

Seal: It's been moved and seconded to continue Item No. H-2021-0080 to the date of March 3rd, 2022, with modifications. All in favor say aye. Any opposed?

Grove: Nay.

Seal: Got that? Do we need to --

Weatherly: For the record, Commissioner Grove, was that a nay from you? Thank you.

Seal: All right. The continuance passes. All right. Thank you very much for that.

MOTION CARRIED: SIX AYES. ONE NAY.

6. Public Hearing Continued from January 6, 2022 for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

- A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

Seal: All right. At this point we will move on to public hearing for Apex West Subdivision, H-2021-0087, continued from January 6th, 2022, and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for a preliminary plat. This site consists of 96.08 acres of land. It's zoned R-2, R-8 and R-15 and it's located on the north side of East Lake Hazel Road, approximately a quarter mile west of South Locust Grove Road. This property was annexed with the previous Shafer View Terrace and Apex Developments and is included in their respective development agreements. The Comprehensive Plan future land use map designations for this property -- there is three of them -- are low density residential, medium density residential, and medium high density residential. You can see that here on this map here on your left. The green is low density, the yellow is medium and this is medium high. The proposed preliminary plat is shown on the left. It consists of 208 building lots, 207 single family lots, and one lot for future development of townhomes or multi-family apartments and 34 common lots on 96.08 acres of land in the R-2, R-8 and R-15 zoning districts for Apex West Subdivision. The subdivision is proposed to develop in four phases as shown on the phasing plan on the right there. The proposed plat includes a portion of the parcel to the east depicted on the plat as Lot 1, Block 5, and the surrounding area and that is this area right here that we are talking about. The entire parcel around that must be included in the boundary of the proposed plat or a property boundary adjustment application must be approved to either include that area in the adjacent parcel or to create a separate developable parcel. A portion of the lot cannot be included as it would create an illegal split. Therefore, staff recommends prior to the City Council approval of the subject application a property boundary adjustment application

shall be approved. Three future development areas are depicted on the plat. Lots 32 and 43, Block 6, that's the two triangle ones here at the north end and Lot 1, Block 1, rectangular parcel here at the south end, that are to be resubmitted and/or developed under separate applications in the future. Access is proposed at the northwest corner of the development from Quartz Creek Street, a collector street, from South Meridian Road, from South Sublimity Avenue and South Apex Avenue, both collector streets, via East Lake Hazel Road. Stub streets are proposed to adjacent properties for future extension and interconnectivity. Qualified open space consisting of linear open space, open grassy areas at least 5,000 square feet in area, eight foot wide pathways -- excuse me -- parkways and street buffers along collectors and arterial streets are proposed in excess of UDC standards. Site amenities consisting of a swimming pool with changing facilities and a restroom, two segments of the city's multi-use pathway system, totaling approximately half a mile and a playground, are proposed in excess of UDC standards. The three future development areas will be required to comply with the open space and site amenity standards upon development. The McBirney Lateral crosses this site within a 41 foot wide easement and the Watkins Drain runs along the west side of the site within a 38 foot wide easement, as depicted on the plat. These waterways are proposed to be piped -- excuse me. The Watkins Drain, the applicant is actually requesting to leave open. They submitted that request recently. So, that will require Council approval of a waiver to that section of code to allow it to remain open. And the McBirney is proposed to be piped. Conceptual building elevations in a variety of materials and colors were submitted for future single-family residential detached homes in this development as shown. Homes on lots along collector streets are required to incorporate certain design standards as noted in the staff report, since they will be highly visible. Written testimony has been received from Julie Edwards, a neighbor. She is concerned with the provision of the three common driveways within the development and associated traffic congestion as discussed at the Commission hearing for Apex East. Concern pertaining to parking in relation to the alley access units and the adequacy of such for guests on the adjacent public streets, especially with the common driveways proposed and parking issues associated with those typically. Suggests some of the building lots be eliminated in favor of provision of a guest parking lot in addition to the on-street parking and elimination of the common driveways in favor of larger lots in those areas. School capacity concerns from the proposed development and others in the area. Written testimony was also received from the applicant Josh Beach of Brighton Corporation. They are in agreement with the staff report, except for condition number seven, which requires all waterways on the site to be piped in accord with UDC standards. The applicant, as I mentioned, is requesting Council approval of a waiver to 11-3A-6B to leave the Watkins Drain open as an amenity feature. Staff will stand for any questions.

