

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: JUNE 17, 2025
ORDER APPROVAL DATE: JUNE 24, 2025

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 64 BUILDING)
LOTS, 11 COMMON LOTS AND)
ONE (1) OTHER LOT FOR)
FUTURE DEVELOPMENT ON 16.15)
ACRES OF LAND IN THE R-15)
ZONING DISTRICT FOR APEX)
PHENOMENAL SUBDIVISION.)
)
BY: BRIGHTON CORPORATION)
APPLICANT)
)

CASE NO. FP-2025-0005

ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on June 17, 2025 for final plat approval pursuant to Unified Development Code (UDC) 11-6B-3 and the Council finding that the Administrative Review is complete by the Planning and Development Services Divisions of the Community Development Department, to the Mayor and Council, and the Council having considered the requirements of the preliminary plat, the Council takes the following action:

IT IS HEREBY ORDERED THAT:

1. The Final Plat of “PLAT SHOWING APEX PHENOMENAL SUBDIVISION, A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2025, HANDWRITTEN

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR APEX PHENOMENAL FP-2025-0005

DATE: 5/20/2025, by AARON L. BALLARD, PLS, SHEET 1 OF 6,” is conditionally approved subject to those conditions of Staff as set forth in the staff report to the Mayor and City Council from the Planning and Development Services divisions of the Community Development Department dated June 17, 2025, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein.

2. The final plat upon which there is contained the certification and signature of the City Clerk and the City Engineer verifying that the plat meets the City’s requirements shall be signed only at such time as:
 - 2.1 The plat dimensions are approved by the City Engineer; and
 - 2.2 The City Engineer has verified that all off-site improvements are completed and/or the appropriate letter of credit or cash surety has been issued guaranteeing the completion of off-site and required on-site improvements.

NOTICE OF FINAL ACTION

AND RIGHT TO REGULATORY TAKINGS ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code § 67-8003, the Owner may request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that this is a final action of the governing body of the City of Meridian, pursuant to Idaho Code § 67-6521. An affected person being a person who has an interest in real property which may be adversely affected by this decision may, within twenty-eight (28) days after the date of this decision and order, seek a judicial review pursuant to Idaho Code§ 67-52.

By action of the City Council at its regular meeting held on the _____ day of _____, 2025.

By:

Robert E. Simison
Mayor, City of Meridian

Attest:

Chris Johnson
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By:_____ Dated:_____

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



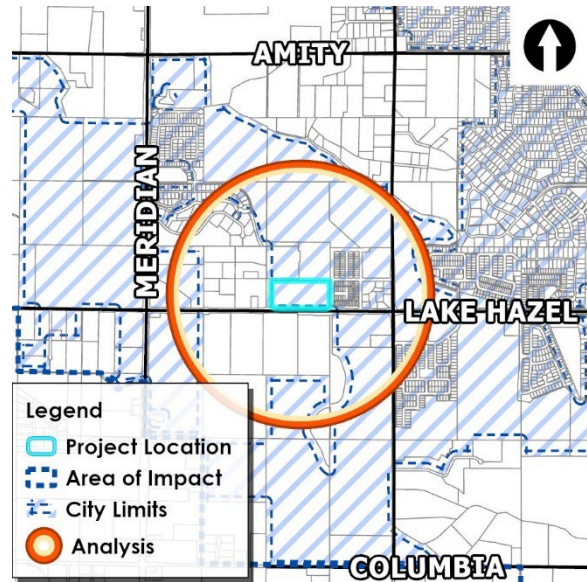
HEARING DATE: 06/17/2025

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
sallen@meridiancity.org

SUBJECT: Apex Phenomenal – FP, PS
FP-2025-0005

LOCATION: Generally located 1/2 mile east of S. Meridian Rd./SH-69 on the north side of E. Lake Hazel Rd., in the SE 1/4 of Section 31, T.3N., R.1E.



I. PROJECT DESCRIPTION

Final plat consisting of 64 building lots, 11 common lots and 1 other lot for future development on 16.15-acres of land in the R-15 zoning district. A private street (S. Culmination Ln.) is also proposed to provide access for homes within the development from E. Phenomenal St.

