

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



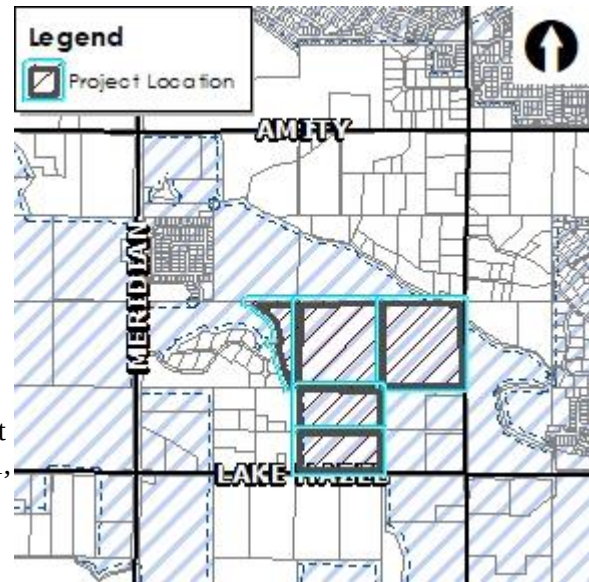
HEARING DATE: April 12, 2022
Continued from: March 8 and 22, 2022

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2021-0087
Apex West – PP (aka Pinnacle)

LOCATION: North side of E. Lake Hazel Rd.,
approximately 1/4 mile west of S. Locust
Grove Rd., in the south 1/2 of Section 31,
T.3N., R.1E.



I. PROJECT DESCRIPTION

Preliminary plat consisting of ~~208~~ 209 building lots (~~207~~ 205 single-family residential lots, 3 residential lots for future re-subdivision for single-family homes and 1 lot for future development of townhomes or multi-family apartments) and ~~34~~ 37 common lots on ~~96.08~~ 133.07 acres in the R-2, R-8 and R-15 zoning districts for Apex West Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	96.08 <u>133.07</u> acres	
Existing/Proposed Zoning	R-2, R-8 and R-15	
Future Land Use Designation	Low Density Residential (LDR), Medium Density Residential (MDR) and Medium High Density Residential (MHDR)	
Existing Land Use(s)	Agricultural land	
Proposed Land Use(s)	Single-family residential (SFR) detached dwellings	
Lots (# and type; bldg./common)	208 <u>209</u> building lots/ 34 <u>37</u> common lots	
Phasing Plan (# of phases)	4 phases	
Number of Residential Units (type of units)	207 <u>205</u> (SFR detached dwellings)	
Density (gross & net)	3.17 units/acre (gross); 5.29 units/acre (net) – overall (not including future units in R-8 and R-15 zoned lots)	
Open Space (acres, total [%]/buffer/qualified)	16.17 acres (or 16.61%) common open space	

Description	Details	Page
Amenities	Swimming pool, two (2) segments of the City's multi-use pathway system, and an additional 5% open space above the minimum required.	
Physical Features (waterways, hazards, flood plain, hillside)	The McBirney Lateral and another un-named waterway cross this site.	
Neighborhood meeting date; # of attendees:	10/19/21	
History (previous approvals)	H-2020-0066; Development Agreement Inst. #2020-178120 (Apex); H-2020-0117; Development Agreement Inst. #2021-102396 (Shafer View Terrace)	

