

DEVELOPMENT AGREEMENT

- PARTIES:**
- 1. City of Meridian**
 - 2. SCS Investments LLC, Owner/Developer**
 - 3. SCSH Properties LLC, Owner/Developer**
 - 4. The David & Kristin Turnbull Family Trust Dated August 1, 2006, Owner/Developer**

THIS DEVELOPMENT AGREEMENT (this “**Agreement**”) is made and entered into this ____ day of _____, 2026, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called “**City**,” whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642, and **SCS Investments LLC**, whose address is 3240 W. Bavaria Street, Eagle, Idaho 83616; and **SCSH Properties LLC**, whose address is 3240 W. Bavaria Street, Eagle, Idaho 83616; and **The David & Kristin Turnbull Family Trust**, whose address is 2929 W. Navigator Drive, Suite 400, Meridian, Idaho 83642, hereinafter collectively called “**Owner/Developer**.”

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner/Developer is the sole owner, in law and/or equity, of a certain tract of land in the County of Ada, State of Idaho, described in **Exhibit “A,”** which is attached hereto and by this reference incorporated herein as if set forth in full, hereinafter referred to as the “**Property**;” and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, establish provisions governing the creation, form, recording, modification, enforcement and termination of development agreements required or permitted as a condition of zoning that the Owner/Developer make a written commitment concerning the use or development of the Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“**UDC**”), which authorizes development agreements and the modification of development agreements; and
- 1.4 **WHEREAS**, Owner/Developer has submitted an application for development agreement modification to remove the property listed in **Exhibit “A”** from an existing Development Agreement recorded on December 23, 2020 in Ada County, Idaho as Instrument #2020-178120, and for the inclusion of the Property into this new Agreement, which generally describes how the Property will be developed and what improvements will be made; and

- 1.5 **WHEREAS**, Owner/Developer made representations at the duly noticed public hearings before the Meridian City Council, as to how the property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested development agreement modification held before the City Council includes responses of government subdivisions providing services within the City of Meridian planning jurisdiction, and includes further testimony and comment; and
- 1.7 **WHEREAS**, on the 6th of January, 2026, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“**Findings**”), which have been incorporated into this Agreement and attached as **Exhibit “B;”** and
- 1.8 **WHEREAS**, Owner/Developer deems it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.9 **WHEREAS**, the property listed in **Exhibit “A”** shall no longer be subject to the terms of the existing Development Agreement recorded on December 23, 2020 in Ada County, Idaho as Instrument #2020-178120 and shall be bound by the terms contained herein in this new agreement; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement modification for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designations are in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.
3. **DEFINITIONS:** For all purposes of this Agreement, the following words, terms and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:

- 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
- 3.2 **OWNER/DEVELOPER:** means and refers to **SCS Investments LLC**, whose address is 3240 W. Bavaria Street, Eagle, Idaho 83616; and **SCSH Properties LLC**, whose address is 3240 W. Bavaria Street, Eagle, Idaho 83616; and **The David & Kristin Turnbull Family Trust Dated August 1, 2006**, whose address is 2929 W. Navigator Drive, Suite 400, Meridian, Idaho 83642, the parties that own said Property and shall include any subsequent owner(s) of the Property.
- 3.3 **PROPERTY:** means and refers to that certain parcel of Property located in the County of Ada, City of Meridian as described in **Exhibit “A”** describing a parcel to be removed from existing Development Agreement recorded on December 23, 2020 in Ada County, Idaho as Instrument #2020-178120, with such parcel being bound by this new Agreement, which **Exhibit “A”** is attached hereto and by this reference incorporated herein as if set forth at length.
4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.
- 4.1 The uses allowed pursuant to this Agreement are only those uses allowed as permitted, conditional and/or accessory uses under the UDC.
- 4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.
5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**
- 5.1 Owner/Developer shall develop the Property in accordance with the following special conditions:
- a. Future development of the subject property shall be generally consistent with the preliminary plat, phasing plan, landscape plan, open space exhibit, site amenity exhibit, and conceptual building elevations included in Section VII of the Staff Report attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit “B” and the conditions contained herein and the standards in the Unified Development Code (UDC).
 - b. The rear and/or side of structures on lots that face S. Locust Grove Rd., an arterial street, and E. Via Roberto St., a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g., projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up

monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

- c. The northern portion of the subject property to be rezoned (Parcel #S1406110016) shall be incorporated into a subsequent plat that includes the adjacent Murgotio parcel (Parcel #S1406110110) located directly to the east, prior to submittal of any building permit application, to establish a legal division of land for development purposes.
- d. Future collector streets are depicted on Ada County Highway District's (ACHD) Master Street Map on the property to the north of the proposed subdivision that's included in the rezone and shall be included in a future subdivision. Said collector streets shall align with S. Apex Ave. on the north side of E. Lake Hazel Rd. and E. Tower St. on the east side of S. Locust Grove Rd.
- e. The subject property shall be subdivided prior to submittal of any building permit applications for the development, except for permits associated with the community amenities, including, but not limited to, the swimming pool, pool house, and gazebos.
- f. Administrative design review shall be required for all single-family attached structures in accord with the residential design standards in the Architectural Standards Manual. Single-family detached structures are exempt from these standards.

6. **APPROVAL PERIOD:** If this Agreement has not been fully executed within six (6) months after the date of the Findings, the City may, at its sole discretion, declare the Agreement null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

- 7.1 **Acts of Default.** In the event Owner/Developer, or Owner's Developer's heirs, successors, assigns, or subsequent owners of the Property or any other person acquiring an interest in the Property fail to faithfully comply with all of the terms and conditions included in this Agreement in connection with the Property, this Agreement may be terminated by the City upon compliance with the requirements of the Zoning Ordinance.
- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which actions must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such

default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.

- 7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice from City as described in Section 7.2, City shall, upon satisfaction of the notice and hearing procedures set forth in Idaho Code § 67-6511A, have the right, but not a duty, to de-annex all or a portion of the Property, reverse the zoning designations described herein, and terminate City services to the de-annexed Property, including water service and/or sewer service. Further, City shall have the right to file an action at law or in equity to enforce the provisions of this Agreement. Because the covenants, agreements, conditions, and obligations contained herein are unique to the Property and integral to the City's decision to annex and/or re-zone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserves all rights to contest whether a default has occurred.
- 7.4 **Choice of Law and Venue.** This Agreement and the rights of the parties hereto shall be governed by and construed in accordance with the laws of the State of Idaho, including all matters of construction, validity, performance, and enforcement. Any action brought by any party hereto shall be brought within Ada County, Idaho.
- 7.5 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.
- 7.6 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion therefor in accordance with the terms and conditions of this Agreement and all other ordinance of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agrees to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued if the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/Developer agrees to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:
City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

with copy to:
City Attorney
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

OWNER/DEVELOPER:
SCS Investments LLC
3240 W. Bavaria Street
Eagle, Idaho 83616

OWNER/DEVELOPER:
SCSH Properties LLC
3240 W. Bavaria Street
Eagle, Idaho 83616

OWNER/DEVELOPER:
The David & Kristin Turnbull Family Trust
2929 W. Navigator Drive, Suite 400
Meridian, Idaho 83642

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and

that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the Owner/Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner/Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, has determined that Owner/Developer has fully performed its obligations under this Agreement.

18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonable in giving any consent, approval, or taking any other action under this Agreement.

20. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

21. **REMOVED PROPERTY:** The City is hereby authorized, in its sole discretion, to remove a portion of the Property ("Removed Property") from this Agreement at any time, provided that the City and the owner of the Removed Property concurrently enter into a modified development agreement governing the development and use of the Removed Property. The remaining portion of the Property, which has not been removed from this Agreement as described above, shall continue to be bound by the terms of this Agreement.

22. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

22.1 No condition governing the uses and/or conditions governing the Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the

notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

23. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective upon execution of the Mayor and City Clerk.

[End of text. Acknowledgements, signatures, and Exhibits A and B follow.]

January 23, 2025
Apex Cadence Subdivision
Project No. 24-108
Development Agreement
Legal Description

Exhibit A

A parcel of land situated in a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the northeast corner of Section 6 which bears S89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the North 1/4 corner of said Section 6, thence following the easterly line of the Northeast 1/4 of said Section 6, S00°04'35"E a distance of 746.02 feet; Thence leaving said easterly line, N89°42'20"W a distance of 38.50 feet to the **POINT OF BEGINNING**.

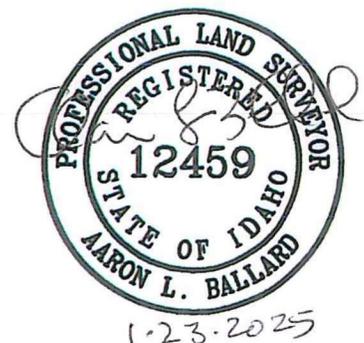
Thence S00°04'35"E a distance of 1,862.42 feet;
Thence N89°22'50"W a distance of 1,266.46 feet;
Thence N00°43'55"W a distance of 48.74 feet;
Thence N00°20'23"W a distance of 549.25 feet;
Thence N87°34'26"W a distance of 13.49 feet to the westerly line of said East 1/2 of the Northeast 1/4 of Section 6;
Thence following said westerly line, N00°02'06"W a distance of 66.73 feet to the westerly right-of-way line of the Rawson Canal;
Thence leaving said westerly line and following said westerly right-of-way line the following nine (9) courses:

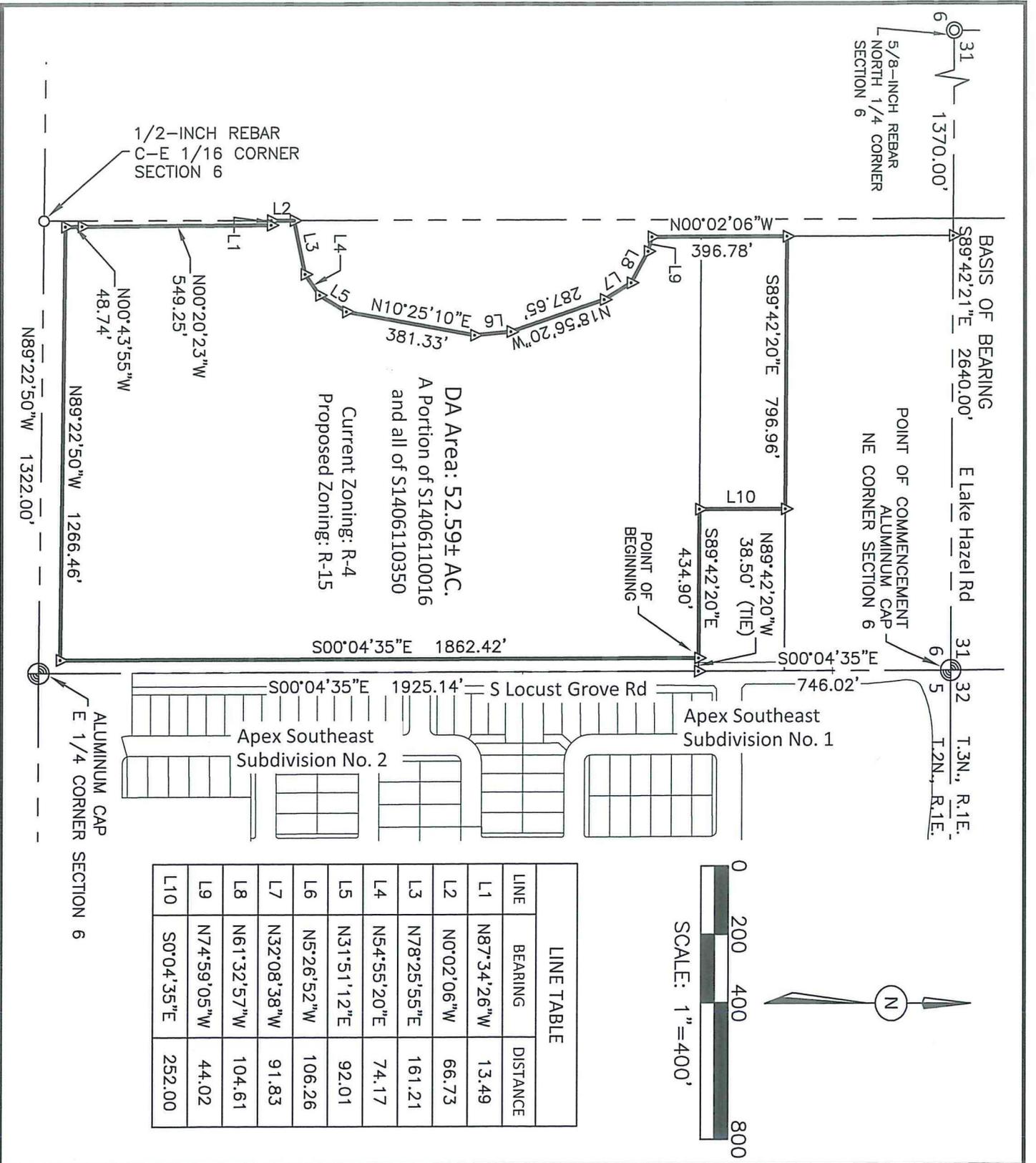
1. N78°25'55"E a distance of 161.21 feet;
2. N54°55'20"E a distance of 74.17 feet;
3. N31°51'12"E a distance of 92.01 feet;
4. N10°25'10"E a distance of 381.33 feet;
5. N05°26'52"W a distance of 106.26 feet;
6. N18°56'20"W a distance of 287.65 feet;
7. N32°08'38"W a distance of 91.83 feet;
8. N61°32'57"W a distance of 104.61 feet;
9. N74°59'05"W a distance of 44.02 feet;

Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 396.78 feet;
Thence S89°42'20"E a distance of 796.96 feet;
Thence S00°04'35"E a distance of 252.00 feet;
Thence S89°42'20"E a distance of 434.90 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 52.59 acres, more or less.

Attached hereto is **Exhibit B** and by this reference is made a part hereof.





LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°34'26"W	13.49
L2	N0°02'06"W	66.73
L3	N78°25'55"E	161.21
L4	N54°55'20"E	74.17
L5	N31°51'12"E	92.01
L6	N5°26'52"W	106.26
L7	N32°08'38"W	91.83
L8	N61°32'57"W	104.61
L9	N74°59'05"W	44.02
L10	S0°04'35"E	252.00

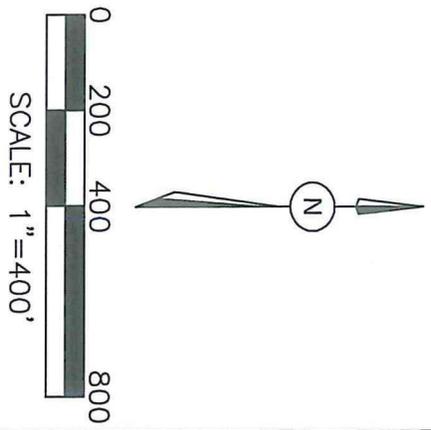
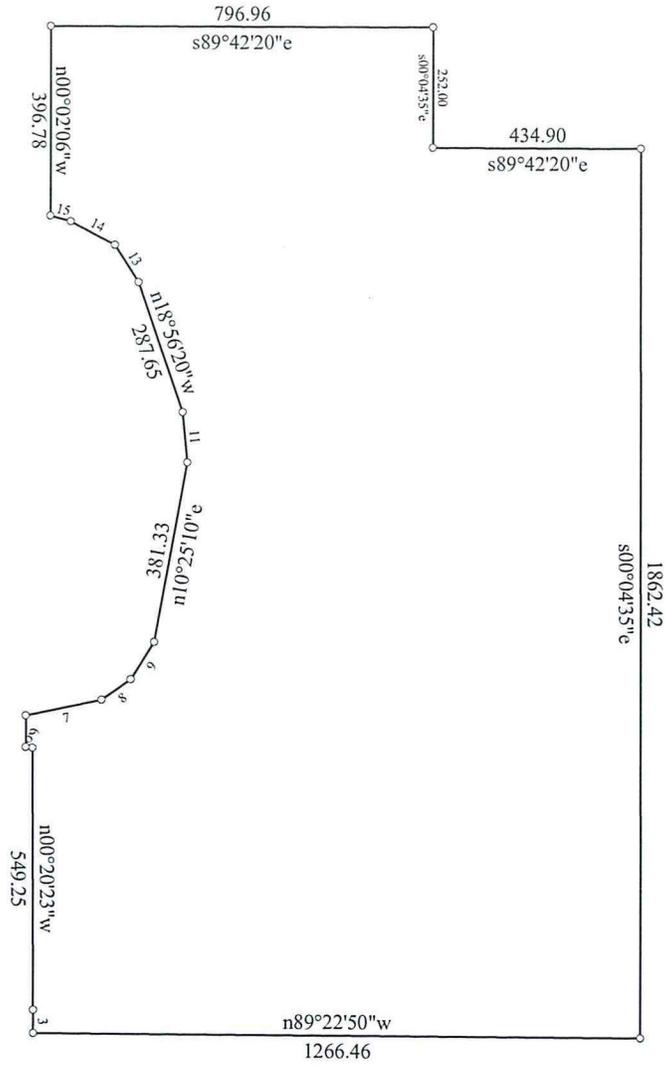


Exhibit B - DA Apex Cadence Subdivision

A Portion of the East 1/2 of the Northeast 1/4 of Section 6,
Township 2 North, Range 1 East, B.M., City of Meridian, Ada County, ID

<p>km ENGINEERING</p> <p>ENGINEERS · SURVEYORS · PLANNERS</p> <p>5725 NORTH DISCOVERY WAY BOISE, IDAHO 83713 PHONE (208) 639-6939 kmengrllp.com</p>	<p>DATE: January 2025</p> <p>PROJECT: 24-108</p>	<p>SHEET: 1 OF 1</p>
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Title: DA Legal	Date: 01-23-2025
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Scale: 1 inch = 400 feet	File:
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Tract 1: 52.591 Acres: 2290872 Sq Feet: Closure = s74.3537e 0.01 Feet: Precision >1/999999: Perimeter = 7031 Feet		
001=s00.0435e 1862.42	008=n54.5520e 74.17	015=n74.5905w 44.02
002=n89.2250w 1266.46	009=n31.5112e 92.01	016=n00.0206w 396.78
003=n00.4355w 48.74	010=n10.2510e 381.33	017=s89.4220e 796.96
004=n00.2023w 549.25	011=n05.2652w 106.26	018=s00.0435e 252.00
005=n87.3426w 13.49	012=n18.5620w 287.65	019=s89.4220e 434.90
006=n00.0206w 66.73	013=n32.0838w 91.83	
007=n78.2555e 161.21	014=n61.3257w 104.61	

EXHIBIT B

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



In the Matter of the Request for Modification to the Existing Development Agreement (Inst. #2020-178120) to Replace it with a New Agreement for the Subject Property and to Include Specific Design Requirements; Annexation of 0.86 Acres of Land with an R-15 Zoning District; De-annexation of 0.52 Acres of Land from the City to Ada County; Rezone of 56.11 Acres of Land from the R-8 to the R-15 Zoning District; Preliminary Plat Consisting of 228 Single-family Residential Building Lots, 41 Common Lots and 16 Other Lots on 51.5 Acres of Land in the Proposed R-15 District with Private Streets in the Gated Portion of the Development; and Planned Unit Development with a Request for Deviation to Certain Building Setbacks and to Allow More than 100 Dwelling Units in a Gated Community for Apex Cadence, by Brighton Corporation.

Case No(s). H-2024-0061

For the City Council Hearing Date of: December 16, 2025 (Findings on January 6, 2026)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of December 16, 2025, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 16, 2025, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 16, 2025, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 16, 2025, incorporated by reference)

B. Conclusions of Law

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

6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of December 16, 2025, 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 a development agreement modification, annexation, de-annexation, rezone, preliminary plat and planned unit development, is hereby approved per the provisions in the Staff Report for the hearing date of December 16, 2025, 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 Planned Unit Development Duration

Please take notice that the conditional use permit (planned unit development), 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. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

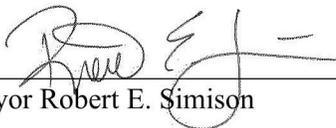
F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of December 16, 2025

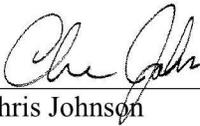
By action of the City Council at its regular meeting held on the 6th day of January, 2026.