II. APPLICANT INFORMATION

A. Applicant:

Amanda McNutt, Brighton Corporation – 2929 W. Navigator Drive, Suite 400, Meridian ID 83642

B. Owner:

DWT Investments, LLC & SCS Investments, LLC – 2929 W. Navigator Drive, Suite 400, Meridian ID 83642

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2024-0041) in accord with the requirements listed in UDC 11-6B-3C.2. In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase, and the amount of common area cannot decrease.

Because there is no change to the number of buildable lots and the amount of common open space is the same, Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

The proposed private street (S. Culmination Ln.) complies with the standards for such in UDC 11-3F-4 and is *tentatively* approved with this application. **Within one (1) year of the date of final plat approval, the Applicant or owner shall complete the tasks specified in UDC 11-3F-3B in order to obtain final approval.**

Note: Alternative compliance (A-2025-0042) was previously approved to the standards in UDC 11-3A-7A.7, 11-3B-12C.1 and 11-3B-12C.2 for this development.

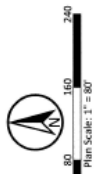
IV. DECISION

Staff recommends approval of the proposed final plat and private street with the conditions noted in Section VI of this report.

A. Preliminary Plat Apex Farr (dated: 7/8/24)



A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31,
TOWNSHIP 3 NORTH, RANGE 1 EAST, 8 M., CITY OF MERICIAN, ADA COUNTY, IDAHO.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°17'12"W	1.50'
L2	S44°42'54"E	13.43'
L3	N89°43'08"W	10.78'
L4	S48°48'31"W	3.12'
L5	N89°43'08"W	3.58'
L6	S19°51'32"W	1.50'
L7	N68°59'54"W	21.20'

76
BLOCK 1

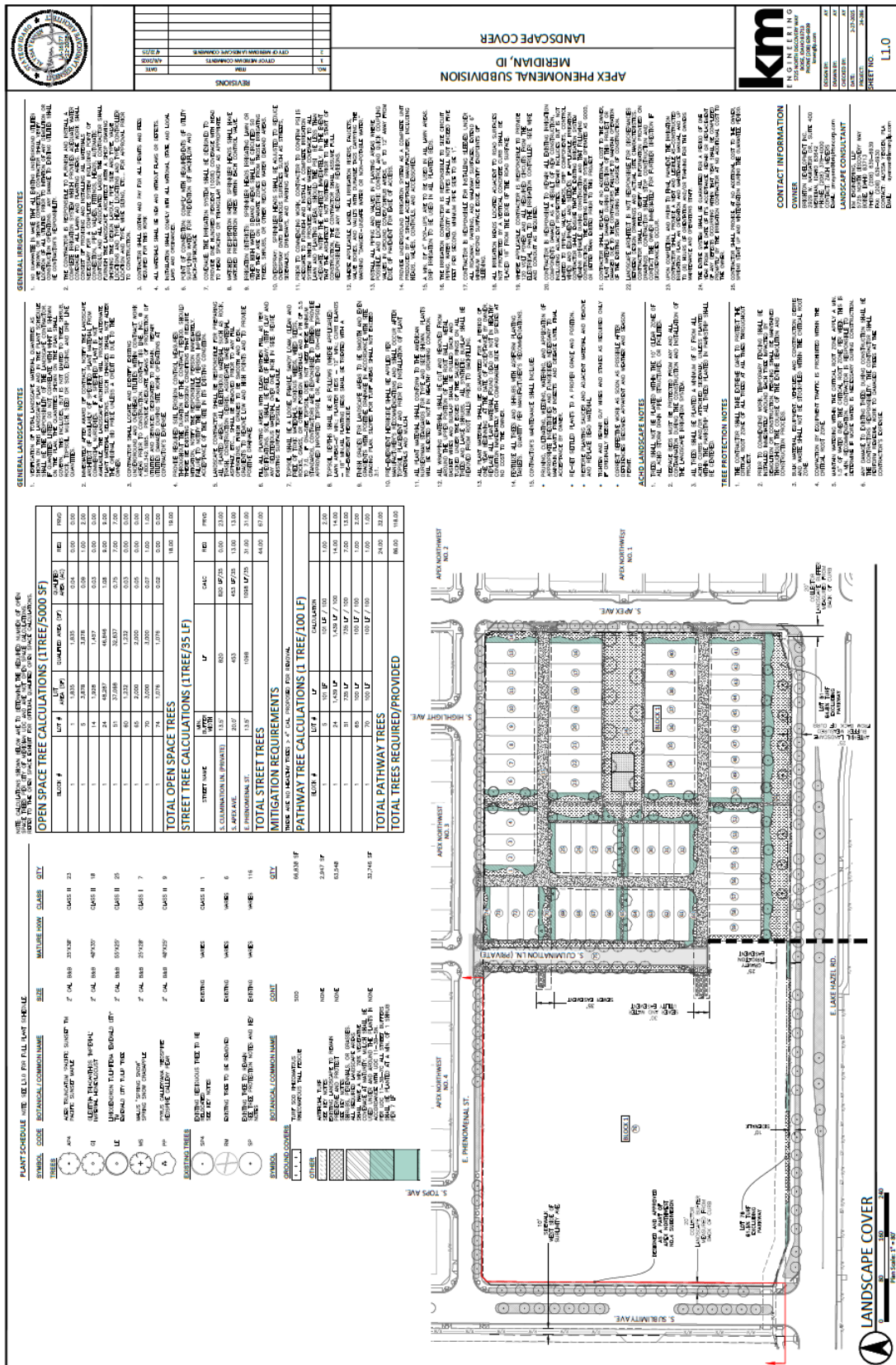
SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE LAND SHOWN HEREON. THE SURVEY IS BASED UPON THE RETRACEMENT OF PLATS AND SURVEYS LISTED IN THE REFERENCES HEREON AND A FIELD SURVEY OF EXISTING MONUMENTATION. MONUMENTATION RECOVERED WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE REFERENCES LISTED HEREON. ALL PROPERTY CORNERS WHERE MONUMENTS OF RECORD WERE NOT FOUND WERE SET/RESET AS SHOWN HEREON.