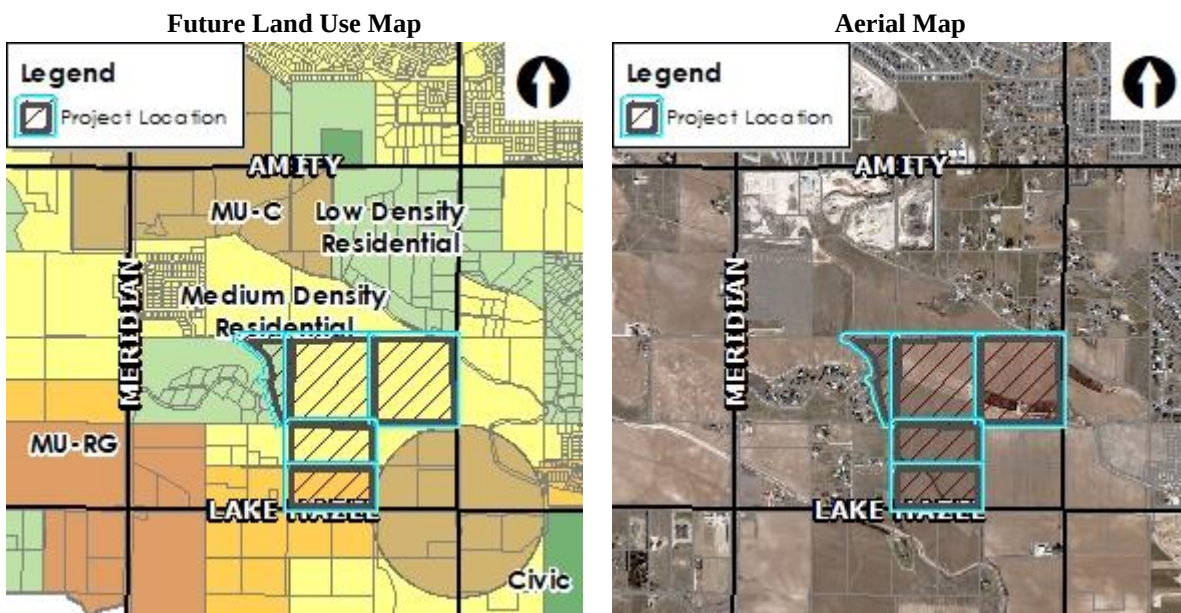
B. Community Metrics

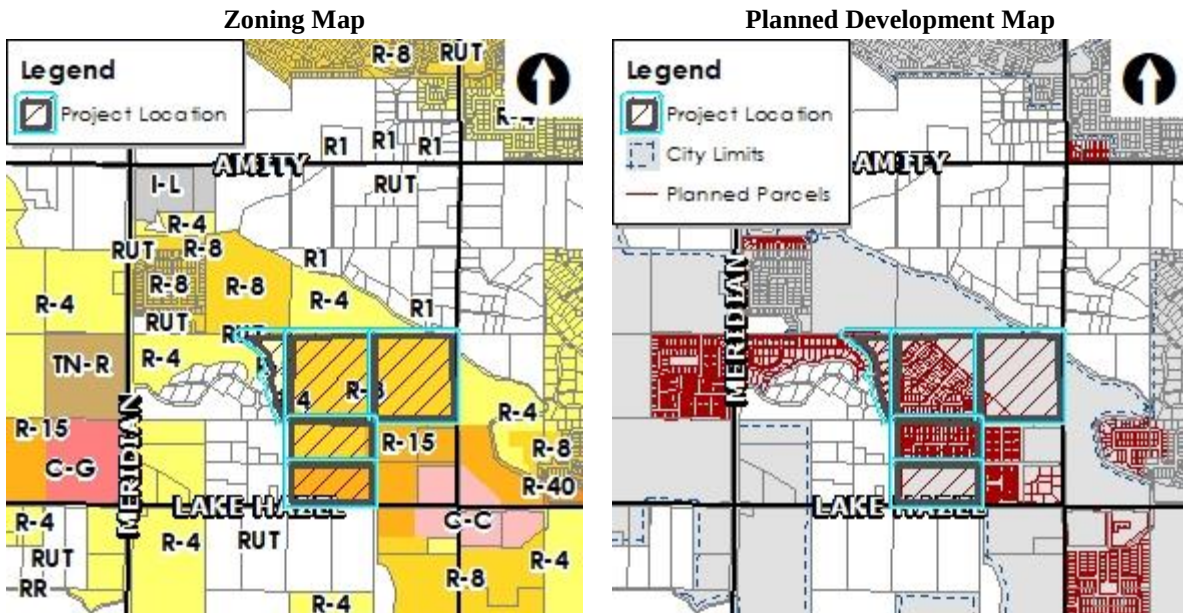
Description	Details	Pg															
Ada County Highway District																	
• Staff report (yes/no) • Requires ACHD Commission Action (yes/no)	Yes No																
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses are proposed via E. Lake Hazel Rd., an arterial street; and one (1) access is proposed via E. Quartz Creek St., a collector street.																
Traffic Level of Service	<table><tr><th>Roadway</th><th>Frontage</th><th>Functional Classification</th><th>PM Peak Hour Traffic Count</th><th>PM Peak Hour Level of Service</th></tr><tr><td>Lake Hazel Road</td><td>1,321-feet</td><td>Principal Arterial</td><td>351</td><td>Better than "E"</td></tr><tr><td>Locust Grove Road</td><td>1,350-feet</td><td>Minor Arterial</td><td>181</td><td>Better than "E"</td></tr></table> * Acceptable level of service for a two-lane principal arterial is "E" (690 VPH). * Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Lake Hazel Road	1,321-feet	Principal Arterial	351	Better than "E"	Locust Grove Road	1,350-feet	Minor Arterial	181	Better than "E"	
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Stub Street/Interconnectivity/Cross Access Existing Road Network Existing Arterial Sidewalks / Buffers	E. Quartz Creek St. is proposed to be extended through this site; stub streets are proposed to be extended from Apex Northwest #1 and #2; stub streets are proposed to adjacent properties.																

