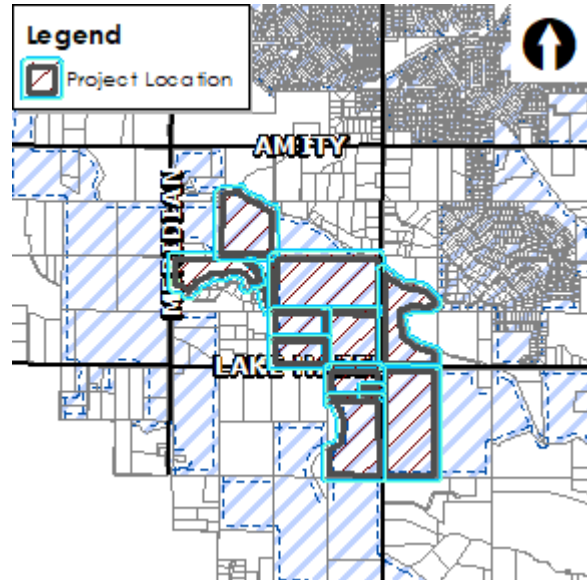


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbia Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1.E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.
PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E
PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

Modification to existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan; Annexation of 40.09 acres of land with an R-2 zoning district; and, Rezone of 384.97 acres of land from the R-4 to the R-2 (0.70 acre), R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

Apex Northwest (NW): Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

Apex Southeast (SE): Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Because right-of-way for E. Lake Hazel Rd. and S. Locust Grove Rd. separates the land proposed to be platted, two separate preliminary plat applications are required to subdivide the property.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage Existing/Proposed Zoning Future Land Use Designation	40.09 (AZ); 384.97 (RZ); 41.75 (PP - Northwest); 81.63 (PP - Southeast) RUT in Ada County (existing); R-4 (Medium Low-Density Residential) Low Density Residential [LDR (3 or fewer units/acre) – 39+/- acres); Medium Density Residential (MDR – 3 to 8 units/acre) (206/- acres); Medium High-Density Residential (21+/- acres); & Mixed Use – Community (MU-C) (120+/- acres)	
Existing Land Use(s) Proposed Land Use(s)	Agricultural Single-family residential (SFR) attached/detached, commercial, office, 2 schools (elementary & charter)	
Lots (# and type; bldg./common)	NW: 120 residential buildable/11 commercial buildable/14 common SE: 237 residential buildable/2 commercial buildable/30 common/10 other NW & SE Combined: 357 SFR residential buildable; 13 commercial buildable; 44 common lots; and 10 other lots for shared driveways	
Phasing Plan (# of phases)	3 (NW); 5 (SE)	
Number of Residential Units (type of units)	NW: 120 units (88 detached/32 attached) SE: 237 units (detached) NW & SE Combined: 325 detached & 88 attached	
Density (gross & net)	NW: 5.62 units/acre (gross); 11.21 units/acre (net) SE: 3.75 units/acre (gross); 6.17 units/acre (net) NW & SE (overall): 4.22 units/acre (gross); 7.27 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	NW: 6.33 acres (15.17%) SE: 10.79 acres (13.22%) NW & SE Combined: 17.12 acres (or 13.88%)	
Amenities	NW: Community center with a clubhouse, community post office, café, library/business center; community amphitheater; additional common open space above the minimum required. SE: Community swimming pool, tot lot with play equipment, pathway access to the City’s Discovery Park, additional common open space above the minimum required.	
Physical Features (waterways, hazards, flood plain, hillside)	The Farr Lateral runs along the north and east boundaries of this site; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the site.	
Neighborhood meeting date; # of attendees:	2/5/20; 29 attendees	
History (previous approvals)	ROS #7394; ROS #7783; H-2015-0019 – South Meridian AZ (DA’s: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; and Murgoitio Limited Partnership – Inst. #2016- 007074)	

B. Community Metrics

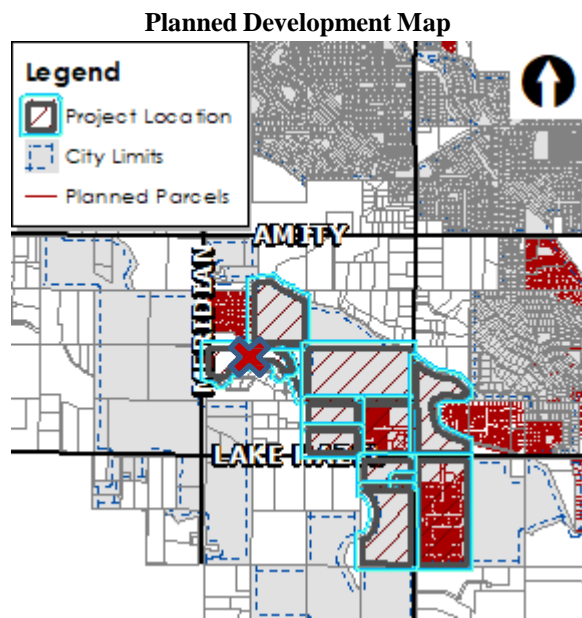
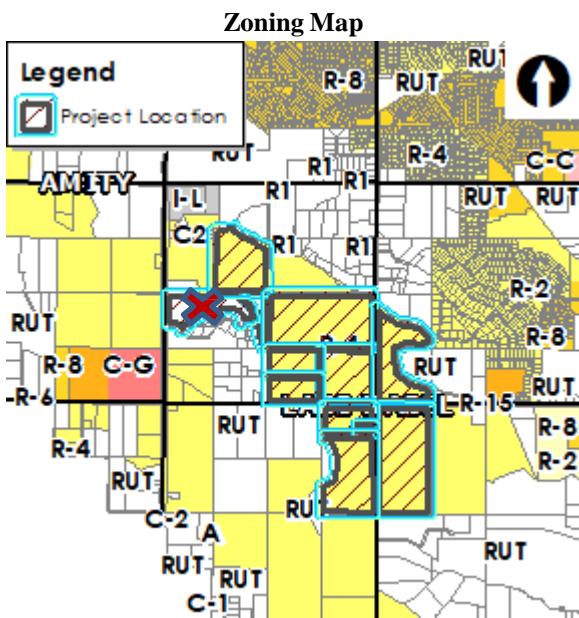
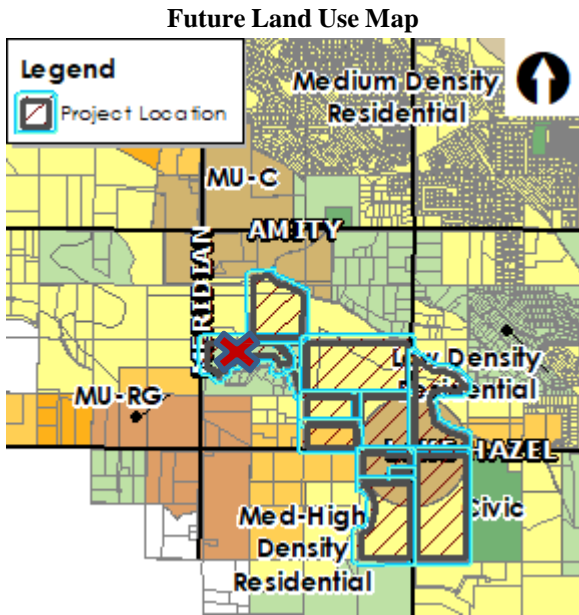
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	Yes (PP, draft); Yes (AZ, RZ) Yes (consent agenda on 8/5/20)	
Traffic Impact Study (yes/no)	Yes	

Description	Details	Page
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) Traffic Level of Service	NW: 2 accesses via S. Locust Grove Rd. & 2 accesses via E. Lake Hazel Rd., both existing arterial streets; and 2 collector streets are proposed SE: 2 accesses via E. Lake Hazel Rd. & 3 accesses via S. Locust Grove Rd., both existing arterial streets; and 3 collector streets are proposed Better than “D” (Acceptable level of service is “E”) – Lake Hazel, Locust Grove & Amity Roads	
Stub Street/Interconnectivity/Cross Access	Two stub streets are proposed to this site from Prevail Subdivision near the northwest corner of the rezone area; no other stub streets exist to this site. Stub streets are proposed to adjacent properties for interconnectivity as shown on the preliminary plats.	
Existing Road Network	There are no existing streets within the site, only S. Meridian Rd./SH-69, E. Lake Hazel Rd. and S. Locust Grove Rd. adjacent to the site	
Existing Arterial Sidewalks / Buffers	There are no existing sidewalks or buffers along Meridian Rd./SH-69, Lake Hazel, or Locust Grove Roads.	
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road in 2023. • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road in 2021. • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Eagle Road to Cloverdale Road in 2024. • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Five Mile Road. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023. • The intersection of Locust Grove Road and Victory Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 4-lanes on the north and south legs and 2-lanes on the east and west legs in 2021. • Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Locust Grove Road to Eagle Road between 2026 and 2030. • Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Meridian Road (SH-69) to Locust Grove Road between 2026 and 2030. • Amity Road is listed in the CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2026 and 2030. • The intersection of Lake Hazel Road and Locust Grove Road is listed in the CIP to be reconstructed as a single lane roundabout widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg with a westbound bypass right turn bypass lane between 2026 and 2030. • The intersection of Lake Hazel Road and SH-69 is listed in the CIP to be widened to 7-lanes on the north, south, west and east legs and signalized between 2026 and 2030. • The intersection of Locust Grove Road and Amity Road is listed in the CIP to be widened to 4-lanes on the north leg, 3-lanes on the south leg, 5-lanes on the west leg and 6-lanes on the east leg and signalized between 2026 and 2030. <p>Additional right-of-way is required to be dedicated for the future expansion of Lake Hazel & Locust Grove Roads with pavement widened to 17’ from centerline</p>	
Fire Service		
• Distance to Fire Station	NW – 3.3 miles to Fire Station #4 SE – 3.1 miles to Fire Station #4	
• Fire Response Time	NW & SE - only a small portion falls within 5 minute response time goal	
• Resource Reliability	NW & SE - 78% - does <i>not</i> meet target goal of 80% or greater	
• Risk Identification	NW & SE – 1 and 4, current resources would <i>not</i> be adequate to supply service to this project	
• Accessibility	NW & SE - Project meets all required access, road widths and turnarounds <i>if</i> phasing plan is followed	

Description	Details	Page																				
<ul style="list-style-type: none"> Special/resource needs Water Supply Other Resources 	<p>NW & SE - Project will require an aerial device; response time is 9 minutes travel time (under ideal conditions) – can meet this need in the required timeframe if needed</p> <p>NW & SE - Requires 1,500 gallons per minute for 2 hours, may be less if buildings are fully sprinklered</p>																					
Police Service																						
<ul style="list-style-type: none"> Distance to Police Station Police Response Time Calls for Service Accessibility Specialty/resource needs Crimes Crashes Other 	<p>4.5 miles</p> <p>Average response time in the City is just under 4 minutes – there isn't enough public initiated call data to determine an average response time for this area (goal is 3-5 minutes)</p> <p>71 (within a mile of site between 3/15/2019-3/14/2020)</p> <p>No concerns</p> <p>No additional resources are required at this time.</p> <p>10 (within a mile of site between 3/15/2019-3/14/2020)</p> <p>38 (within a mile of site between 3/15/2019-3/14/2020)</p> <p>The MPD can provide service if this development is approved as they already serve this area.</p>																					
West Ada School District																						
<ul style="list-style-type: none"> Distance (elem, ms, hs) Capacity of Schools # of Students Enrolled 	<table border="1"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles <small>(Dist. to School)</small></th> </tr> </thead> <tbody> <tr> <td>Mary McPherson Elementary**</td> <td>555</td> <td>550</td> <td>2.0</td> </tr> <tr> <td>Siena Elementary***</td> <td>677</td> <td>800</td> <td>3.1</td> </tr> <tr> <td>Victory Middle School</td> <td>969</td> <td>1000</td> <td>4.2</td> </tr> <tr> <td>Mountain View High School</td> <td>2210</td> <td>2349</td> <td>3.3</td> </tr> </tbody> </table> <p>**During the 20/21 school year Mary McPherson's student capacity will increase to 675, due to the current classroom expansion underway. **</p> <p>***Enrollment at Hillisdale Elementary is currently capped. Students in this development that are in the Hillisdale Boundary will be attending Siena Elementary until a new school is built to eliminate overcrowding at Hillisdale.***</p>		Enrollment	Capacity	Miles <small>(Dist. to School)</small>	Mary McPherson Elementary**	555	550	2.0	Siena Elementary***	677	800	3.1	Victory Middle School	969	1000	4.2	Mountain View High School	2210	2349	3.3	
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Victory Middle School	969	1000	4.2																			
Mountain View High School	2210	2349	3.3																			
<ul style="list-style-type: none"> # of Students Anticipated from this Development 	286																					
Wastewater																						
<ul style="list-style-type: none"> Distance to Sewer Services Sewer Shed Estimated Project Sewer ERU's WRRF Declining Balance Project Consistent with WW Master Plan/Facility Plan Impacts/Concerns 	<p>Directly adjacent</p> <p>South Black Cat Trunk Shed</p> <p>See application</p> <p>13.95</p> <p>Yes</p> <p>Flow has been committed</p>																					
Water																						
<ul style="list-style-type: none"> Distance to Water Services Pressure Zone Estimated Project Water ERU's 	<p>Directly adjacent</p> <p>5</p> <p>See application</p>																					

<ul style="list-style-type: none"> • Water Quality 	None	
<ul style="list-style-type: none"> • Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> • Impacts/Concerns 	Public Work's preference is to see all water utilities in the public right-of-way (ROW), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Brighton, Murgoitio, et al – 2929 W. Navigator #400, Meridian, ID 83642

B. Owner:

Same as Applicant

C. Representative:

Michael D. Wardle, Brighton Corporation – 2929 W. Navigator #400, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	6/19/2020	7/24/2020
Notification mailed to property owners within 300 feet	6/16/2020	7/21/2020
Applicant posted public hearing notice on site	6/26/2020	7/29/2020
Nextdoor posting	6/16/2020	7/21/2020

V. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates approximately ~~39 acres of the site as Low Density Residential (LDR)~~, 206+/- acres as Medium Density Residential (MDR); 21+/- acres as Medium High-Density Residential (MHDR); and 120+/- acres as Mixed Use – Community (MU-C). A future school site and City Park is designated in the general area northwest of the Locust Grove/Lake Hazel intersection, north of the MU-C designated area. Another school site is designated on the east side of N. Locust Grove Rd., north of Lake Hazel Rd., just north of the subject rezone area.