Seal: Okay. At this time would the applicant like to come forward?

Wardle: Mr. Chair, Commission Members, Mike Wardle, Brighton Corporation at 2929 West Navigator in Meridian. 83642. Sonya's given you the -- the real depth of the information, but I want to just add a little bit of flesh to it to illustrate some of the issues that she talked about and, again, the only real issue that you will see in a few moments relates to just a drain that is not really much of a waterway, but it's part of an amenity area

that we would propose to receive Council approval for. I'm not getting the -- do we have control, Sonya? Okay. As Sonya noted, it's part of the area that was annexed back -- actually by the city action some seven years ago and, then, two years ago we had a larger area before you that rezoned some of the parcels and received preliminary plat approval for the areas at the intersection of Lake Hazel as it's just noted there is A and W, which is Apex Northwest and, then, Apex Southeast opposite that and, then, recent approval of Apex East on the east side of Discovery Park. So, we are talking about, then, just the parcel Apex West. All of this was done, of course, in -- in accordance with the Comprehensive Plan and the underlying zoning as noted here, with the estate lots, the eight estate lots to the northwest corner, being retained as R-2, with R-8 and, then, a parcel in the future in R-15. Some of the details relative to the site. Shafer View, of course, to the west was one of those farm subdivisions where the open space was retained and there has been approval subsequently for the remainder of their properties for a subdivision. So, what we have east of Shafer, of course, is the -- just some of the features. The green diagonal is the Williams Pipeline corridor that will be at -- in the future added as a pathway corridor and fully landscaped, connecting as it actually will to the east and southeast to Discovery Park and, then, where ever it goes to the northwest in the future with adjacent development. The Watkins Drain as noted, there are two segments. We have actually -- we will pipe the area that's along the roadways near the southwest corner of this parcel and you can see where it actually goes through the property currently. All of that will be piped, but, then, when you get to the area where it leaves the roadway section, that portion, as you will see in just a moment, actually becomes part of a common lot, an open space area, and there is actually a -- let me go back for a second. You can -- you can see in the middle of the drawing there is an arrow that says city sewer access multi-use pathway. That -- the sewer is actually in that alignment. It was installed several years ago to serve the Apex Northwest and the southeast subdivisions that are under construction. So, that sewer access will actually be paved as the pathway. Gives the city the access to maintain their sewer system, provides access for pedestrians along a connection that will meet up with a ten foot pathway on the west side of Sublimity Avenue, which is the road coming in from Lake Hazel. Again, you can kind of see this area a little bit more where the green stands out. as Sonya noted, it's just over 96 acres, R-2, R-8 and some R-15, 207 single family lots actually depicted in the project as it's proposed. Forty-six of those are either alley, 36 of them, and, then, ten are rear loaded that I will talk about in just a moment, with three common lots serving nine lots -- as a common drive serving nine lots. We are well aware that there is a lot of concern about those, but they are allowed under city code. We utilize them and have successfully -- successfully utilized them in many of our projects and we minimize to the extent that we can, but occasionally there are some corners that we -- we do that. The Watkins amenity pathway corridor and sewer access is depicted in this open space exhibit. The qualified open space as noted exceeds the city's requirement at just nearly 17 percent of the site, with the amenities being proposed as the community pool. You can see a little tag over on the east side where it depicts that site a little bit more and, then, of course, the playground associated with that. The pathway along Mc Birney and, then, the Watkins as well. Again, just dialing in a little bit more that shows a little bit more of the character of the pathway through the Mc Birney piped corridor. The Williams Pipeline up to the north it shows the future alignment and I would note that the Williams