Description	Details	Pg																																										
Proposed Road Improvements	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): - Locust Grove Road is listed in the CIP to be widened to 3-lanes from Lake Hazel Road to Amity Road between 2036 and 2040 - Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Linder Road to Meridian Road between 2036 and 2040. - Lake Hazel Road is listed in the CIP to be widened to 5-lanes from Meridian Road to Locust Grove Road between 2036 and 2040. - Lake Hazel Road is listed in the CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2036 and 2040. Apex Subdivision entered into a Cooperative Development Agreement with ACHD in May 2021 to widen the segment of Lake Hazel Road to 5-lanes to the east of this site. These construction plans are currently under review. - The intersection of Lake Hazel Road and Locust Grove Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg between 2036 and 2040. Apex Subdivision entered into a Cooperative Development Agreement with ACHD in May 2021 to fully improve this intersection consistent with the 2020 CIP. Construction plans are currently under review with ACHD. - 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 Lake Hazel Road and Meridian Road is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 7-lanes east, and 7-lanes on the west leg and signalized between 2036 and 2040. - The intersection of Amity Road and Locust Grove Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg between 2031 and 2035.																																											
Fire Service																																												
- Distance to Fire Station - Fire Response Time	3.6 miles Falls outside the 5:00 minute response time area - nearest station is Fire Station #6 – <i>cannot</i> meet response time goals. <i>When Fire Station #7 is constructed in late summer of 2023, it will be within the 5:00 minute response time area.</i>																																											
- Resource Reliability - Risk Identification - Accessibility	85% - <i>does</i> meet the target goal of 80% or greater 2 – current resources would be adequate to supply service Project meets all required access, road widths and turnaround. ALL residences having two frontages (the street & an alleyway behind it) shall have address numbers on the front of the building and on the back side facing the alley.																																											
Special/resource needs	Project will require an aerial device; can meet this need in the required timeframe if a truck company is required.																																											
Water Supply	Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.																																											
Other Resources																																												
Police Service																																												
	No comments received																																											
- Distance from police station - Police Response Time																																												
West Ada School District																																												
- Distance (elem, ms, hs) - Capacity of Schools # of Students Enrolled	<table><thead><tr><th></th><th>Enrollment</th><th>Capacity</th><th>Approved lots per attendance area</th><th>Approved MF units per attendance area</th><th>Projected Students from Approved Dev.</th></tr></thead><tbody><tr><td>Mary McPherson Elementary</td><td>449</td><td>675</td><td>2677</td><td>26</td><td>591</td></tr><tr><td>Victory Middle School</td><td>984</td><td>1000</td><td>3738</td><td>502</td><td>501</td></tr><tr><td>Mountain View High School</td><td>2368</td><td>2175</td><td>2701</td><td>0</td><td>432</td></tr><tr><td colspan="6"><u>School of Choice Options</u></td></tr><tr><td>Christine Donnell School -Arts</td><td>489</td><td>500</td><td>N/A</td><td>N/A</td><td></td></tr><tr><td>Spalding Elementary - STEM</td><td>656</td><td>750</td><td>N/A</td><td>N/A</td><td></td></tr></tbody></table>		Enrollment	Capacity	Approved lots per attendance area	Approved MF units per attendance area	Projected Students from Approved Dev.	Mary McPherson Elementary	449	675	2677	26	591	Victory Middle School	984	1000	3738	502	501	Mountain View High School	2368	2175	2701	0	432	<u>School of Choice Options</u>						Christine Donnell School -Arts	489	500	N/A	N/A		Spalding Elementary - STEM	656	750	N/A	N/A		
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# of Students Predicted from this development	132 school aged children predicted from this development by WASD (154 for future townhomes) School Impact Table																																											