~~The LDR designation allows for the development of single family homes on large and estate lots at gross densities of 3 dwelling units or less per acre. These areas often transition between existing rural residential and urban properties. Developments need to respect agricultural heritage and resources, recognize view sheds and open spaces, and maintain or improve the overall atmosphere of the area. The use of open spaces, parks, trails, and other appropriate means should enhance the character of the area.~~

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

The purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas

have a tendency to be larger than in Mixed Use – Neighborhood (MU-N) areas, but not as large as in Mixed Use – Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C in the Comprehensive Plan (see pg. 3-16). In reviewing development applications, the items noted on Pgs. 3-13, 3-15 and 3-16 will be considered (see analysis below).

Transportation: ACHD’s [Master Street Map \(MSM\)](#) depicts an east/west residential collector street at the half mile between Amity and Lake Hazel Roads; a north/south industrial collector at the half mile between Meridian and Locust Grove Roads north of the half mile between Amity and Lake Hazel Roads, which transitions to a residential collector to the south to Lake Hazel Rd.; a commercial collector around the MU-C designated area at the Locust Grove/Lake Hazel intersection (see dashed lines on map below), and a residential collector along the southern boundary of Apex Southeast. A dual lane roundabout is planned at the Locust Grove/Lake Hazel Rd. intersection. *Note: Because a residential collector seems to be more appropriate than an industrial collector street designation in this area, ACHD has included a change to the street classification in the MSM update currently in process.*

The proposed preliminary plats depict collector streets consistent with the MSM (i.e. E. Crescendo St. & S. Apex Ave. in Apex Northwest; and E. Tower St., S. Vertex Way and E. Via Roberto St. in Apex Southeast). The proposed Master Plan included in Section VIII.A, depicts conceptual street locations in the annexation/rezone area; **future preliminary plats should provide collector streets in accord with the MSM as required by ACHD.**



Proposed Development: The Applicant proposes to develop the 41.75 acre property at the northwest corner of Locust Grove and Lake Hazel Roads in the MDR & MU-C designated areas with 120 single-family residential units consisting of 32 attached units and 88 detached units, a future public elementary school, and neighborhood-scale commercial uses as allowed in the C-C zoning district. The 81.63 acre property located at the southeast corner of Locust Grove and Lake Hazel Roads in the MDR and MU-C designated areas is

proposed to develop with 237 single-family residential detached units, a charter school, and commercial uses as allowed in the C-C zoning district.

A City Park is not required to be provided with this development due to the proximity of Discovery Park at the project's southeast boundary; however, the Park's Dept. would be willing to discuss the potential for a partnership if desired by the Applicant.

The following Comprehensive Plan Policies are applicable to this development:

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front and alley-loaded) are proposed in Apex Southeast.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front- and alley-loaded) are proposed in Apex Southeast.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed residential uses should be compatible with existing rural residential/agricultural uses in the area. The proposed design of the commercial and residential areas with streets separating the uses should minimize conflicts.

- “With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

Internal pedestrian pathways are proposed through common areas for interconnectivity as well as to the City Park on the east side of Apex Southeast and to perimeter sidewalks. Segments of the City’s multi-use pathway system are required in accord with the Pathways Master Plan (see Park’s Dept. comments in Section IX.E). Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will connect to City water and sewer systems; services are required to be provided to and though this development in accord with current City plans.

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed with the preliminary plats.

- “Encourage the development of high quality, dense residential and mixed use areas near in and around Downtown, near employment, large shopping centers, public open spaces and parks, and along major transportation corridors, as shown on the Future Land Use Map.” (2.02.01E)

*Lake Hazel Rd. lies between the proposed preliminary plats and is classified as a residential mobility arterial that is planned to be a major transportation corridor. A City Park (Discovery Park) abuts the east side of the proposed Apex Southeast subdivision. All four corners of the Lake Hazel/Locust Grove intersection are designated for mixed use (MU-C) development. **Development in this area should be high quality and more densely populated at a minimum of 6 units/acre in the MU-C designated area. The gross density of Apex Southeast is only 3.75 units per acre while the density of Apex Northwest is 5.62 units per acre. Staff encourages a higher density due to the location of this site adjacent to a major transportation corridor and City Park. This could be attained through the inclusion of more dense housing types such as more single-family attached units, townhome units and/or multi-family apartments.***

- “Ensure development provides safe routes and access to schools, parks, and other community gathering places.” (2.02.01G)

Detached sidewalks and pathways are proposed throughout the proposed subdivisions for safe pedestrian access to the future school sites, the City Park and neighborhood commercial/office uses.

- “Where feasible, encourage large transmission and pipeline utility corridors to function as transitional buffers, parkland, pathways, and gathering spaces within and adjacent to their right of way.” (3.07.01E)

A 75-foot wide easement for the Williams Northwest Gas Pipeline crosses this site and is depicted on the Master Plan and preliminary plats as grassy open space area containing a multi-use pathway. No structures are allowed within this easement.

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)

Collector streets are proposed on the preliminary plats in accord with the MSM; collector streets will be required to be provided with future preliminary plats in accord with the MSM as required by ACHD.

In reviewing development applications, the following items will be considered in *all* Mixed Use areas, per the Comprehensive Plan (pg. 3-13): (Staff’s analysis in italics)

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”
The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.
- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”
Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.
- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”
A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

is required as a provision of the rezone to ensure future development is consistent with the MU-C FLUM designation.

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”
*The Master Plan for Apex Northwest depicts a community center with a plaza and amphitheater in the commercial portion of the development. **The Master Plan for the commercial portion of Apex Southeast nearest the intersection doesn’t include a development plan – the future plan should include some form of common, usable area such as a plaza or green space as desired as should other future commercial/office areas in MU-C designated areas where future development is unknown at this time.***
- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”
There are no existing residential uses adjacent to proposed commercial development; therefore, transitional uses and buffering aren’t applicable.
- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”
A public school is planned in Apex Northwest and a charter school is planned in Apex Southeast per the Master Plan in accord with the FLUM which depicts two school sites in this general area. A community center and amphitheater is proposed in the commercial portion of Apex Northwest. A 27-acre City Park (Discovery Park) abuts the east side of Apex Southeast. A linear open space is planned where the Williams Northwest Gas Pipeline easement is located.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”
An outdoor amphitheater, community center with a plaza and charter school is proposed in this development in the MU-C designated area. Discovery Park, a 27-acre regional City park, exists to the east of Apex Southeast and includes picnic shelters, pathways, open play areas, play structures, a splash pad, an off-leash dog park and ballfields.
- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”
The public/quasi-public areas (i.e. community center and amphitheater) proposed in this development are centrally located within the mixed use designated area in Apex Northwest. Discovery Park abuts Apex Southeast and offers a wide variety of activities for area residents.
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”
The proposed mixed use developments will be directly accessible to adjacent neighborhoods within the section through extension of streets and internal pedestrian pathways.
- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”
Roadways are proposed as a transition between residential and commercial land uses in both of the proposed subdivisions; and alleys, roadways and common areas are proposed between residential housing types and densities as desired.

- “Because of the parcel configuration within Old Town, development is not subject to the Mixed Use standards listed herein.”

The subject property is not located in Old Town, therefore, this item is not applicable.

In reviewing development applications, the following items will be considered in MU-C areas, per the Comprehensive Plan (pgs. 3-15 thru 3-16):

- “Developments should comply with the general guidelines for development in all Mixed Use areas.”
See analysis above.
- “All developments should have a mix of at least three land use types.”
The proposed development has a mix of residential, commercial, office and civic uses as desired.
- “Residential uses should comprise a minimum of 20% of the development area at gross densities ranging from 6 to 15 units/acre.”
Residential uses should comprise a minimum of 20% of the overall MU-C designated area at a minimum density of 6 units/acre. Prior to development of the “future development” areas on the Master Plan, a conceptual development plan should be submitted to ensure compliance.
- “Non-residential buildings should be proportional to and blend in with adjacent residential buildings.”
The design, color, construction materials and height of non-residential buildings should be proportional to and blend with adjacent residential buildings as desired.
- “Vertically integrated structures are encouraged.”
No vertically integrated structures are proposed at this time but are encouraged to be included.
- “Unless a structure contains a mix of both residential and office, or residential and commercial land uses, a maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 60,000 square-foot building footprint. For the development of public school sites, the maximum building size does not apply.”
The building footprints shown on the Master Plan do not exceed 30,000 square feet; future development should be consistent with this guideline.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating areas at restaurants do not count towards this requirement.”
*A community center with a plaza area and amphitheater are proposed in Apex Northwest adjacent to service commercial and office uses; a charter school is proposed in Apex Southeast. **These types of spaces and places and uses should be provided in all of the MU-C designated areas in accord with this guideline.** Linear open space containing a multi-use pathway is proposed where the Williams Northwest Gas Pipeline easement is located.*
- “Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for additional residential densities and/or an increase to the maximum building footprint.”
Although this is an option, the developer is not requesting an increase in density or in the maximum building footprint allowed.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

The Applicant proposes to modify the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. [#2016-007072](#); SCS Brighton, LLC – Inst. [#2016-007073](#); Murgoitio Limited Partnership – Inst. [#2016-007074](#)) for this property in order to replace the agreements with one new agreement based on the proposed Master Plan (see Section VIII.A).

The existing Development Agreements (DA's) were required with the South Meridian Annexation application in 2015. Because that application was initiated by the City, no development was proposed at that time. A “placeholder” zoning of R-4 was assigned to all of the properties with the requirement that any future development would require an amendment to the DA's to approve any proposed development plan. Existing allowed uses in the County pertaining to the raising or maintaining of livestock and agricultural operations; an exemption to MCC 6-3-10, Firearms, Dischargeable Instruments; and existing agreements for the collection of solid waste were allowed to remain and continue until such time as the properties redeveloped in the future. With the proposed development, these uses are required to cease.

The existing DA's require any property or easements needed by the City to provide any sewer or water infrastructure needed in furtherance of the agreement to be provided by the Owner at no cost to the City for the intent of providing for the advancement of sewer and water infrastructure for the benefit of the property, the City and adjacent properties for water mains, sewer mains and trunk lines. Because all of the water and sewer infrastructure commitments have been met and have been constructed, these provisions do not need to be carried over to the new DA.

Staff recommends the proposed Master Plan is included in the new DA along with the provisions for future development listed in Section IX.A.1 to ensure compliance with the MU-C FLUM designation.

~~B. Annexation & Zoning (AZ):~~

~~Annexation of Lot 4, Block 1 of Shafer View Estates Subdivision consisting of 40.09 acres of land is proposed with an R-2 zoning district consistent with the associated FLUM designation of LDR. This lot was previously deed restricted as part of a non-farm development in the County and was only allowed to be used as open space for a period of not less than 15 years from the recording date of the plat; because the plat was recorded in 2002, this restriction has since expired.~~

~~No development is proposed at this time. Annexation is requested because the easterly 10 acres of the lot is needed for sewer and access to the proposed development; the remainder of the property is not proposed to develop as part of this project. Future development is required to comply with the dimensional standards of the R-2 zoning district. The Developer plans to develop the property between the collector street and the adjoining Shafer View Subdivision with 1-acre lots as a transition and buffer to the existing neighborhood. **Prior to annexation of the property, a lot division should be approved by Ada County in order for the Applicant to only develop the eastern portion of the property.**~~

~~The annexation area is within the Area of City Impact Boundary (AOCI). A legal description for the annexation area is included in Section VIII.B.~~

~~The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because the R-2 district only allows single-family residential detached dwellings, parks, minor public utilities and certain wireless communication facilities as principal permitted uses, Staff does not feel it's necessary to restrict development of the property through a DA as a provision of annexation.~~

C. Rezone (RZ):

A rezone of 384.97 acres of land from the R-4 to the R-2 (0.70 acre), R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts is proposed.

The 0.70 of an acre of land proposed to be rezoned to R-2 is located directly to the east of the annexation area on the west side of the future collector street depicted on the Master Plan. Because this property is designated MDR on the FLUM, the R-4 or R-8 zoning districts would typically be the best zoning choices. However, because this area will develop as part of the adjacent property to the west proposed to be annexed with R-2 zoning, Staff recommends the adjacent LDR designation is used for the area proposed to be rezoned as allowed in the Comprehensive Plan when deemed appropriate and approved as part of a public hearing with a land development application (see pg. 3-9). No development is proposed at this time. Future development is required to comply with the dimensional standards of the R-2 zoning district listed in UDC Table 11-2A-4 and the allowed uses listed in UDC Table 11-2A-2.

The areas proposed to be rezoned to R-8 consisting of a total of 264.06 acres are primarily designated on the FLUM as MDR but some of the area is within the MU-C designated area. The Master Plan does not depict a conceptual development plan for much of the R-8 zoned area except for that to the south of the C-C zoned area in Apex Southeast where single-family detached homes are proposed at a gross density of 3.75 units/acre. **Because this area is in close proximity to a major transportation/mobility corridor (E. Lake Hazel Rd.) and a City Park, a higher density in this area is encouraged.**

The 76.93 acre areas proposed to be rezoned to R-15 lie within areas designated as MDR, MHDR and MU-C on the FLUM. The Master Plan does not include a conceptual development plan for the portion in the MHDR designated area. **To ensure future development occurs consistent with the guidelines in the Comprehensive Plan for MHDR designated areas, Staff recommends a DA provision requiring future development to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place; an alternative housing type such as townhomes and/or multi-family is recommended. Connectivity with adjacent uses and area pathways, attractive landscaping and project identity should also be provided.** The majority of the remainder of the R-15 area is designated MU-C with a small portion designated MDR. Alley-loaded single-family attached and detached homes are depicted on the Master Plan in the MDR and MU-C designated areas included in the Apex Northwest plat at the northwest corner of Locust Grove/Lake Hazel Roads in accord with the Comprehensive Plan. A concept development plan is not proposed for the remainder of the area proposed to be zoned R-15 north of the commercial area in Apex Northwest, on the south side of Lake Hazel and on the east side of Locust Grove in the MU-C designated area. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan.** Future development should comply with the dimensional standards of the R-15 district listed in UDC Table 11-2A-7, the allowed uses for the R-15 district listed in UDC Table 11-2A-2, and the general guidelines for Mixed Use developments and specifically MU-C designated areas in the Comprehensive Plan.

