTANCE OF 316.55 FEET TO A 5/8-INCH REBAR;
17. N00°33'59"E A DISTANCE OF 285.57 FEET TO THE POINT OF BEGINNING.

SAID SUBDIVISION CONTAINS A TOTAL OF 13.415 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EXISTING EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD OR IMPLIED.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE SAID LAND IN THIS PLAT. THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHTS TO USE SAID EASEMENTS ARE HEREBY SPECIFICALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS SHOWN ON THIS PLAT. NO STRUCTURES OTHER THAN FOR SUCH UTILITY AND OTHER DEDICATED PUBLIC USES ARE TO BE ERRECTED WITHIN THE LIMITS OF SAID EASEMENTS UNLESS NOTED OTHERWISE ON THIS PLAT. THE UNDERSIGNED, BY THESE PRESENTS, DEDICATES TO THE PUBLIC ALL PUBLIC STREETS AS SHOWN ON THIS PLAT. ALL LOTS WITHIN THIS PLAT WILL RECEIVE WATER SERVICE FROM THE CITY OF MERIDIAN AND SAID CITY HAS AGREED IN WRITING TO SERVE ALL OF THESE LOTS.

JOSEPH B. BLAIR, MANAGER
HIGH DESERT DEVELOPMENT LINDER VILLAGE, LLC.

ACKNOWLEDGMENT

STATE OF IDAHO } ss
ADA COUNTY }

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON _____, 2022, BY _____ AS MANAGER OF _____

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES _____

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S0°33'59"W	70.00
L2	S89°22'30"E	65.00
L3	S0°33'59"W	56.08
L4	N89°22'30"E	30.00
L5	S89°22'30"E	54.84
L6	N89°22'30"E	52.81
L7	S89°22'30"E	30.00

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEG	CHORD END
C1	180.00'	89.44'	24°32'04"	578°11'56"W	69.80'

NOTES

1. MINIMUM BUILDING SETBACK LINES SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN IN EFFECT AT THE TIME OF THE RESUBDIVISION.
3. THE BOTTOM OF STRUCTURAL FOOTINGS SHALL BE SET A MINIMUM OF 12 INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUND WATER ELEVATION.
4. THIS SUBDIVISION IS SUBJECT TO A DEVELOPMENT AGREEMENT, RECORDED AS INSTRUMENT NO. 2018-028376, OF ADA COUNTY RECORDS.
5. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODES, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A PUBLIC NUISANCE AT THE TIME IT BEGAN OR WAS CONTINUOUS. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WITHIN A NUISANCE RESULTING FROM THE MINOR OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
6. THE LOTS WITHIN THIS SUBDIVISION, INCLUDING BUILDING AND OCCUPANCY, ARE SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS THAT ARE FILED AS INSTRUMENT NO. 2022-035128, OF ADA COUNTY RECORDS AND MAY BE AMENDED FROM TIME TO TIME.
7. LOTS SHALL NOT BE RETAINED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY AND THE CITY OF MERIDIAN.
8. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.
9. MAINTENANCE OF ANY IRRIGATION AND DRAINAGE PIPES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSIGNED BY AN IRRIGATION/DRAINAGE ENTITY.
10. DIRECT LOT OR PARCEL ACCESS TO W. CHINDEN BLVD ROAD IS PROHIBITED, EXCEPT AT APPROVED ACCESS POINT(S). DIRECT LOT OR PARCEL ACCESS TO W. PLAZA SHOPS DRIVE IS PROHIBITED.
11. AS SHOWN HEREON, THE PERMANENT LANDSCAPE BUFFER DEPICTED ALONG W. CHINDEN BLVD (25'-115') AND W. PLAZA SHOPS DRIVE (20'-115') WILL BE MAINTAINED BY THE HIGH DESERT DEVELOPMENT LINDER VILLAGE, LLC, AS SET FORTH IN UDC 11-50-70.25.
12. IN ACCORDANCE WITH THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS (SEE NOTE 7), AS SHOWN HEREON, ALL LOTS ARE SUBJECT TO AN AGREEMENT TO PROVIDE RETROGRAD CROSS-ACCESS FOR VEHICULAR AND PEDESTRIAN TRAVEL AND ACCESS TO AND FROM THE PUBLIC RIGHT-OF-WAYS AND TO THE UTILITY EASEMENTS AS Delineated ON THIS PLAT.
13. THE PRESSURIZED IRRIGATION SYSTEM SHALL BE OWNED AND MAINTAINED BY THE HIGH DESERT DEVELOPMENT LINDER VILLAGE, LLC. IRRIGATION WATER WILL BE PROVIDED BY THE NORTH SLOUGH WATER USERS ASSOCIATION, INC.
14. THIS DEVELOPMENT IS SUBJECT TO THE NORTH SLOUGH LAKEWA USERS ASSOCIATION LICENSE AGREEMENT INSTRUMENT NO. 2016-018475 AND ADDENDUM INSTRUMENT NO. 2020-008185.
15. REFERENCE IS MADE TO THE PUBLIC HEALTH LETTER ON FILE WITH ADA COUNTY RECORDER REGARDING ADDITIONAL RESTRICTIONS.