Wastewater	
Impacts/concerns	- Flow is committed - All sewer manholes must have a 14-foot-wide access road per the City Design Standards. - Ensure no sewer services cross infiltration trenches - No permanent structures may be within City utility easements including but not limited to trees, bushes, buildings, carports, trash enclosures, fences, infiltration trenches, light poles, etc. - Do not run sewer main in common driveways, services should be run within the common driveway. - Sewer main should be run from the northern portion of the site down South Sublimity Way from the existing sewer main. Main should be kept within the Right of Way whenever possible.
Water	
Distance to Water Services	Directly adjacent
Pressure Zone	5
Estimated Project Water ERU's	See application
Water Quality	None
Project Consistent with Water Master Plan	Yes
Impacts/Concerns	12 inch water main will need to be constructed at the Northwest corner to make the second connection at East Quartz Creek Street. - There is a piece of water main missing at the corner of East Prickle Drive and East Pinpoint Way, this must be included to complete the water loop. - The water main in East Prime Drive needs to be upsized to 12 inch from South Sublimity Way to East Prickle Drive. - The water main in East Prickle Drive needs to be upsized to 12 inch from East Prime Drive to East Heyday Drive. - The water stub in East Heyday Drive to the property line needs to be upsized to 12 inch.

C. Project Area Maps





A. Applicant:

Josh Beach, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

B. Owner:

Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

C. Representative:

Same as Applicant

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	12/21/2021	2/20/2022 & 3/27/2022
Notification mailed to property owners within 300 feet	12/15/2021	2/17/2022 & 3/23/2022
Applicant posted public hearing notice on site	12/22/2021	2/24/2022 & 3/25/2022
Nextdoor posting	12/16/2021	2/18/2022 & 3/23/2022

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

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates approximately 11 acres of the site as Low Density Residential (LDR), 65 acres as Medium Density Residential (MDR) and 20 acres as Medium High-Density Residential (MHDR).

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 proposed development consists of a total of ~~297~~ 209 single-family detached dwellings. The plat includes two (2) R-8 zoned lots in the MDR designated area for future residential development; and one (1) R-15 zoned lot in the MHDR designated area for future development of townhomes or multi-family apartments. The proposed development in the MDR designated area has an overall gross density of 3.17 units/acre with a net density of 5.29 units per acre, excluding the future development areas. The R-2 portion has a gross density of 0.70 units/acre with a net density of 1.18 units/acre and the R-8 portion has a gross density of 3.70 units/acre with a net density of 6.16 units/acre, consistent with the densities desired in the associated LDR and MDR designations.

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)

Only one housing type, single-family detached, is proposed in this development at this time; some units will be accessed via internal local and collector streets with front/side entry garages while others will have rear access via alleys. Another housing type, either townhomes or multi-family apartments, is planned to develop on the R-15 zoned future development area (i.e. Lot 1, Block 1). If townhomes are proposed, the lot will need to be re-subdivided to accommodate the townhome units; if apartments are proposed, a conditional use permit will be needed for approval of a multi-family development.

- “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 services are available to service this development in accord with UDC 11-3A-21. The emergency response time for the Fire Dept. falls outside of the 5-minute response time area; once Fire Station No. 7 is constructed in the late summer of 2023, it will meet the response time goal.

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

Staff believes the proposed use and site design are compatible with existing and future uses, which should minimize conflicts and maximize use of land.

- “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.

- “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)

Two (2) segments of the City’s multi-use pathway system is proposed within this site consistent with the Pathways Master Plan, which will provide safe pedestrian and bicycle access to the internal common area with a swimming pool and school site to the southeast in Apex Southeast.

- “Evaluate comprehensive impacts of growth and consider City Master Plans and Strategic Plans in all land use decisions (e.g., traffic impacts, school enrollment, and parks).” (3.01.01A)

A Traffic Impact Study (TIS) was required by ACHD for this development and was taken into consideration in ACHD’s report.

See comments from WASD and Community Development in Section VIII for school enrollment calculations in regard to the number of school-aged children estimated to be generated from this development and associated school capacity.