Pipeline folks are in the process now of starting to upgrade facilities, knowing that development is coming and so they are working over near the intersection and particularly through the -- the park area and the Gem -- Gem Prep School site that's under construction. So, during the course of our development there will be upgrades to the Williams Pipeline and, then, eventually that will be an open space sodded corridor. They won't allow really in the -- in terms of trees or anything, but it will be just a nice 70 foot wide greenway connecting all of the facilities from Discovery Park and, then, that would also provide an access -- it would connect, then, to the -- the McBirney pathway, which, then, connects over to the Watkins pathway. The information that Sonya noted from Ms. Edwards that lives to the north of the Apex project, she had concerns about the alley product and I'm going to jump in a moment and show you what that alley product actually looks like and she had expressed concern about parking and so forth. But the alley loaded lots, they are highlighted in the purple, are 120 foot deep lots and they all have a minimum 20 foot parking pad at the rear. The lots over facing Apex Avenue on the east side of that highlighted in red are 130 feet deep. Those lots -- or those dwellings will actually face the product on the east side of that collector roadway at 130 foot deep. They will also have a minimum rear loaded parking pad and just so that you will see what that is, I'm going to just jump way ahead for a moment. This is a real life example of what we have done in Paramount and in alley loaded product that we have -- in Paramount the lots are 114 feet deep. In comparison in Apex West the alley lots are 120. The rear loaded are 130. The street frontage -- because there are no driveways you have on-street parking available along the frontage of those alley-loaded lots. A 20 foot wide alley is flanked on each side by minimum 20 foot parking pads and if you have two or three -- and you can see a three car garage to the left, but you can see that -- in fact, the next one you have got the big pickup on the right. So, those lots are actually six feet shallower than the smallest lot that we have in our alley loaded product in Apex and I would note that when we did this Paramount project it mirrors what we did -- what we pioneered in the city -- Brighton did at Harris Ranch when we did all of the alley loaded products there that required a minimum 20 foot parking pad, so that you did not have, you know, the opportunity for, as you expressed earlier, the concern of people utilizing their garages for storage and no place to park. That's not the case here. So, I'm going to go back for just a moment and just look at the Watkins Drain. I did some review through the Google Earth street view and couldn't see any water in any of it, so this is exactly -- these shots were taken yesterday. Shafer View Subdivision on the left. Apex on the right. And that corridor -- and you can see the existing city sewer access road that will become the multi-use pathway. That area, then, down to and through the drain will be part of a common lot that will be landscaped and we hope that there is some water that might trickle through there occasionally, certainly during the summer irrigation season there will be some, but it's not a -- really a significantly defined channel throughout most of it. So, again, we will be asking the -- the City Council for a waiver to allow that drain behind those R-2 estate lots to be maintained as an open waterway amenity with that multi-use pathway in the city sewer access. With that we actually concur with staff's recommendation for approval of Apex West with all of the city and agency comments, subject to that one item that we will take to the Council. I would be happy to answer your questions.

Seal: Okay. Thank you. Are there any questions for the applicant or staff?

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: A question to -- my question for you on -- actually, on phasing of the roadway that is to be built as a fire lane through phase one, two, and three, but would, then, be converted to a road into the subdivision in phase four. Is there any possibility of moving the construction of that to an earlier phase or is there a purpose for it being constructed as a roadway in phase four, instead of earlier?

Wardle: Mr. Chairman, Commissioner Grove, I'm going to have to ask my boss, because I'm not really acquainted with that aspect. And, Sonya, I would -- could you bring back up the phasing plan.

