

**COMMUNITY DEVELOPMENT
DEPARTMENT REPORT 0**

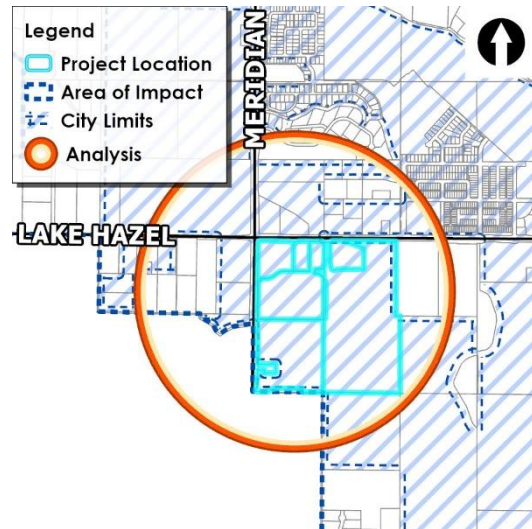


HEARING DATE: 6/23/2026
 TO: Mayor & City Council
 FROM: Nick Napoli, Associate Planner
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 nnapoli@meridiancity.org

APPLICANT: Amanda McNutt

SUBJECT: H-2026-0014
 Apex Zenith

LOCATION: Located at the southeast corner of Meridian Road and Lake Hazel Road in a portion of Lot 4 of Section 6, T.2N., R.1E.



I. PROJECT OVERVIEW

A. Summary

Amend the existing development agreement (Inst. #2025-010344) for the purpose of modifying the phase 1 road frontage landscape improvements.

B. Recommendation

Planning Division: Approval with amended development agreement

C. Decision

City Council: Pending

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II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Vacant	-
Existing Zoning	C-G (General Retail and Service Commercial District)	VI.A.1
Proposed Zoning	C-G (General Retail and Service Commercial District)	
Adopted FLUM Designation	Mixed Use Regional	VI.A.2

Table 2: Process Facts

Description	Details
Preapplication Meeting date	3/24/2026
Neighborhood Meeting	3/18/2026
Site Posting Date	06/11/2026

Note: See section IV. City/Agency Comments & Conditions for comments received or see the public record.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. History

Apex Zenith was annexed and rezoned in 2024, followed by a preliminary plat on the north portion in 2025 and a final plat in 2026. Phase two (2) of the development has not been submitted yet; however, the applicant has indicated that they intend to submit a preliminary plat for the rest of the development.

As part of the annexation and rezone process, the applicant entered into a Development Agreement that included requirements for landscaping to be installed along all roadway improvements except for a portion along Meridian Road that City Council granted deferment on. The applicant is now requesting the landscaping along the southern portion of the site be deferred to the future preliminary plat for phase two (2) of the development.

B. General Overview

The applicant is requesting to modify development agreement provision i.2 and the associated exhibit to allow for the landscaping improvements along the southern ¼ mile of Optima Avenue, Meridian Road, and a portion Aristocrat Drive to be deferred to their future submittal of a preliminary plat for phase two (2) of the Apex Zenith Development. The applicant's narrative states the main reason behind this request is to avoid installing and potentially damaging or removing the landscaping with future construction of phase two (2). In addition, these landscaping improvements are tied to the first certificate of occupancy (Costco) within the Apex Zenith development.

The reason these landscape buffers were required with phase one (1) of the development was due to the applicant constructing roads outside of the subdivision process which did not provide a mechanism for staff to allow for the phasing of these improvements. The applicant requested the southern ¼ mile along Meridian Road be deferred due to the outparcel being present. Ultimately, City Council approved the applicants request to defer the southern ¼ mile along Meridian Road.

The applicant has indicated that they will be submitting for phase two (2) of the Apex Zenith development in the near future which will require a new preliminary plat to be submitted. However, staff has not received an application including the new plat at this time.

Staff does not support the applicants' request as presented in their narrative. However, staff does support the request provided that a performance surety is posted for the deferred landscaping improvements. This requirement ensures the City has a mechanism to require completion of the improvements in the future, regardless of the timing of subsequent preliminary or final plat(s).

Staff notes that the improvements being deferred are landscaping only and pedestrian connections will still be installed with the associated roadways.

C. Development Agreement Modifications

Existing: Install landscape buffers as shown in Exhibit F: Landscape Buffer Exhibit of the Staff Report attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit "B."

Proposed: Install landscape buffers as shown in exhibit D: Updated Landscape Buffer Plan and post a performance surety for the remaining improvements that will be released upon completion of the remaining landscape buffers.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

- 1.1 The amended Development Agreement shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council approval of the Findings. The addendum shall incorporate the following:
 - a. Modify Provision i.2: Install the landscape buffers as depicted in Exhibit C, titled "Updated Landscape Buffer Plan," and provide a performance surety for the remaining improvements prior to the issuance of the first Certificate of Occupancy within the development.