COUNCIL PRESIDENT LUKE CAVENER	VOTED <u>AYE</u>
COUNCIL VICE PRESIDENT LIZ STRADER	VOTED <u>AYE</u>
COUNCIL MEMBER DOUG TAYLOR	VOTED <u>AYE</u>
COUNCIL MEMBER JOHN OVERTON	VOTED <u>AYE</u>
COUNCIL MEMBER ANNE LITTLE ROBERTS	VOTED <u>AYE</u>
COUNCIL MEMBER BRIAN WHITLOCK	VOTED <u>AYE</u>
MAYOR ROBERT SIMISON (TIE BREAKER)	VOTED _____



Mayor Robert E. Simison

Attest:



Chris Johnson
City Clerk



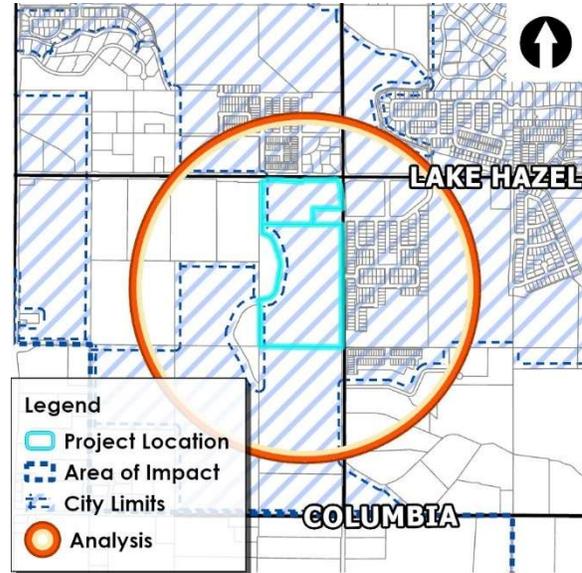
Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By:  _____ Dated: 1-6-2026
City Clerk's Office

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 12/16/2025
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
sallen@meridiancity.org
APPLICANT: Brighton Corporation
SUBJECT: H-2024-0061; A-2025-0168
Apex Cadence (aka Pinnacle) – ALT,
MDA, PUD, PP, RZ, PS
LOCATION: 6575 S. Locust Grove Rd., in the NE 1/4
of Section 6, T.2N., R.1E. (Parcel
#S1406110355 & a portion of
#S1406110016)



I. PROJECT OVERVIEW

A. Summary

The Applicant has submitted the following applications:

- Modification to the existing development agreement (Inst. #2020-178120) to replace it with a new agreement for the subject property and to include specific design requirements;
- Annexation of 0.86 acres of land with an R-15 zoning district;
- De-annexation of 0.52 acres of land from the City to Ada County;
- Rezone of 56.11-acres of land from the R-8 to the R-15 zoning district;
- Preliminary Plat consisting of 228 single-family residential building lots, 41 common lots and 16 other lots on 51.5-acres of land in the proposed R-15 district with private streets in the gated portion of the development; and
- Planned Unit Development with a request for deviation to certain building setbacks and to allow more than 100 dwelling units in a gated community.
- Alternative compliance to UDC 11-6C-3D.1 to allow four (4) lots (i.e. Lots 260-263, Block 1) on one (1) side of the common driveway due to constraints associated with the Rawson Canal.

NOTE: The staff report has been updated in strike-through and underline format, including revised exhibits, that reflect the changes since the Commission hearing.

B. Issues/Waivers

The Applicant requests the following approvals from City Council:

- Approval of a private street (i.e. E. Bingley Ln.) connection to an arterial street (i.e. S. Locust Grove Rd.). *UDC 11-3F-4B.2 prohibits private street connections to an arterial street, unless otherwise allowed by the decision-making body as part of a concurrent hearing level application and approved by the transportation authority.*
- Approval to exceed the maximum block face standard in UDC 11-6C-3F of 1,000 feet with a pedestrian connection for Block 1, a portion of which lies along the Rawson Canal.

C. Recommendation

Staff: Approval per the conditions noted in Section IV below.

Commission: Approval with no changes

D. Decision

Council: Pending

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Agricultural	-
Proposed Land Use(s)	Single-family residential detached & attached dwellings	-
Existing Zoning	R-8 (Medium-density residential)	VII.A.2
Proposed Zoning	R-15 (Medium high-density residential)	
Adopted FLUM Designation	Medium Density Residential (MDR); Medium-High Density Residential (MHDR); Mixed-Use Community (MU-C)	VII.A.3

Table 2: Process Facts

Description	Details
Preapplication Meeting date	9/23/2024
Neighborhood Meeting	9/6/2024
Site posting date	12/3/2025

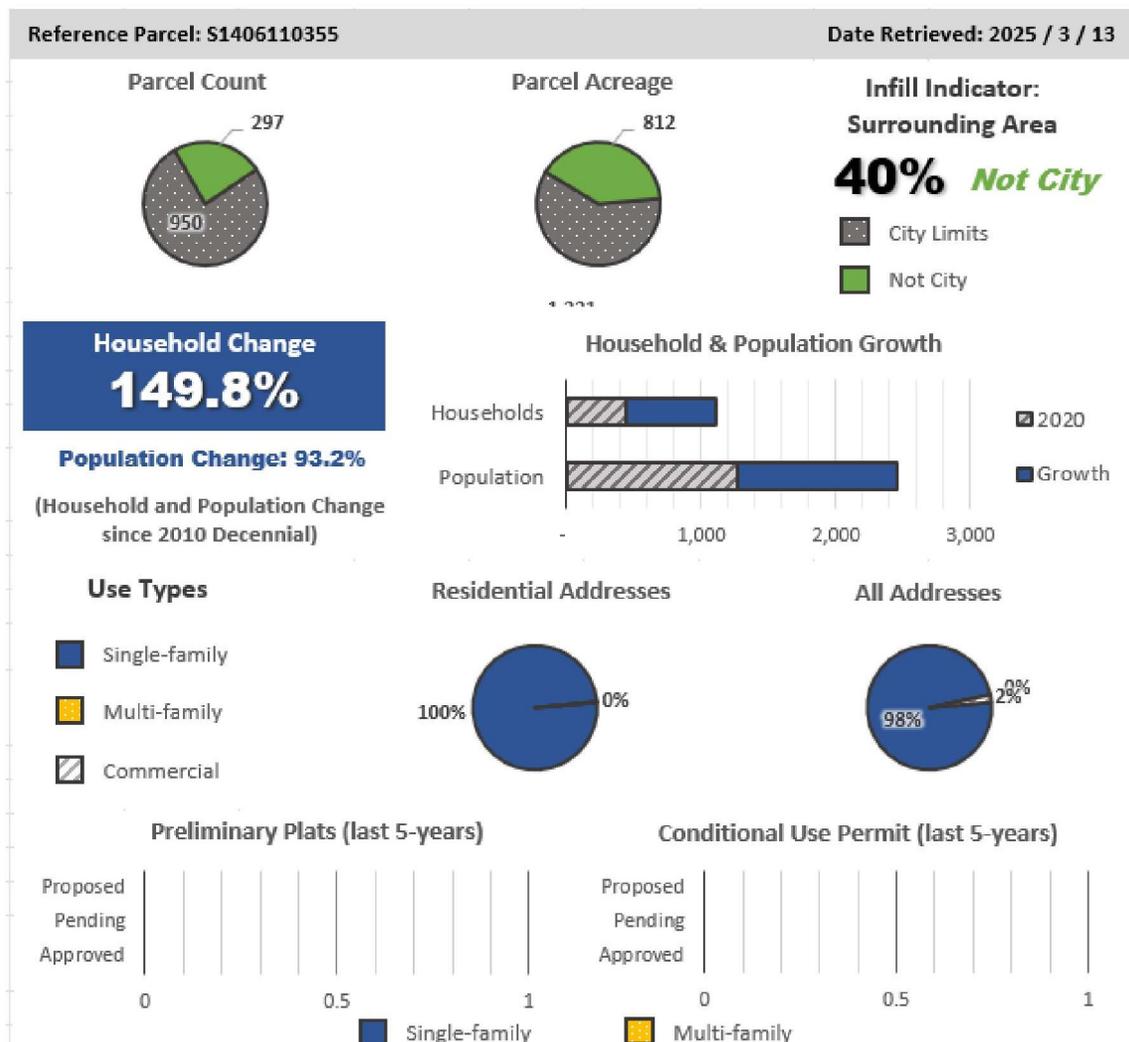
Table 3: Community Metrics

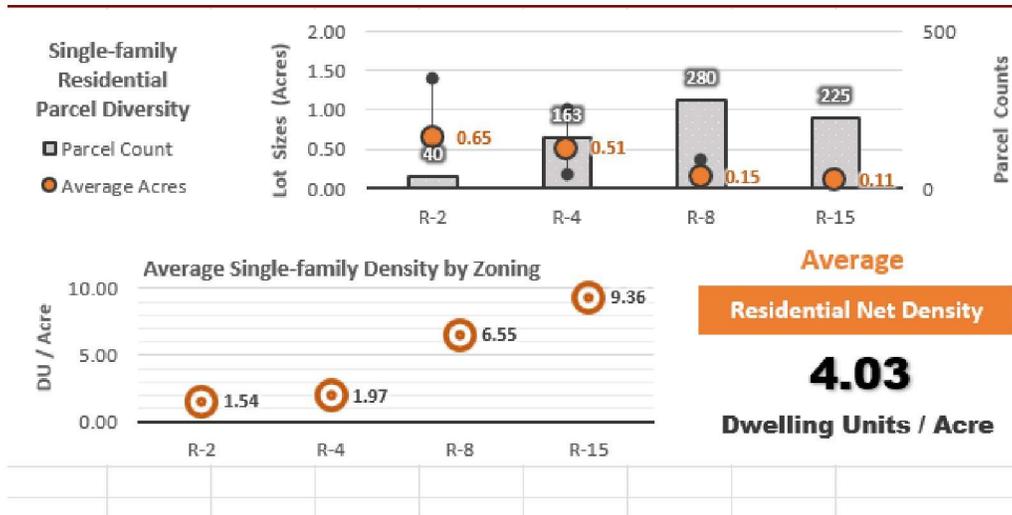
Agency / Element	Description / Issue	Reference
Ada County Highway District		
• Comments Received	Yes	-
• Commission Action Required	No	-
• Access	S. Locust Grove Rd. and E. Via Roberto St.	-
• Traffic Level of Service	Better than “E”	-
TIS Required	No	
ITD Comments Received	Yes	
Meridian Public Works Wastewater		

• Distance to Mainline	Available at site			
• Impacts or Concerns	See Public Works' site-specific conditions			
Meridian Public Works Water				
• Distance to Mainline	Available at site			
• Impacts or Concerns	Each phase of development will need to be modeled to verify minimum fire flow pressure is maintained. See Public Works' site specific conditions.			
School District(s)	See comments in the public record			
Capacity & Number of Students Enrolled	School Boundary Areas	24-25' Enrollment	Architectural Capacity	Program Capacity
	Mary McPherson Elementary	495	675	550
	Victory Middle	1075	1000	-
	Mountain View High	2475	2175	-

Note: See section IV. City/Agency Comments & Conditions for comments received.

Figure 1: One-Mile Radius Existing Condition Metrics





Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

Figure 2: ACHD Summary Metrics

1. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

- Amity Road is scheduled in the IFYWP to be widened to 5-lanes from SH-69 (Meridian Road) to Locust Grove Road with a design year and construction year yet to be determined.
- The intersection of Amity Road and Locust Grove Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg with a design year of 2023-2024, a right-of-way year of 2029-2030, and a construction year yet to be determined.
- Amity Road is listed in the CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2031 and 2035.
- Locust Grove Road is listed in the CIP to be widened to 3-lanes from Amity Road to Victory Road between 2036 and 2040.
- Locust Grove Road is listed in the CIP to be widened to 3-lanes from Lake Hazel Road to Amity Road between 2036 and 2040.

Level of Service Planning Thresholds

1. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Locust Grove Road	1,924-feet	Minor Arterial	284	Better than "E"
Lake Hazel Road	0-feet	Minor Arterial	167	Better than "E"

- * Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).
- * Acceptable level of service for a three-lane minor arterial is "E" (720 VPH).
- * Acceptable level of service for a five-lane minor arterial is "E" (1,540 VPH).

2. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Locust Grove Road south of Lake Hazel Road was 3,152 on June 6, 2024.
- The average daily traffic count for Lake Hazel Road east of SH-69 was 3,747 on June 12, 2018. Updated traffic counts for Lake Hazel Road are not available due to roadway construction in the vicinity of the site.

Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

Figure 3: Service Impact Summary



Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

Development Agreement Modification: A modification to the existing Development Agreement (DA) (Inst. #[2020-178120](#)) is proposed to replace it with a new agreement for the subject property and to include specific design requirements. A legal description for the boundary of the new DA is included in Section VII.E below.

The conceptual development plan included in the existing DA and shown below in Section VII.C, did not include a development plan for this portion of the property – this area was depicted as “future development”. The DA requires a modification to the agreement prior to development of the Mixed Use – Community (MU-C) designated areas to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation.

A concept development plan is proposed for the subject property, included below in Section VII.D, that demonstrates how the subject property is proposed to develop with a mix of single-family residential detached and attached homes and collector streets. Approximately 40.5-acres of the property is designated Medium Density Residential (MDR) with the 10.9-acres at the northeast corner designated MU-C on the Future Land Use Map (FLUM) contained in the Comprehensive Plan.

The MDR designation allows residential development at a gross density of 3 to 8 dwelling units per acre. The MU-C designation allows a mix of community-serving uses and dwellings that are integrated within the overall area. Residential uses are expected to comprise between 20% and 50% of the development area with gross densities ranging from 6 to 15 units per acre of the residential area. Supportive and proportional public and/or quasi-public spaces and places should comprise a minimum of 5% of the development area.

The gross density of the residential area within the MU-C designated area is approximately 6 units per acre and the residential area within the MDR designated area is approximately 4.1 units per acre, which is consistent with the desired density in both designations; no community-serving uses are proposed on the subject property.

There is approximately 130 acres of MU-C designated land centered at the Locust Grove/Lake Hazel intersection area. The northwest, southwest and southeast corners comprising about 97.5 acres of the area, are either developed or have planned future uses. Of that area, about 46.8 acres will be non-residential uses and includes an existing school – it is unknown how the 2.6 acre site shown as “NAP” on the map below will develop but commercial is likely – if it develops with commercial uses, a total of 49.4 acres of non-residential uses will be provided within these areas,

which is about 50% of the MU-C designated land area. This leaves about 33 acres on the northeast corner yet to develop, which is zoned C-C and R-15 and will likely develop with a mix of residential and commercial uses.



The following provisions contained in the DA are applicable to this site: *(Staff's comments in italics)*

- Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map (MSM), as required by Ada County Highway District;

*Future collector streets are designated on the MSM adjacent to the northern boundary of the proposed preliminary plat along the west side of the rezone area in alignment with S. Apex Ave. to the north and E. Tower St. to the east and should be included in a future subdivision of the property to the north as a provision of the new DA. **The conceptual development plan submitted with this application, included below in Section VII.C, depicts the collector streets; however, at least half + 12' (or as otherwise required by ACHD) of the north/south collector street along the west boundary should be located on the property to the north instead of on the adjacent property to the west and should align with S. Apex Ave. on the north side of E. Lake Hazel Rd.; and the east/west collector street should stub to the Murgoitto property in alignment with E. Tower St. on the east side of S. Locust Grove Rd. Staff recommends the concept plan is revised accordingly prior to the City Council hearing. This has been updated by the applicant and included as an exhibit below.***

- Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general

guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).

As noted above, a mix of single-family residential uses, detached and attached units with some alley-loaded units, are proposed in the northern MU-C designated portion of this site with a gross density of 6 units/acre, which is consistent with the desired density of 6 to 15 units per acre. However, the proposed development isn't consistent with other design elements of the MU-C designation that pertain to integration of uses and vehicular interconnectivity between developments due to the orientation of the proposed development in relation to the future non-residential uses to the north and the gated development, which restricts access and hinders integration of uses as desired in MU-C designated areas. The City Council should determine if the proposed development plan should be modified to be more consistent with the general mixed use and MU-C development guidelines in the Comprehensive Plan as required by the DA.

- The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement;

This provision should be carried over to the new DA for homes on lots that face S. Locust Grove Rd. and E. Via Roberto St.

- All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual;

This provision should be carried over to the new DA.

- The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.

The property configuration in this area has changed since the previous development application and the parcel numbers are no longer the same except for Parcel #S1406110110. Staff recommends a new DA provision is added for the northern rezone portion of the property not included in the subject plat (Parcel #S1406110016), to be included in a subsequent plat that includes the Murgoitio parcel (#S1406110110) to establish a legal division of land for development purposes.

- Multi-use pathways shall be provided with development as required by the Park's Department in accord with the Pathways Master Plan.

The proposed development includes multi-use pathway as required by the Park's Dept. in accord with the Pathways Master Plan.

Rezoning: A rezoning of 56.11-acres of land is proposed from the R-8 to the R-15 zoning district for the development of a mix of single-family detached and attached (aka paired) dwellings.

Annexation: A narrow strip of land approximately 25 feet in width consisting of 0.86 acres exists along the west side of the Rawson Canal along the west boundary of the property that was inadvertently not included in the original annexation legal description. Because this area is part of

the legal parcel, it needs to be annexed. Therefore, annexation is requested with R-15 zoning consistent with the proposed rezone of the rest of the parcel.

De-Annexation: There is a narrow strip of land to the south of the Rawson Canal along the west boundary of the site and the adjacent property to the south (S1406417700 Murgotio) that was inadvertently included in the original annexation. This area was previously included in a Record of Survey (ROS) to adjust the property line between the two properties and the abutting property to the west (S1406131700 Bruno) but was never recorded so it's still part of the original parcels. Before a new property boundary adjustment/ROS can be approved and recorded between the properties to rectify the issue, the property needs to be in the County. Therefore, de-annexation of 0.52 acres of land from the City to Ada County is proposed.

Per the County, once the City records the ordinance to de-annex the property, the County will initiate a rezone application, with the County as the Applicant, to apply an equivalent County zoning designation (see ACC 8-1-6). This will follow the standard process—Planning and Zoning Commission recommendation followed by a Board of County Commissioners decision—which typically takes 2–3 months.

Preliminary Plat: A preliminary plat is proposed consisting of 228 building lots for single-family residential dwellings, 41 common lots and 16 other lots on 51.5-acres of land in the proposed R-15 district with private streets in the gated portion of the development. The plat is proposed to develop in five (5) phases as shown on the phasing plan below in Section VII.G.

The minimum residential lot size in the gated portion of the development (i.e. “Cadence”) is 3,738 square feet (s.f.) with an average lot size of 4,665 s.f.; the gross density is 4.60 units/acre with a net density of 9.34 units/acre. The minimum residential lot size in the non-gated portion of the development, which consists of 16 homes, is 6,600 s.f. with an average lot size of 7,233 s.f.; the gross density is 2.78 units/acre with a net density of 5.65 units/acre. The overall gross density is 4.43 units/acre with a net density of 8.99 units/acre. **Where attached dwellings are proposed to span over the shared property line, zero setbacks should be depicted on the plat.**

To ensure the property included in the preliminary plat is a legal parcel for development, Staff recommends a condition of approval is included that requires the property boundary adjustment referenced above under “De-Annexation” to be approved by the County and the ROS recorded prior to submittal of the first phase final plat application for the development; proof of such should be submitted to the Planning Division.

Planned Unit Development (PUD): A PUD is proposed for a (mostly) gated residential development consisting of a mix of single-family attached (aka “Paired Cadence”) and detached (“Carriage Lane” and “Conventional”) homes, front-loaded and alley-loaded, with a variety of lot sizes, setbacks and home designs at an overall net density of 9.34 units/acre. Except for the 16 homes at the southwest corner of the development, which have public street access, the other 212 homes are accessed via private streets with alleys and common driveways off the private streets. The gated portion of the development will be restricted to residents 55 years of age and older. The clubhouse and sports courts will be tailored to the residents of the community.

The PUD includes requests for deviations from certain UDC standards, as follows:

- The UDC (11-3F-4A.4b) restricts gated developments to no more than 100 dwelling units; a greater number of units may be approved with a PUD. A total of 212 dwelling units are proposed; and
- A reduction in the (local) street setback to living area from 10-feet to 5-feet is proposed for alley-loaded (aka Carriage Lane) units.

Description	Details
Density	2.78 units/acre (gross); 5.65-acres (net)

B. History

This property was originally annexed with a Development Agreement (DA) (Inst. #2016-007072) as part of the larger South Meridian annexation in 2015 and assigned a “placeholder” zoning district of R-4. Any future development required an amendment to the DA to approve a proposed development plan. The DA was amended in 2020 (Inst. #2020-178120 – Apex H-2020-0066) and the property was rezoned to R-8 but a development plan was not submitted at that time for this portion of the overall property.

C. Site Development and Use Analysis

1. Existing Structures/Site Improvements (*UDC 11-1*):

None

2. Proposed Use Analysis (*UDC 11-2*):

Single-family detached and attached dwellings are listed as principal permitted uses in the R-15 zoning district in UDC Table 11-2A-2.

3. Dimensional Standards (*UDC 11-2*):

See UDC Table 11-2A-7. As noted above, a reduction in the street setback to living area from 10-feet to 5-feet is proposed with the PUD from the local (private) street for single-family detached alley-loaded (aka Carriage Lane) units.

Zero (0) setbacks should be depicted on the final plat on lot lines where attached units are proposed.