The proposed rezone of 43.28 acres of land to the C-C zoning district is consistent with the associated FLUM designation of MU-C. The area at the northwest corner of Locust Grove and Lake Hazel Roads is proposed to develop with a mix of neighborhood-serving commercial and office uses including a community center and amphitheater; and the area on the south side of Lake Hazel, east of the Locust Grove/Lake Hazel intersection is proposed to develop with a charter school as depicted on the Master Plan. A conceptual development plan is not proposed for the MU-C designated areas at the southwest, southeast and northeast corners of the intersection. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan consistent with these guidelines.**

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should 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 should be submitted to the Planning Division with a future subdivision application for the surrounding property.

Legal descriptions with associated exhibit maps of the areas proposed to be rezoned are included in Section VIII.B. **Because the legal description and map for the R-2 zoned area includes 40.09 acres of land that is part of the annexation request, Staff has requested the Applicant revise the description to exclude that area; a revised legal description and exhibit map should be submitted prior to the City Council hearing.**

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because a new DA is proposed to replace the existing DA’s Staff recommends the above recommended DA provisions are included in that agreement.

D. Preliminary Plats:

Two separate preliminary plats, Apex Northwest and Apex Southeast, are proposed due to ACHD right-of-way (ROW) for Lake Hazel and Locust Grove Roads separating the properties. Because this overall project will be developed as a single integrated project and marketed as such, analysis of both projects is included in this report.

Apex Northwest consists of 120 single-family residential buildable lots for the development of 88 detached and 32 attached dwelling units, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts. The minimum lot size proposed is 2,863 square feet (s.f.) with an average lot size of 3,885 s.f. The gross density proposed is 5.62 units/acre with a net density of 11.21 units/acre. The subdivision is proposed to develop in 3 phases as shown on the Phasing Plan in Section VIII.D.

Apex Southeast consists of 237 single-family residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet (s.f.) with an average lot size of 7,058 s.f. The gross density proposed is 3.75 units/acre with a net density of 6.17 units/acre. The subdivision is proposed to develop in three (5) phases as shown on the phasing plan in Section VIII.D.

Overall, a total of 357 single-family residential buildable lots, 13 commercial buildable lots, 44 common lots and 10 other lots are proposed between the two subdivisions at a gross overall density of 4.22 units/acre and a net overall density of 7.27 units/acre.

Existing Structures/Site Improvements:

There are no existing structures within the boundaries of the proposed plats.

The Northwest Williams Gas Pipeline crosses the northeast corners of Apex Northwest (Lot 2, Block 6) and Southeast (Lot 1, Block 9 and Lot 1, Block 14) subdivisions as depicted on the preliminary plats. Development within this area should comply with the Williams Developers’ Handbook. No structures should be located within the easement.

Proposed Use Analysis:

The proposed single-family detached and attached dwellings are listed as a principal permitted use in the R-8 and R-15 zoning districts; and an education institution is listed as a conditional use in the R-8 zoning district per UDC Table 11-2A-2, subject to the specific use standards listed in UDC 11-4-3-14. An education institution and professional service (i.e. office) is listed as a principal permitted use in the C-C

district, subject to the specific use standards listed in UDC 11-4-3-14; other allowed uses in the C-C district are listed in UDC Table 11-2B-2.

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

Development of the subject property is required to comply with the dimensional standards listed in UDC Tables 11-2A-6 for the R-8 zoning district, 11-2A-7 for the R-15 district and 11-2B-3 for the C-C district.

Subdivision Design and Improvement Standards (UDC [11-6C-3](#))

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3, including but not limited to streets, alleys, common driveways, easements and block face.

The proposed lots in Apex Northwest are consistent with the dimensional standards of the R-15 and C-C zoning districts. **However, one of the alleys is not designed so that the entire length is visible from a public street as required by UDC 11-6C-3B.5e; the plat should be revised to comply.** Common driveways that comply with the standards in UDC 11-6C-3D may be considered as an alternative.

The proposed lots in Apex Southeast are consistent with the dimensional standards of the C-C and R-8 zoning districts. Two (2) alleys and 10 common driveways are proposed in the residential portion of the development that are consistent with the standards in UDC 11-6C-3. Such alleys and common driveways should be constructed in accord with the standards listed in UDC 11-6C-3B.5 and 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

Access (UDC [11-3A-3](#))

Access is required to comply with the standards listed in UDC 11-3A-3.

Apex Northwest: Two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street, and two (2) public street accesses are proposed via S. Locust Grove Rd., an arterial street. Collector streets (E. Crescendo St. and S. Apex Ave.) are proposed in accord with the MSM.

Apex Southeast: Three (3) public street accesses are proposed via S. Locust Grove Rd., an arterial street, and two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street. Collector streets (E. Tower St., S. Vertex Way and E. Via Roberto St.) are proposed in accord with the MSM.

Alleys are proposed for access to alley-loaded homes in Apex Northwest and Apex Southeast. Common driveways are proposed for access to certain homes in Apex Southeast.

Cross-access easements should be provided between all commercial lots in the subdivisions as set forth in UDC 11-3A-3A.2.

Road Improvements: The Applicant has proposed to enter into a Cooperative Development Agreement (CDA) with ACHD to improve Lake Hazel Road abutting the site with (4) 11.5' wide travel lanes, a 19' wide center landscape median, vertical curb, gutter, 8' wide planter strips and 10' wide detached concrete sidewalks within 109' to 120. 5' of right-of-way (ROW) with the first phase of development. The Applicant has proposed to construct dedicated right-turn lanes on Lake Hazel Rd. at Aspiration Ave., Apex Ave., Peak Ave. and Vertex Way. Locust Grove Rd. abutting the site is proposed to be improved with (3) 12' wide travel lanes with 6.5' wide bike lanes, vertical curb, gutter, 8' wide planter strips and 5' wide

detached concrete sidewalks within 77' of ROW. The specific conditions of approval pertaining to the CDA are included in the ACHD report in Section IX.H.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. Parking for non-residential uses is required per the standards listed in UDC 11-3C-6B.1.

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

The Pathways Master Plan (PMP) depicts segments of the City's multi-use pathway system in the linear area where the Williams gas pipeline is located and along the east boundary of the rezone area.

Pathways should be provided with development in accord with the PMP per the conditions from the Park's Dept. in Section IX.E. **All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan. Landscaping shall be provided along either side of the pathway in accord with the standards listed in UDC 11-3B-12C. Public pedestrian easements (14-foot wide) should be provided prior to signature by the City Engineer on final plat phases in which pathways are located.**

Staff recommends two (2) additional micro-path connections are provided in Apex Southeast at the east boundary to Discovery Park.

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

The UDC (11-3A-17) requires, at a minimum, detached sidewalks to be provided along arterial and collector streets and attached sidewalk to be provided along local streets.

Detached sidewalks are proposed along all internal local and collector streets and along the arterial streets in accord with the standards listed in UDC 11-3A-17.

Parkways (UDC [11-3A-17](#)):

Eight-foot wide parkways are proposed adjacent to all streets with detached sidewalks; all parkways are required to be constructed in accord with the standards listed in UDC 11-3A-17.

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

A 25-foot wide street buffer is required adjacent to S. Locust Grove Rd. and E. Lake Hazel Rd., both arterial streets; and a 20-foot wide street buffer is required adjacent to E. Crescendo St., S. Apex Ave., E. Tower St., S. Vertex Way and E. Via Roberto St., all collector streets, landscaped per the standards listed in [UDC 11-3B-7C](#). *Alternative Compliance may be requested to UDC 11-3B-7C.2a for street buffers along collector streets to be located in a dedicated buffer rather than in a common lot.*

Parkways are required to be landscaped in accord with the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#).

Landscaping is required along all pathways in accord with the standards listed in [UDC 11-3B-12C](#) as discussed above.

Common open space is required to be landscaped in accord with the standards listed in [UDC 11-3G-3E](#).

Mitigation is required for any existing trees proposed to be removed from the site as set forth in UDC 11-3B-10.C.5.

If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

Qualified Open Space (UDC [11-3G](#)):

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required to be provided with development of land in residential districts.

Based on the residential portion of the Apex Northwest plat (31.52 acres) zoned R-15, a minimum of 3.15 acres of *qualified* open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that *appears* to meet the minimum standards, it includes areas in the C-C zoning district that do *not* qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to *only* depict areas that qualify per the standards listed in UDC 11-3G-3B in order to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of 6.32 acres of qualified open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that *appears* to comply with the minimum standards, it includes areas in the C-C zoning district that do *not* qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to *only* depict areas that qualify per the standards listed in UDC 11-3G-3B to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

Qualified Site Amenities (UDC [11-3G](#)):

A minimum of one (1) qualified site amenity is required for each 20 acres of land to be developed in residential districts as set forth in UDC 11-3G-3.

Based on the area of the residential portion of Apex Northwest (31.52 acres), a minimum of one (1) qualified site amenity is required to be provided. A gazebo is proposed as an amenity in Lot 32, Block 5 as an amenity; **Staff recommends tables and benches are also provided as required for a “picnic area” amenity.** A community center and amphitheater are also proposed as public amenities in the adjacent commercial portion of the development and a swimming pool is depicted on the Master Plan off-site on the adjacent property to the north; however, these do not qualify as amenities for the residential portion of the development proposed to be platted with this application.

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of three (3) qualified site amenities are required to be provided. **A swimming pool and children’s play equipment are proposed in a central common area and pedestrian pathways (multi-use pathway along E. Lake Hazel Rd. and internal pathways) are proposed as amenities in this development in accord with UDC standards. A detail of the children’s play equipment should be submitted with the final plat application.**

Waterways (UDC [11-3A-6](#)):

There are no waterways within the boundary of the preliminary plats.

The Farr Lateral runs along the north and east boundaries; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the annexation and/or rezone areas.

Fencing (UDC [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-6C and 11-3A-7. Fencing is proposed as shown on the landscape plan.

Six-foot tall wood picket fencing is proposed along end caps at the ends of residential lots adjacent to common areas; and 5-foot tall clear vision metal fencing is proposed adjacent to internal common areas.

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practice as adopted by the City.

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from Boise Project Board of Control.

Building Elevations (UDC [11-3A-19](#) | [Architectural Standards Manual](#)):

The Applicant submitted several perspective building elevations for the proposed single-family homes and for the commercial structures planned to be constructed in this development which are included in Section VIII.G. Homes depicted are a mix of 1- and 2-story units, attached and detached, with building materials consisting of a variety of siding styles and stucco with stone/brick veneer accents. Final design is required to comply with the design standards in the Architectural Standards Manual, single-family detached dwellings are exempt from design review standards.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that 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.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and non-residential/commercial structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

Staff recommends approval of the proposed MDA, AZ, RZ and PP applications with the requirement of a new Development Agreement with the provisions noted in Section IX.A per the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on July 9, 2020. At the public hearing, the Commission moved to recommend approval of the subject MDA, RZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Wardle
- b. In opposition: None
- c. Commenting: Stacia Morgan; Annette Alonso representing the Southern Rim Coalition
- d. Written testimony: Julie Edwards
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Rd. between Meridian Rd. & Locust Grove Rd. (not against higher density around

- commercial areas); would like to see the zoning of the “future development” areas remain R-4 rather than be rezoned to R-8; belief that farm land and open space should be preserved as much as possible; concern that current school system does not have the capacity to accommodate all of the students from this development; would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to re-evaluate how we want to use our dwindling remaining open spaces & farmland.
- b. Concern pertaining to capacity of area schools and ability to accommodate more students from this development;
 - c. Would like pathways provided to Black Rock Subdivision for connectivity.
3. Key issue(s) of discussion by Commission:
- a. Concern pertaining to capacity of area schools and the impact of the proposed development on such;
 - b. Supportive of proposed development, community amenities and associated improvements to Locust Grove and Lake Hazel Roads.
4. Commission change(s) to Staff recommendation:
- a. If revised qualified open space exhibit depicts qualified area less than 10% that the amphitheater in the commercial area be allowed to count toward the requirement through an alternative compliance request to UDC 11-3A-3.
5. Outstanding issue(s) for City Council:
- a. None

Note: The annexation request was pulled from the Commission agenda at the request of the property owner so that it could be re-noticed with a change in zoning from R-2 to R-4. Therefore, it is not moving forward to Council with the MDA, RZ & PP applications.