The closest City Park to this site is Discovery Park, a regional park consisting of 77-acres of land, to the southeast of the S. Locust Grove Rd. and E. Lake Hazel Rd. intersection bordering Apex Southeast.

- “Require all development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A)

The proposed site design should be compatible with existing and future surrounding uses.

- “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 are proposed as required with this development.

In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan per the analysis above.

V. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

A. Preliminary Plat:

The proposed preliminary plat consists of ~~208~~ 209 building lots (~~207~~ 205 single-family lots; three (3) residential building lots for future re-subdivision; and 1 lot for future development of townhomes or multi-family apartments) and ~~34~~ 37 common lots on ~~96.08~~ 133.07 acres in the R-2, R-8 and R-15 zoning districts for Apex West Subdivision.

The subdivision is proposed to develop in ~~four~~ five (4 5) phases as shown on the phasing plan in Section VII.A.

~~The proposed plat includes a portion of Parcel #S1131417220 depicted on the plat as Lot 1, Block 5 and the surrounding area outside of Parcel #S1131417210. As discussed at the pre-application meeting, the entire parcel must be included in the proposed plat or a property boundary adjustment application must be approved to create a separate developable parcel~~

~~for that area—a portion of the lot cannot be included as it would create an illegal split. Until this concern is resolved, the City Council has inadequate information to make a final decision concerning this application. Therefore, Staff recommends that prior to City Council entering its Findings of Fact, Conclusions of Law, Final Decision and Order, a property boundary adjustment shall be approved, which incorporates Lot 1, Block 5 and the surrounding area into Parcel #S1131417210 or creates a separate developable parcel for that area. A revised plan was submitted that includes the entire parcel.~~

Three ~~Four~~ future development areas are depicted on the plat, Lots 32 and 43, Block 6; Lot 2, Block 5; and Lot 1, Block 1. The R-8 zoned lots (i.e. Lots 32 and 43, Block 6; and Lot 2, Block 5) are planned to be re-subdivided in the future through new preliminary plat applications. The R-15 zoned lot (i.e. Lot 1, Block 1) may be re-subdivided in the future through a new preliminary plat application for the development of 240 townhomes; or, a multi-family development may develop on the site, which will require approval of a conditional use permit. **If single-family homes or townhomes are developed on these lots, they shall be re-subdivided prior to issuance of any building permits.**

Existing Structures/Site Improvements:

There are no existing structures or site improvements on this property; it's currently agricultural land.

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 and block face. The proposed plat complies with these standards.

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

Access is proposed at the northwest corner of the development from E. Quartz Creek St., a collector street, from S. Meridian Rd. and from S. Sublimity Ave. and S. Apex Ave., both collector streets, via E. Lake Hazel Rd. Stub streets are proposed to adjacent properties for future extension and interconnectivity. **A note should be included on the final plat prohibiting direct lot access to the collector and arterial streets, except for Lots 4-11, Block 10 which are allowed direct access via S. Sublimity Way – homes on these lots should have side entry garages with a turnaround area so that vehicles aren't backing out onto the collector street in an effort to preserve public safety.** Street setbacks for residential units abutting collector streets shall be as approved with ZOA-2021-0003.

Public alleys are proposed for internal access to some of the lots in Phase 1; alleys are required to comply with the standards listed in UDC [11-6C-3B.5](#). Three (3) common driveway lots are also proposed and are required to comply with the standards listed in UDC [11-6C-3D](#); an exhibit for such is included in Section VII.B.

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. Garages and parking pads in driveways are proposed to satisfy this requirement.

The proposed local street sections accommodate on-street parking on both sides of the streets for guests in addition to driveway parking spaces on each lot; ~~146 spaces are proposed for guests in the residential area along with another 28 spaces as depicted on the parking plan in Section VII.E.~~ Staff is of the opinion sufficient parking can be provided for this development.

Off-street parking is also required for the building/changing rooms at the community swimming pool. A minimum of (1) space is required per every 500 square feet of gross floor area; 12 spaces are proposed which exceeds the minimum standards. A minimum of one (1) bicycle parking

space is also required to be provided per UDC 11-3C-6G and should be designed in accord with the standards listed in UDC 11-3C-5C.

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

The Pathways Master Plan depicts a segment of the City's multi-use pathway system along the west and northeast boundaries of the site. Pathways are proposed as shown on the landscape plan.