4. Planned Unit Developments (*UDC 11-7*):

As set forth in UDC 11-7-1, the purpose of the PUD requirements is to provide an opportunity for exemplary site development that meets the following objectives:

1. Preserves natural, scenic and historic features of major importance;
2. Allows for innovative design that creates visually pleasing and cohesive patterns of development (including, but not limited to, residential development at densities greater than eight (8) units per acre where design guidelines are in place for development and where garage doors are generally not fronting the street); and
3. Creates functionally integrated development that allows for a more efficient and cost-effective provision of public services.

Staff is unaware of any natural, scenic or historic features of major importance that may exist on this site. The proposed development generally allows for innovative design that creates visually pleasing and cohesive patterns of development – garage doors don’t front the street on interior lots where alley-loaded (Carriage Lane) units are proposed – the remainder of the development does have garage doors fronting the street. Pathway connectivity is proposed within the development and to adjacent properties; however, vehicular connectivity is *not* proposed with the future mixed-use area to the north or the conventional homes proposed at the southwest corner of the development as the 55+ portion of the development (i.e. Carriage Lane and Paired Cadence) is proposed to be gated off. Because the development is proposed to be gated, the rear of structures are oriented toward the MU-C area, and there is no vehicular interconnectivity, it is not functionally integrated with the MU-C designated area to the north as desired.

As set forth in UDC 11-7-4, the Council may approve PUD's upon recommendation by the Commission, in accord with the standards for general use, private open space, residential use and infill planned developments, as follows:

General use standards:

- Deviations from underlying district requirements: Deviations from the development standards and/or area requirements of the district in accord with UDC 11-2, "district regulations", may be approved. The following deviations are proposed:
 - A reduction in the street setback to living area from 10-feet to 5-feet for alley-loaded (Carriage Lane) units from the local (private) street is requested.
 - Allowance for 212 dwelling units in a gated development, which is otherwise restricted to 100 dwelling units per UDC 11-3F-4A.4b but a greater number may be approved with a PUD; and
- Allowed uses: Applicant may request that specific conditional or accessory use(s) allowed in the district be allowed as principal permitted use(s).

No such uses are requested as principal permitted uses.

- Interconnected uses: The uses within the planned unit development are required to be interconnected through a system of roadways and/or pathways as appropriate.

The proposed residential uses within the gated portion of the development are interconnected through a system of private streets and pathways. **Pathways are proposed for interconnectivity to the conventional homes outside the gated development at the southwest corner of the site and to the future development area to the north; however, vehicular interconnectivity isn't proposed with those areas.**

- Building clusters: Buildings shall be clustered to preserve scenic or environmentally sensitive areas in the natural state, or to consolidate small open spaces into larger, more usable areas for common use and enjoyment.

A large central common open space area is provided with amenities and pathways throughout the development connecting to segments of the City's multi-use pathway system. Several smaller common areas are also proposed.

Private open space: In addition to the common open space and site amenity requirements as set forth in chapter 3, "regulations applying to all districts", of this title, a minimum of 80 square feet of private, usable open space shall be provided for each residential unit. This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement. Compliance with this standard is required.

Residential use standards:

- Multi-family: No multi-family uses are proposed.
- Housing types: A variety of housing types shall be included within a single planned development, including attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units, regardless of the district classification of the site, provided that the overall density limit of the district is maintained.

A mix of housing types are proposed consisting of single-family detached and attached units with alley and front-loaded and single-story and 2-story options.

- Density bonus: Not applicable

Infill planned developments: Not applicable

In approving the PUD, the Council may prescribe appropriate conditions, additional conditions, bonds, and safeguards in conformity with the UDC that:

1. Minimize adverse impact of the use on other property.
2. Control the sequence and timing of the use.
3. Control the duration of the use.
4. Assure that the use and the property in which the use is located is maintained properly.
5. Designate the exact location and nature of the use and the property development.
6. Require the provision for on-site or off-site public facilities or services.
7. Require more restrictive standards than those generally required in this title.
8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, which provides services within the city.

The Commission and Council should determine if the proposed development plan meets the objectives of the PUD noted above or if changes should be required to the plan to more closely align with the objectives and standards as well as with the development guidelines in the Comprehensive Plan for mixed use and MU-C development areas. A possible re-design for the northeast corner of the development area (i.e. MU-C designated area) might include public streets with a public access off S. Locust Grove Rd. and to the north for future interconnectivity with an internal local street connection to the gated portion of the development; and reorientation of the residential lots to be more integrated with the future commercial uses in the MU-C area to the north.

D. Design Standards Analysis

1. Structure and Site Design Standards (*Comp Plan, UDC 11-3A-19*):

The proposed single-family attached dwellings are required to comply with the residential design standards listed in the Architectural Standards Manual. Single-family detached dwellings are exempt from these standards.

2. Qualified Open Space & Amenities (*Comp Plan, UDC 11-3G*): 51.5

Based on 51.5-acres of land in the preliminary plat, a minimum of 15% (or 7.73-acres) qualified open space is required to be provided with development that meets the quality standards listed in UDC 11-3G-3A.2 and the standards for qualified open space listed in UDC 11-3G-3B.

The Applicant proposes a total of 9.75-acres (or 18.94%) qualified open space consisting of several open grassy areas exceeding 5,000 square feet in area; linear open space; 50% of the street buffer along S. Locust Grove Rd., an arterial street; 100% of the street buffer along E. Via Roberto St., a collector street; a protective buffer dedicated for active access along the Rawson Canal; and parkways along local residential streets as shown on the open space exhibit in Section VII.I.

When counting buffers along collector and arterial streets, the buffers are required to comply with the enhanced buffer requirements in UDC [11-3G-3B.3](#). Parkways along local

residential streets are required to meet the standards listed in UDC [11-3G-3B.4](#) when counted toward open space; **calculations should be included on the landscape plan for the required number of trees within parkways. Protective buffers along open waterways are required to be a minimum of 10-feet between the pathway and the waterway; in order to count this area as qualified open space, the area between the pathway and waterway needs to be widened to 10-feet.** If any stormwater detention facilities are proposed, they're required to comply with the standards in UDC [11-3G-3B.5](#) when counted toward open space.

A minimum of 10 amenity points are required to be provided based on the area of the development (i.e. 51.5-acres). Site amenities totaling 22 points (pts.) are proposed from the Quality of Life and Recreation Activity categories as shown on the exhibit in Section VII.J as follows:

- Quality of Life: Clubhouse greater than 5,000 square feet in size (6 pts.)
- Recreation Activity Area:
 - Sports courts, paved – (2) pickleball courts (4 pts. each); sports courts, unpaved – (2) bocce ball courts (2 pts. each); ~~multi-use pathways—2,165 feet~~ 1,560
Per UDC 11-3G-4D.5, the sports courts are required to include benches for seating.
 - Multi-use pathways: A 1,560+/- foot long section of the multi-use pathway is proposed along the Rawson Canal (2 pts.) *Note: Multi-use pathways are required to be a minimum of 10-feet in width per UDC 11-3A-8 – the pathway along the Rawson Canal should be widened from 8 to 10-feet; the micro-path connections to the multi-use pathway don't qualify.*
 - Pedestrian circulation system aligned with a linear open space: A total of ~~2,594~~2,429 +/- linear feet of pathways are proposed within the development (2 pts.)

The proposed common open space and site amenities meet and exceed UDC standards for such.

Landscaping is required to be provided in common open space areas in accord with the standards listed in UDC 11-3G-5B and maintained in accord with the standards listed in UDC 11-3G-5C.

The proposed development is consistent with Comprehensive Plan Policy #2.02.00, which states, *Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.*

3. Landscaping (UDC 11-3B):

Landscape buffers along streets

A 25-foot wide street buffer is required along S. Locust Grove Rd., an arterial street, and a 20-foot wide street buffer is required along E. Via Roberto St., a collector street, landscaped per the standards listed in UDC 11-3B-7C and the enhanced buffer requirements required for qualified open space listed in UDC 11-3G-3B.3. Street buffers are proposed in excess of the minimum width standards that include 3-foot tall berms.

Landscaping is required within parkways in accord with the standards in UDC 11-3A-17E, 11-3B-7C and 11-3G-3B.4.

The landscape plan submitted with the final plat application(s) should comply with the aforementioned standards.

Tree preservation

There are a few existing trees on the property along the Rawson Canal; **include mitigation calculations on the landscape plan in accord with the standards in UDC 11-3B-10C.5, as applicable.**

Storm integration

Stormwater integration is required in accord with the standards listed in UDC 11-3B-11C.

A Geotechnical Investigation report was submitted with this application and is included in the project file.

Pathway landscaping

Landscaping is required within minimum 5-foot-wide landscape strips along each side of all pathways in accord with the standards listed in UDC 11-3B-12C. A minimum of one (1) tree is required per 100 linear feet of pathway with shrubs, lawn or other vetitive groundcover along pathways; **shrubs should be included in the planter strips/common areas along with vegetative groundcover.**

4. Parking (*UDC 11-3C*):

Off-street parking is required to be provided for each dwelling based on the number of bedrooms per unit in accord with the standards for single-family detached and attached dwellings in UDC Table 11-3C-6.

5. Building Elevations (*Comp Plan, Architectural Standards Manual*):

Several conceptual building elevations were submitted for single-story and 2-story detached and attached (aka paired) single-family residential homes, included in Section VII.K below. A variety of materials are proposed including vertical and horizontal lap siding, board and batten siding, fenestration with stone/brick veneer accents in a variety of colors and design elements/features with varying roof profiles and wall modulation that demonstrate the high quality of development proposed.

Because the rear and/or sides of homes facing S. Locust Grove Rd. and E. Via Roberto St. will be highly visible, those elevations should incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public streets; single-story homes are exempt from this requirement.

All single-family attached structures are subject to the residential design standards in the Architectural Standards Manual (ASM).

Staff is of the opinion the proposed conceptual building elevations are in accord with Comprehensive Plan Policy #5.01.02L: "Support beautiful and high-quality development that reinforces neighborhood character and sustainability.

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

All fencing should comply with the standards listed in UDC 11-3A-7A. The landscape plan depicts a mix of 6-foot tall cedar fence and 5-foot tall clear vision metal fence. The developer is responsible for constructing fences abutting pathways and common open space lots to distinguish common from private areas; **fencing should be depicted on the landscape plan accordingly.**

7. Parkways (*Comp Plan, UDC 11-3A-17*):

Parkways shall be constructed in accord with the standards listed in UDC 11-3A-17E. Eight-foot-wide parkways are proposed as required.

E. Transportation Analysis

A Traffic Impact Study (TIS) was not required by ACHD for this development. Per the ACHD report, this development is estimated to generate 1,065 vehicle trips per day, 79 vehicle trips per hour in the PM peak hour. The proposed development meets ACHD policies and level of service planning thresholds. Public transit is not available to this site.

The following are ACHD's Planned Improvements for the area:

Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

- Amity Road is scheduled in the IFYWP to be widened to 5-lanes from SH-69 (Meridian Road) to Locust Grove Road with a design year and construction year yet to be determined.
- The intersection of Amity Road and Locust Grove Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg with a design year of 2023-2024, a right-of-way year of 2029-2030, and a construction year yet to be determined.
- Amity Road is listed in the CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2031 and 2035.
- Locust Grove Road is listed in the CIP to be widened to 3-lanes from Amity Road to Victory Road between 2036 and 2040.
- Locust Grove Road is listed in the CIP to be widened to 3-lanes from Lake Hazel Road to Amity Road between 2036 and 2040.

ACHD is requiring Via Roberto St. to be redesigned to include the use of passive design elements (traffic calming).

1. Access (*Comp Plan, UDC 11-3A-3, UDC 11-3H-4*):

One private street access is proposed via S. Locust Grove Rd., an arterial street; and one private street and one public street access is proposed via E. Via Roberto St., a collector street. A gated stub street is proposed to the north, which will connect to a future collector street. A public stub street is proposed to the west in the un-gated portion of the development for future extension and interconnectivity.

Future collector streets are depicted on ACHD's Master Street Map on the property to the north of the proposed subdivision. The concept plan included in the Applicant's narrative and phasing plan doesn't accurately depict the location of the extension of S. Apex Ave. from E. Lake Hazel Rd. on the property to the north and doesn't depict the extension of the collector to the east in alignment with E. Tower St. and therefore, isn't approved. **Staff recommends as a provision of the development agreement that these collector streets, or a portion thereof as applicable, are included in a future subdivision of the property to the north. Said collector streets should align with S. Apex Ave. on the north side of E. Lake Hazel Rd. and E. Tower St. on the east side of S. Locust Grove Rd. The concept plan should be revised accordingly prior to the City Council hearing.**

2. Multiuse Pathways (*UDC 11-3A-5*):

A pedestrian connectivity plan is included below in Section VII.O showing proposed pathways within the development.

A minimum 10-foot-wide multi-use pathway is required along the Rawson Canal and E. Via Roberto Ln. in accord with the Pathways Master Plan. **The proposed 8-foot-wide pathway along the canal should be widened to 10-feet and Staff recommends it be constructed in**

its entirety with the second phase of development – the phasing plan should be revised accordingly prior to the City Council hearing. Staff recommends the pathway is extended to the north boundary through the common area for pedestrian interconnectivity with the future mixed-use development. The pathway should be designed and constructed consistent with the guidelines contained in Chapter 3 of the Pathways Master Plan. ~~A revised pedestrian connectivity plan should be submitted prior to the City Council hearing that incorporates these changes.~~

A 14-foot-wide public use easement is required for the multi-use pathway along the Rawson Canal on Lots 88 and 276, Block 1 outside of the irrigation easement unless permission is specifically obtained from the governing irrigation district; include the recorded instrument number of the easement on the plat. If the pathway along E. Via Roberto St. isn't located entirely within the right-of-way, a public use easement will also be required for that pathway.

3. Pathways (*Comp Plan, UDC 11-3A-8*):

Internal pathways are proposed through common open space areas as depicted on the landscape plan. The pathways should comply with the standards listed in UDC 11-3A-8.

4. Sidewalks (*UDC 11-3A-17*):

Sidewalks are required with development in accord with the standards listed in UDC 11-3A-17. Detached 5-foot-wide sidewalks are proposed along all internal private and public streets. A 10-foot-wide detached sidewalk is proposed along E. Via Roberto St.; **a 10-foot-wide detached sidewalk should also be provided along S. Locust Grove Rd. as requested by the Parks' Dept. – the landscape plan and pedestrian connectivity plan should be revised accordingly. Additionally, for pedestrian safety and safe access to schools, Staff recommends the sidewalks along Locust Grove and Via Roberts are constructed in their entirety with the first phase of development; the phasing plan should be revised accordingly prior to the City Council hearing.**

5. Private Streets (*UDC 11-3F-4*):

Private streets serving single-family developments may be permitted at the discretion of the decision-making body in cases where the project qualifies as a planned unit development and where compliance with public safety and access requirements can be demonstrated. Private streets are required to comply with the standards in UDC 11-3F-4.

Private streets are proposed for access to the single-family dwellings (i.e. Carriage Lane and Paired Cadence) in the gated portion of the development. The UDC (11-3F-4B.4b) restricts gated developments to no more than 100 dwelling units; a greater number of units may be approved with a PUD. As allowed with a PUD, the Applicant requests a total of 212 dwelling units are allowed within the gated portion of the development.

The proposed gates shall not prohibit pedestrian and bicycle access to and through the development. Access to the gates are required to be provided for emergency vehicles as determined and approved by the Fire Dept. and Public Works Dept.

To allow sufficient vehicle stacking and turn-around distance, the gate shall be located a minimum of fifty (50) feet back from the ultimate edge of right-of-way to the connecting public street and include a dedicated paved vehicle turnaround area. There is 190-feet between the entrance and the gate, which will allow approximately 10 cars to stack, based on 19' for each car, if needed without impacting Locust Grove Rd.

The private streets should be constructed on a single platted lot that provides access to all properties served by such private streets. Private streets are required to connect to a local or collector street; connection to an arterial street is prohibited unless otherwise allowed by the

decision-making body as part of a concurrent hearing level application and approved by the transportation authority. Two (2) of the proposed private street connections are to collector streets (E. Via Roberto St. & future street to the north) and one (1) is to an arterial street (i.e. S. Locust Grove Rd.). ACHD is in support of the connection to Locust Grove if approved by the City. **Approval from City Council is needed for the private street connection (E. Bingley Ln.) to an arterial street (S. Locust Grove Rd.).**

All private streets will have parking on one (1) side of the street. The Fire Marshall has determined the proposed private streets have sufficient maneuvering area for emergency vehicles.

UDC 11-3F-4B.7 states, “The overall street network within the surrounding area shall allow for properties to connect at regular intervals in order to promote connected neighborhoods and traffic flow within the mile section.” **The proposed private streets prohibit neighborhood connectivity, especially within the mixed use designated area.**

Private streets are required to be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the City of Meridian based on plans submitted by a certified engineer. Twenty-six (26+) foot wide private streets are proposed, which comply with the street width standard. **All drive aisles are required to be posted as fire lanes with no parking allowed; the curb is also required to be painted red, unless parking is allowed on one or both sides of the street per UDC 11-3F-4C.2.**

Upon review and approval by the Director subject to any applicable conditions of approval and the regulations of Chapter 5, the applicant shall have two (2) years to complete the tasks listed in UDC 11-3F-3B. Proof of such shall be submitted to the Planning division within that time period.

6. Subdivision Regulations (*UDC 11-6*):

Common driveways

Common driveways are required to comply with the standards listed in UDC 11-6C-3D. Six (6) common driveways are proposed off private streets within the development.

The UDC (11-3F-4B.6) doesn’t allow common driveways off a private street unless the street section allows for parking on at least one side of the street or the development has designated adequate guest parking dispersed throughout, as determined by the Director. All street sections allow parking on one side of the street. A total of 34 parking spaces are provided around the central common area where the clubhouse is located that could be used for guest parking, which the Director has determined is adequate.

UDC 11-6C-3D.1 states that in no case shall more than three (3) dwelling units be located on one (1) side of the common driveway. **There are four (4) lots proposed on one side of the driveway on Lots 260-263. One of these lots should be removed to comply with the standard. The Applicant submitted a request for alternative compliance to UDC 11-6C-3D.1 to allow four (4) lots (i.e. Lots 260-263, Block 1) on one (1) side of the common driveway due to constraints associated with the Rawson Canal and the provision of additional open space in that area.**

Common driveway exhibits are included below in Section VII.H. **Staff recommends the following revisions to the exhibits prior to the City Council hearing:**

NOTE: Staff added these as conditions in section IV. below.

- **A 20-foot wide area shall be depicted on the lots at the end of the common driveways across the front of the lots for a turnaround area with a 20-foot**

setback from that area to the face of garage and 10-foot setback to living area;

- The exhibit showing Lot 24, Block 1 shall depict a minimum 12-foot rear setback across the entire width of the lot; and
- ~~The note stating an adjacent lot owner is responsible for installing and maintaining landscape and irrigation in the common areas adjacent to the common driveway shall be removed—the developer is responsible for installation of the landscaping and the HOA is responsible for maintaining it.~~
- ~~Include the small triangle areas between the common driveways and adjacent building lots in the adjacent building lots; revise the plat accordingly. Provide a 28-foot inside and 48-foot outside turning radius in accord with UDC 11-6C-3D.6.~~

A note should be included on the final plat that grants a perpetual ingress/egress easement over lots where common driveways are proposed for access to the lots served by the common driveways. The note should include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment in accord with UDC 11-6C-3D.8.

Alleys

Alleys are required to comply with the standards in UDC 11-6C-3B.5. The proposed 20-foot-wide alley street sections depicted on the plat comply with these standards. A turning radius exhibit was submitted that demonstrates the entrance to the alleys from the private streets provide a minimum 28-foot inside and 48-foot outside turning radius as required by the Fire Dept. **Wayfinding address signage should be provided at the private street for homes accessed via alleys that don't have frontage on a named street (i.e. Lots 96, 97, 99-103, Block 1 and Lots 224-231, Block 1).**

Block face

Block faces are limited to 750 feet in length in residential districts; if a pedestrian connection is provided, the block face can extend up to 1,000 feet in length. Council may approve a block face up to 1,200 feet in length where block design is constrained by certain site conditions that include a large waterway and/or a large irrigation facility. In no case shall a block face exceed 1,200 feet unless waived by City Council. Where appropriate and as set forth in UDC 11-6C-3F.3, traffic calming may be required for blocks in excess of 1,000 feet.

Approximately 1,070 feet of the 1,500 foot face of Block 1 abuts the Rawson Canal, the remainder abuts another block south of the canal. City Council approval of the block face is required; otherwise, the block face should be revised to comply with the standard. The other block faces within the development comply with the block face standards. **If Council approves the proposed block face, Staff recommends Council require passive design elements (not speed humps, valley gutters, stop signs or cross drains) to slow traffic for safety purposes.**

F. Services Analysis

See Service Accessibility Report in Section VII.B below.

1. Waterways (*Comp Plan, UDC 11-3A-6*):

All waterways, except natural waterways, are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC 11-3A-6.

The Rawson Canal lies along the west boundary of the site within an 80-foot wide U.S. Bureau of Reclamation easement, 40-feet each side of centerline, per the Boise Project Board of Control's letter and as depicted on the plat. The canal is proposed to remain open as linear open space with a segment of the multi-use pathway system alongside. The Boise Project Board of Control is contracted to operate and maintain this canal and prohibits encroachments of any kind within the easement, including landscaping, pathways, fencing, etc., only gravel is allowed.