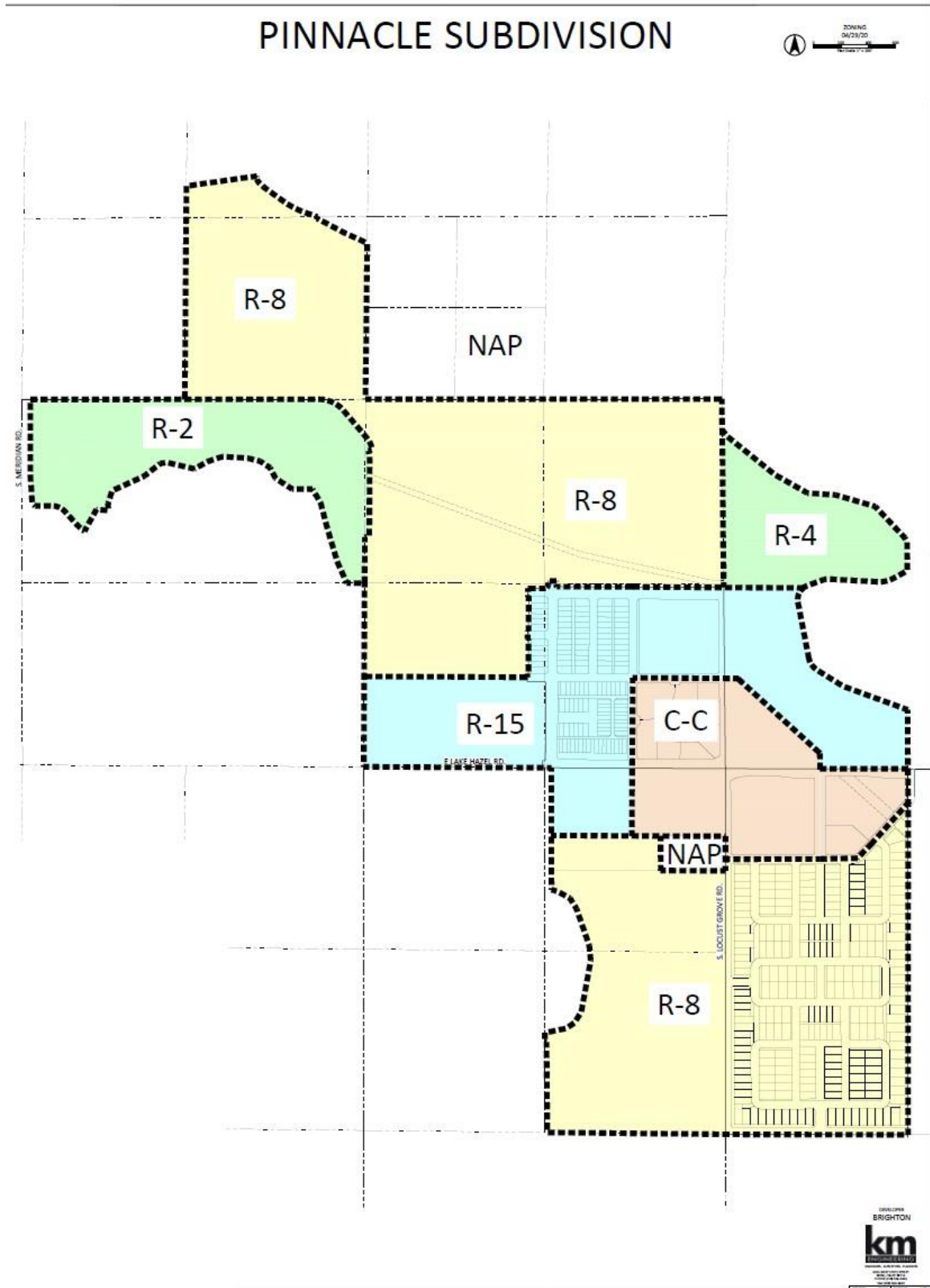
VIII. EXHIBITS

A. Master Plan (Revised)



B. ~~Annexation Legal Description & Exhibit Map~~

C. Rezone Legal Description & Exhibit Map





March 23, 2020
Project No. 20-017

Exhibit A
Legal Description for
Zone R-4
Apex Subdivision

A parcel of land situated in a portion of the West 1/2 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the West 1/4 corner of said Section 32, which bears N00°32'22"W a distance of 2,700.07 feet from a brass cap marking the southwest corner of said Section 32, thence following the westerly line of said Southwest 1/4 of Section 32, S00°32'22"E a distance of 226.26 feet to a 5/8-inch rebar on the centerline of Farr Lateral and being the **POINT OF BEGINNING**.

Thence leaving said westerly line and following said centerline the following courses:

1. S38°43'32"E a distance of 61.71 feet;
2. S51°12'32"E a distance of 444.04 feet;
3. S60°36'10"E a distance of 272.66 feet;
4. S86°04'31"E a distance of 206.22 feet;
5. S73°45'13"E a distance of 301.51 feet;
6. S43°15'53"E a distance of 313.74 feet;
7. S29°01'13"E a distance of 37.13 feet to the easterly line of said West 1/2 of the Southwest 1/4;

Thence leaving said centerline and following said easterly line, S00°08'25"E a distance of 206.12 feet to a 1/2-inch rebar on the easterly boundary of said Farr Lateral;

Thence leaving said easterly line and following said easterly boundary the following courses:

1. 22.57 feet along the arc of a circular curve to the right, said curve having a radius of 144.67 feet, a delta angle of 08°56'24", a chord bearing of S56°50'40"W and a chord distance of 22.55 feet to a 1/2-inch rebar;
2. S61°18'54"W a distance of 91.61 feet to a 1/2-inch rebar;
3. 122.47 feet along the arc of a circular curve to the right, said curve having a radius of 220.00 feet, a delta angle of 31°53'39", a chord bearing of S77°15'42"W and a chord distance of 120.89 feet to a 1/2-inch rebar;
4. N86°47'31"W a distance of 362.95 feet to a 1/2-inch rebar;
5. S83°47'06"W a distance of 26.72 feet to a 1/2-inch rebar;
6. S69°57'44"W a distance of 128.97 feet to a 1/2-inch rebar;
7. 90.89 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 47°20'30", a chord bearing of S46°18'02"W and a chord distance of 88.33 feet;

Thence leaving said easterly boundary, N89°42'21"W a distance of 548.65 feet to the westerly line of said Southwest 1/4 of Section 32;

Thence following said westerly line, N00°32'22"W a distance of 1,193.68 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 22.23 acres, more or less.

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

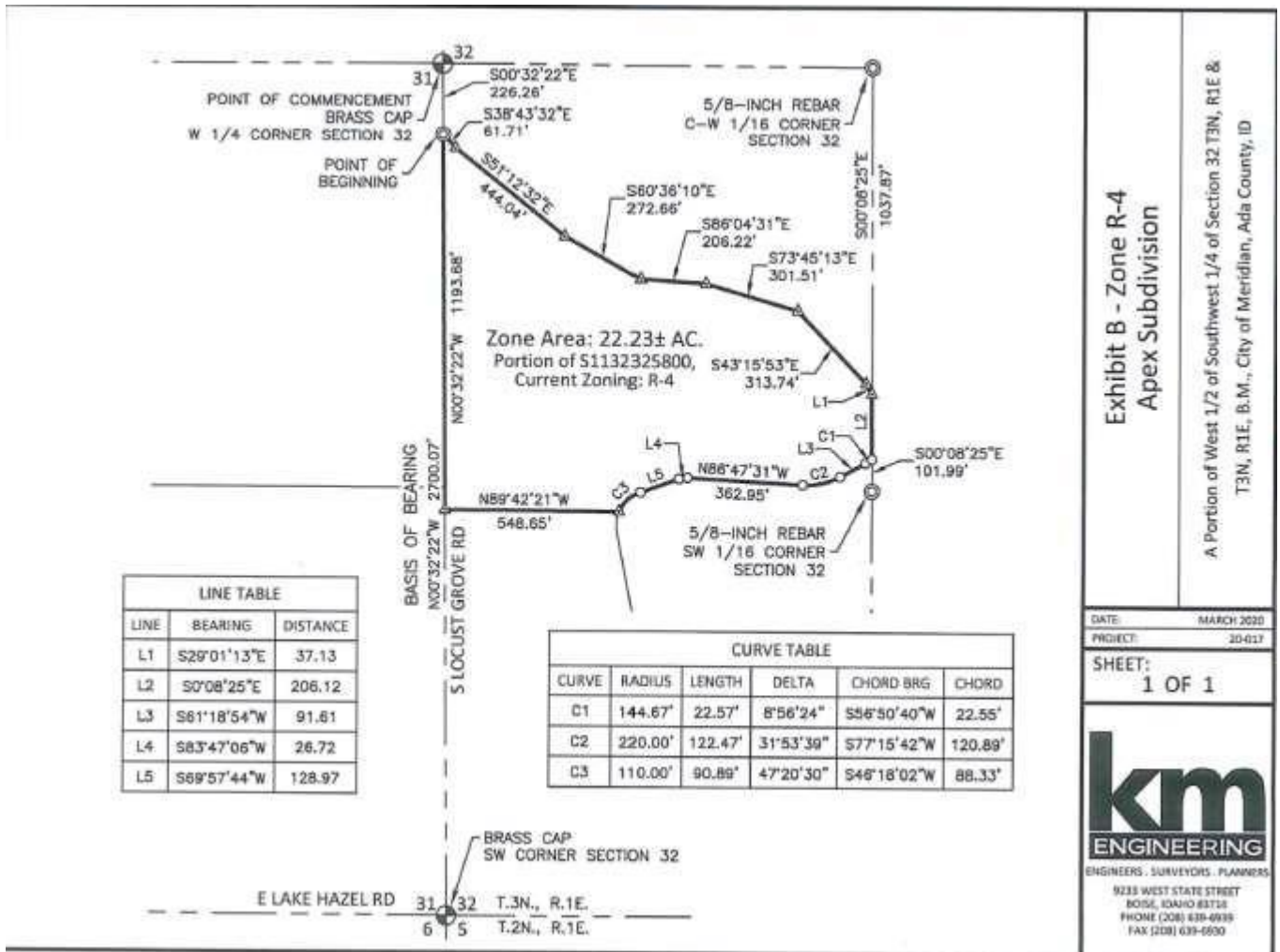


Exhibit B - Zone R-4
Apex Subdivision

A Portion of West 1/2 of Southwest 1/4 of Section 32 T3N, R1E &
T3N, R1E, B.M., City of Meridian, Ada County, ID

DATE: MARCH 2020
PROJECT: 20-017

SHEET:
1 OF 1



9235 WEST STATE STREET
BOISE, IDAHO 83725
PHONE (208) 639-6939
FAX (208) 639-6930



April 2, 2020
Project No. 20-017

Exhibit A
Legal Description for
Rezone to R-8 - North
Apex Subdivision

A portion of the East 1/2 of the Northwest 1/4, a portion of the Southeast 1/4 and a portion of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center of said Section 31, thence following the northerly line of said Southeast 1/4 of Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following the easterly line of said Southeast 1/4, S00°32'22"E a distance of 1,419.94 feet;
Thence leaving said easterly line, N89°42'21"W a distance of 1,423.17 feet;
Thence S00°16'52"W a distance of 620.00 feet;
Thence N89°42'21"W a distance of 1,198.50 feet to the westerly line of said Southeast 1/4;
Thence following said westerly line, N00°16'52"E a distance of 682.44 feet to the Center-South 1/16 corner of said Section 31;
Thence leaving said westerly line, S89°52'08"E a distance of 62.50 feet;
Thence N00°16'52"E a distance of 895.00 feet;
Thence 199.42 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of 40°48'25", a chord bearing of N20°07'20"W and a chord distance of 195.23 feet;
Thence N40°31'33"W a distance of 241.33 feet;
Thence 198.79 feet along the arc of a circular curve to the left, said curve having a radius of 230.00 feet, a delta angle of 49°31'13", a chord bearing of N65°17'09"W and a chord distance of 192.66 feet to the southerly line of said East 1/2 of the Northwest 1/4 of Section 31;
Thence following said southerly line, S89°57'15"W a distance of 980.26 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of said East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet;
Thence S46°52'43"E a distance of 45.40 feet;
Thence S54°18'10"E a distance of 180.18 feet;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet;
Thence S70°02'36"E a distance of 107.80 feet;
Thence S19°57'24"W a distance of 12.00 feet;
Thence S70°02'36"E a distance of 14.45 feet;
Thence S61°58'05"E a distance of 207.13 feet;
Thence S65°32'50"E a distance of 188.57 feet to the easterly line of said East 1/2 of the Northwest 1/4;

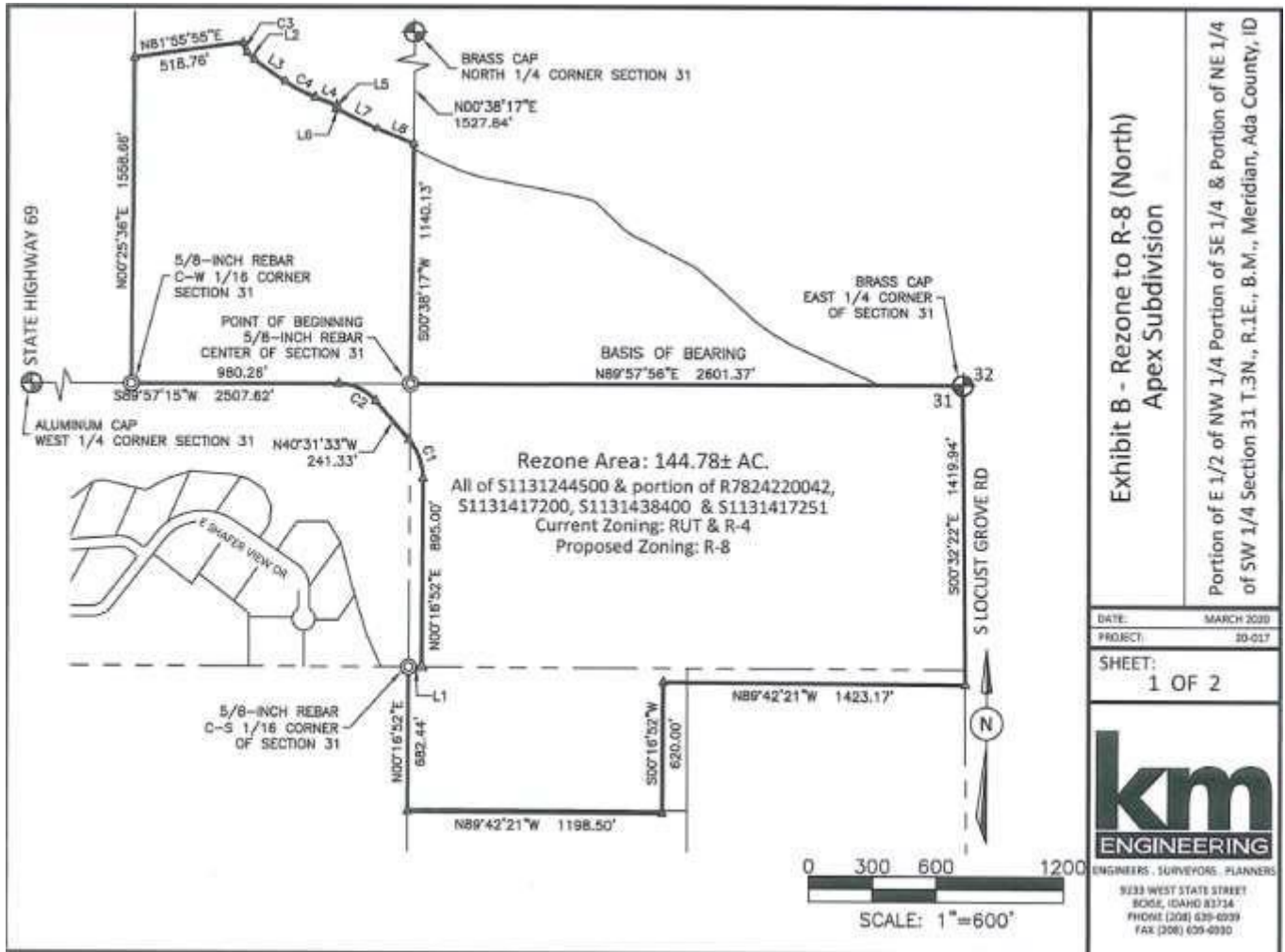
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 144.78 acres, more or less.