The Park's Dept. is requiring a 10-foot wide detached pathway along the west side of S. Sublimity Ave. which will connect to the pathway proposed in the common area along the back side of lots in Block 10. **The gravel pathway proposed through Blocks 5, 6, 7, 9 and 10 is required to be improved per the standards listed in UDC 11-3B-12C.3. Landscape strips are required along both sides of all pathways, landscaped per the standards listed in UDC [11-3B-12C](#), which include a mix of trees, shrubs, lawn, and/or other vegetative ground cover, including those in Blocks 6, 7, 9 and 10 – if within an easement, additional area shall be provided outside of the easement to accommodate landscaping. See comments from Park's Dept. in Section VIII.J.**

A minimum 5-foot wide pathway should be included in Lot 36, Block 6.

All multi-use pathways not located within the right-of-way are required to be placed in a 14-foot wide public use easement, which shall be submitted to the Planning Division prior to submittal for City Engineer signature on the final plat(s) for the phase in which they are located.

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

Sidewalks are required to be provided adjacent to all streets as set forth in UDC 11-3A-17. Detached sidewalks are proposed within the development as depicted on the landscape plan.

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

Eight-foot wide parkways are proposed along all streets where detached sidewalks are proposed. All parkways should be constructed in accord with the standards listed in UDC [11-3A-17E](#).

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

A 25-foot wide street buffer is required along E. Lake Hazel Rd., an arterial street; and 20-foot wide street buffers are required along E. Quartz Creek St./S. Sublimity Ave., S. Apex Way and E. Crescendo St., collector streets. Landscaping is required to be installed within the buffers per the standards listed in [UDC 11-3B-7C](#), **which require a variety of trees and shrubs, lawn, or other vegetative groundcover – shrubs are required to be included in the buffer in accord with this standard; lawn shall comprise no more than 65% of the vegetated coverage of a landscape buffer (see UDC 11-3B-7C.3 for more information).**

Landscaping is required adjacent to all pathways per the standards in UDC [11-3B-12C](#) as noted above under Pathways.

Landscaping is required within parkways per the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#) as proposed.

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

Based on the standards listed in UDC [11-3G-3](#), the R-2 zoned area requires a minimum of 8% (or 0.80-acre) open space based on 9.94 acres of land; and the R-8 zoned area requires a minimum of 15% (or 6.01-acres) open space based on 40.09 acres of land for a total of 6.81 acres of common open space. *Although the future residential R-8 and R-15 zoned areas (i.e. Lots 32 and 43, Block 6 and Lot 1, Block 1) are included in the boundary of the proposed plat, Staff did not include these areas in the required open space calculations as they are proposed to be re-subdivided and/or included in a conditional use permit in the future prior to development. At such time they will be required to comply with the open space standards on a stand-alone basis.*

The proposed open space consists of linear open space, open grassy areas of at least 5,000 square feet in area, 8-foot parkways and street buffers along collector and arterial streets as shown on the open space exhibit in Section VII.D. A total of 16.17 acres of qualified open space is proposed, which exceeds UDC standards.

The proposed open space areas have direct pedestrian access, high visibility, comply with the CPTED standards and support a range of leisure and play activities and uses, while promoting the health and well-being of its residents as required in UDC 11-3G-3A.2.

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

Based on the standards listed in UDC 11-3G-4, the 50.03-acre development area requires multiple amenities to be provided totaling a minimum of 10 points from the separate categories listed in UDC Table [11-3G-4](#). *Note: As noted above under the Qualified Open Space analysis, Staff did not include the two (2) R-8 zoned lots (Lots 32 and 43, Block 6) and the R-15 zoned lot (Lot 1, Block 1) in the calculations.*

A swimming pool with changing facilities and restrooms (6 points); two (2) segments of multi-use pathways totaling approximately ½ mile (totaling 4 points); and a playground (3 points) are proposed totaling 13 points, which exceeds the minimum standards. A detail of the playground equipment should be submitted with the final plat application for the phase in which it is located.

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 Practices as adopted by the City. The Applicant submitted a [Limited Geotechnical Engineering Report](#) for the subdivision.

Pressure Irrigation (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15.

Utilities (UDC [11-3A-21](#)):

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21.