J.Wardle: Commissioners, for the record Jon Wardle. 2929 West Navigator. Just to clarify, I may technically be his boss on paper, but that doesn't mean anything, so -- to Commissioner Grove's question, the -- the phasing plan here showing the road in red, Commissioner Grove, we -- we are working on a couple different things that -- part of the reason we -- we can't do it at the very beginning is we do have that Watkins that we do need to tile in the off season, so we -- we aren't conflicting with that, but we also are entering into a CDA with ACHD to continue Lake Hazel as a five lane road through this corridor. So, there is going to be a variety of improvements that need to happen there. The emergency access is beneficial at the very beginning. However, we do have direct access out to Locust Grove and we have two different ways to get to Locust Grove and we have two different ways to get to Lake Hazel in the interim as well. So, it's not -- it's not a complete dead end, we do want to have it there as quickly as possible, but it will be problematic for us to do it at the very first phase of this project.

Grove: Okay. Thank you.

J.Wardle: Thank you.

Seal: Okay. Do we have any other questions? Okay.

Cassinelli: Mr. Chair, this is Bill. Sorry. I was trying to unmute.

Seal: Oh. Go ahead, Commissioner Cassinelli.

Cassinelli: The amenity that you are wanting to make use of the -- of the Watkins Lateral is -- would that be -- is that an additional amenity or is that your third amenity?

J.Wardle: Mr. Chair, to make sure I understood Commissioner Cassinelli's question, he was asking if the Watkins pathway and open space is an additional amenity or if it's tied in with our overall amenity package. It's -- it's part of our entire package with all the pathway systems, you know, that mobility piece of it and pathways. Just to note, these are not the -- the city has a pathway plan and we have worked with Kim Warren about

what that would be and, ultimately, the -- the city designated pathway would be the one that would go through the Williams Pipeline. These are new additional pathways outside of those.

Cassinelli: But the comment there -- and not wanting to pipe that is to keep it as a -- as an amenity feature to leave it open. So, I guess my question is if -- if that were -- if that were piped would that reduce your amenities? Is that -- that drain, keeping it open and making it an amenity, is that one of your -- is that one of the amenities to meet the minimums?

J.Wardle: Mr. Chair, Commissioner Cassinelli, the open space still counts. It's just a question of whether we are tiling it or if we are leaving it open. So, there is really no difference in terms of the amenity. It's still with the open space corridor. We just believe that this part of it, along the Watkins that we are asking to leave it open, has actually an opportunity to be something different than just a tiled piped waterway. So, our preference is to leave it open. If the City Council decides that they prefer that it be tiled, the amenity calculation doesn't change, it's still the same count open space and all of that.

Cassinelli: Okay. Thank you.

Wardle: Thank you.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I have one last question. With the amenities for Apex, is this -- is Apex looked at as an overall project or is Apex West, Apex Northwest, Apex East, like are all of the directions separate or are they tied together in any way in terms of residents in one -- in West are they able to use amenities in another portion of the development?

Wardle: Mr. Chair and Commissioner Grove, important clarification. We appreciate that. No, it's all part of one. Unfortunately, when you do a preliminary plat you have to distinguish it for file purposes and for the county's purposes. So, no, it's all part and parcel and these folks will, in fact, utilize -- it doesn't really show up here, but we have that very strong community core that's taking place at the northwest corner of Lake Hazel and Locust Grove and that will all, again, tie together as part of that complete community. All same covenants, same restrictions, same association fees and requirements. Thank you.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead..

Lorcher: Mr. Wardle, based on the written testimony from Julie Edwards, she mentioned that the common driveways with development associated for traffic connections as -- as

was here in the hearings for Apex East, were those common driveways approved for Apex East; do you recall?

Wardle: Mr. Chair and Commissioner Lorcher, yes, they were approved. We made one modification when we went to the Council. That northwest corner that had been sited where there were quite a few and it was on a secondary emergency access and so we actually took one or two lots out of that corner, but the others that were part of that project were reviewed and approved by the Council. So, again, we are bringing you something that's allowed by your code. We don't try to overuse it, but there are places that we do and in this case of the 207 -- or 208 lots, there are nine lots that will be on common drives.