The Watkins Drain bisects this site north/south and is being relocated along the Rawson Canal and will either be piped or remain open per the preliminary engineering plans; **the easement should be depicted on the plat.**

2. Pressurized Irrigation (*UDC 11-3A-15*):
Underground pressurized irrigation water is required to be provided in each development as set forth in UDC 11-3A-15.
3. Storm Drainage (*UDC 11-3A-18*):
An adequate storm drainage system is required in accord with the adopted standards, specifications and ordinances; design and construction shall follow Best Management Practice as adopted by the City per UDC 11-3A-18.
4. Utilities (*Comp Plan, UDC 11-3A-21*):
All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

Water and sewer service is available at the site. The project is consistent with the Water and Wastewater Master Plan/Facility Plan. **Each phase of development will need to be modeled to verify minimum fire flow pressure is maintained.** See Public Works comments/conditions for more information.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. Annexation/Rezone:

A new Development Agreement (DA) shall be required as a provision of the MDA and RZ applications. The previous DA [i.e. Apex - Inst. #2020-178120)] shall no longer be in effect for the subject property.

Prior to approval of the de-annexation, annexation and rezone ordinances, a new DA shall be entered into between the City of Meridian, the property owner(s) at the time of ordinance adoption, and the developer. A final plat application shall not be submitted until the de-annexation, annexation and rezone applications are finalized. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the date of City Council approval of the Findings of Fact, Conclusions of Law and Decision & Order for these requests. The new DA shall incorporate the following provisions:

- a. Future development of the subject property shall be generally consistent with the preliminary plat, phasing plan, landscape plan, open space exhibit, site amenity exhibit and conceptual building elevations included below in Section VII, the conditions contained herein and the standards in the Unified Development Code (UDC).
- b. The rear and/or side of structures on lots that face S. Locust Grove Road, an arterial street, and E. Via Roberto St., a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated

architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

- c. The northern portion of the subject property to be rezoned (Parcel #S1406110016) shall be incorporated into a subsequent plat that includes the adjacent Murgoitio parcel (Parcel #S1406110110) located directly to the east, prior to submittal of any building permit application, to establish a legal division of land for development purposes.
- d. Future collector streets are depicted on ACHD's Master Street Map on the property to the north of the proposed subdivision that's included in the rezone and shall be included in a future subdivision. Said collector streets shall align with S. Apex Ave. on the north side of E. Lake Hazel Rd. and E. Tower St. on the east side of S. Locust Grove Rd.
- e. The subject property shall be subdivided prior to submittal of any building permit applications for the development, except for permits associated with the community amenities, including, but not limited to, the swimming pool, pool house and gazebos.
- f. Administrative design review shall be required for all single-family attached structures in accord with the residential design standards in the Architectural Standards Manual. Single-family detached structures are exempt from these standards.

2. Preliminary Plat:

- a. The final plat shall include the following revisions:
 - i. Depict a 14-foot wide public use easement for the multi-use pathway along the Rawson Canal on Lots 88 and 276, Block 1 outside of the irrigation easement unless permission is specifically obtained from the governing irrigation district; include the recorded instrument number of the easement on the plat.
 - ii. If the multi-use pathway/sidewalk along E. Via Roberto St. and S. Locust Grove Rd. isn't located entirely within the right-of-way, public use easement(s) shall be submitted to the City and depicted on the plat.
 - iii. ~~Revise the face of Block 1 to comply with the block face standards listed in UDC 11-6C-3F for the residential district if City Council does not approve a waiver to the standards as requested.~~ City Council approved a waiver to UDC 11-6C-3F for the face of Block 1 to exceed the maximum standard of 1,200 feet due to the location of the Rawson Canal, which constrains the site.
 - iv. Include a note that grants a perpetual ingress/egress easement over common driveway lots for access to the lots served by the common driveways. The note shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment in accord with UDC 11-6C-3D.8.
 - v. ~~Include the small triangle areas depicted on the landscape plan and common driveway exhibits between the common driveways and adjacent building lots in the adjacent building lots. Ensure the driveways provide a 28-foot inside and 48-foot outside turning radius in accord with UDC 11-6C-3D.6.~~
 - vi. ~~Remove one (1) of the building lots within the area of Lots 260-263, Block 1 to comply with UDC 11-6C-3D.1, which allows a maximum of three (3) dwelling units to be located on one (1) side of the common driveway.~~ City Council supported, and the Director approved, a request for alternative compliance to UDC 11-6C-3D.1 to allow four (4) dwelling units to be located on one side of the common driveway.
 - vii. Widen the protective buffer between the multi-use pathway and the Rawson Canal/Watkins Drain to a minimum of 10-feet in order for this area (i.e. Lots 88 and

- 276, Block 1 to be counted toward qualified open space in accord with UDC 11-3G-3B.1c.
- viii. Depict a minimum 10-foot-wide multi-use pathway along the Rawson Canal, including along the cul-de-sac to the west boundary of the site alongside E. Adler Hof St., in Lots 88 and 276, Block 1 in accord with UDC 11-3A-8G and the Pathways Master Plan.
 - ix. Depict an 80-foot-wide U.S. Bureau of Reclamation easement (40-feet each side of centerline) for the Rawson Canal per the Boise Project Board of Control's letter.
 - x. Depict the easement for the Watkins Drain.
 - xi. Depict zero (0) setbacks on lot lines where attached units are proposed to span over the shared property line.
 - xii. Depict private streets on a single platted lot that provides access to all properties served by such private streets.
- b. The landscape plan shall include the following revisions:
- i. Depict enhanced landscaping within the street buffers along S. Locust Grove Rd., an arterial street, and E. Via Roberto St., a collector street, in accord with the standards listed in UDC 11-3B-7C. and 11-3G-3B.3.
 - ii. Include calculations for the required number of trees within the parkways along internal private streets that demonstrate compliance with the standards in UDC 11-3A-17E, 11-3B-7C and UDC 11-3G-3B.4.
 - iii. Depict benches for seating by the sports courts (i.e. bocce ball and pickleball) in accord with UDC 11-3G-4D.5.
 - iv. Depict a minimum 10-foot-wide multi-use pathway along the Rawson Canal, including along the cul-de-sac to the west boundary of the site alongside E. Adler Hof St., in Lots 88 and 276, Block 1 in accord with UDC 11-3A-8G and the Pathways Master Plan.
 - v. Depict a 10-foot-wide detached sidewalk/pathway within the street buffer along S. Locust Grove Rd.
 - ~~vi. Include the small triangle areas depicted on the landscape plan and common driveway exhibits between the common driveways and adjacent building lots in the adjacent building lots.~~
 - ~~vii. Remove one (1) of the building lots within the area of Lots 260-263, Block 1 to comply with UDC 11-6C-3D.1, which allows a maximum of three (3) dwelling units to be located one (1) side of the common driveway. City Council supported, and the Director approved, a request for alternative compliance to UDC 11-6C-3D.1 to allow four (4) dwelling units to be located on one side of the common driveway.~~
 - viii. Widen the protective buffer between the multi-use pathway and the Rawson Canal/Watkins Drain to a minimum of 10-feet in order for this area (i.e. Lots 88 and 276, Block 1) to be counted toward qualified open space in accord with UDC 11-3G-3B.1c.
 - ix. Include tree mitigation calculations on the landscape plan in accord with the standards in UDC 11-3B-10C.5, as applicable.
 - x. Depict a mix of trees, shrubs and vegetative groundcover along all pathways in accord with the standards in UDC 11-3B-12C.

- xi. Depict fencing abutting pathways and common open space lots to distinguish common from private areas as set forth in UDC 11-3A-7A.7.
- xii. Extend the 10-foot-wide multi-use pathway along the Rawson Canal through the common area to the north boundary for future connection to the sidewalk/pathway along the collector street to the north for pedestrian interconnectivity with the future mixed-use development.
- c. Off-street parking is required to be provided for all single-family residential units in accord with the standards for such listed in UDC Table 11-3C-6.
- d. All waterways, except natural waterways, intersecting, crossing or lying within the area being development are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC 11-3A-6. If left open, fencing may be required in accord with the standards listed in UDC 11-3A-6C.
- e. Submit a public pedestrian easement for the multi-use pathway along the Rawson Canal on Lots 88 and 276, Block 1 and along E. Via Roberto St. if the pathway isn't located entirely within the right-of-way. The easement along the canal shall be located outside of the irrigation easement unless permission is specifically obtained from the governing irrigation district. f the pathway
- f. Wayfinding address signage shall be provided at the private street for homes accessed via alleys that don't have frontage on a named street (i.e. Lots 96, 97, 99-103 and 224-231, Block 1).
- g. The common driveways shall be constructed in accord with the standards listed in UDC 11-6C-3D – the revised common driveway exhibits in Section VII.H shall be revised as follows:
 - A 20-foot wide area shall be depicted on the lots at the end of the common driveways across the front of the lots for a turnaround area with a 20-foot setback from that area to the face of garage and 10-foot setback to living area.
 - The exhibit showing Lot 24, Block 1 shall depict a minimum 12-foot rear setback across the entire width of the lot.
- h. Wayfinding address signage shall be provided at the private street for homes accessed via common driveways that don't have frontage on a named street.
- i. Access to the gated entries shall be provided for emergency vehicles as determined and approved by the Fire Dept. and Public Works Dept. in accord with UDC 11-3F-4A.4d.
- j. Private streets shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the City of Meridian based on plans submitted by a certified engineer per UDC 11-3F-4C.2a.
- k. All private street drive aisles shall be posted as fire lanes with no parking allowed. In addition, the curb shall be painted red unless parking is allowed on one or both sides of the street, per UDC 11-3F-4C.2d.
- l. All private streets shall be designed to allow parking on at least one (1) side of the street to accommodate common driveways off a private street as set forth in UDC 11-3F-4B.6.
- m. The proposed gates within the gated portion of the development shall not prohibit pedestrian and bicycle access to and through the development as set forth in UDC 11-3F-4B.4c.
- n. To allow sufficient vehicle stacking and turn-around distance, the gates shall be located a minimum of 50 feet back from the ultimate edge of right-of-way to the connecting public

street and include a dedicated paved vehicle turnaround area as set forth in UDC 11-3F-4B.4e.

- o. ~~Prior to submittal of the City Engineer's signature on the first final plat for the fifth phase of development application,~~ the property boundary adjustment between Parcel #S1406131700, S1406427800, S1406417700 and S1406110355 shall be finalized. The Applicant shall submit proof of such in the form of an approval letter from Ada County and a recorded Record of Survey.
- p. The 10-foot-wide detached sidewalks along S. Locust Grove Rd. and E. Via Roberto St. shall be constructed in their entirety with the first phase of development.
- q. The 10-foot wide multi-use pathway along the Rawson Canal shall be constructed ~~in its entirety with the second phase of development~~ at the time the adjacent phase is constructed.
- r. The Applicant/Owner shall have two (2) years to complete the tasks listed in UDC 11-3F-3B for approval of the private streets; proof of such shall be submitted to the Planning Division.
- s. Compliance with the dimensional standards listed in UDC Table 11-2A-7 for the R-15 district is required except for any deviations approved with the PUD as noted below in Section 3.
- t. Approval of the preliminary plat shall become null and void if the applicant fails to obtain the city engineer's signature on the first phase final plat within two (2) years of City Council's approval of the preliminary plat; or a time extension may be requested as set forth in UDC 11-6B-7.

3. Planned Unit Development (PUD):

- a. The following deviations from UDC standards are allowed though the PUD:
 - i. The gated portion of the residential development is allowed to have up to 212 dwelling units.
 - ii. The minimum street setback to living area for alley-loaded (i.e. Carriage Lane) dwelling units from a local (private) street is reduced from 10 feet to 5 feet.
- b. A minimum of 80 square feet of private, usable open space shall be provided for each residential unit as set forth in UDC 11-7-4B. *This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.*
- c. The conditional use permit for the planned unit development is 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 as set forth in UDC 11-5B-6. A time extension may be requested as set forth in UDC 11-5B-6F.

Other Agency comments may be accessed in the project file in the public record. Copy and paste the following link into your browser:

<https://weblink.meridiancity.org/WebLink/browse.aspx?id=376223&dbid=0&repo=MeridianCity>

V. FINDINGS

A. Rezone (UDC 11-5B-3E)

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;
The City Council finds the proposed map amendment and development plan complies with provisions of the Comprehensive Plan pertaining to density, land use, pedestrian connectivity and compatibility with adjacent uses.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The City Council finds the proposed amendment from the R-8 to the R-15 district is consistent with the purpose statement of the residential districts in that a range of housing opportunities are proposed consistent with the Comprehensive Plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The City Council finds the proposed map amendment shall not be materially detrimental to the public health and safety.
3. 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
The City Council finds the proposed map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services; however, because student enrollment at area schools will increase with this development, services by the school district may be impacted by the proposed map amendment.
4. The annexation (as applicable) is in the best interest of city.
This finding is not applicable as the proposed request is for a rezone, not annexation.

B. Annexation and Zoning (UDC 11-5B-3E)

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;
The City Council finds the proposed map amendment with R-15 zoning and development plan complies with provisions of the Comprehensive Plan.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The City Council finds the proposed amendment to the R-15 district is consistent with the purpose statement of the residential districts in that a range of housing opportunities are proposed consistent with the Comprehensive Plan.

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

The City Council finds the proposed map amendment shall not be materially detrimental to the public health and safety.

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

The City Council finds the proposed map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services; however, because student enrollment at area schools will increase with this development, services by the school district may be impacted by the proposed map amendment.

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

The City Council finds the proposed annexation is in the best interest of the City as it cleans up the zoning boundary to be consistent with the parcel boundary.

C. De-Annexation (UDC 11-5B-3E)

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;

The City Council finds the proposed de-annexation of land to be included in a property boundary adjustment with the adjacent County land complies with applicable provisions of the comprehensive plan.

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

The City Council finds this finding is not applicable as the proposed map amendment will result in a County zoning designation once the property is de-annexed; therefore, the regulations of the district will no longer apply.

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

The City Council finds the proposed map amendment should not be materially 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

The City Council finds the proposed map amendment should not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the City as the property will be in the County once it's de-annexed.

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

This finding is not applicable as the proposed request is for de-annexation.

D. Preliminary Plat (UDC-6B-6)

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

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code;

The City Council finds the proposed plat is generally in conformance with the Comprehensive Plan and is consistent with the applicable standards in the UDC.

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

The City Council finds public services are available to the site and will be adequate to accommodate the proposed development.

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

The City Council finds there are no scheduled public improvements that affect development of this site.

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

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

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

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

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

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

E. Planned Unit Development (UDC 11-7-5)

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 a planned development request, the Council shall make the following findings:

1. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.

The City Council finds the proposed planned unit development demonstrates a high quality of site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout and building design.

2. The planned unit development preserves the significant natural, scenic and/or historic features.

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

3. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.

The City Council finds the arrangement of uses and/or structures in the development does not cause damage, hazard or nuisance to persons or property in the vicinity.

4. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.

The City Council finds the internal street and pedestrian circulation system, which includes 10' wide multi-use pathways, is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.

5. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.

The City Council finds the central common open space area and amenities as well as other open space areas within the development are accessible to all residents via pedestrian and/or bicycle pathways.

6. The proposal complies with the density and use standards requirements in accord with chapter 2, "District Regulations", of this title.

The City Council finds the proposed residential development complies with the density and use standard requirements in UDC 11-7-4.

7. The amenities provided are appropriate in number and scale to the proposed development.

The City Council finds the proposed amenity plan for the development is appropriate in number and scale to the proposed development and far exceeds the minimum standards.

8. The planned unit development is in conformance with the comprehensive plan.

The City Council finds the proposed planned unit development is in conformance with the comprehensive Plan with the provisions included in Section IV above.

F. Alternative Compliance to 11-6C-3D.1 to allow four (4) lots (i.e. Lots 260-263, Block 1) on one (1) side of the common driveway

In order to grant approval for an alternative compliance application, the Director shall determine the following:

1. Strict adherence or application of the requirements are not feasible; or

The Director finds it is feasible to meet the UDC requirement.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative means of compliance of providing additional common open space adjacent to the common driveway to provide high visibility of the entire common driveway for drivers and emergency services provides and equal means for meeting the requirement.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.

The Director finds the alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.

VI. ACTION

A. Staff:

Staff recommends approval of the proposed applications with the conditions included above in Section IV, per the Findings in Section V *if* City Council finds the proposed development plan in conformance with the PUD standards and the development guidelines in the Comprehensive Plan for mixed use areas and specifically, the MU-C designation.

B. Commission:

The Meridian Planning and Zoning Commission heard these items on November 6 and 20, 2025. At the public hearing, the Commission moved to recommend approval of the subject application requests.

1. Summary of Commission public hearing:

- a. In favor: Amanda McNutt, Brighton Corporation (Applicant); Jon Wardle, Brighton Corporation and Mike Wardle, Brighton Corporation
- b. In opposition: None
- c. Commenting: Julie Edwards
- d. Written testimony: Joann Tima; Holly Myers; Shawn Freeman; Amanda McNutt, Brighton Corporation (response to the staff report)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Against the proposed rezone from R-8 to R-15 due to the increase in housing density and associated impacts.
- b. In favor of 55 and older community as it shouldn't negatively impact schools; against the proposed rezone due to the increase in density that it will allow, which will provide little transition to the low-density R-4 zoned property to the south. Belief that the developer should be held to UDC standards without deviations, including the request for over double the amount of homes as typically allowed within a gated community, reduced building setbacks and extended block face.

3. Key issue(s) of discussion by Commission:

- a. Not in support of the proposed development due to the opinion that it doesn't align with what the purpose of a mixed-use development is and the kind of live/work/play approach that is prevalent throughout the code and the City's planning documents. The reasons are the lack of integration of uses due to the residential development being gated off with the rear of homes facing the future commercial area, lack of connectivity between uses and lack of public realm elements that are central to the mixed-use designation.
- b. Generally in favor of the proposed 55 and older development but not in favor of the common driveways.
- c. Discussion pertaining to the Applicant's requested changes to the Staff recommendation.

4. Commission change(s) to Staff recommendation:

- a. The Commission directed the Applicant to continue to work with the City on the timing of the phasing of the amenities; that there is good faith to be able to work with the County and the City to get all permitting correct; and to provide an updated plat (i.e. concept plan) for City Council in regard to the stub street for the Murgoitio property to

be incorporated at a later date if at all. (No specific changes to the recommended conditions.)

5. Outstanding issue(s) for City Council:

a. The Applicant requests the following approvals from City Council:

- Approval of a private street (i.e. E. Bingley Ln.) connection to an arterial street (i.e. S. Locust Grove Rd.). UDC 11-3F-4B.2 prohibits private street connections to an arterial street, unless otherwise allowed by the decision-making body as part of a concurrent hearing level application and approved by the transportation authority.
- Approval to exceed the maximum block face standard in UDC 11-6C-3F of 1,000 feet with a pedestrian connection for Block 1, a portion of which lies along the Rawson Canal.

b. The City Council should determine if the proposed development plan should be modified to be more consistent with the general mixed use and MU-C development guidelines in the Comprehensive Plan as required by the DA.

C. City Council:

The Meridian City Council heard these items on December 16, 2025. At the public hearing, the Council moved to approve the subject requests.

1. Summary of the City Council public hearing:

a. In favor: Amanda McNutt, Brighton Corporation (Applicant)

b. In opposition: None

c. Commenting: Becky McKay, Engineering Solutions (representing Mike & Linda Murgoitio who own the adjoining 205 acres); Matt Pak, ACHD; Julie Edwards

d. Written testimony: None

e. Staff presenting application: Caleb Hood

f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. The Murgoitios' concerns are as follows: (1) whether Public Works has accounted for sewer capacity across the entire sewer shed given the increased density resulting from the R-15 zoning as compared to the R-8 zoning, to ensure adequate capacity for future development of the remaining land in the shed, including their 205 acres; (2) that their 2.5-acre homesite is included in a future plat, as required, to ensure it constitutes a legal land division; and (3) that the conceptual plan shows a collector street through their homesite, and that the proposed gated development with private streets would funnel all traffic from future development of the 205 acres onto Locust Grove rather than dispersing it through adjacent developments as typically intended.

3. Key issue(s) of discussion by City Council:

a. None

4. City Council change(s) to Commission recommendation:

a. Modification to DA provision #IV.A.1e to allow building permits associated with community amenities to be issued prior to subdivision of the property.

b. Deletion of conditions #IV.A.2a.vi and #IV.A.2b.vii to reflect Council's support and the Director's approval of the request for alternative compliance to UDC 11-6C-3D.1 to allow four (4) lots (i.e. Lots 260-263, Block 1) on one (1) side of the common driveway due to constraints associated with the Rawson Canal and the provision of additional open space in that area.

c. Modification to condition IV.A.2o, to require the property boundary adjustment application to be finalized prior to the City Engineer's signature on the final plat for the fifth phase of development.