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



4.2.2020





April 29, 2020
Project No. 20-017

Exhibit A
Legal Description for
Rezone to R-15
Apex Subdivision

A parcel of land situated in a portion of the South 1/2 of the Southeast 1/4 of Section 31 and a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

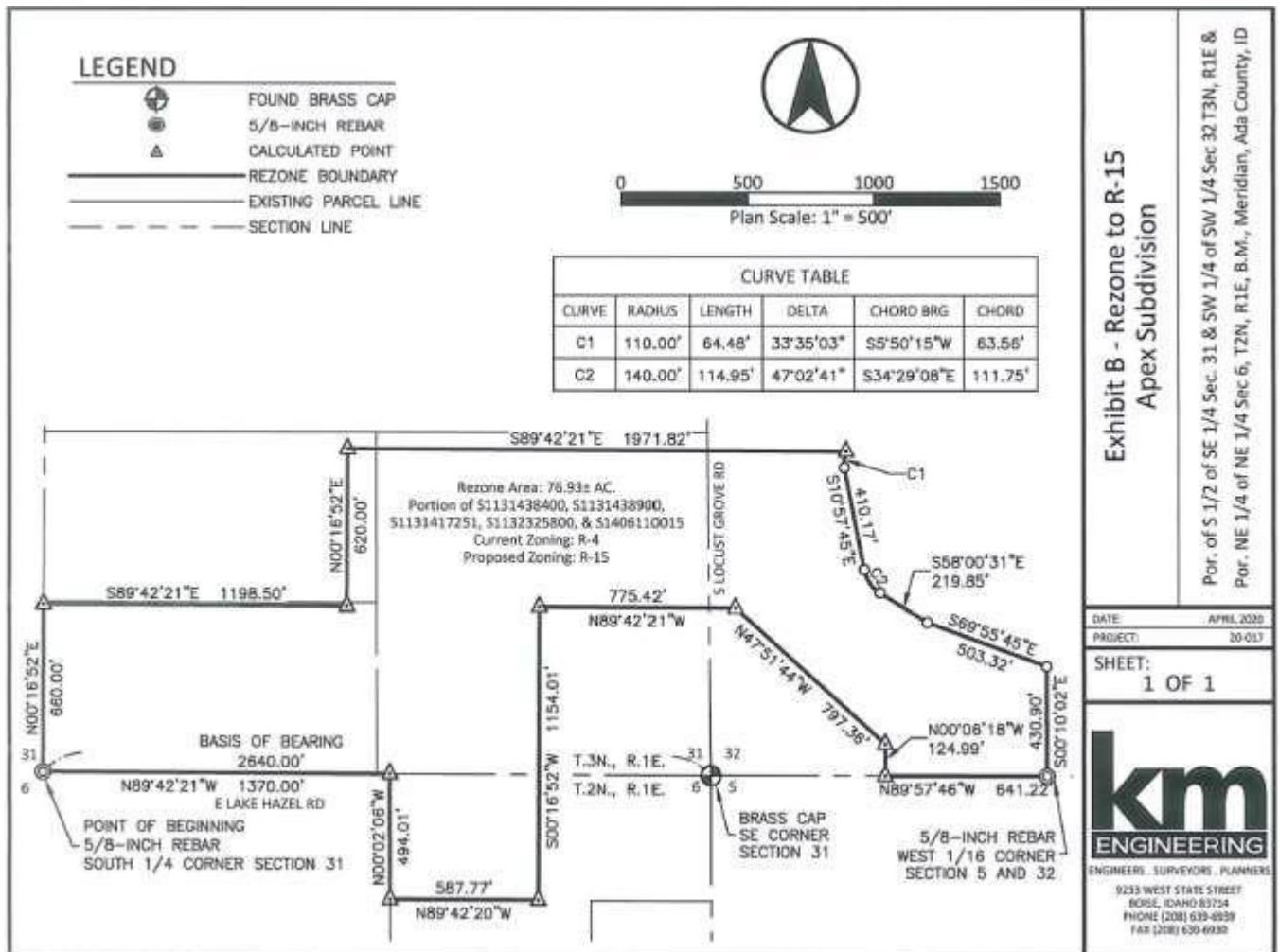
BEGINNING at a 5/8-inch rebar marking the corner common to Section 31, Township 3 North, Range 1 East, and Section 6, Township 2 North, Range 1 East, which bears N89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the Southeast 1/4 corner of said Section 31;
Thence following the westerly line of the Southeast 1/4 of the Southeast 1/4 of Section 31, N00°16'52"E a distance of 660.00 feet;
Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;
Thence N00°16'52"E a distance of 620.00 feet;
Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;
Thence following said easterly boundary the following courses:

1. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and a chord distance of 63.56 feet to a 1/2-inch rebar;
2. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
3. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
4. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
5. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of said Southwest 1/4 of the Southwest 1/4 of Section 32;

Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;
Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;
Thence N00°06'18"W a distance of 124.99 feet;
Thence N47°51'44"W a distance of 797.36 feet;
Thence N89°42'21"W a distance of 775.42 feet;
Thence S00°16'52"W a distance of 1,154.01 feet;
Thence N89°42'20"W a distance of 587.77 feet;
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;
Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 76.93 acres, more or less.

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





April 29, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to C-C
Apex Subdivision**

A parcel of land situated in a portion of the Southeast 1/4 of the Southeast 1/4 of Section 31, a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northwest 1/4 of the Northwest 1/4 of Section 5, and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E a distance of 690.66 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly line, S89°57'04"E a distance of 641.21 feet to a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence leaving said northerly line and following the easterly line of the Northwest 1/4 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 250.92 feet to a point;
Thence leaving said easterly line, S41°51'13"W a distance of 547.17 feet to a point;
Thence S89°53'42"W a distance of 966.03 feet to a point on the westerly line of said Northwest 1/4;
Thence following said westerly line, N00°04'35"W a distance of 167.37 feet to a point;
Thence leaving said westerly line, N89°42'20"W a distance of 682.58 feet to a point;
Thence N00°16'52"E a distance of 1,154.01 feet to a point;
Thence S89°42'21"E a distance of 775.42 feet to a point;
Thence S47°51'44"E a distance of 797.36 feet to a point;
Thence S00°06'18"E a distance of 125.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.28 acres, more or less.

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



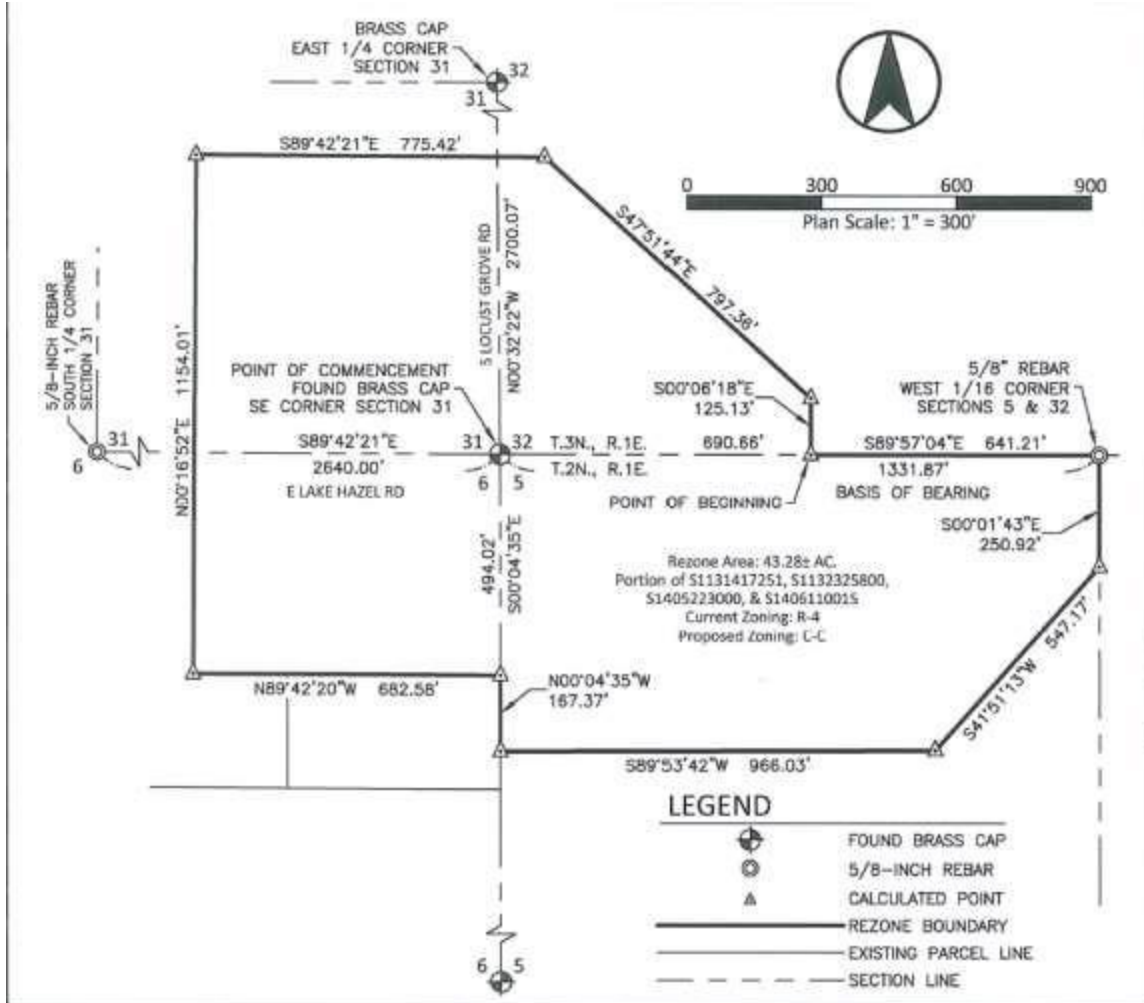


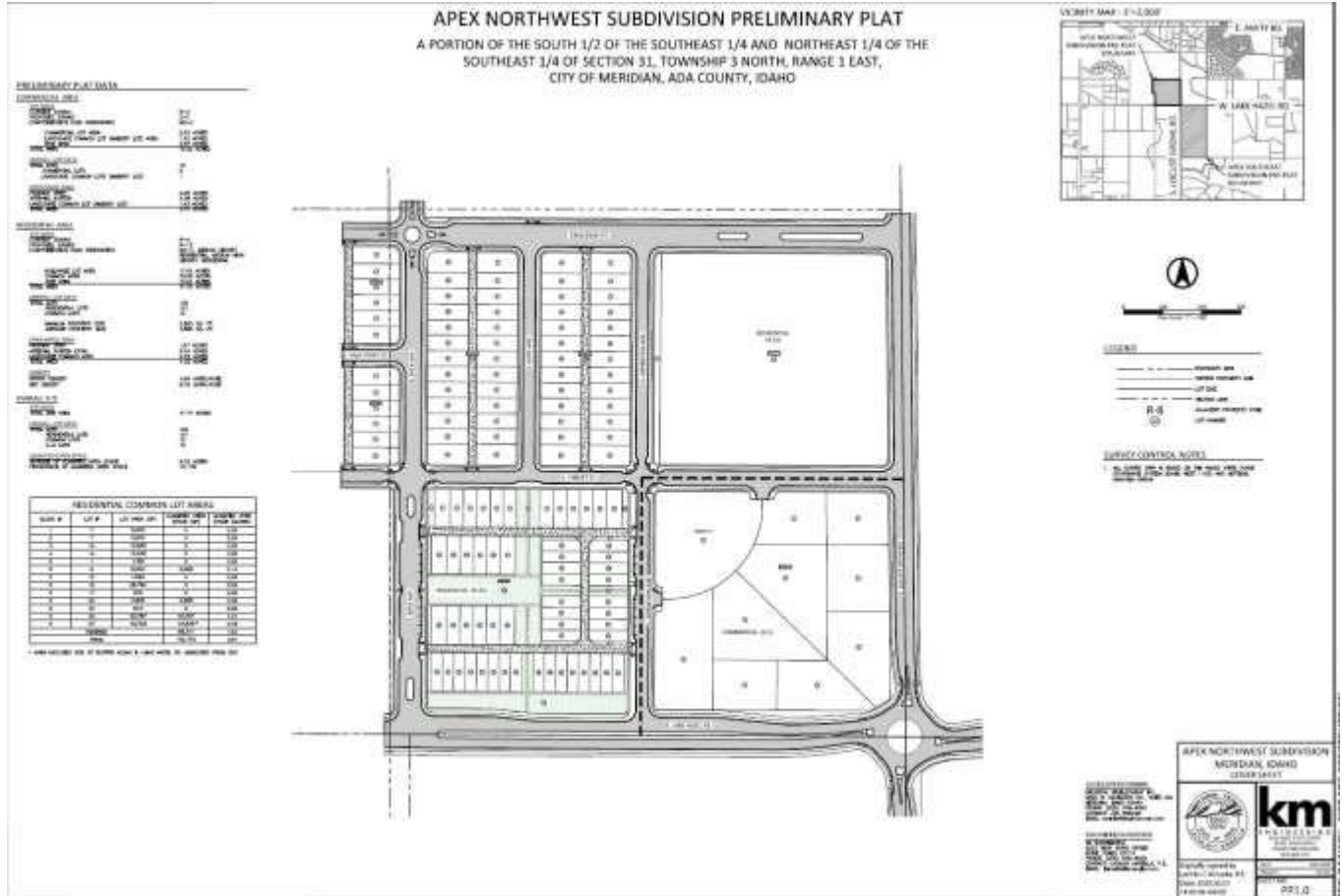
Exhibit B - Rezone to C-C
 Apex Subdivision