Lorcher: Thank you.

Seal: Okay. Anybody else?

Wardle: Thank you very much.

Seal: Thank you very much. Appreciate it. Okay. At this time we will take public testimony. Madam Clerk, has anyone signed up? No one has signed up?

Weatherly: No.

Seal: Okay. Anybody online that would like to hit the raise hand button or anybody in chambers if you would like to come up. No takers? No one online? Okay. Unless the applicant has something more to add or we have additional questions -- okay. Can I get a motion to close the public hearing for Item No. H-2021-0087.

Lorcher: So moved.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for H -- file number H-2021-0087. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Who would like to jump in there?

Lorcher: Commissioner Seal, I will start.

Seal: Commissioner Lorcher, go ahead.

Lorcher: I'm -- I'm in agreement with Mr. -- is it Beach's comments from Brighton Corporation to pursue a waiver for open space for -- to have the Watkins open. I -- I don't know if I'm unique in this respect, but closing every open waterway in Meridian takes away what the nature of Meridian is like. So, if we keep piping everything in -- one of the

things that founded our city was our irrigation and piping it all in takes that away. So, the more we can leave it open, then, we invite nature into our backyards and our home. So, I'm definitely in support of this. I'm not a fan of the common driveways for the congestion and services, but it was approved in Apex East and according to Mr. Wardle they are fulfilling the city codes.

Seal: Okay. Thank you. Anyone else want to jump in? Commissioner Wheeler, go ahead.

Wheeler: I have a question. Thank you, Mr. Chair. I have a question for staff. Is there any requirements for -- like fencing or anything along that open waterway?

Allen: Chairman, Commissioners, I have asked the applicant to provide some additional information prior to the Council meeting on how public service -- public safety is planned to be preserved with that being open. So, I -- I don't know if they know that now, but I -- I did ask that of the applicant. A little short notice, so they probably haven't had a whole lot of time to ponder that yet maybe.

Wheeler: Okay. Okay. Yeah. I'm -- I'm in agreement here that I like to see that kind of an open waterway and I like kind of the views that will be there at least temporary over to the -- to the east from that section, too, so -- thank you.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I think this ties in well with the other portions of -- of the Apex project. Seeing some of the zoomed out pieces where it -- how it connects with the other plan pieces or under development pieces help -- especially with the -- the open space area on the east side, seeing how that connected with like the -- the Williams Pipeline corridor and I thought everything looks good. It's really easy when applicant agrees with the staff report. I think I would be fine with moving this forward. We don't -- I don't think we need to make a change to the -- the staff requirements on this. We can make an encouragement, but it's not our place to do the waiver. So, I think it would just be an encouragement if we want to go in that direction, but I don't know that we need to condition anything. I could be wrong. Does that sound right? Somebody? Okay.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Quick question for staff. Sonya, is -- do the lot sizes on the alley loads and the -- I think they are rear loaded product to the east and west of that alley load portion down there, do those all meet the -- I'm assuming they all meet the R-8 lot size requirements?

Allen: Chairman, Commissioner Cassinelli, yes, they do.

Cassinelli: Okay. In my comments I'm not a fan whatsoever of -- of the common driveways. I would love to see them eliminated. I mean I get it. The developer is doing it to maximize their density, all within code and guidelines on the project. I'm just not a fan of it and I'm really shocked that there was not more public input, even though I -- you know, there is not a lot -- a lot of homes down there yet I don't think, so probably not a lot of -- a ton of neighbors, but I'm shocked with a project this size that there is not more -- that there wasn't more input. But all that said, I would be -- I would be okay with -- with moving it forward as is.

Seal: Okay. Commissioner Yearsley, do you have anything?