5-20-2023
DEVELOPER
Brighton
Corporation
Meridian, Idaho

SHEET 1 OF 6

JOB NO. 24-286





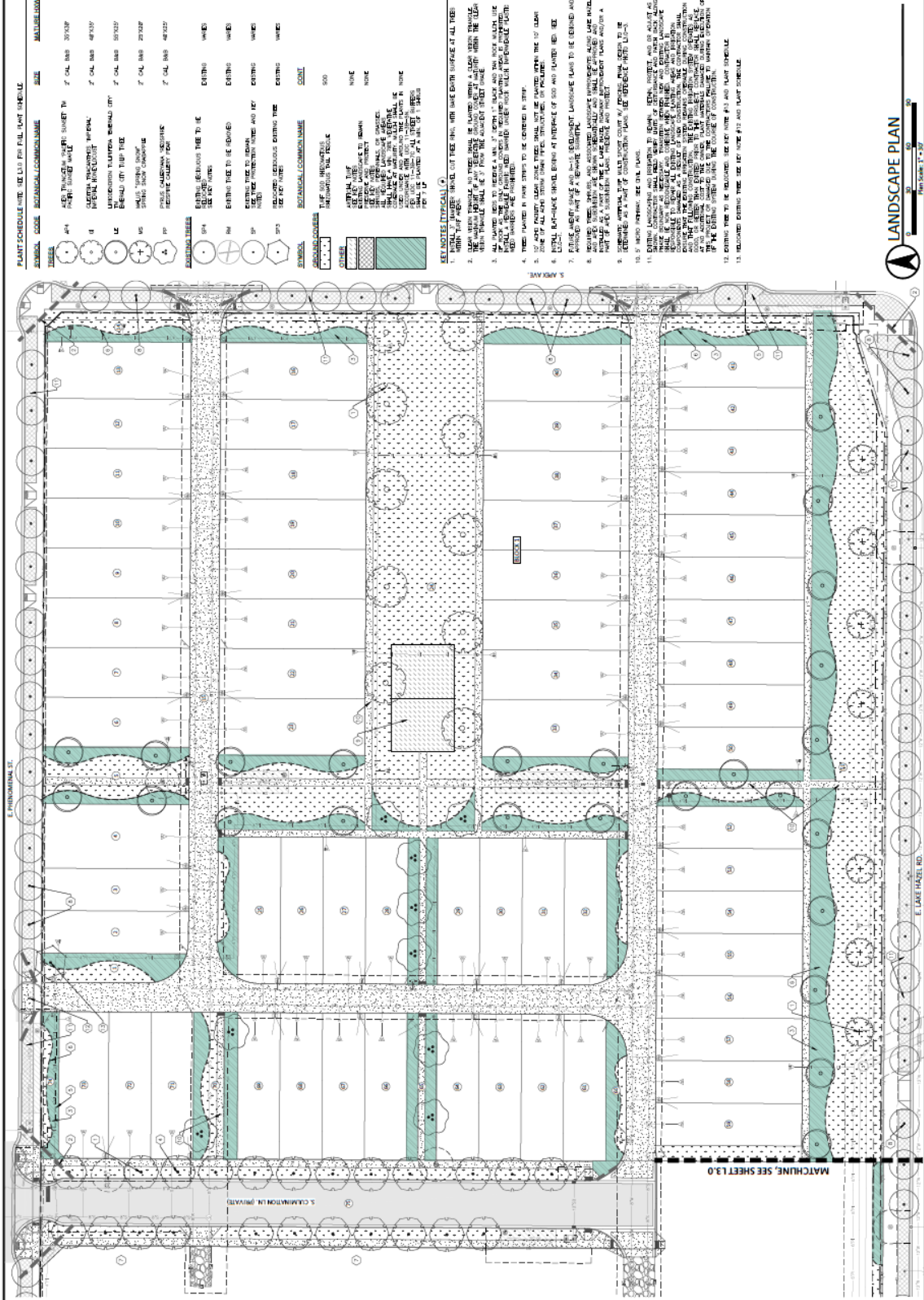
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