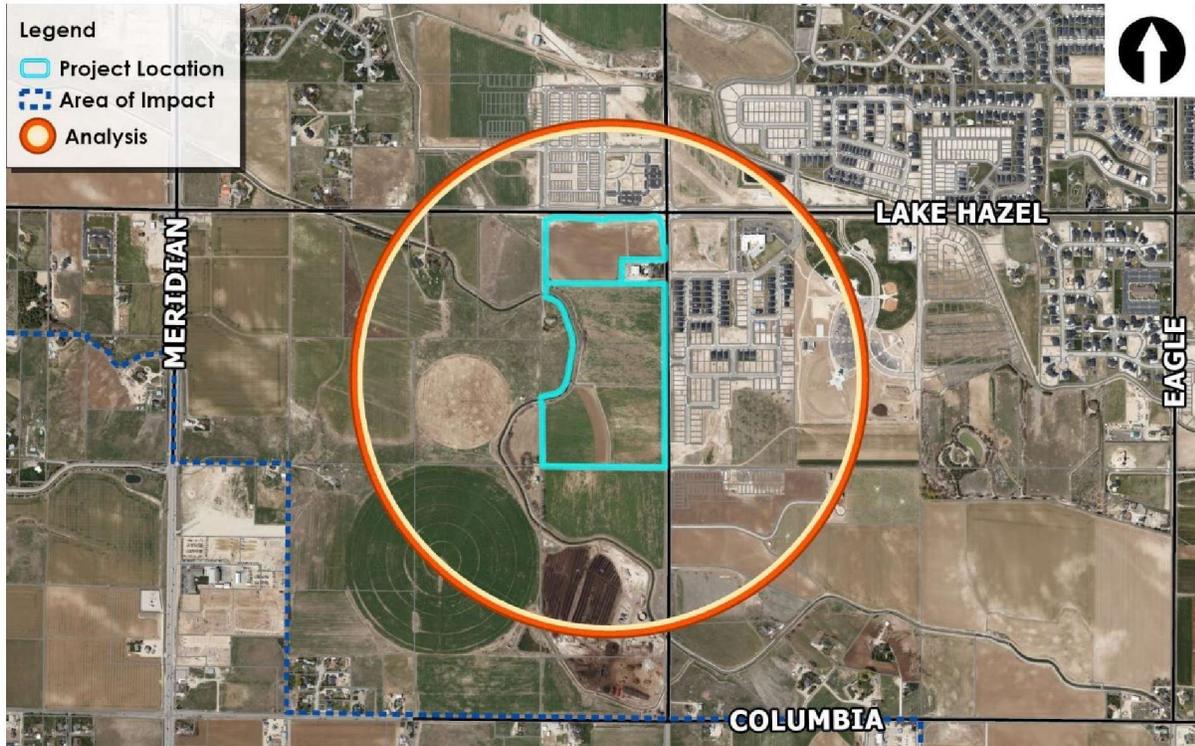
d. Modification to condition IV.A.2q, to allow the multi-use pathway along the Rawson canal to be constructed at the time the adjacent phase is constructed.

VII. EXHIBITS

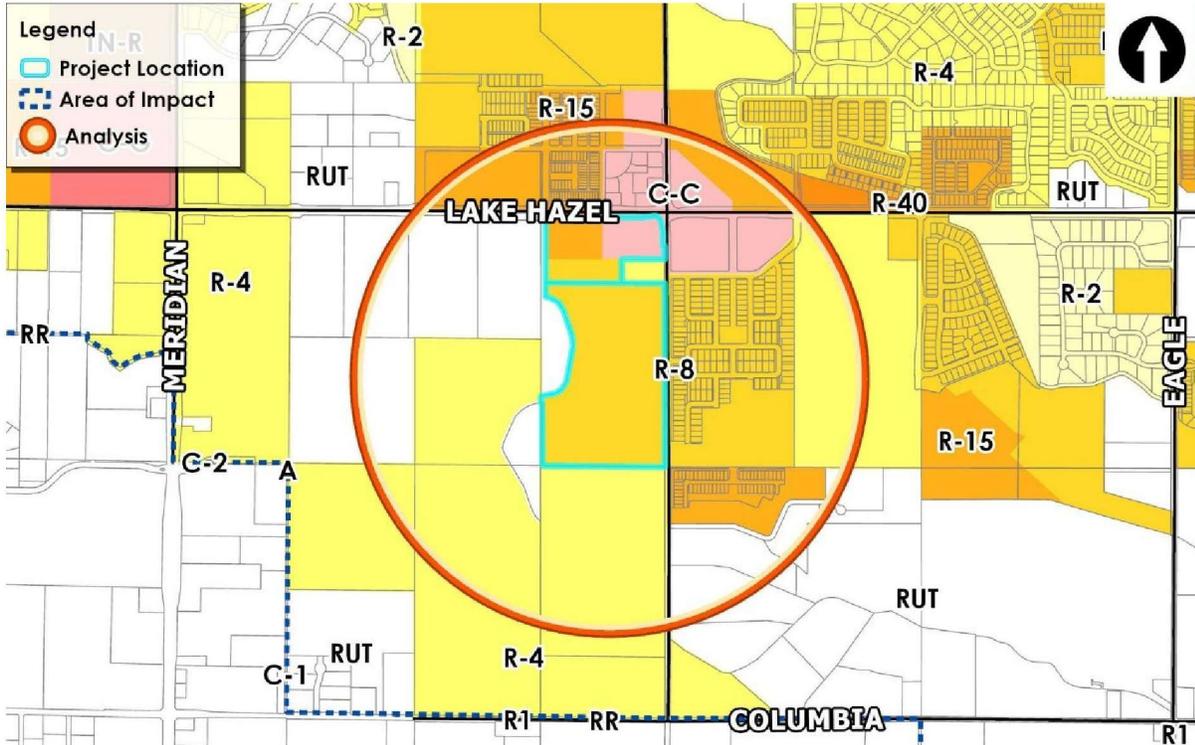
A. Project Area Maps

(link to [Project Overview](#))

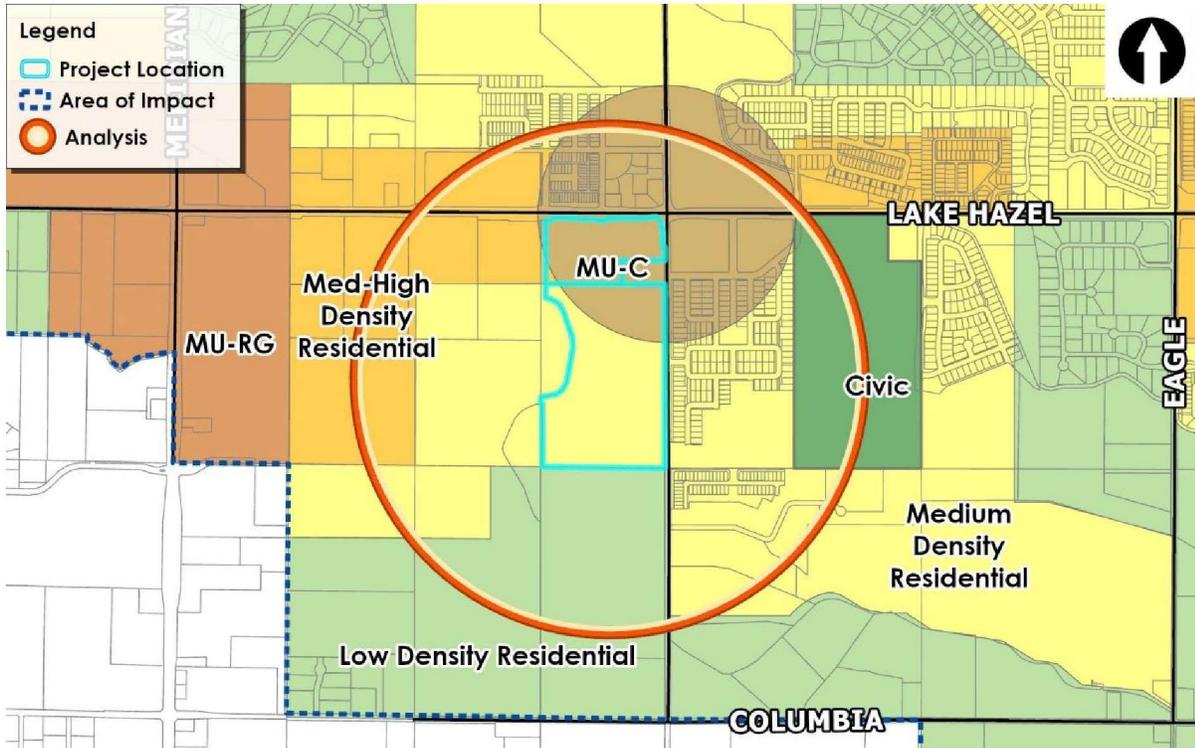
1. Aerial



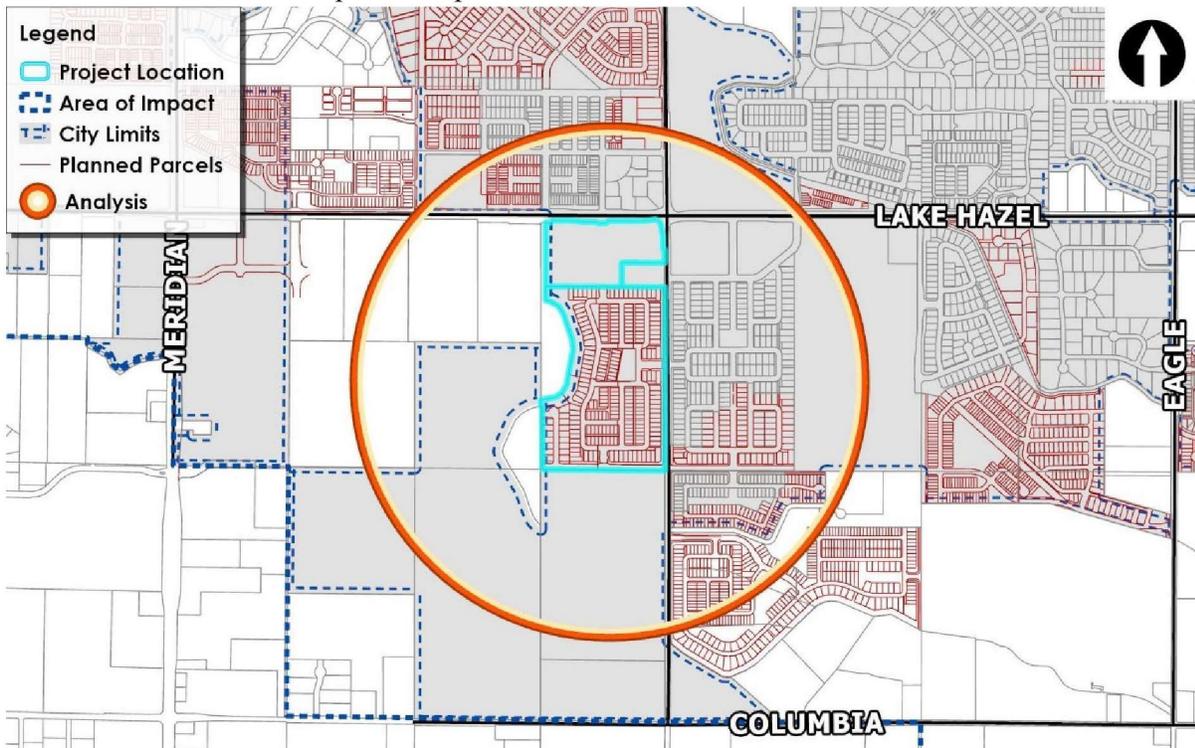
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Service Accessibility Report

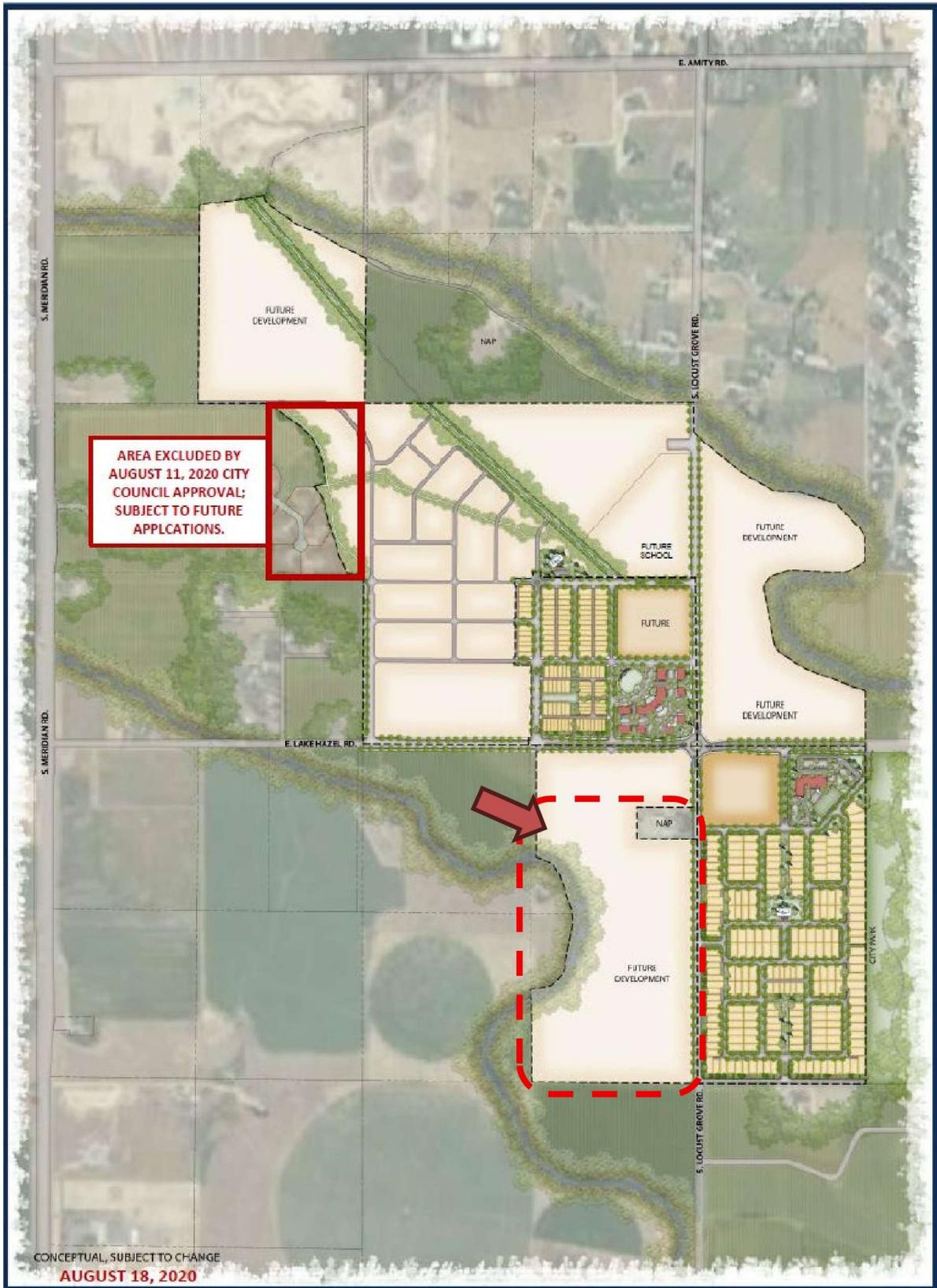
PARCEL S1406110355 SERVICE ACCESSIBILITY

Overall Score: 22	12nd Percentile
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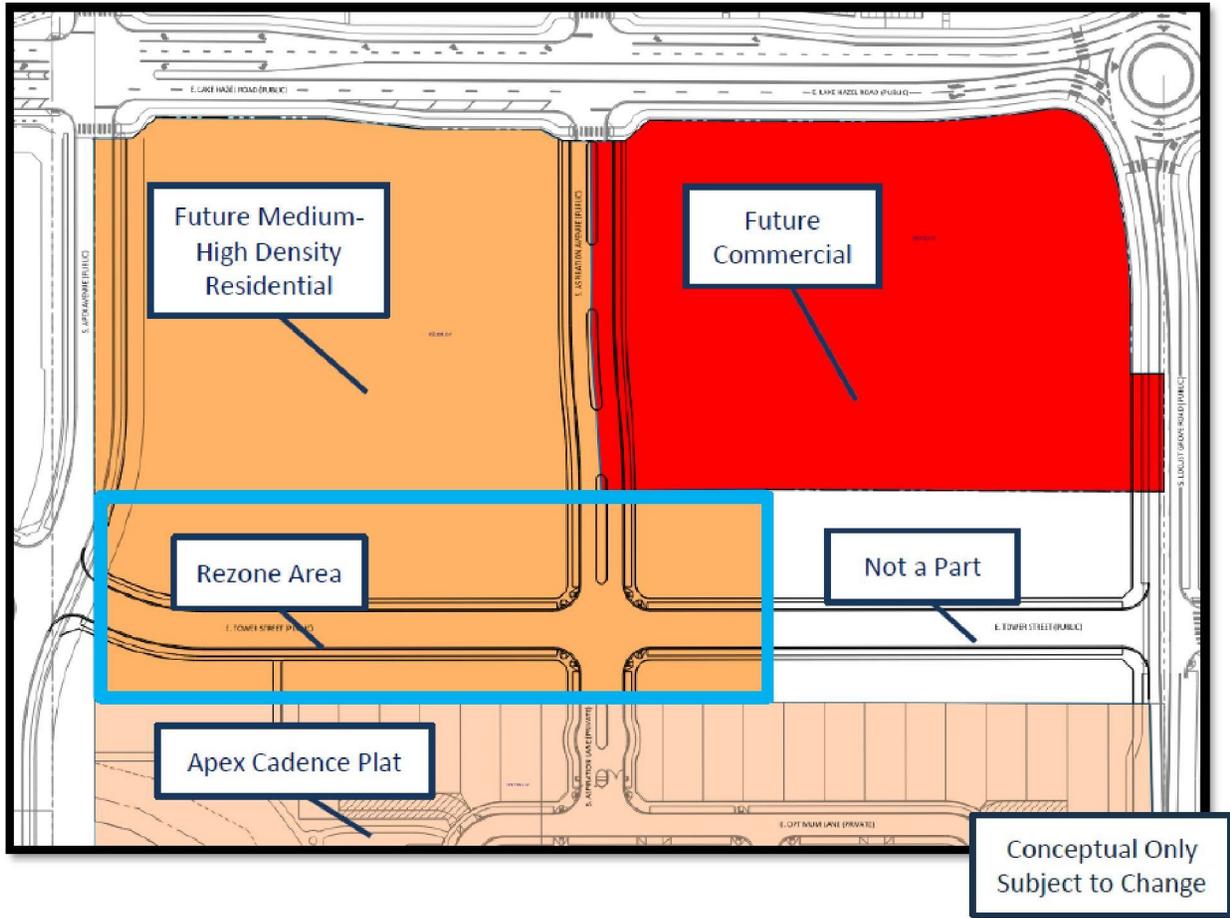
Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time < 5 min.	GREEN
Emergency Services Police	Not enough data to report average response time	RED
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Not within 1/4 of current or future transit route	RED
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) > existing (# of lanes) & road IS in 5 yr work plan	YELLOW
School Walking Proximity	Not within 1 mile walking	RED
School Drivability	Not within 2 miles driving of existing or future school	RED
Park Walkability	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

Report generated on 11-03-2025 by MERIDIAN\sallen

C. Existing Conceptual Development Plan Included in Development Agreement



D. Proposed Conceptual Development Plan – NOT APPROVED Conceptual Only



E. Legal Description for Property Subject to Development Agreement



January 23, 2025
Apex Cadence Subdivision
Project No. 24-108
Development Agreement
Legal Description

Exhibit A

A parcel of land situated in a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the northeast corner of Section 6 which bears S89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the North 1/4 corner of said Section 6, thence following the easterly line of the Northeast 1/4 of said Section 6, S00°04'35"E a distance of 746.02 feet; Thence leaving said easterly line, N89°42'20"W a distance of 38.50 feet to the **POINT OF BEGINNING**.

Thence S00°04'35"E a distance of 1,862.42 feet;
Thence N89°22'50"W a distance of 1,266.46 feet;
Thence N00°43'55"W a distance of 48.74 feet;
Thence N00°20'23"W a distance of 549.25 feet;
Thence N87°34'26"W a distance of 13.49 feet to the westerly line of said East 1/2 of the Northeast 1/4 of Section 6;
Thence following said westerly line, N00°02'06"W a distance of 66.73 feet to the westerly right-of-way line of the Rawson Canal;
Thence leaving said westerly line and following said westerly right-of-way line the following nine (9) courses:

1. N78°25'55"E a distance of 161.21 feet;
2. N54°55'20"E a distance of 74.17 feet;
3. N31°51'12"E a distance of 92.01 feet;
4. N10°25'10"E a distance of 381.33 feet;
5. N05°26'52"W a distance of 106.26 feet;
6. N18°56'20"W a distance of 287.65 feet;
7. N32°08'38"W a distance of 91.83 feet;
8. N61°32'57"W a distance of 104.61 feet;
9. N74°59'05"W a distance of 44.02 feet;

Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 396.78 feet;
Thence S89°42'20"E a distance of 796.96 feet;
Thence S00°04'35"E a distance of 252.00 feet;
Thence S89°42'20"E a distance of 434.90 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 52.59 acres, more or less.