Yearsley: I actually -- my biggest concern is I -- I think the project is fine and everything. I just -- I mean I just don't like that we just cram as many homes as we can into a subdivision. I understand that, you know, we are trying to keep a price point down and everything, but, man, there we just got small lots and medium-sized homes and I just don't like the look and feel. That being said, it's -- it's my personal preference -- and I'm not going to stand in the way of the project.

Seal: Okay. Yeah. That -- I mean can't say it enough. Common driveways -- I -- I drive through one of your products that has a corner and -- and, you know, three houses on it and when it's trash day it's like Mario Kart. It's -- it's horrible. I mean it's a really -- it's a bad experience in a really upper end -- upper end subdivision, you know, that has space to accommodate better than this does. So, where these are squeezed together more tightly I can't imagine what that's going to be like. That said it meets code. I wish we would do away with them, make them, you know, alternative compliance only or something along those lines, because I have seen another one of your products where you did the circular driveways that were common. Beautiful. Absolutely amazing way to -- you know, out-of-the-box thinking with that. So, that said I will get down off my soapbox and ask somebody for a motion.

Grove: I got it.

Seal: Commissioner Grove, go ahead.

Grove: Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0087 as presented in a staff report for the hearing date of February 3rd, 2022, with no modifications, but embrace of the applicant's request to have a waiver for the open waterway for the Watkins Drain.

Seal: Okay. It's been moved and seconded to approve Item No. H-2021-0087 -- oh, do I need -- yeah. Who would like to second that? Sorry.

Wheeler: Second.

Seal: Thank you, Commissioner Wheeler. Now, it has been moved and seconded to approve Item No. H-2021-0087 as presented in the staff report for the hearing date of February 3rd, 2022. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

7. Public Hearing Continued from January 20, 2022 for Quartet South Subdivision (H-2021-0088) by Brighton Development, Inc., Located on Parcels S043432586 and S0434325410, at the Northeast Corner of W. Ustick Rd. and N. Black Cat Rd.

- A. Request: Annexation of 67.61 acres of land with the R-8 (48.83 acres) and R-15 (18.78 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 229 single-family residential lots, 2 multi-family lots with 140 townhouse units, and 42 common lots.

Seal: All right. So, we will move on to Quartet South Subdivision, H-2021-0088, which was continued from January 20th, 2022, and we will begin with the staff report.

Cassinelli: Mr. Chair, can I jump in?

Tiefenbach: Greetings, Mr. Chair, Members of the Commission. Alan Tiefenbach, associate planner here with City of Meridian. Okay. This is a proposal for an annexation and rezoning and preliminary plat. The property is not quite 68 acres, zoned RUT, located at the northeast corner of North Black Cat, West Ustick Road intersection. In July of 2020 Quartet Northeast, obviously, to the north and Quartet Southeast were approved north of this property. This subdivision is a continuance of those subdivisions. Future land use map recommends medium density residential, three to eight dwelling units per acre. The applicant proposes to annex a total of -- again, just not quite 68 acres of land. Forty-nine acres on the northern portion of the property are proposed to be rezoned to R-8 to allow 229 single-family homes. The southern 18.7 acres is proposed for R-15. That would be to allow 140 single family attached or multi-family units, although the housing type has not been determined at this time by the applicant. Jamestown Ranch, the court -- I made a little map here. So, Jamestown Ranch, the Quartet Sub -- the Quartet -- sorry -- Quartet Northeast, Quartet Southeast, they are all north. The Klamath Basin, Staten Park and Geddes Subdivisions are to the south and the Birchstone Creek Subdivision is to the west. To the east is unincorporated property that's in the county. This I will be calling the Naomi parcel as I talk about that later. This is -- this is designated for a mixed-use non-residential. Further east here is the wastewater treatment facility. There is some self-storage. It's important to note that here -- this piece of property is currently under review with the Planning Commission -- or, sorry, with ACHD for a new maintenance facility. There are -- let's see. There is presently four accesses to this property off of North Black Cat and those accesses are going to be closed and, then, there will be new accesses. One will occur from West Aspenstone, which is down here, and the other will occur from