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

The McBirney Lateral crosses this site within a 40 to 41-foot wide easement; the Farr Lateral crosses the northeast corner of this site within a 55-foot wide easement; and the Watkins Drain runs along the west side of this site within a 38-foot wide easement, as depicted on the plat. These waterways are proposed to be piped in accord with UDC 11-3A-6B. The Applicant requests approval of a waiver to UDC 11-3A-6B to allow the Watkins drain to remain open as an amenity feature; a cross-section of the amenity corridor is included in Section VII.C.

In order for Council to waive the requirement for covering the drain, it has to find that the public purpose requiring such will not be served & public safety can be preserved per UDC 11-3A-6B.3a. No fencing is proposed to prevent access to the drain and the Applicant is not proposing to improve the drain per the water amenity standards in the UDC, which require construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho to be submitted to both the Director & the authorized representative of the water facility for approval. If the waterway/drain is improved as part of the development as a water amenity, its banks in all places adjacent to and located on said development should be no steeper than one (1) foot vertical per every four (4) feet horizontally and have a depth and velocity in all places adjacent to and located on said development such that the product of the maximum depth (feet) multiplied by the peak velocity (feet per second) does not exceed four (4).

Williams Pipeline: The Williams Pipeline runs across Lot 2, Block 5 and Lot 32, Block 6 within a 75-foot wide easement. All development within the pipeline easement should comply with the Williams Pipeline Developers Handbook.

Fencing (UDC [11-3A-6](#) and [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7.

Five-foot tall open vision metal fencing is proposed adjacent to all internal common open space areas to distinguish common from private areas; and 6-foot tall solid wood fencing is proposed in other areas as depicted on the landscape plan in Section VII.C in accord with UDC standards.

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

Conceptual building elevations in a variety of materials and colors were submitted for future single-family detached homes in this development as shown in Section VII.E. *Single-family detached dwellings are exempt from the design standards in the Architectural Standards Manual.*

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved for the changing rooms and swimming pool on Lot 1, Block 5 prior to submittal of applications for building permits. All non-residential structures shall comply with the design standards listed in the Architectural Standards Manual.

Because homes on lots that abut collector streets (i.e. E. Quartz Creek St. and S. Sublimity Ave. and S. Apex Way south of E. Crescendo St.) and arterial streets [i.e. S. Locust Grove Rd. and E. Lake Hazel Rd. (if applicable)] will be highly visible, the rear and/or side of structures on these lots should incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

VI. DECISION

A. Staff:

Staff recommends approval of the requested preliminary plat with the conditions noted in Section VIII per the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on January 6 and February 3, 2022. At the public hearing on February 3rd, the Commission moved to recommend approval of the subject PP request.

1. Summary of Commission public hearing:

- a. In favor: Mike Wardle and Jon Wardle, Brighton Corporation
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Julie Edwards; Josh Beach, Brighton Corp.
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Concern with the provision of (3) common driveways within the development & associated traffic congestion as discussed at the Commission hearing for Apex East; concern pertaining to parking in relation to the alley-accessed units & the adequacy of such for guests on the adjacent public streets, especially with the common driveways proposed and parking issues associated with those. Suggests some of the building lots be eliminated in favor of provision of a guest parking lot in addition to the on-street

parking & elimination of the common driveways in favor of larger lots in those areas.
School capacity concerns from the proposed development and others in the area.

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

- a. Inquiry if S. Sublimity Ave. could be built with the first phase as a final build instead of a temporary fire access;
- b. Inquiry if Apex East and Apex West will be considered one development for common use of common areas and amenities;
- c. The provision of common driveways within the development and associated congestion – not in favor of common driveways although they’re allowed by code;
- d. In favor of the Applicant’s request to leave the Watkins Drain open and not pipe it.

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. The Applicant requests approval of a waiver to UDC 11-3A-6B which requires all waterways on the site to be piped in accord with UDC standards, to allow the Watkins drain to remain open as an amenity feature (condition #7 needs to be modified if Council approves the waiver).
- b. Prior to City Council approval of the subject preliminary plat application, a property boundary adjustment is required to be approved, which incorporates Lot 1, Block 5 and the surrounding area into Parcel #S1131417210 or creates a separate developable parcel for that area. Council can act on this application but the Findings can’t be approved until this has been done.
- c. Staff requests Council include a modification to condition #2b in Section VIII.A to also include Lots 4-11, Block 10 in the requirement for an easement for a 20’ wide street buffer to be provided on the lots along E. Quartz Creek St./S. Sublimity Ave.