Attached hereto is **Exhibit B** and by this reference is made a part hereof.



5725 North Discovery Way • Boise, Idaho 83713 • 208.639.6939 • kmengllp.com

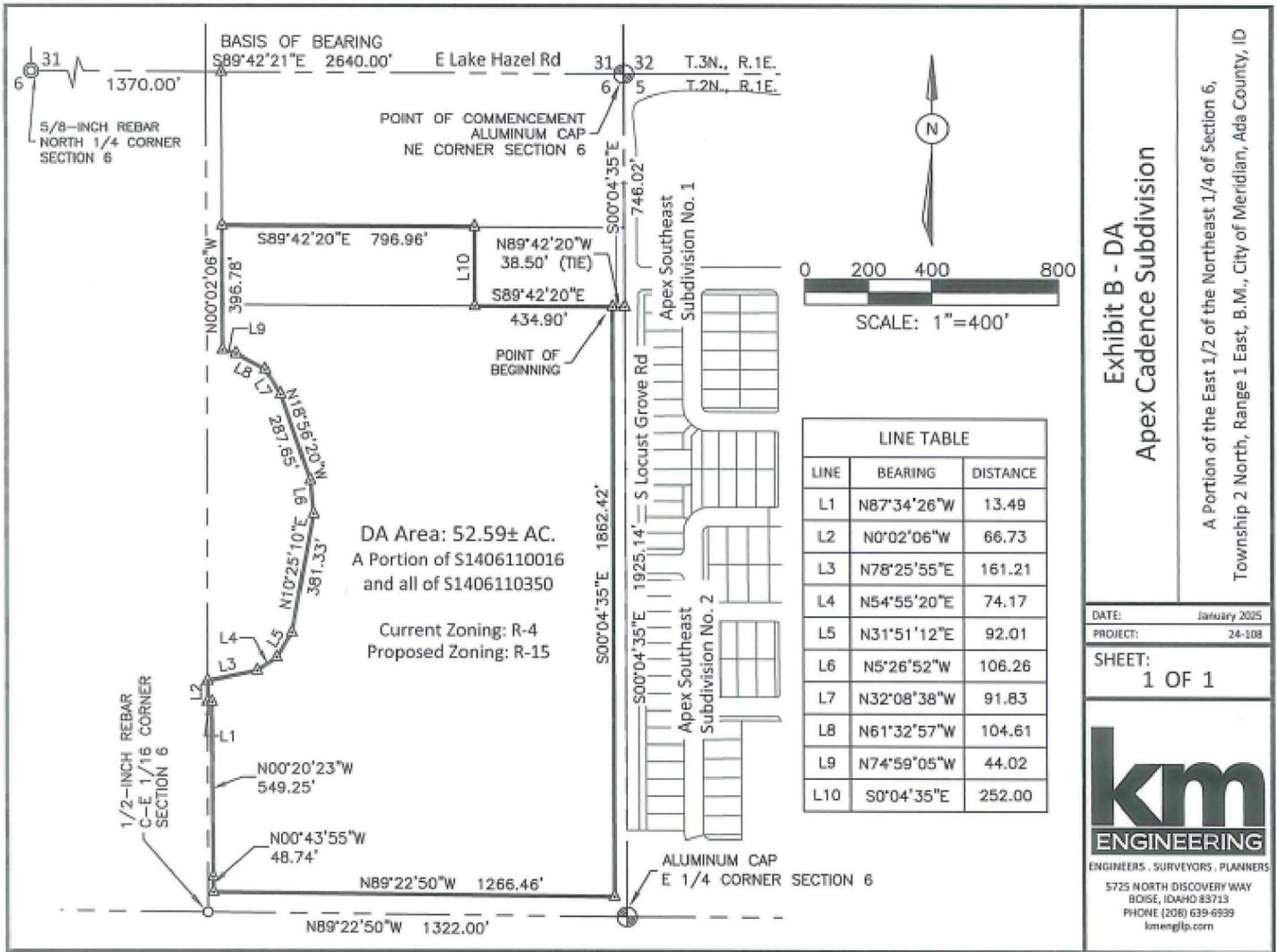


Exhibit B - DA
Apex Cadence Subdivision

A Portion of the East 1/2 of the Northeast 1/4 of Section 6,
 Township 2 North, Range 1 East, B.M., City of Meridian, Ada County, ID

DATE: January 2025
 PROJECT: 24-108

SHEET:
 1 OF 1

km
ENGINEERING
 ENGINEERS · SURVEYORS · PLANNERS
 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 kmenglp.com

F. Rezone Legal Description & Exhibit Map



October 23, 2024
Apex Cadence Subdivision
Project No. 24-108
Rezone to R-15
Legal Description

Exhibit A

A parcel of land situated in a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the northeast corner of Section 6 which bears S89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the North 1/4 corner of said Section 6, thence following the easterly line of the Northeast 1/4 of said Section 6, S00°04'35"E a distance of 746.02 feet to the **POINT OF BEGINNING**.

Thence following said easterly line, S00°04'35"E a distance of 1,925.14 feet to an aluminum cap marking the east 1/4 corner of said Section 6;

Thence leaving said easterly line and following the southerly line of said East 1/2 of the Northeast 1/4 of Section 6, N89°22'50"W a distance of 1,304.25 feet;

Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet;

Thence N00°20'23"W a distance of 549.25 feet;

Thence N87°34'26"W a distance of 13.49 feet to the westerly line of said East 1/2 of the Northeast 1/4 of Section 6;

Thence following said westerly line, N00°02'06"W a distance of 66.73 feet to the westerly right-of-way line of the Rawson Canal;

Thence leaving said westerly line and following said westerly right-of-way line the following nine (9) courses:

1. N78°25'55"E a distance of 161.21 feet;
2. N54°55'20"E a distance of 74.17 feet;
3. N31°51'12"E a distance of 92.01 feet;
4. N10°25'10"E a distance of 381.33 feet;
5. N05°26'52"W a distance of 106.26 feet;
6. N18°56'20"W a distance of 287.65 feet;
7. N32°08'38"W a distance of 91.83 feet;
8. N61°32'57"W a distance of 104.61 feet;
9. N74°59'05"W a distance of 44.02 feet;

Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 396.78 feet;

Thence S89°42'20"E a distance of 796.96 feet;

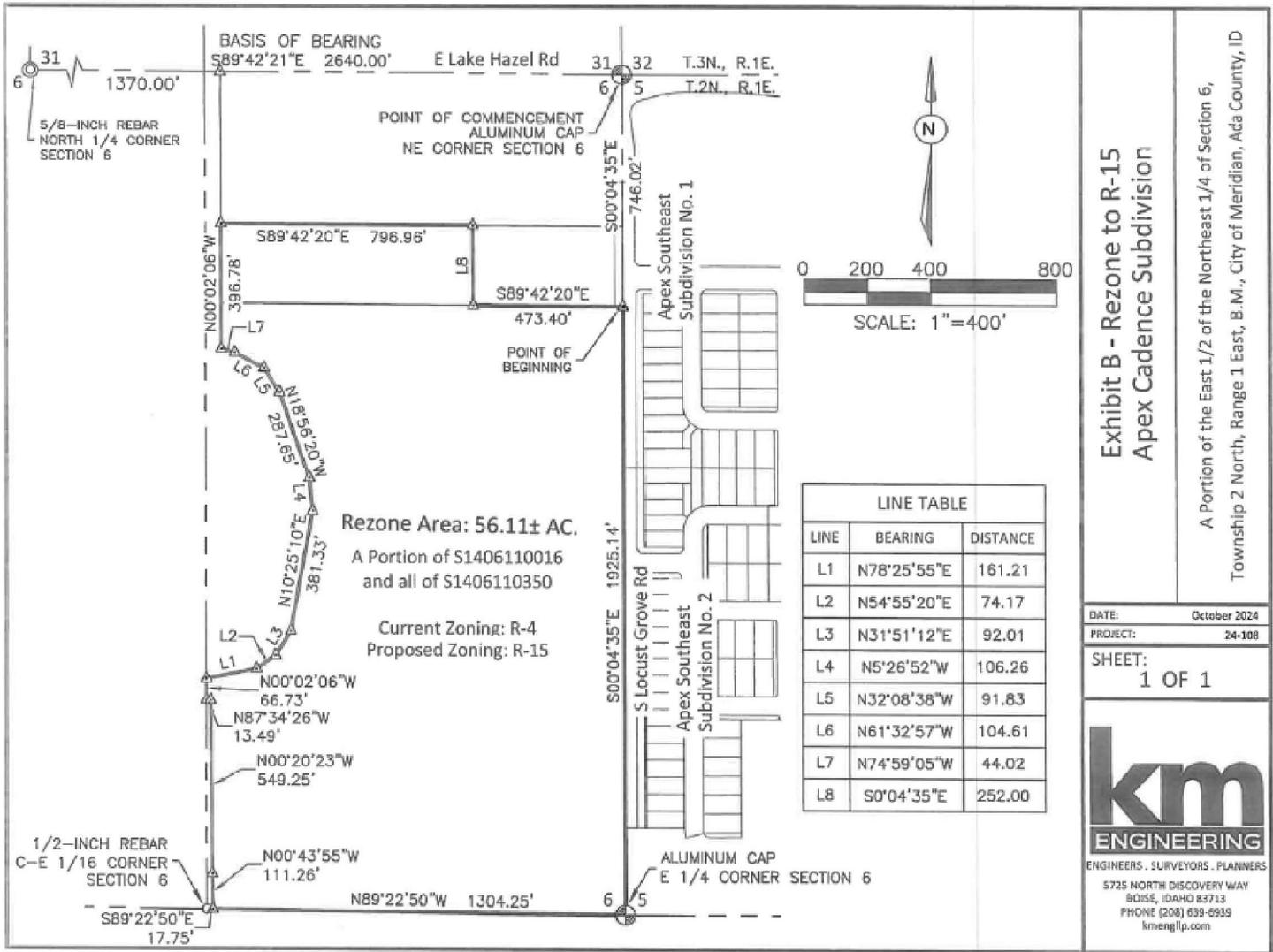
Thence S00°04'35"E a distance of 252.00 feet;

Thence S89°42'20"E a distance of 473.40 feet to the POINT OF BEGINNING.

Said parcel contains a total of 56.11 acres, more or less.

Attached hereto is Exhibit B and by this reference is made a part hereof.





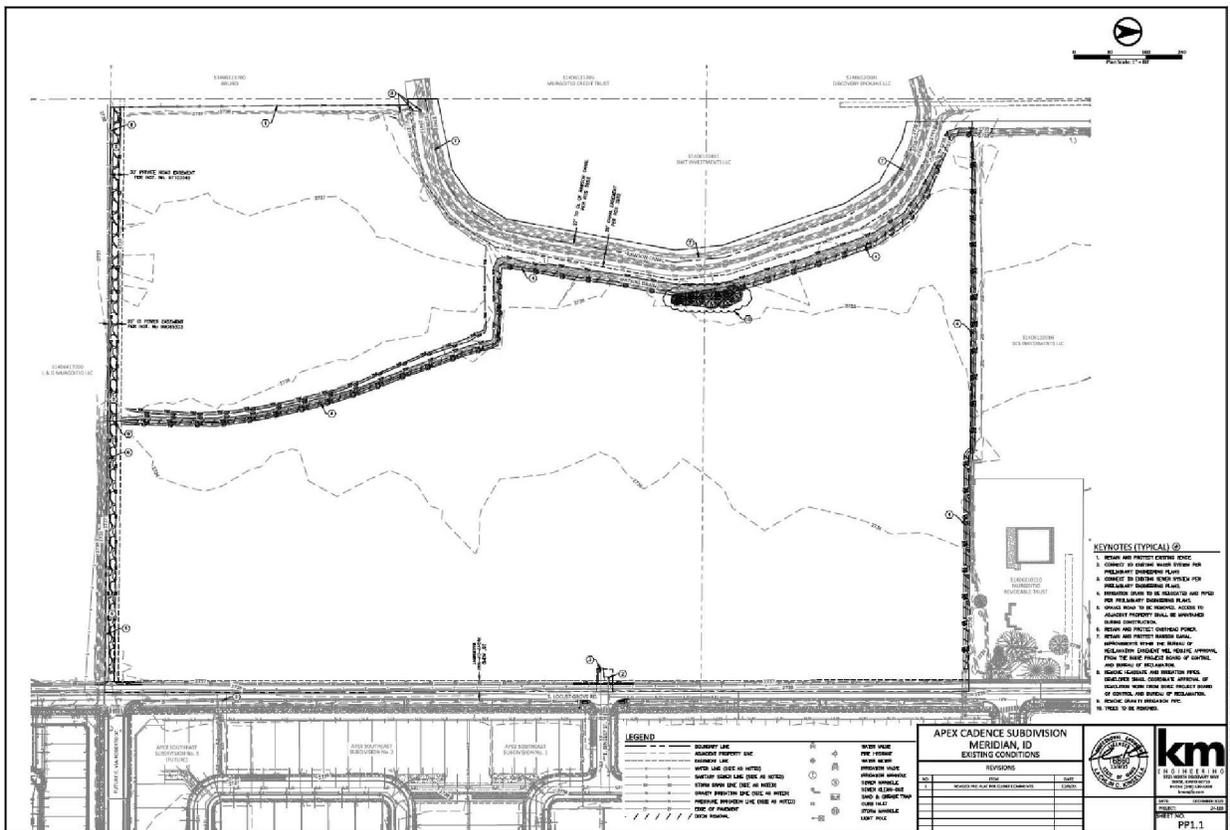
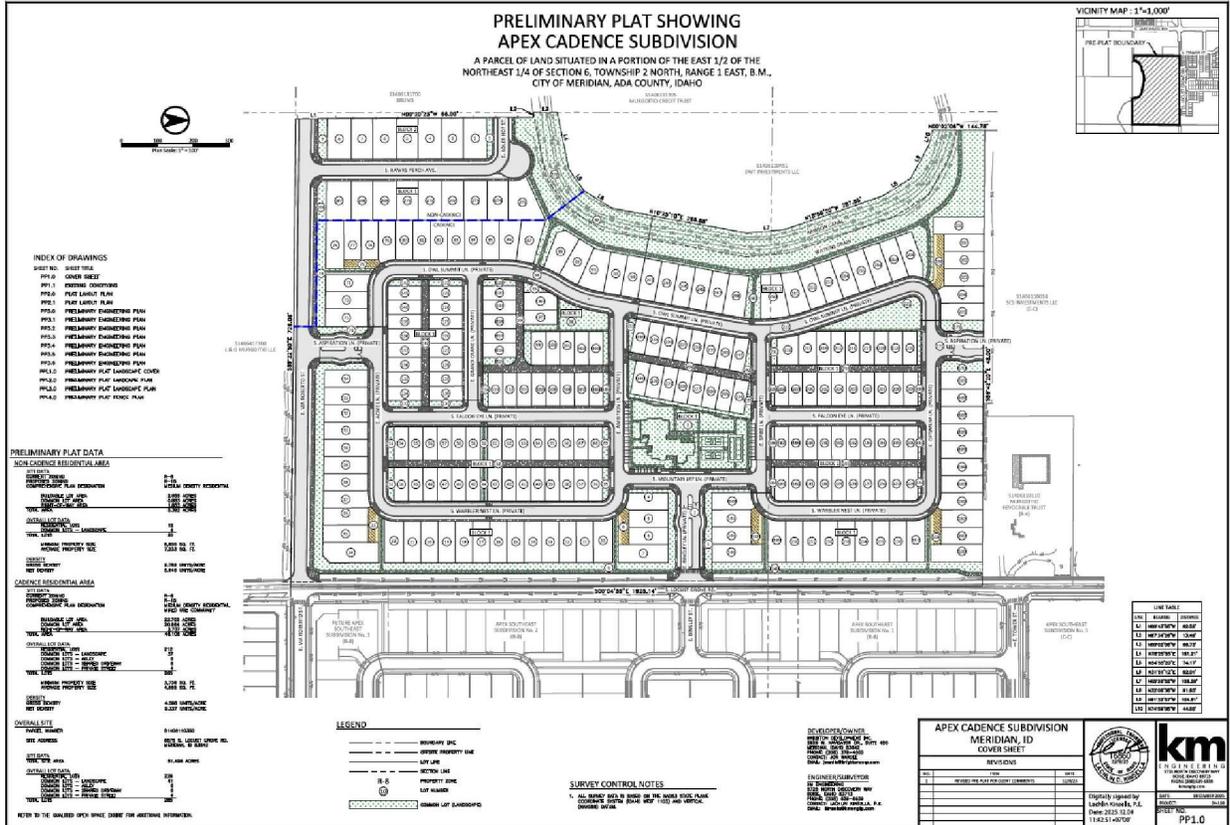
**Exhibit B - Rezone to R-15
 Apex Cadence Subdivision**

A Portion of the East 1/2 of the Northeast 1/4 of Section 6,
 Township 2 North, Range 1 East, B.M., City of Meridian, Ada County, ID

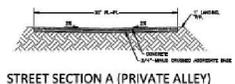
DATE: October 2024
 PROJECT: 24-108
 SHEET: 1 OF 1

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 BOISE, IDAHO 83713
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 kmeng@p.com

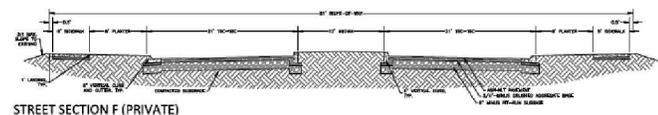
G. Preliminary Plat (dated: 10/9/24 11/19/2025 12/08/2025) & Phasing Plan



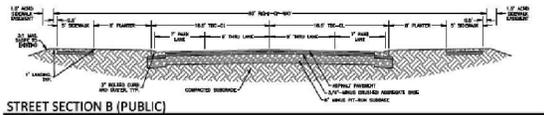
PRELIMINARY - NOT FOR CONSTRUCTION



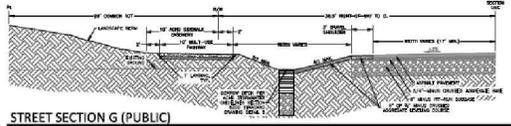
STREET SECTION A (PRIVATE ALLEY)
SCALE: 1/8" = 1'-0"



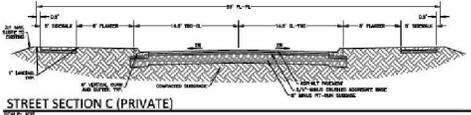
STREET SECTION F (PRIVATE)
SCALE: 1/8" = 1'-0"



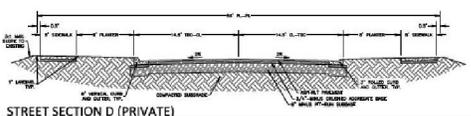
STREET SECTION B (PUBLIC)
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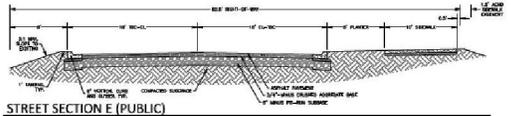
STREET SECTION G (PUBLIC)
SCALE: 1/8" = 1'-0"



STREET SECTION C (PRIVATE)
SCALE: 1/8" = 1'-0"



STREET SECTION D (PRIVATE)
SCALE: 1/8" = 1'-0"