V. ACTION

A. Staff:

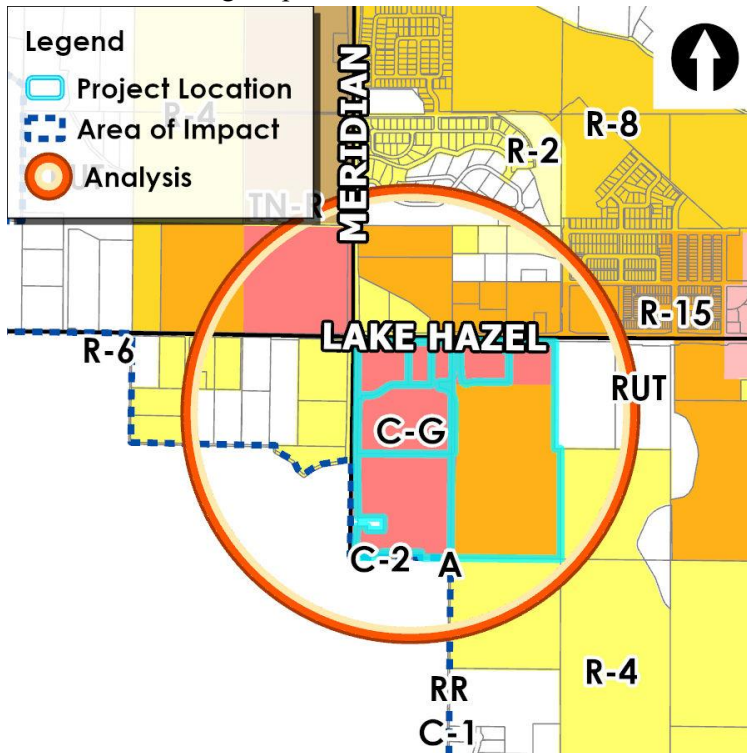
Staff recommends approval of the requested Development Agreement Modification per the conditions of approval included in Section IV.

B. City Council:

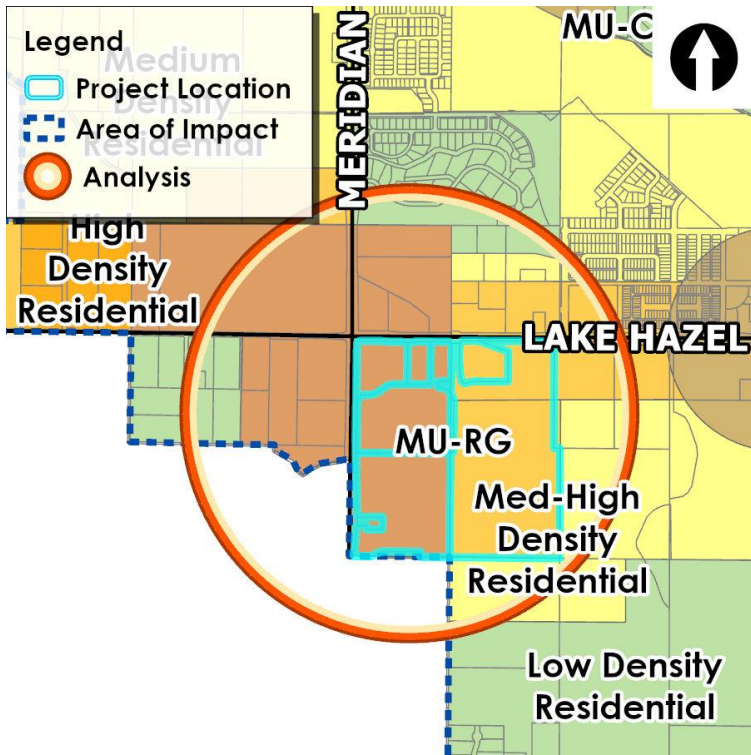
VI. EXHIBITS

A. Project Area Maps

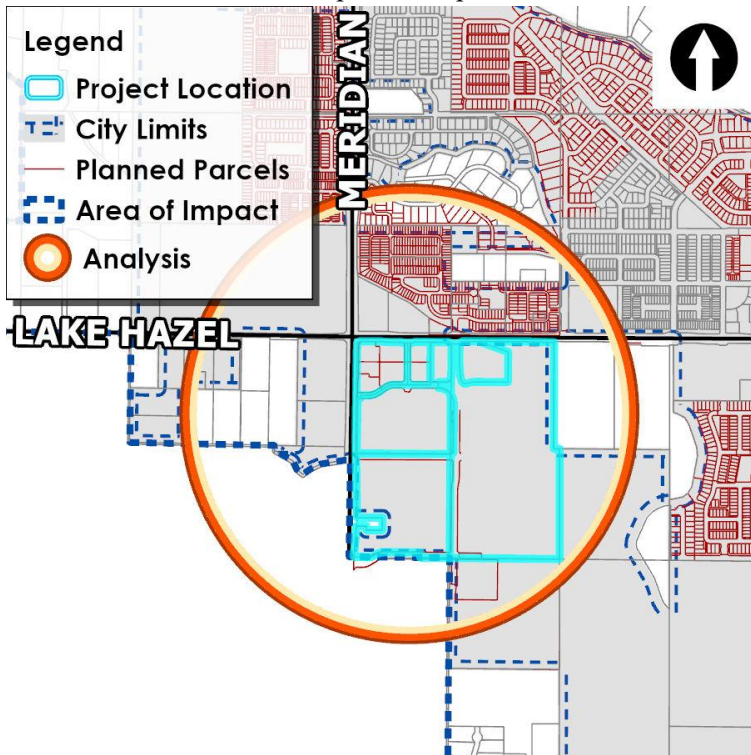
1. Zoning Map



2. Future Land Use



3. Planned Development Map



B. Original Landscape Phasing Plan (date: 2/19/2025)



C. Updated Landscape Buffer Plan (date: 3/31/2026)