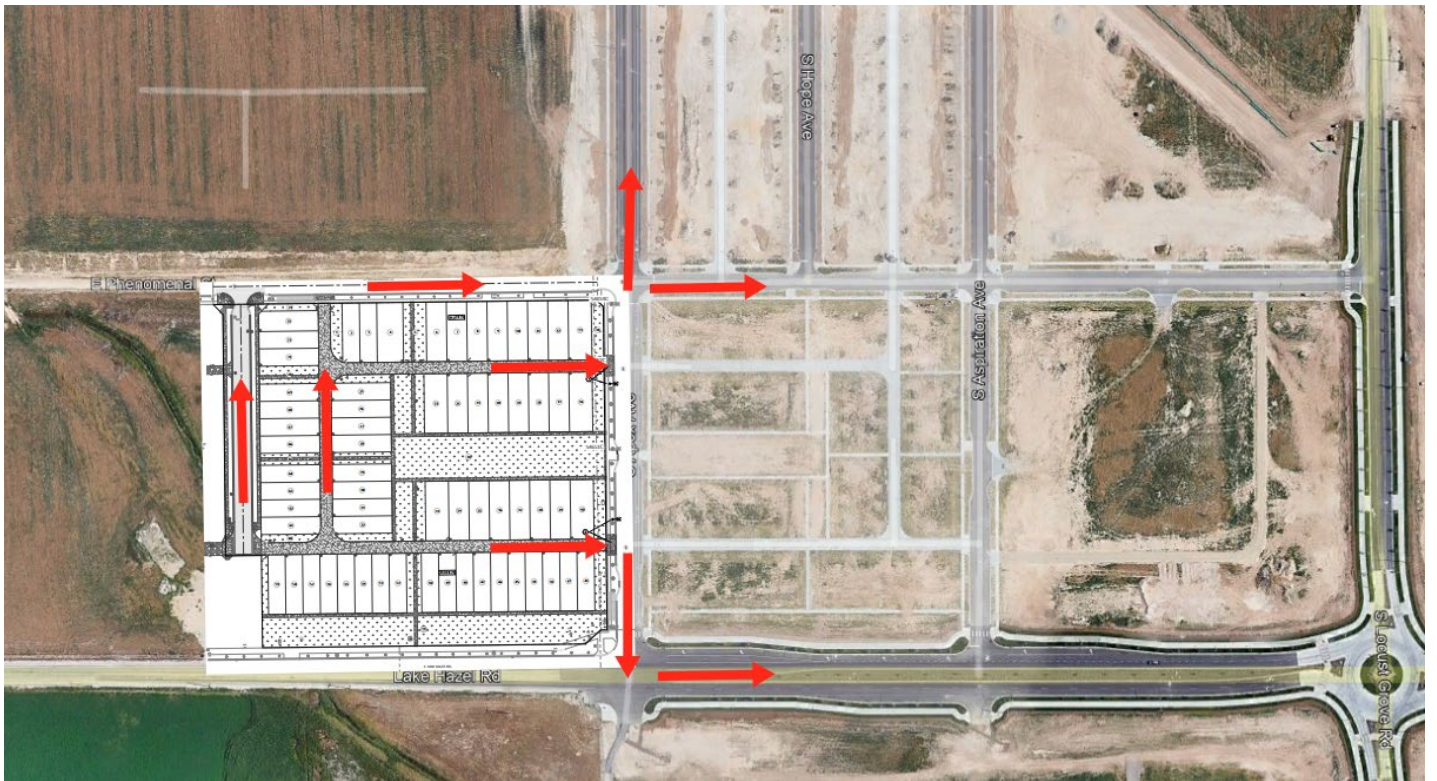
ENGINEERING
2200 SOUTH GROSSVEGETARY WAY
ANN ARBOR, MI 48106
PHONE: 734.769.8800
FAX: 734.769.8801
WWW.KMENGINEERING.COM