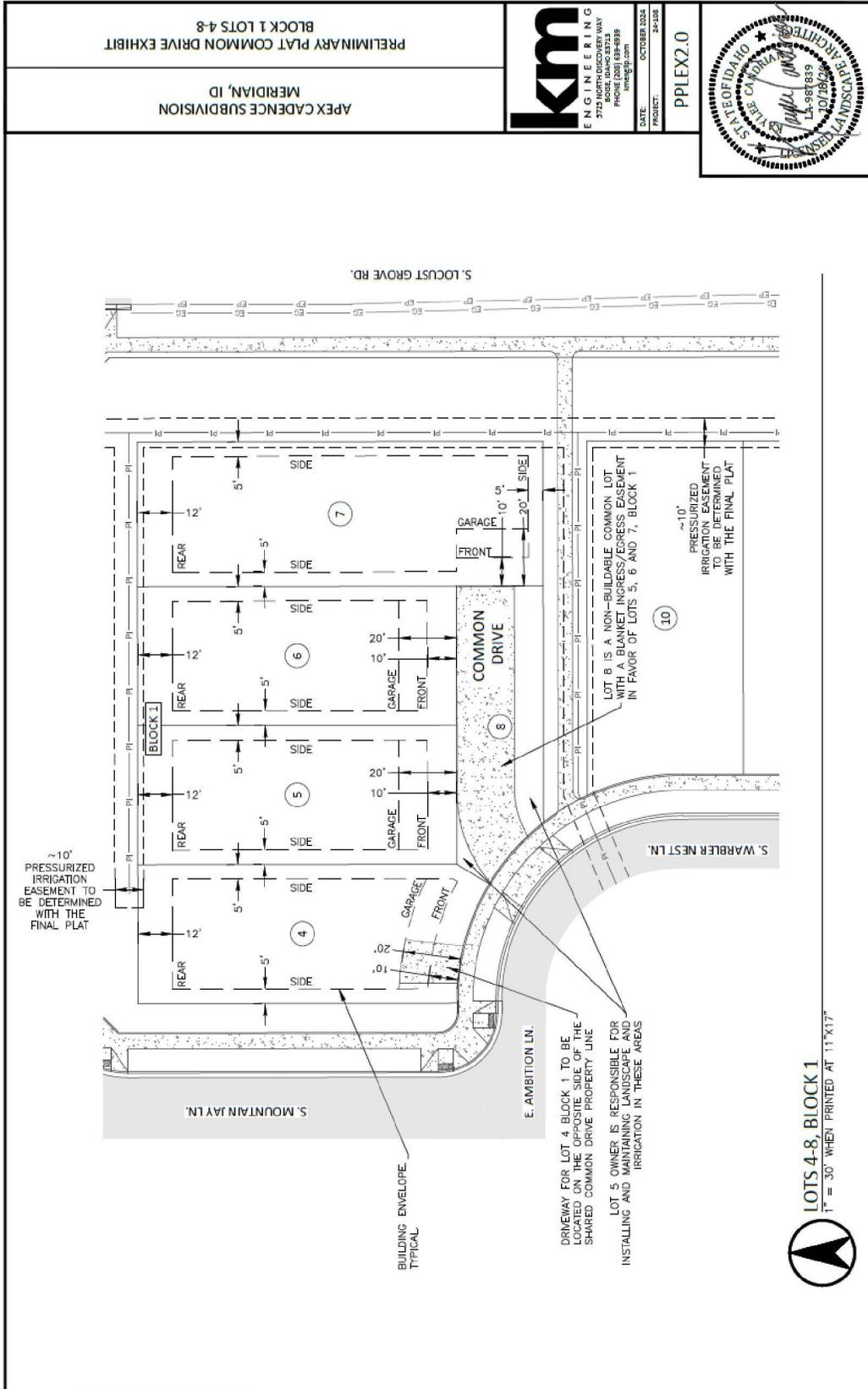
STREET SECTION E (PUBLIC)
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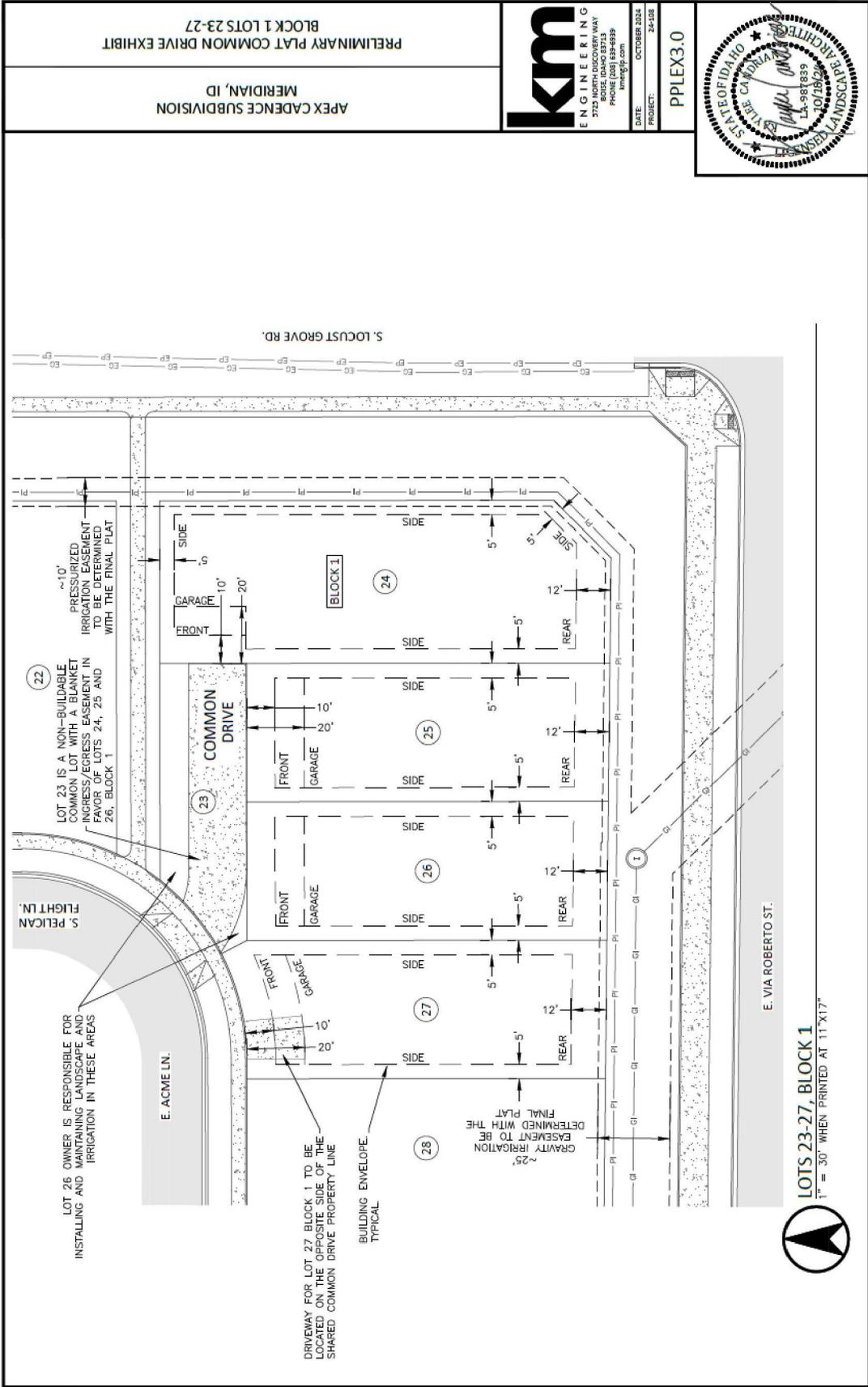
THESE SECTIONS ARE FOR INFORMATION ONLY AND ARE NOT TO BE USED FOR CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE LATEST REVISIONS OF THESE SECTIONS.

APEX CADENCE SUBDIVISION MERIDIAN, ID PRELIMINARY ENGINEERING PLAN			
REVISIONS NO. DATE 1.0 08/20/2024 PRELIMINARY ENGINEERING PLAN			
PREPARED BY: [Name] CHECKED BY: [Name] DATE: 08/20/2024		PROJECT: [Name] SHEET NO: [Name] TOTAL SHEETS: [Name]	

PRELIMINARY - NOT FOR CONSTRUCTION

H. Common Driveway Exhibits – NOT APPROVED





LOT 23 IS A NON-BUILDABLE COMMON LOT WITH A BLANKET INGRESS/EGRESS EASEMENT IN FAVOR OF LOTS 24, 25 AND 26, BLOCK 1

~10' PRESSURIZED IRRIGATION EASEMENT TO BE DETERMINED WITH THE FINAL PLAT

LOT 26 OWNER IS RESPONSIBLE FOR INSTALLING AND MAINTAINING LANDSCAPE AND IRRIGATION IN THESE AREAS

DRIVEWAY FOR LOT 27 BLOCK 1 TO BE LOCATED ON THE OPPOSITE SIDE OF THE SHARED COMMON DRIVE PROPERTY LINE

BUILDING ENVELOPE TYPICAL

GRAVITY IRRIGATION EASEMENT TO BE DETERMINED WITH THE FINAL PLAT

LOTS 23-27, BLOCK 1
1" = 30' WHEN PRINTED AT 11"X17"



APEX CADENCE SUBDIVISION
MERIDIAN, ID
PRELIMINARY PLAT COMMON DRIVE EXHIBIT
BLOCK 1 LOTS 23-27

km
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3725 S. WINDY HOLLOW WAY
BOISE, IDAHO 83719
PHONE (208) 688-8889
info@kmeng.com

DATE: OCTOBER 2024
PROJECT: PPLEX3.0



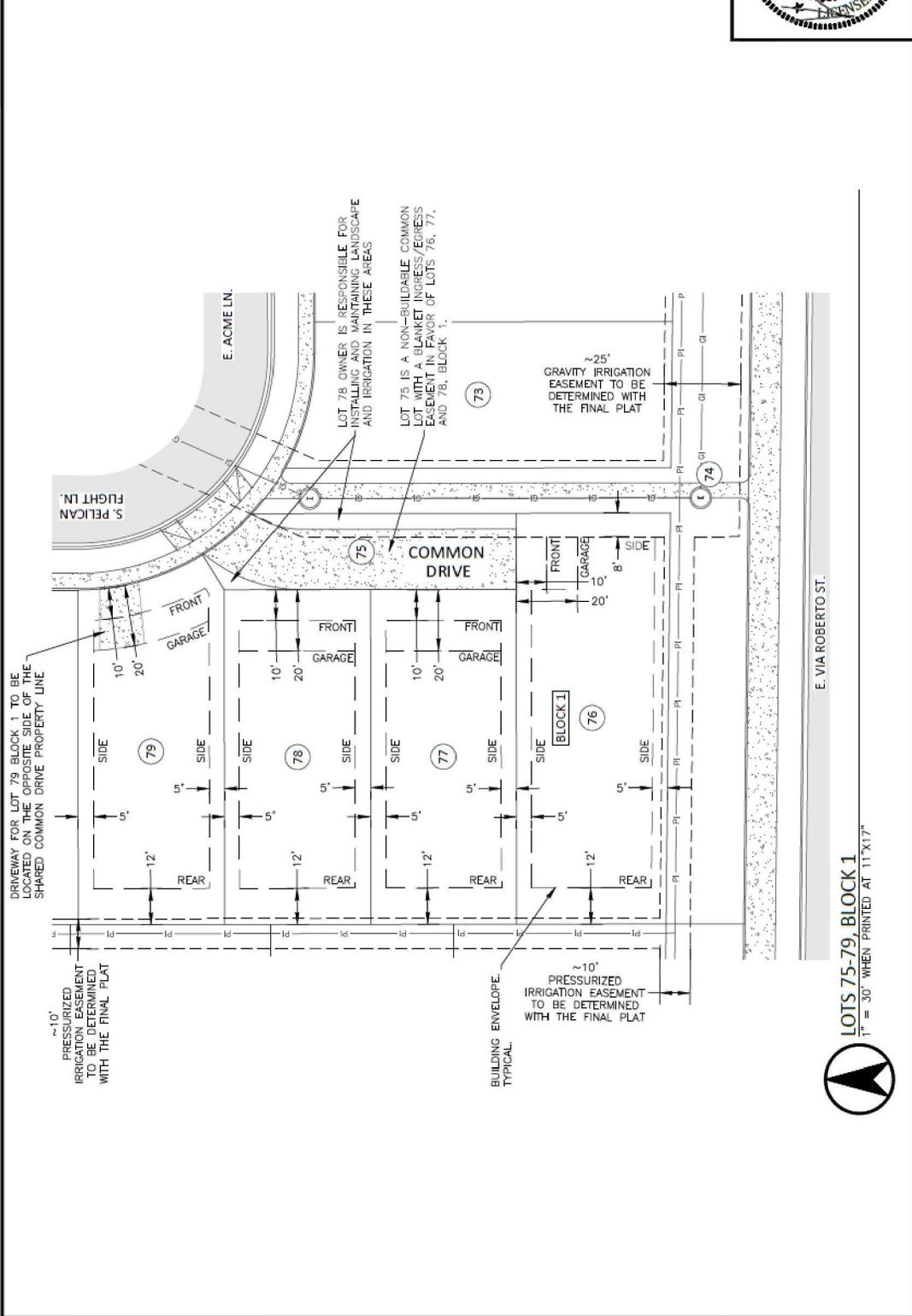
PRELIMINARY PLAT COMMON DRIVE EXHIBIT
 BLOCK 1 LOTS 75-79

APEX CADENCE SUBDIVISION
 MERIDIAN, ID

km
 ENGINEERING
 5722 S. UNIVERSITY WAY
 BOISE, IDAHO 83723
 PHONE (208) 638-6939
 info@kme.com

DATE: OCTOBER 2024
 PROJECT: 24-002

PPLEX4.0



LOTS 75-79, BLOCK 1
 1" = 30' WHEN PRINTED AT 11"x17"

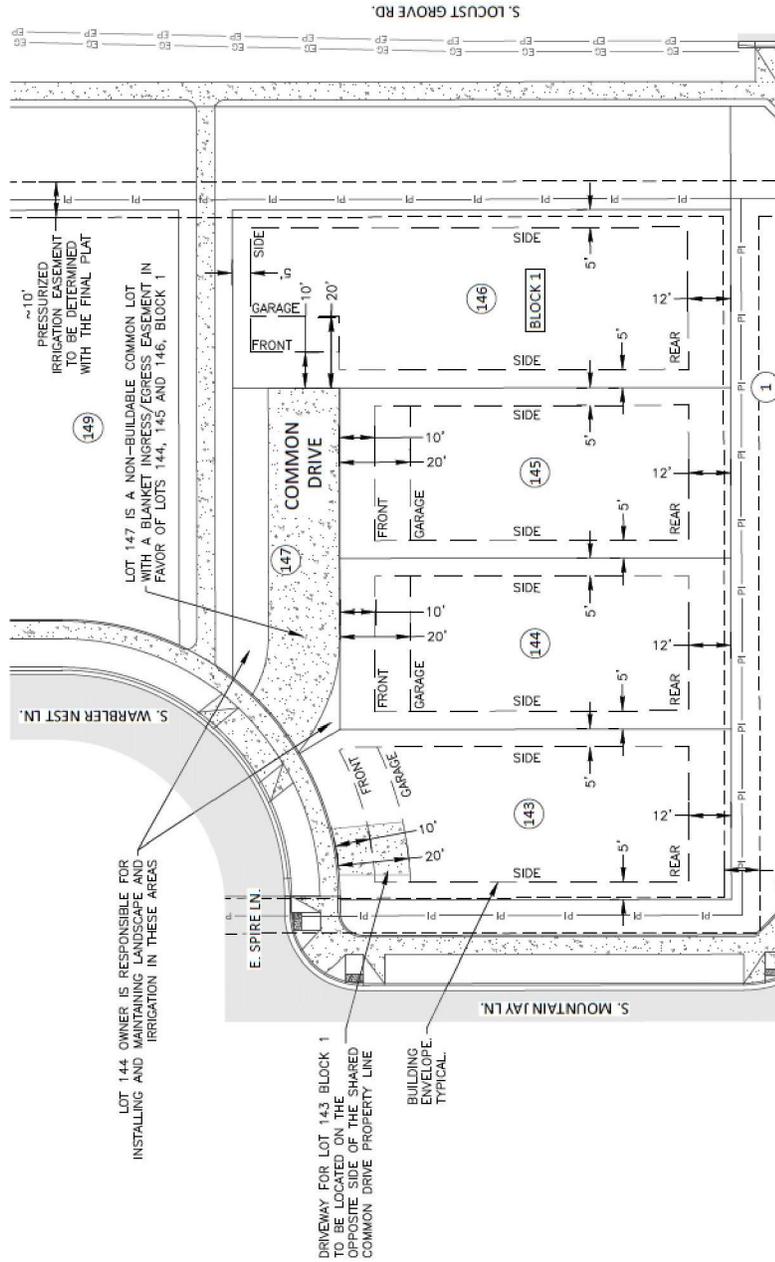
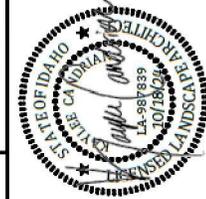
P:\24-1081\ANGSCAPE\COMMON DRIVE EXHIBIT.DWG, KAYLEE CANNON, 10/18/2024, DWG70 PLOT PCL, 11X17 L PLOT

PRELIMINARY PLAT COMMON DRIVE EXHIBIT
BLOCK 1 LOTS 143-147

APEX CADENCE SUBDIVISION
MERIDIAN, ID



DATE: OCTOBER 2024
PROJECT: PPLEX5.0



LOTS 143-147, BLOCK 1
1" = 30' WHEN PRINTED AT 11"X17"

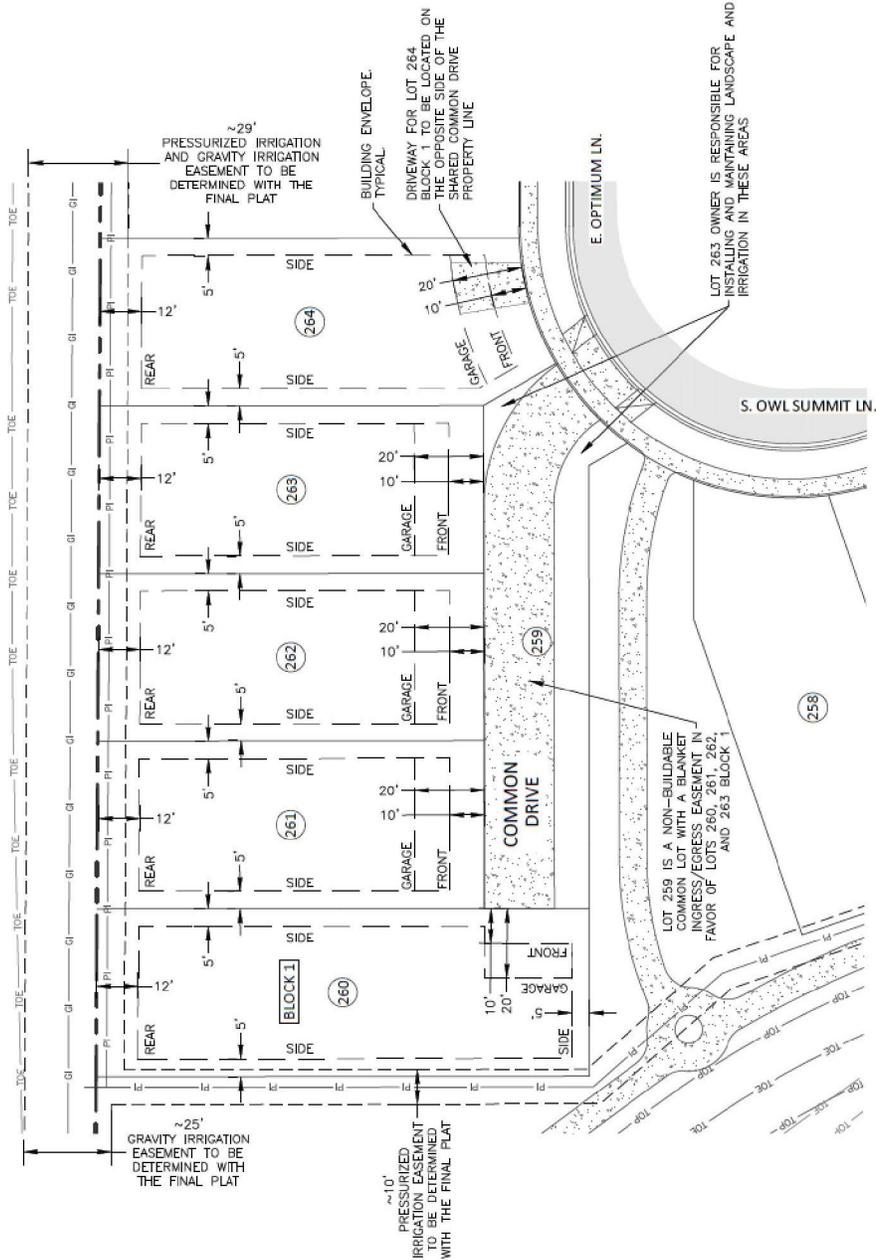
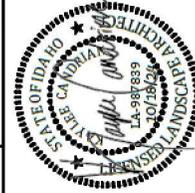
PRELIMINARY PLAT COMMON DRIVE EXHIBIT
BLOCK 1 LOTS 259-264

APEX CADENCE SUBDIVISION
MERIDIAN, ID

km
ENGINEERING
3722 NORTH DISCOVERY WAY
MERCER, ID 83439
PHONE (208) 689-8399
FAX (208) 689-8399
www.kmengr.com