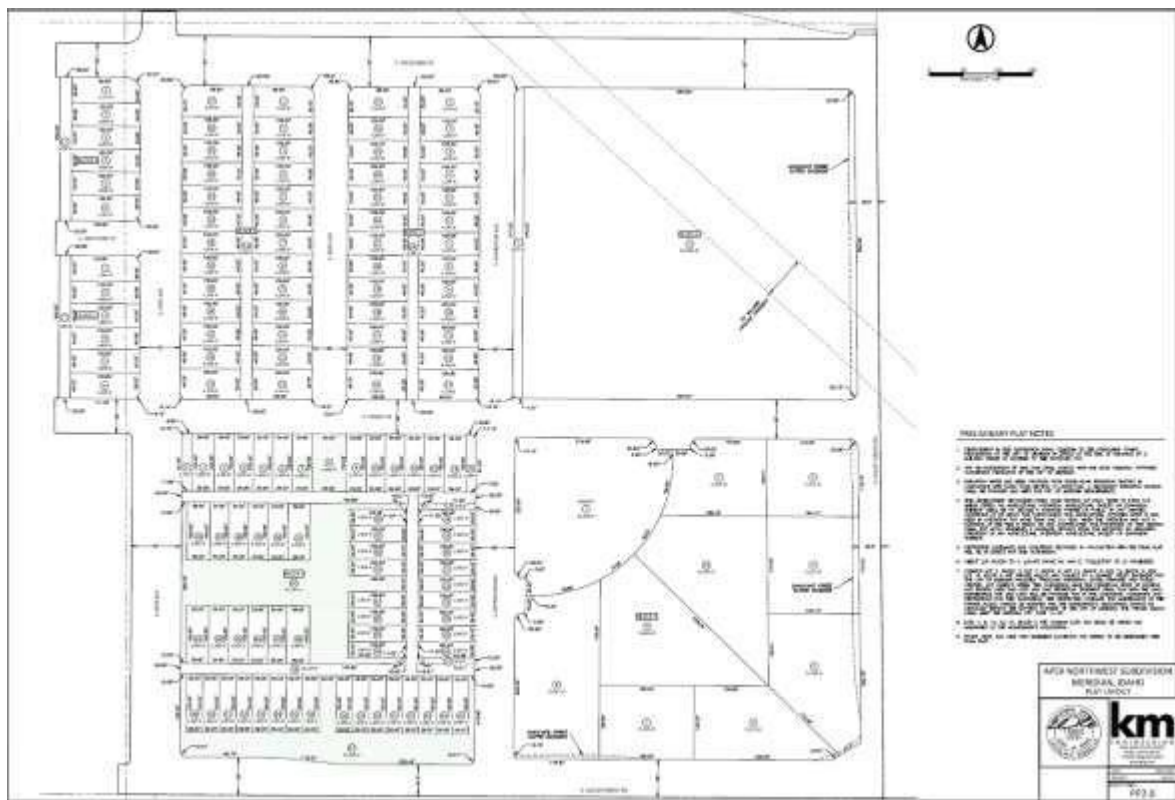
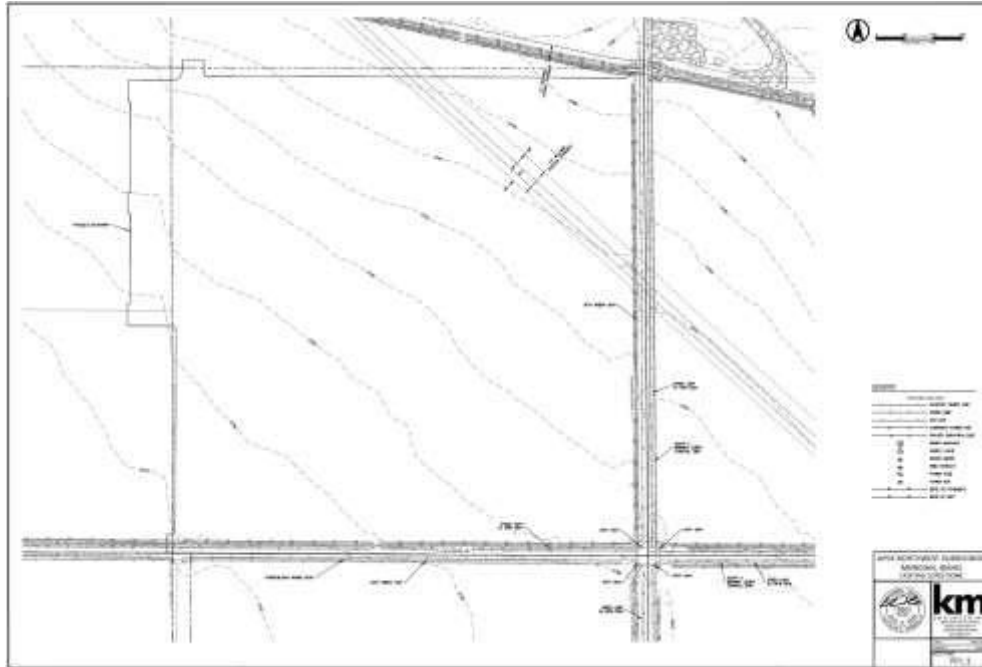
Por. of SE 1/4 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec. 32 T3N, R1E &
 Por. NW 1/4 of NW 1/4 of Sec. 5 & NE 1/4 of NE 1/4 Sec. 6, T2N, R1E
 B.M., Meridian, Ada County, ID

D. Preliminary Plat (date: 5/1/2020) & Phasing Plan



Northwest:



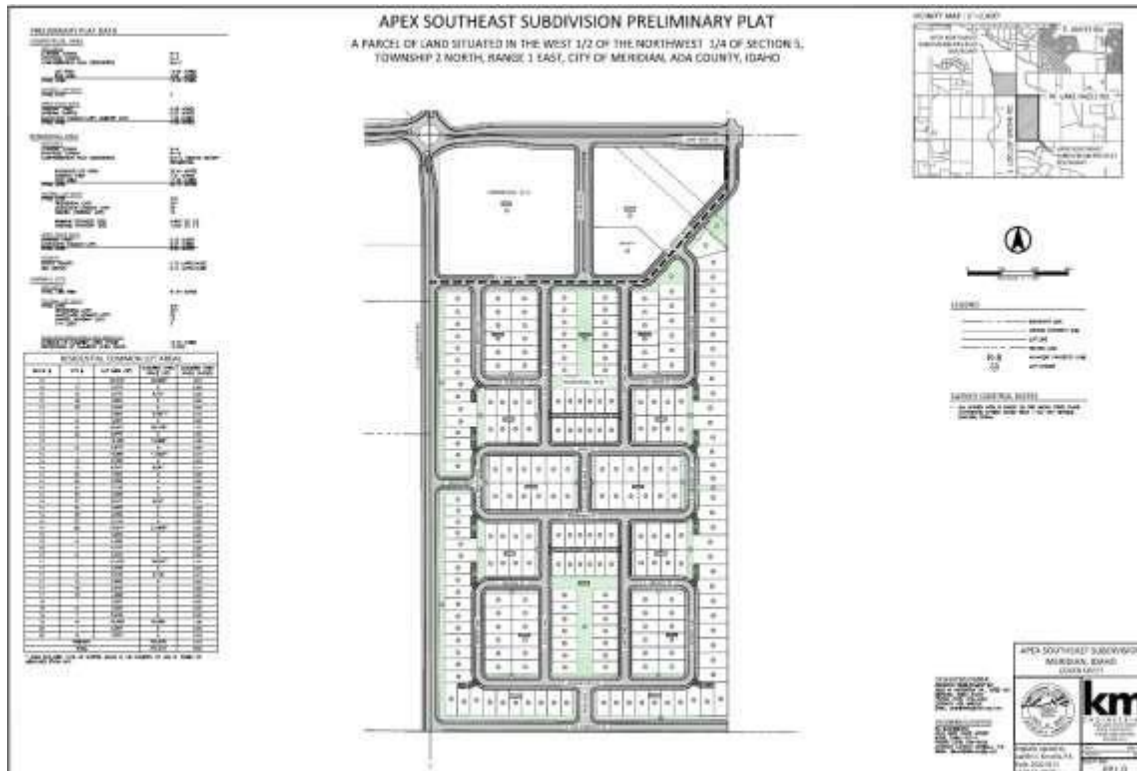


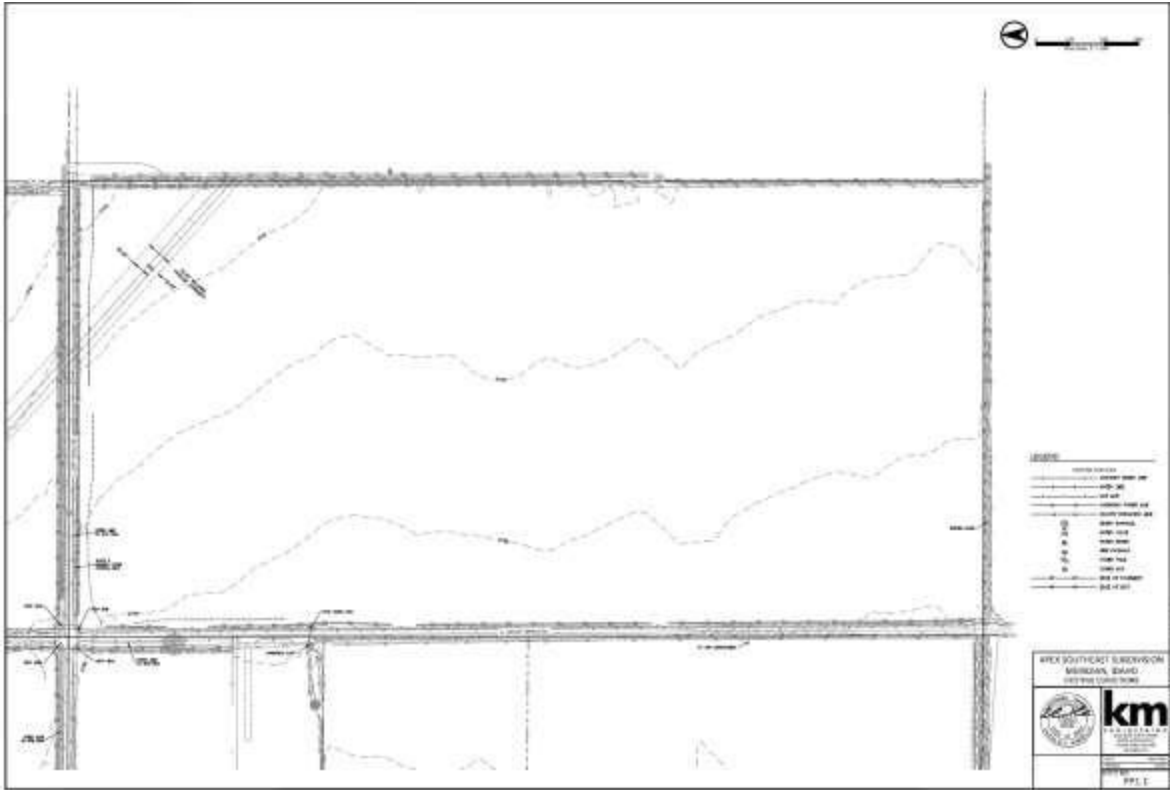
Phasing Plan:

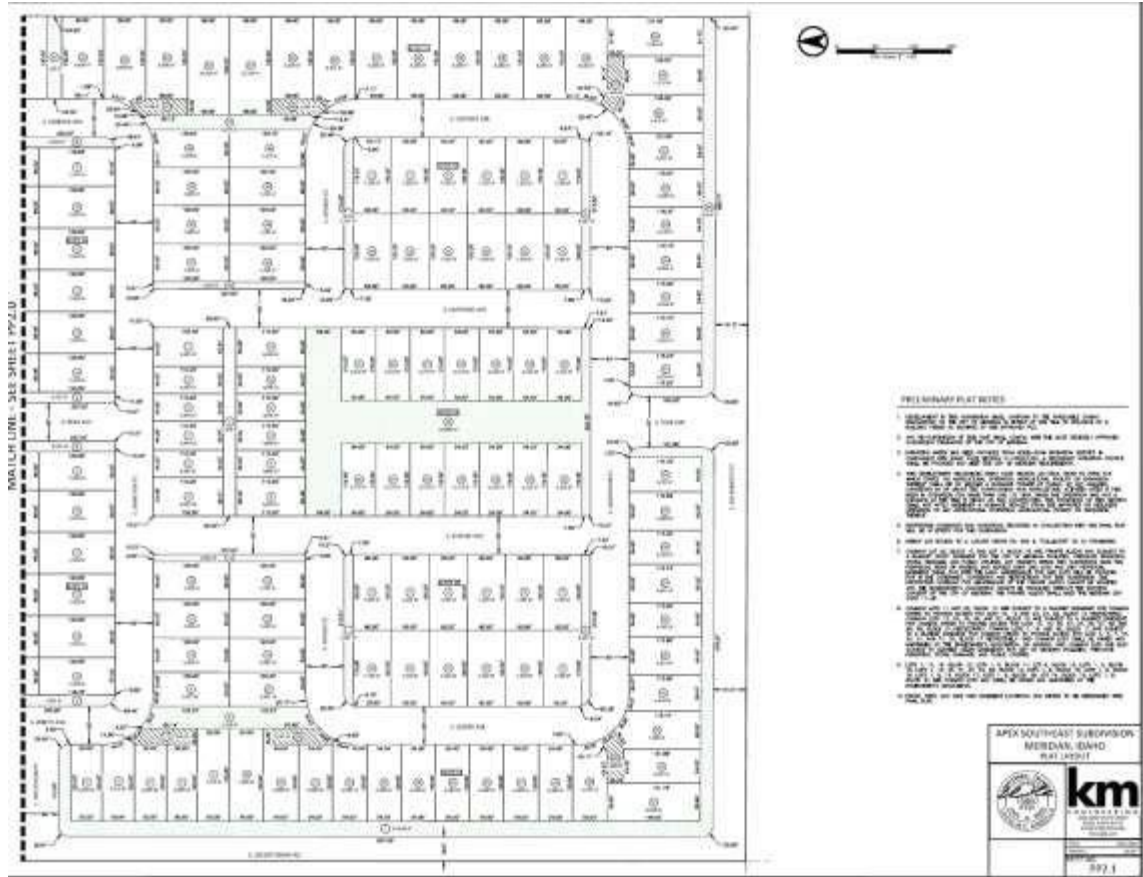
APEX Northwest Phasing
Conceptual / Subject to Change



Southeast:







- PRELIMINARY PLAT NOTES:**
1. SUBJECT TO APPROVAL BY THE APPLICANT, THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
 2. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
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 9. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
 10. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.