PROJECT: APEX PHENOMENAL SUBDIVISION
SHEET NO.: 12.0



LANDSCAPE PLAN
APEX PHENOMENAL SUBDIVISION
MICHIGAN, ID

D. Emergency Access Exhibit



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

1. The Applicant shall comply with all conditions of approval of the approved annexation and preliminary plat (H-2020-0066 Apex), Development Agreement (Inst. #2020-178120) and alternative compliance (A-2025-0042) for this site.
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of City Council's approval of the preliminary plat (on or before December 17, 2026) in accord with UDC 11-6B-7, in order for the preliminary plat to remain valid; or, a time extension may be requested.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat prepared by KM Engineering, dated: 05/20/2025, included in Section V.B shall be revised as follows:
 - a. Note #11: Include S. Sublimity Ave.
 - b. Note #13: Include the recorded instrument number of the water and sewer main easement.
 - c. Note #17: Include the recorded instrument number of the ACHD temporary license agreement.

A copy of the revised plat shall be submitted with the final plat for City Engineer signature.

5. The landscape plan prepared by KM Engineering, dated 05/24/2024, included in Section V.C, shall be revised as follows:
 - a. Depict a *variety* of trees, shrubs, lawn, or other vegetative ground cover within the required street buffers along E. Lake Hazel Rd., Apex Ave. and S. Sublimity Ave., that complies with the standards listed in UDC [11-3B-7C.3](#). *See standards for more details.*

A copy of the revised landscape plan shall be submitted with the final plat for City Engineer signature.

6. Off-street parking is required to be provided for all residential units in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit.
7. Homes within the development shall be generally consistent with the building elevations referenced in the Development Agreement (Inst. #2020-178120).
8. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Matthew Peterson, at 208-887-1620 or Matthew.W.Peterson@usps.gov for more information.
9. All required street buffers shall be installed with development of the subdivision, including those on Lot 76, Block 1.
10. Address signage shall be provided at the alley entrances off the public streets for homes that don't have frontage on a public street. Address numbers shall also be provided on the rear of structures visible from the alley for emergency responders.
11. All single-family attached units shall comply with the design standards in the Architectural Standards Manual. A design review application shall be submitted for approval of the proposed structures prior to submittal of building permit applications.

12. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place consistent with the Comprehensive Plan (see pg. 3-10) per the development agreement.
13. The rear and/or side of structures on lots that face E. Lake Hazel Rd. (i.e. Lots 41-50 and 52-59, Block 1) and S. Apex Ave. (i.e. Lots 13, 16, 40 and 41, Block 1) 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.
14. The proposed private street (i.e. S. Culmination Ln.) is *tentatively* approved with this application. **Within one (1) year of the date of final plat approval, the Applicant or owner shall complete the tasks specified in UDC 11-3F-3B in order to obtain final approval.**
15. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.