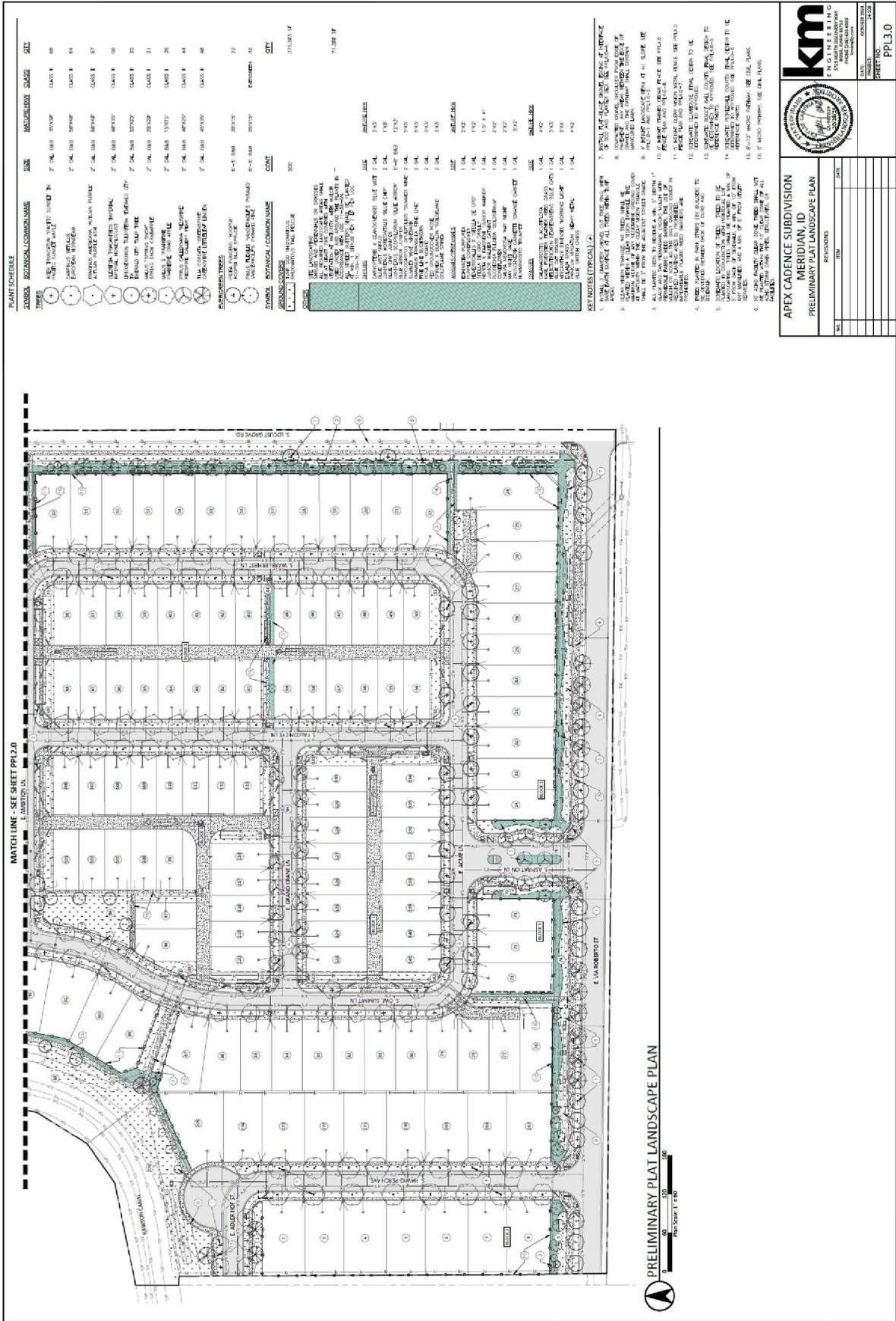
DATE: OCTOBER 2024
PROJECT: 264-108

PPLX7.0



LOTS 259-264, BLOCK 1
1" = 30' WHEN PRINTED AT 11"x17"



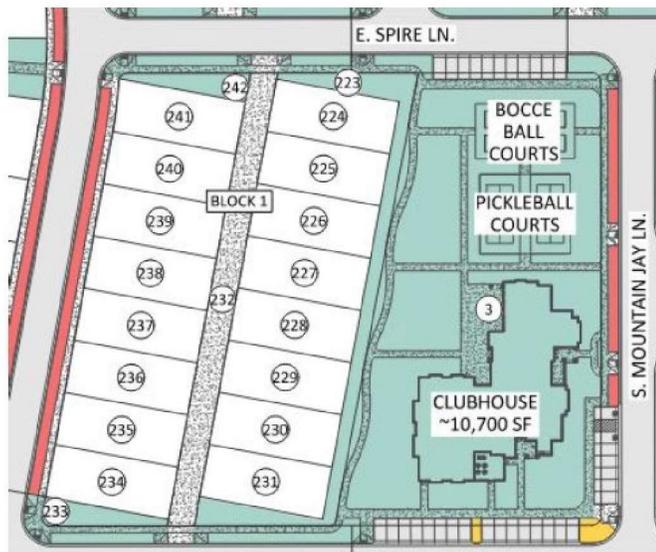




BOCCE BALL COURTS REFERENCE PHOTO



PICKLEBALL COURTS REFERENCE PHOTO



K. Conceptual Building Elevations

ELEVATIONS

The homes along Locust Grove Road will incorporate articulation in design to provide visual variety. Typical elevations are shown below.

Conventional Single Family (typical to the non-age restricted homes)



Carriage Lane Single Family Detached (typical to Cadence)



Single Family Paired (typical to Cadence)



L. Deviations from the R-15 Dimensional Standards Proposed with the PUD

Home Type	Street Setback to Living Area	Street Setback to Garage	Interior Side	Rear
Carriage Lane, Alley Loaded (Age Restricted)**	Alley - 5 ft Local - 5 ft (10 ft)	5 ft	3 ft	Alley – N/A, see street setback
Paired Cadence, Front Loaded (Age Restricted)***	10 ft	20 ft	3 ft	12 ft
Conventional, Front Loaded (NOT Age Restricted)	10 ft	20 ft	3 ft	12 ft

***Proposed Setback** (Standard Setback in the R-15 Zone)

** "Carriage Lane" is Brighton's term for "alley loaded" homes.

*** "Paired Cadence" is Brighton's term for "duplex" style, age restricted, homes. "Street Setback" shall only refer to a setback directly adjacent to right-of-way. When a common lot is adjacent to a lot "Interior Side" setback shall be used to determine the setback.



M. Annexation Legal Description & Exhibit Map



September 26, 2025
Project No.: 24-108
Apex Cadence Subdivision

Exhibit A Legal Description for Annexation To the City of Meridian

A parcel of land for annexation to the City of Meridian being a portion of Government Lot 1 and the Southeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at a 5/8-inch rebar marking the Southwest corner of said Government Lot 1, which bears S00°02'06"E a distance of 1,337.30 feet from a 5/8-inch rebar marking the Northwest corner of said Government Lot 1, thence following the westerly line of said Southeast 1/4 of the Northeast 1/4, S00°02'06"E a distance of 598.75 feet to the **POINT OF BEGINNING**.

Thence leaving said westerly line, N78°25'55"E a distance of 161.21 feet;
Thence N54°55'20"E a distance of 74.17 feet;
Thence N31°51'12"E a distance of 92.01 feet;
Thence N10°25'10"E a distance of 381.33 feet;
Thence N05°26'52"W a distance of 106.26 feet;
Thence N18°56'20"W a distance of 287.65 feet;
Thence N32°08'38"W a distance of 91.83 feet;
Thence N61°32'57"W a distance of 104.61 feet;
Thence N74°59'05"W a distance of 44.02 feet;
Thence N00°02'06"W a distance of 27.96 feet to the centerline of the Rawson Canal;
Thence following said centerline the following nine (9) courses:

1. S74°59'05"E a distance of 54.46 feet;
2. S61°32'57"E a distance of 114.87 feet;
3. S32°08'38"E a distance of 102.04 feet;
4. S18°56'20"E a distance of 293.97 feet;
5. S05°26'52"E a distance of 113.22 feet;
6. S10°25'10"W a distance of 390.20 feet;
7. S31°51'12"W a distance of 102.63 feet;
8. S54°55'20"W a distance of 85.30 feet;
9. S78°25'55"W a distance of 172.34 feet to the westerly line of said Southeast 1/4 of the Northeast 1/4;

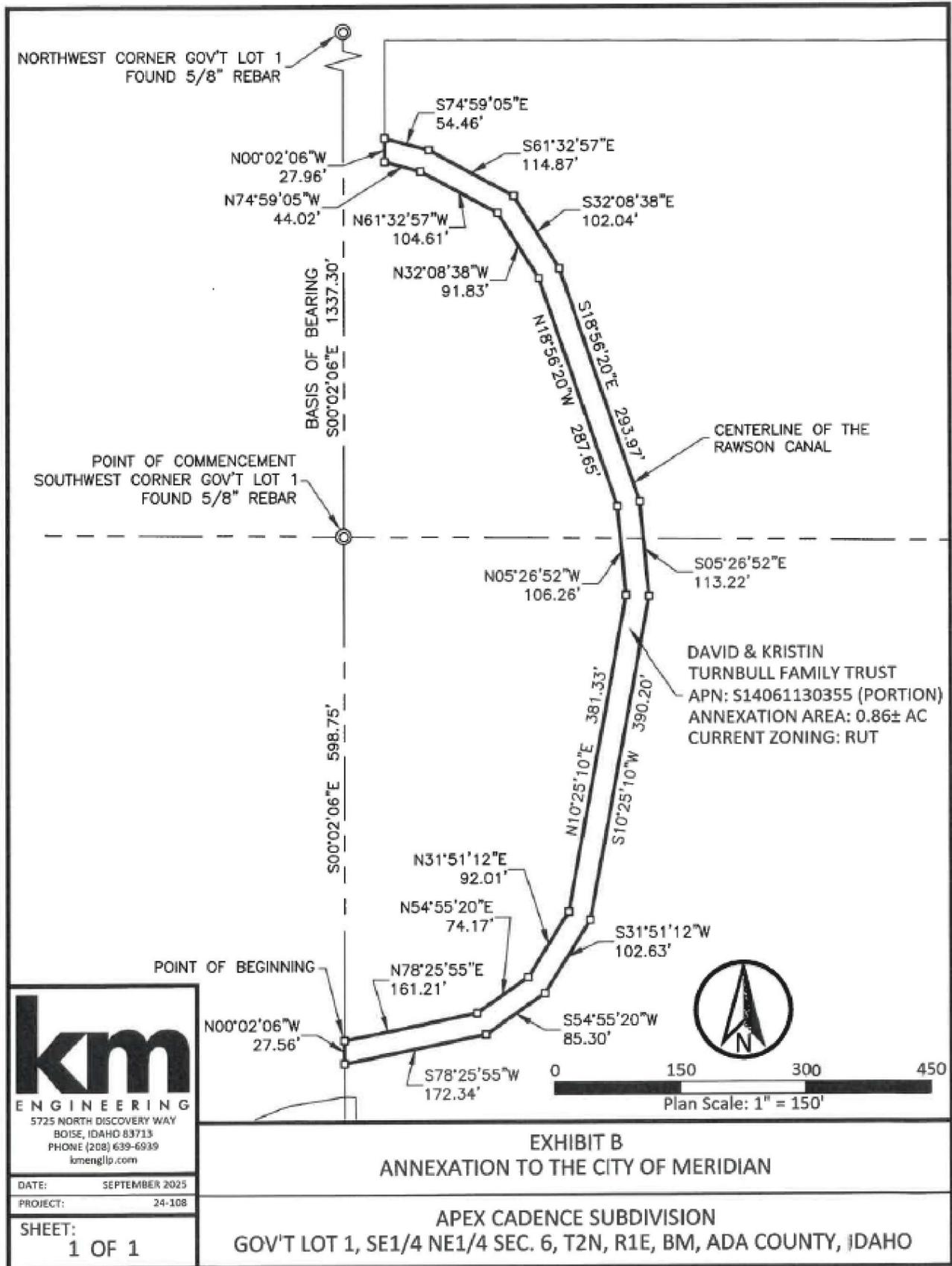
Thence leaving said centerline and following said westerly line, N00°02'06"W a distance of 27.56 feet to the **POINT OF BEGINNING**.

5725 North Discovery Way • Boise, Idaho 83713 • 208.639.6939 • kmengllp.com

Said parcel contains a total of 0.86 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.





km
ENGINEERING
 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 kmenglp.com

DATE: SEPTEMBER 2025
 PROJECT: 24-108
 SHEET: 1 OF 1

EXHIBIT B
ANNEXATION TO THE CITY OF MERIDIAN

APEX CADENCE SUBDIVISION
GOV'T LOT 1, SE1/4 NE1/4 SEC. 6, T2N, R1E, BM, ADA COUNTY, IDAHO

N. De-Annexation Legal Description & Exhibit Map



September 26, 2025
Project No.: 24-108
Apex Cadence Subdivision

Exhibit A Legal Description for De-Annexation From the City of Meridian

A parcel of land for de-annexation from the City of Meridian being a portion of the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 6, Township 2 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho being more particularly described as follows:

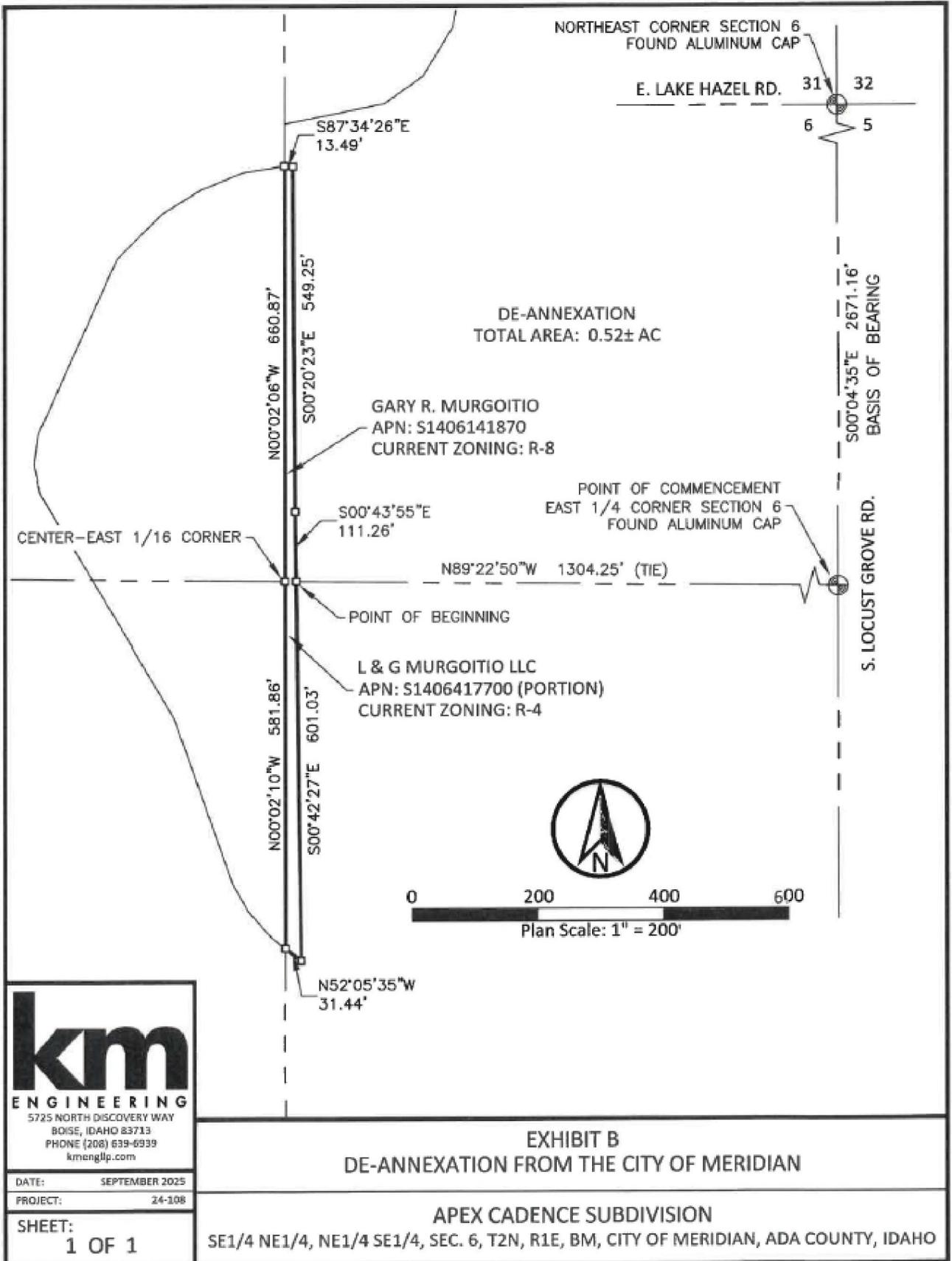
Commencing at an aluminum cap marking the East 1/4 corner of said Section 6, which bears $S00^{\circ}04'35''E$ a distance of 2,671.16 feet from an aluminum cap marking the Northeast corner of said Section 6, thence following the northerly line of said Northeast 1/4 of the Southeast 1/4, $N89^{\circ}22'50''W$ a distance of 1,304.25 feet to the **POINT OF BEGINNING**.

Thence leaving said northerly line, $S00^{\circ}42'27''E$ a distance of 601.03 feet;
Thence $N52^{\circ}05'35''W$ a distance of 31.44 feet to the westerly line of said Northeast 1/4 of the Southeast 1/4;
Thence following said westerly line, $N00^{\circ}02'10''W$ a distance of 581.86 feet to the Northwest corner of said Northeast 1/4 of the Southeast 1/4 (Center-East 1/16 corner);
Thence leaving the westerly line of said Northeast 1/4 of the Southeast 1/4 and following the westerly line of said Southeast 1/4 of the Northeast 1/4, $N00^{\circ}02'06''W$ a distance of 660.87 feet;
Thence leaving said westerly line, $S87^{\circ}34'26''E$ a distance of 13.49 feet;
Thence $S00^{\circ}20'23''E$ a distance of 549.25 feet;
Thence $S00^{\circ}43'55''E$ a distance of 111.26 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 0.52 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.





P:\24-108\SURVEY\CAD\EXHIBITS\24-108 BRUINO DEANNEXATION.DWG, CHAD BRUINO, 9/29/2025, DWG TO PDF.PLS, US, 2011 P (PDF)

O. Revised Pedestrian Connectivity Plan



VIII. ADDITIONAL NOTES & DETAILS FOR STAFF REPORT MAPS, TABLES, AND CHARTS

(link to [Community Metrics](#))

A. One-Mile Radius Existing Condition Notes

This data is automatically derived from enterprise application and GIS databases, and exported dynamically. Date retrieved notes generally reflect data acquired or processed within the last 30-days. Analysis is based on a one-mile radius from the centroid of the identified parcel. Parcel based data excludes certain properties and represents land as it exists now. Properties considered are only those with a total assessed value greater than 0 (i.e. excludes most HOA area, transitional development, government, and quasi government facilities). The following values also constrain included property acreage to reduce outliers and non-conforming instances from distorting averages: R-2 < 5.0; R-4 < 2.0; R-8 < 1.0; R-15 < 0.5; R-40 < 0.25.

Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals. Some approved entitlements, and particularly older ones, may be constructed.

Decennial population counts and household counts are based on the most recent Decennial Census. Current population and current household values are COMPASS estimates, usually for the year previous, and are based on traffic analysis zone boundaries (TAZ's).

B. Mixed Use Analysis Notes

This data is derived from enterprise application and GIS databases, and exported dynamically. Data considered for analysis are only those areas overlapping the overall Mixed Use boundary area. Mixed Use areas across arterial roadways are distinct, separate, and not considered as they do not meet the mixed use principles in the Comprehensive Plan (e.g. pedestrian safety, transportation efficiency, etc.). Mixed Use parcel areas may be greater or smaller than the future land use area designation boundary due parcel size, configuration, right-of-way, and other factors. Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals.

C. Service Assessment Notes

This data represents existing conditions derived from our enterprise application and GIS database, exported through dynamic reporting. The system references the most recent available data from various sources, including sewer main lines, sewer trunksheds, floodplain, fire service areas and response times, police crime reporting, pathway information, existing and planned transit, roadway improvements, school and park proximity, and other resources.

The tool provides context for project review, using multiple indicators consistently. Data from similar topics may vary based on different levels of review.

The overall score is based on weighted criteria (not a ranked order), and the percentile score compares the parcel to others in the city (higher is better). This tool was developed as a City Council priority and outcome of the 2019 Comprehensive Plan. Scores, whether high or low, are just one data point and should not be the sole basis for decisions.

D. ACHD Roadway Infographic Notes

The Ada County Highway District utilizes a number of planning and analysis tools to understand existing and future roadway conditions.

- **Existing Level of service (LOS).** LOS indicator is a common metric to consider a driver's experience with a letter ranking from A to F. Letter A represents free flow conditions, and on the other end Level F represents forced flow with stop and go

conditions. These conditions usually represent peak hour driver experience. ACHD considers Level D, stable flow, to be acceptable. The LOS does not represent conditions for bikes or pedestrians, nor indicate whether improvements: are possible; if there are acceptable tradeoffs; or if there is a reasonable cost-benefit.

- **Integrated Five Year Work Plan (IFYWP).** The IFYWP marker (yes/no) indicates whether the specified roadway is listed in the next 5-years. This work may vary, from concept design to construction.
- **Capital Improvement Plan (CIP).** The CIP marker (yes/no) indicates whether the specified roadway is programmed for improvement in the next 20-years.