APX SOUTHEAST SUBDIVISION
 MERIDIAN, IDAHO
 8441 JACOB

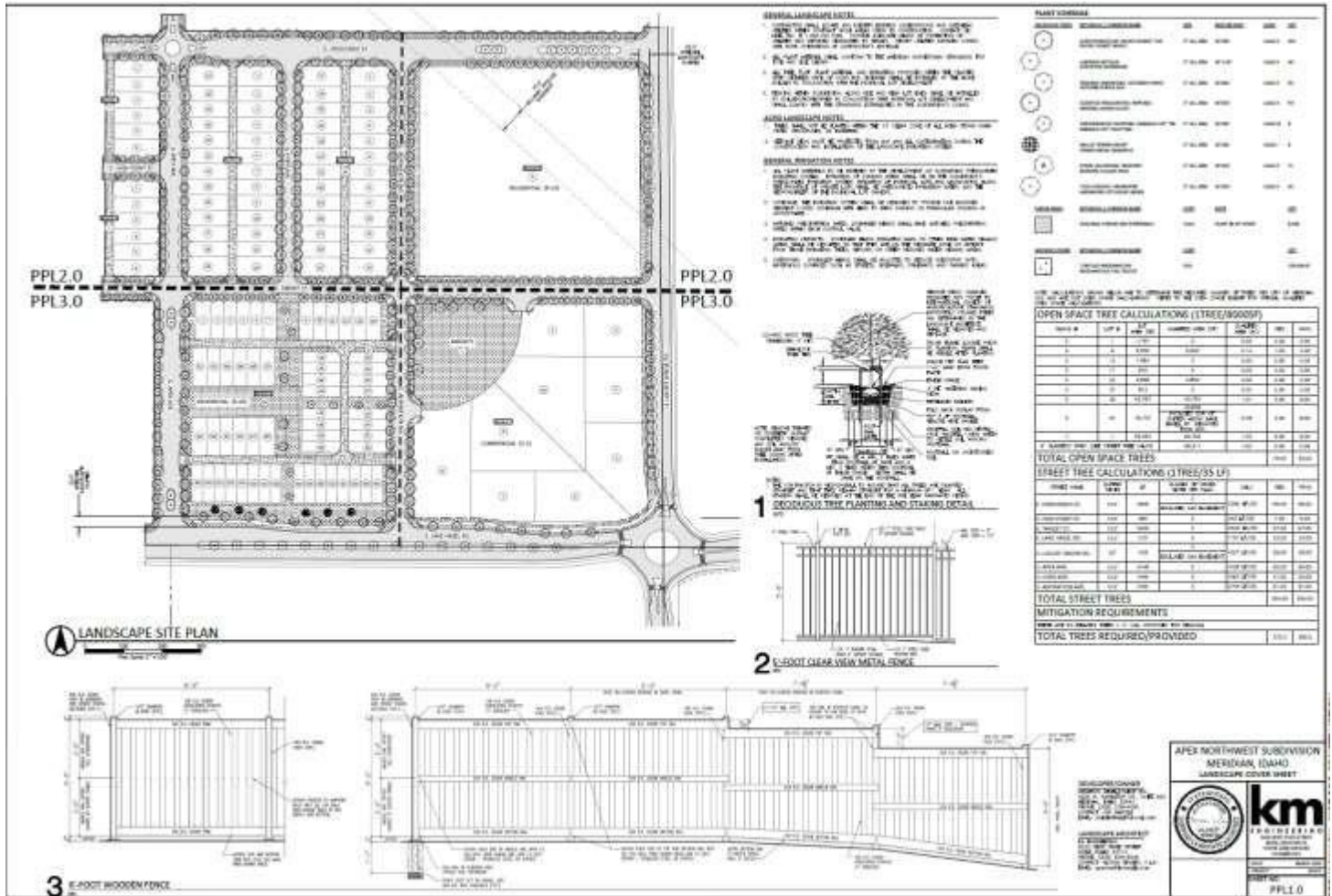
km
 K&M ENGINEERING, INC.
 1000 W. 10TH ST. SUITE 100
 BOISE, IDAHO 83702
 (208) 333-1111
 www.km-engineering.com

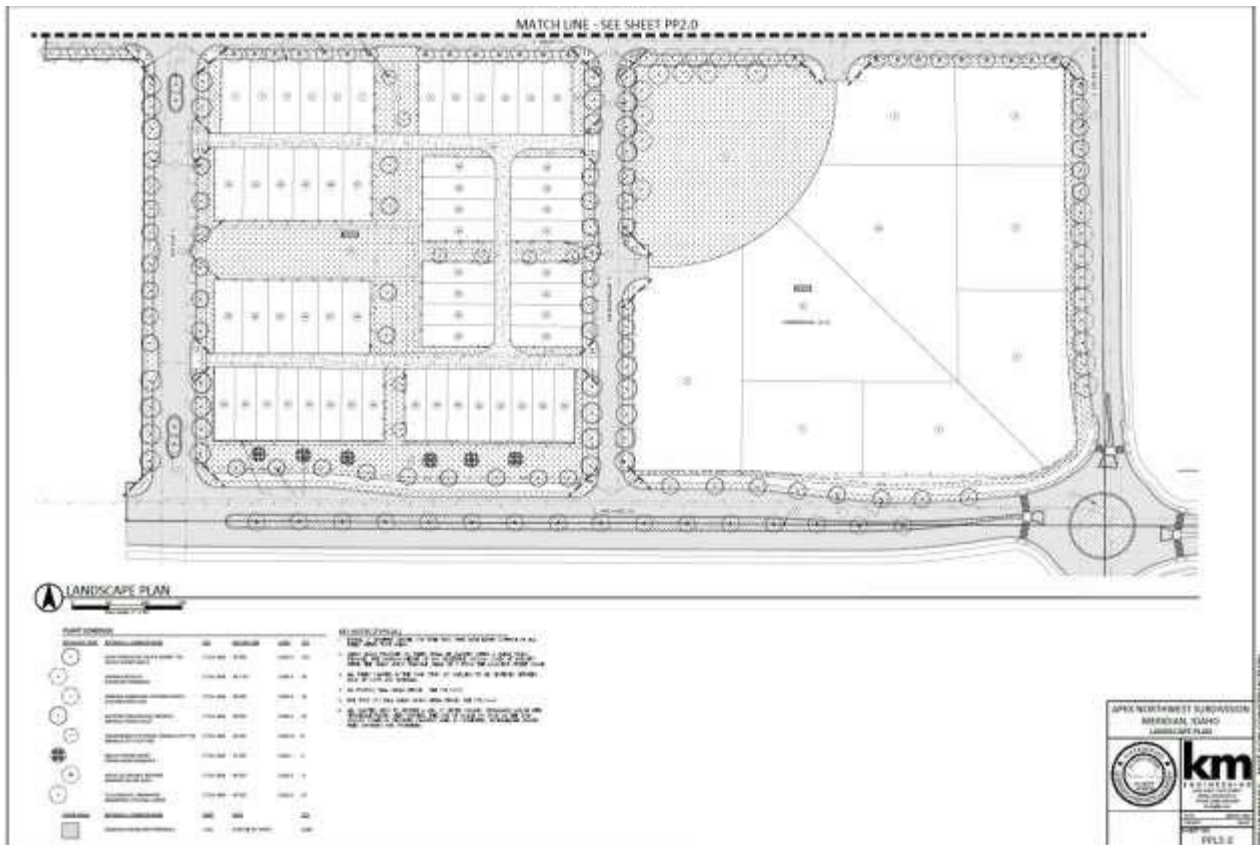
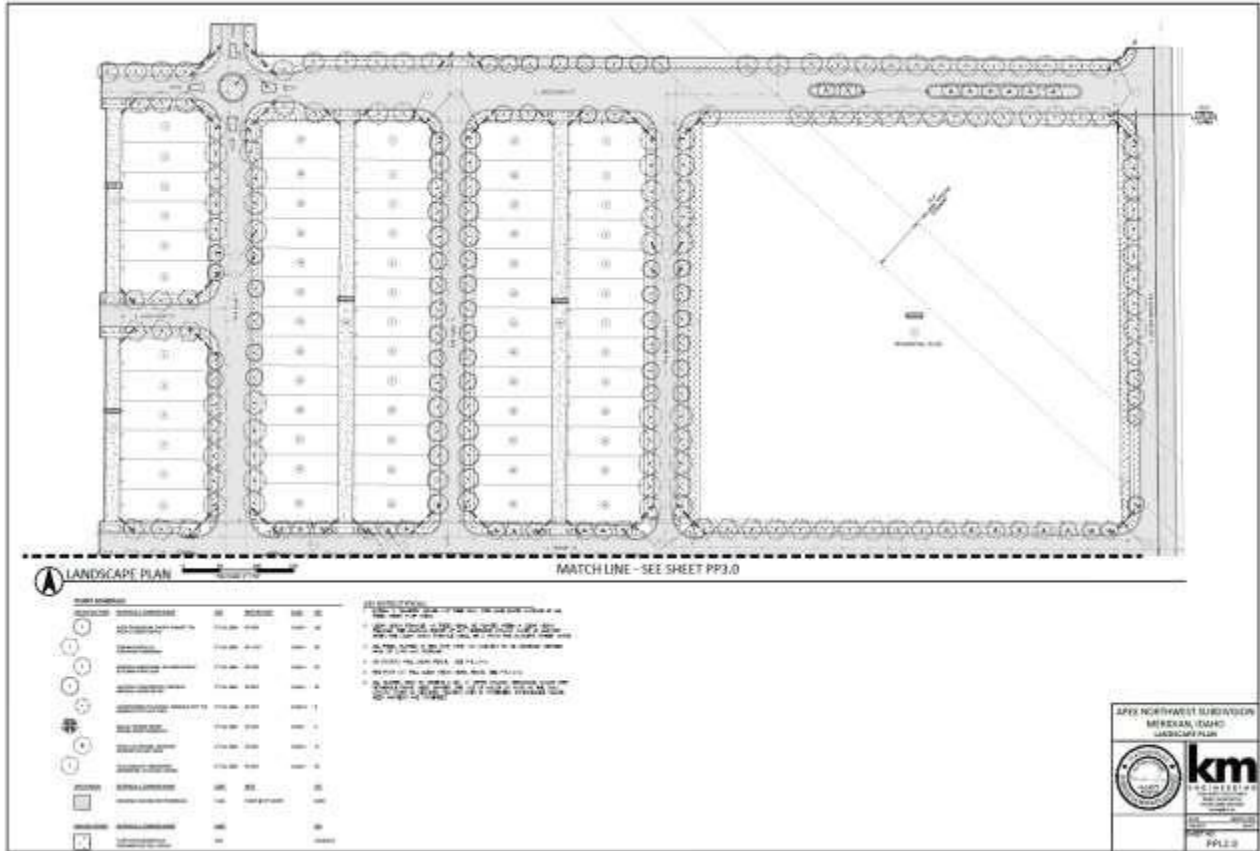
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Phasing Plan:

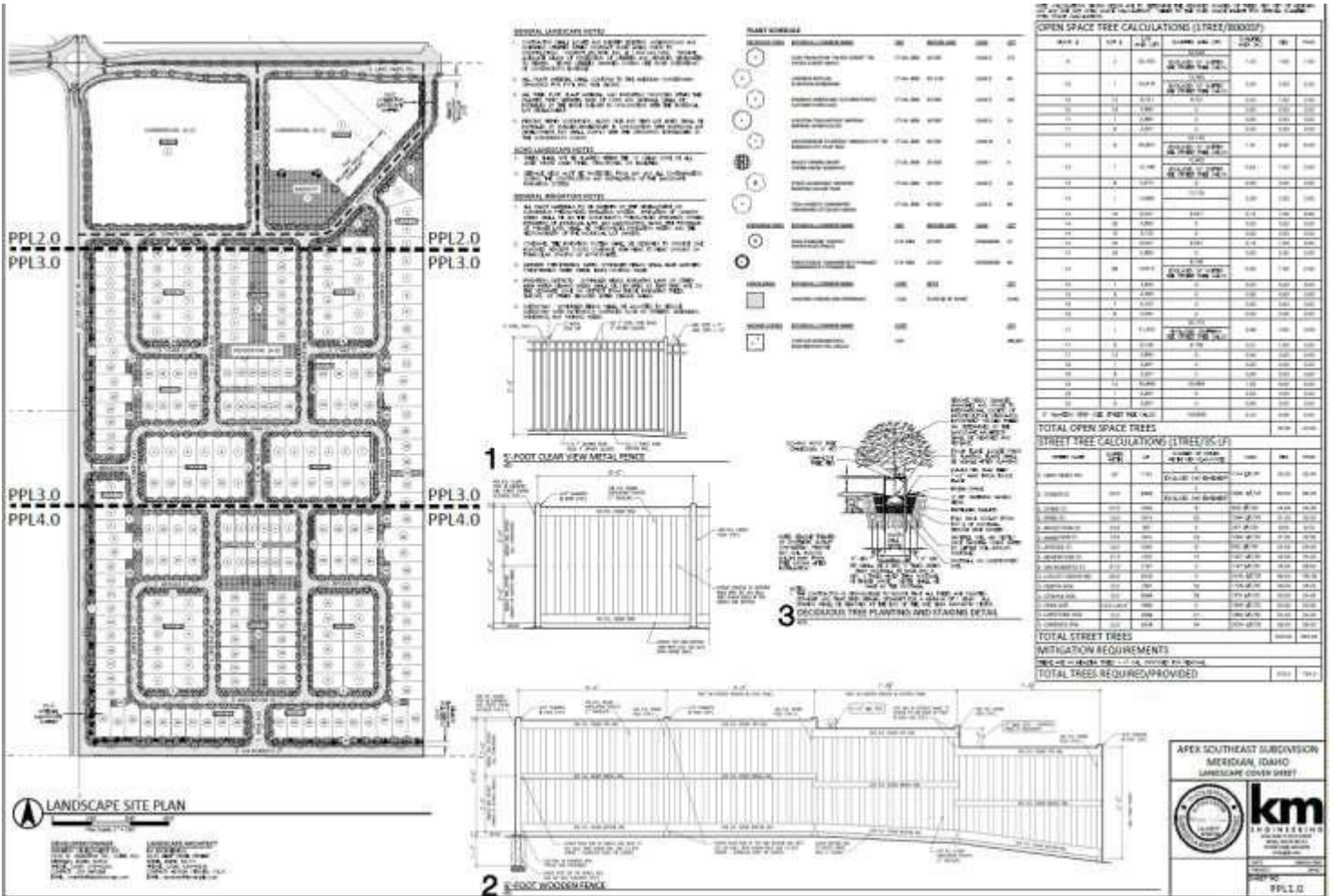


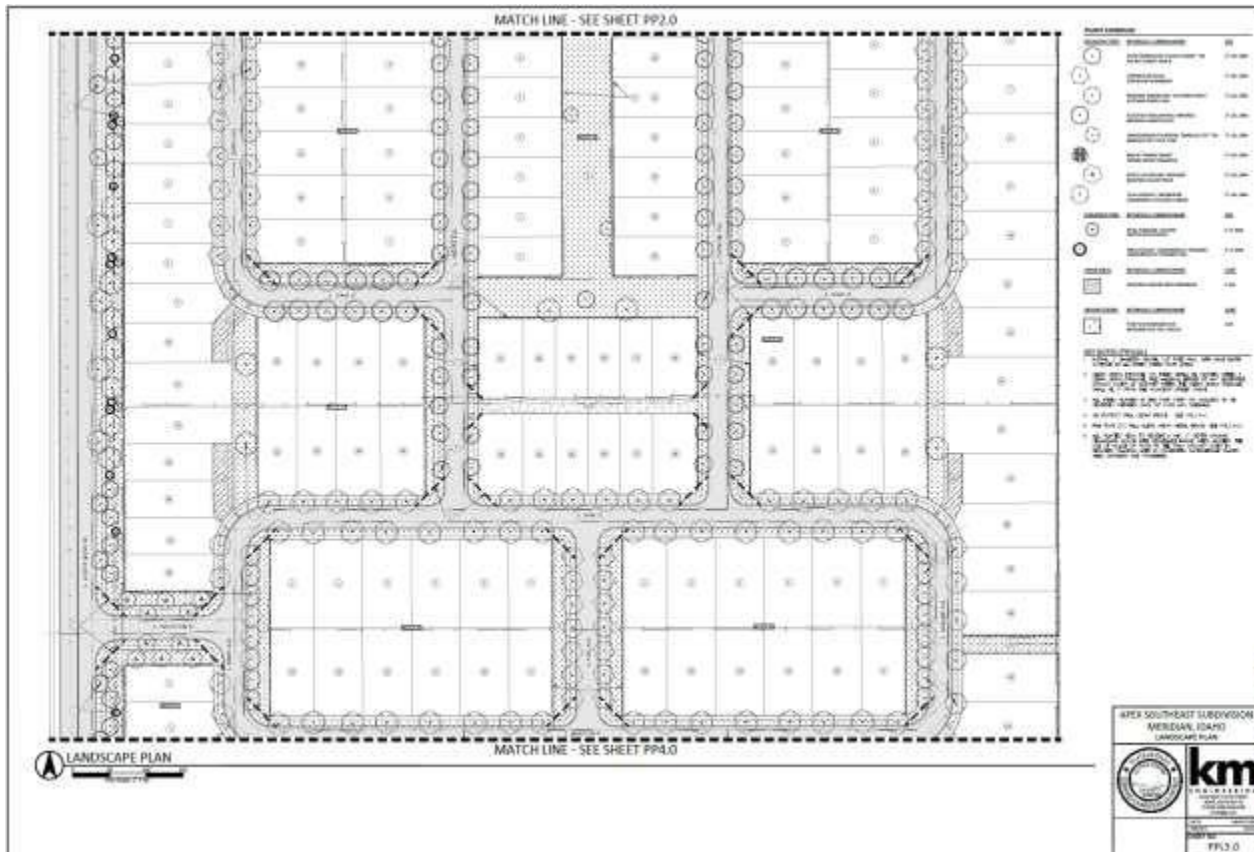
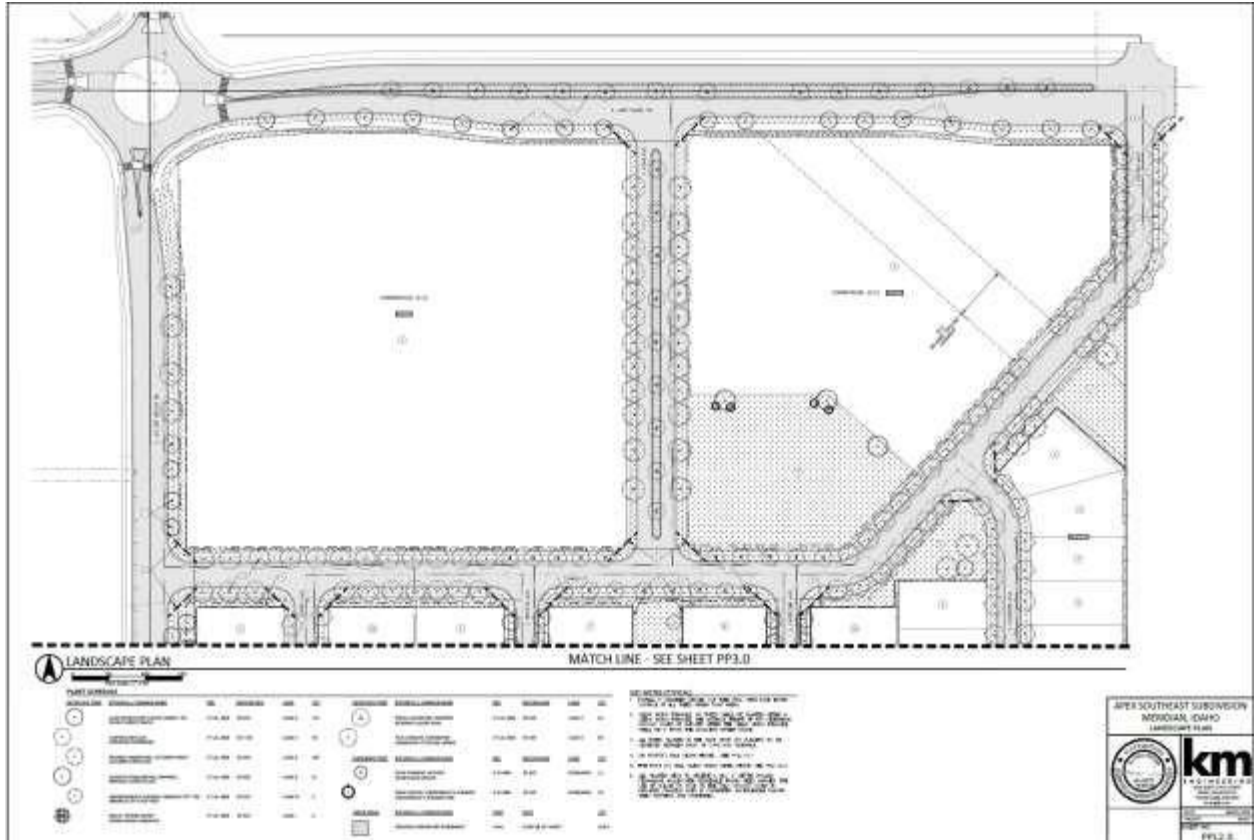
E. Landscape Plan (date: 4/30/2020)
 Northwest:





Southeast:





Southeast:



G. Conceptual Building Elevations/Renderings

Residential:





Commercial:





IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. 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).
 - e. 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.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. 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.
 - i. ~~The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

~~division is approved by Ada County, proof of such shall be submitted to the Planning Division with the subdivision application for the eastern portion of the property.~~

- j. Multi-use pathways shall be provided with development as required by the Park's Department in accord with the Pathways Master Plan.
 - k. The commercial (C-C zoned) portions of this development are allowed to obtain building permits prior to subdivision of the property.
2. The final plat submitted for Apex Northwest shall incorporate the following:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Crescendo St. and S. Apex Ave. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. The north/south alley in Block 5 does not comply with the standards listed in UDC 11-6C-3B.5 as the entire length of the alley is not visible from a public street as required; common driveways may be considered as an alternative to the alley provided they meet the standards listed in UDC 11-6C-3D, subject to alternative compliance approval.
 - c. Depict minimum 20-foot wide street buffers along E. Crescendo St. and S. Apex Ave., collector streets, in accord with UDC 11-3B-7C.2.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 3. The final plat submitted for Apex Southeast shall incorporate the following revisions:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Tower St. S. Vertex Way and E. Via Roberto St. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. Depict minimum 20-foot wide street buffers along E. Tower St., S. Vertex Way and E. Via Roberto St., collector streets, in accord with UDC 11-3B-7C.2.
 - c. Depict two (2) additional minimum 15-foot wide common lots for micro-path connections to Discovery Park at the east boundary in Block 14.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 4. The landscape plan submitted with the final plat application for Apex Northwest shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the

- construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
- f. Depict a gazebo with tables and benches as an amenity in Lot 32, Block 5; include a detail of the gazebo.
5. The landscape plan submitted with the final plat application for Apex Southeast shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - f. Depict two (2) additional minimum 15-foot wide common lots with 5-foot wide micro-paths in Block 14 at the east boundary; depict landscaping on either side of the pathways in accord with the standards listed in UDC 11-3B-12C.
 - g. Depict the children's play equipment proposed in the central common area; include a detail of the play equipment.
 6. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6, 11-2A-7 and 11-2B-3 for the R-8, R-15 and C-C zoning districts respectively.
 7. Off-street parking is required to be provided for residential uses in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit; and for non-residential uses in accord with the standards listed in UDC 11-3C-6B.1.
 8. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
 9. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
 10. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included in a note on the face of the plat.

11. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses and structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired.
13. ~~The qualified open space exhibits for the residentially zoned portions of Apex Northwest and Apex Southeast shall be revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B. If additional qualified open space is needed, the plat should be revised to comply.~~

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 The north-south sewer line in the landscaped area of Block 5 (Apex NW) needs to be moved east to the paved access road.
- 1.2 No sewer or water lines have been shown to the lots in Block 7 (Apex NW). Each lot will need to have services provided.
- 1.3 Public Work's preference is to see all water utilities in the public right-of-way (R-O-W), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions that meet both the developer's design constraints and Public Works' maintenance needs.
- 1.4 This development will need to be modeled at final plat to verify each phase meets minimum fire flow pressures
- 1.5 From the preliminary geotechnical investigation of groundwater elevation provided in the application, it appears that groundwater may not be a factor with the development of this subdivision. The initial investigative report is dated April 8, 2018, and additional data collection is recommended to confirm actual groundwater levels. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from

- Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
 - 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
 - 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
 - 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
 - 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
 - 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits for the residential portions of the development.
 - 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
 - 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
 - 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
 - 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
 - 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 - 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
 - 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.

- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189722&dbid=0&repo=MeridianCity&cr=1>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189784&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190778&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191486&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191487&dbid=0&repo=MeridianCity>

F. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190290&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190975&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190977&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191226&dbid=0&repo=MeridianCity>

Northwest: (Draft) <https://weblink.meridiancity.org/WebLink/PDF10/44da7e98-83a6-4ca0-907b-56a7e5fda2ca/191501>

Southeast: (Draft)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191503&dbid=0&repo=MeridianCity>

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189951&dbid=0&repo=MeridianCity>

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190512&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190510&dbid=0&repo=MeridianCity>

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190604&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190605&dbid=0&repo=MeridianCity>

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190598&dbid=0&repo=MeridianCity>

X. FINDINGS

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

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

1. The map amendment complies with the applicable provisions of the comprehensive plan;
The Commission finds the proposed zoning map amendment to ~~R-2~~, R-8, R-15 & C-C and proposed development is generally consistent with the Comprehensive Plan if the Applicant complies with the provisions in Section IX.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The Commission finds the proposed single-family attached and detached homes with front-loaded and alley-loaded options will contribute to the range of housing opportunities in the City; other residential types may be provided with future phases of development.
The Commission finds the commercial portion of the property will provide for the retail and service needs of the community in accord with the Comprehensive Plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The Commission finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The Commission finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.
5. The annexation (as applicable) is in the best interest of city.
~~*Staff finds the proposed annexation to the R-2 zoning district is consistent with the LDR-FLUM designation in the Comprehensive Plan and thus is in the best interest of the City. Not applicable*~~

B. Preliminary Plat Findings:

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

1. **The plat is in conformance with the Comprehensive Plan;**
The Commission finds that the proposed preliminary plats, with recommended conditions, are in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)
2. **Public services are available or can be made available and are adequate to accommodate the proposed development;**
The Commission finds that public services will be provided to the subject properties proposed to be subdivided with development. (See Section IX of the Staff Report for more details from public service providers.)
3. **The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;**
Because City water and sewer and any other utilities will be provided by the development at their own cost, the Commission finds that the subdivision will not require the expenditure of capital improvement funds.

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

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

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

The Commission is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

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