CERTIFICATE OF SURVEYOR

I, AARON L. BALLARD, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF LINDER VILLAGE SOUTH SUBDIVISION AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND AS SHOWN ON THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

AARON L. BALLARD, P.L.S. 12459

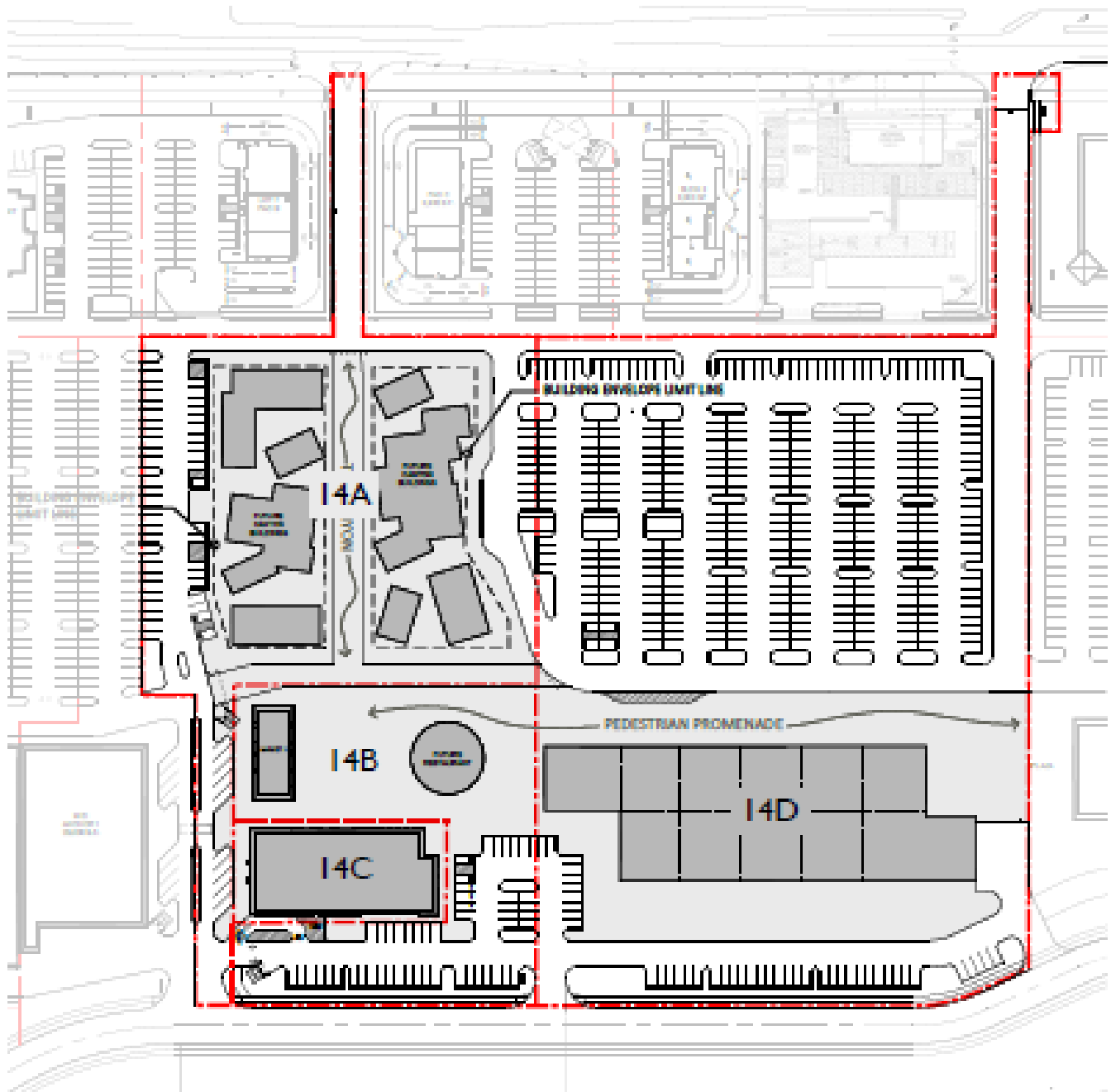


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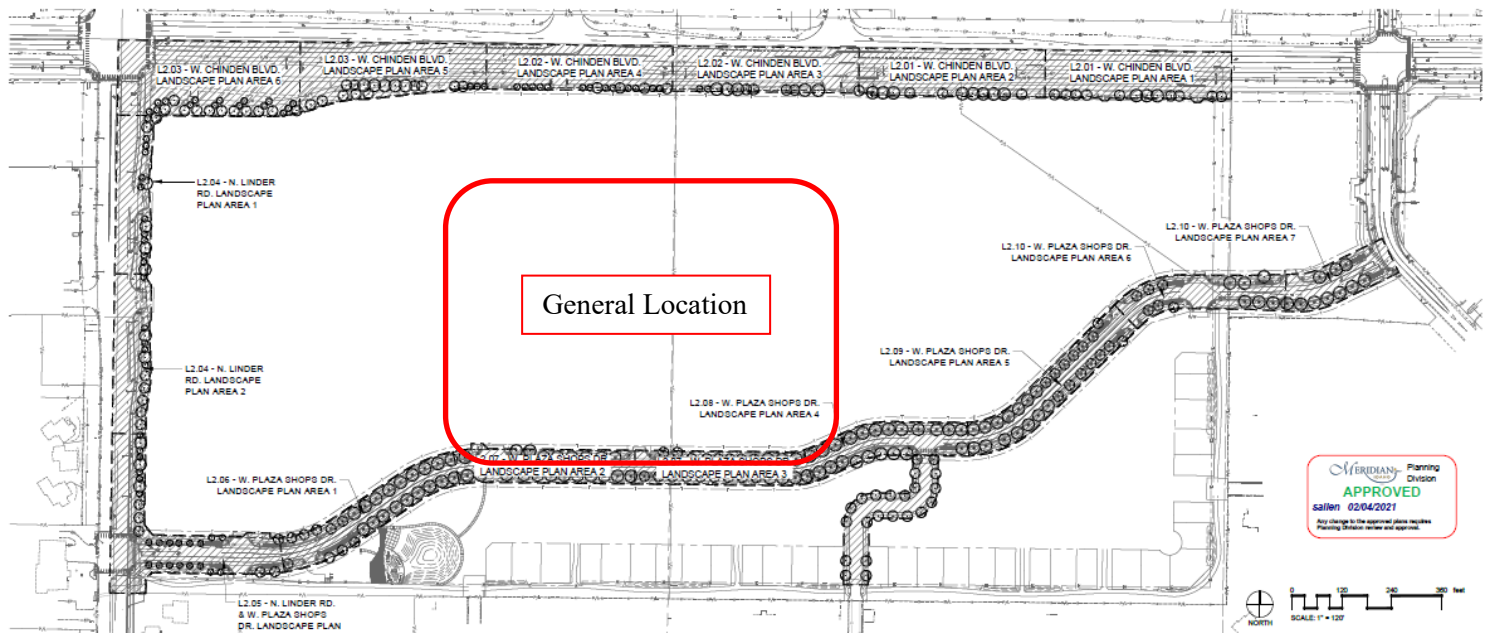
ISS NO. 21-258

SHEET 2 OF 3

B. Overall Concept Plan with new lot lines (information only):



C. Landscape Plan (previously approved with Linder Village Sub.)



VII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall comply with all previous conditions of approval associated with this development: H-2017-0088 (AZ, PP, VAR; DA Inst. # 2019-028376); FP-2020-0004; H-2021-0034 (DA Inst. #2021-102392); A-2020-0177 (Linder Village Library); A-2021-0211 (Orchard Park Market West Bldg.).
2. If the City Engineer's signature has not been obtained within two (2) years of the City Council's approval of the short plat, the short plat shall become null and void unless a time extension is obtained, per UDC 11-6B-7.
3. Prior to submittal for the City Engineer's signature, obtain the signatures from the Ada County Highway District and Central District Health Department.
4. The short plat prepared by KM Engineers on July 22, 2022 by Aaron L. Ballard, included in Section VI.A, shall be revised as follows:
 - a. Add the latest DA instrument number (DA Inst. #2021-102392) to plat note #4 for the latest DA Modification that includes the subject area.
5. Approved lots within this short plat shall be subject to the existing cross-access and cross-parking agreements for the overall Linder Village Subdivision noted in the recorded covenants, conditions, restrictions, and easements (Inst. #2020-035128).
6. Prior to building permit submittal for each new commercial building, Certificate of Zoning Compliance and Design Review approval shall be obtained.
7. Staff's failure to cite specific ordinance provisions or conditions from the previous approvals noted above does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. No changes to public water infrastructure shown in plans. Any changes must be approved by public works.
2. Parcel has multiple existing service and fire lines. Any lines not used must be abandoned per City requirements.
3. No changes in public sewer infrastructure shown in record. Any changes must be approved by public works.
4. Ensure no sewer services pass through infiltration trenches.

General Conditions:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. 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. Water service to this site is available via extension of existing mains adjacent to the

development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.

3. 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.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water 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 applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
7. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The 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.

17. 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.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). 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 development plan approval.
24. 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.

VIII. REQUIRED FINDINGS FROM THE UNIFIED DEVELOPMENT CODE

In consideration of a short plat, the decision-making body shall make the following findings:

A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;

The Comprehensive Plan designates the future land use of this property as Mixed Use Community and the current zoning district of the site is C-C. City Council finds the proposed short plat complies with the Comprehensive Plan and is being developed in accord with UDC standards for the existing zoning district and previous approvals.

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

City Council finds that public services will be provided to this property and are adequate to serve the future commercial building sites.

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

City Council finds that the development will not require the expenditure of capital improvement funds. All required utilities were provided with the development of the property at the developer's expense.

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

City Council finds that the development will not require major expenditures for providing supporting services as services are already being provided to the immediate area.

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

City Council finds the proposed short plat to create new commercial building lots will not be detrimental to the public health, safety or general welfare.

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

City Council is not aware of any significant natural, scenic or historic features associated with short platting this site.