C. The Meridian City Council heard these items on March 8, 2022. At the public hearing, the Council moved to approve the subject PP request.

1. Summary of the City Council public hearing:

- a. In favor: Mike Wardle & Jon Wardle, Brighton Corp.
- b. In opposition: None
- c. Commenting: Julie Edwards
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Question as to whether or not any water studies have been done – concern pertaining to impact on the aquifer and wells in the area from the proposed development; concern pertaining to impact of the proposed development on area school enrollment; timetable for phase 3 construction; and desire for drought tolerant landscaping to be installed.

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

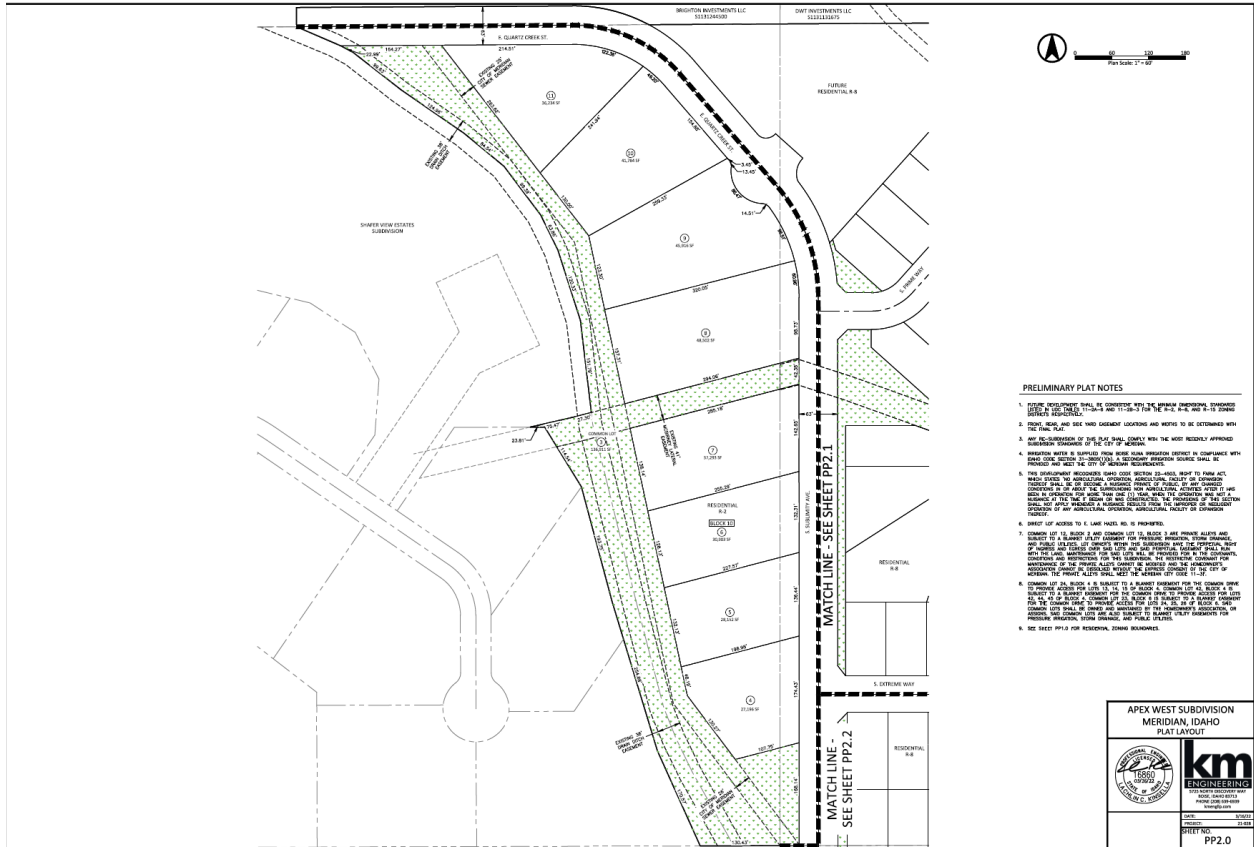
- a. The Applicant’s request to leave the Watkins drain open and not pipe it;
- b. Concern pertaining to impact on area school enrollment from students generated from this development;

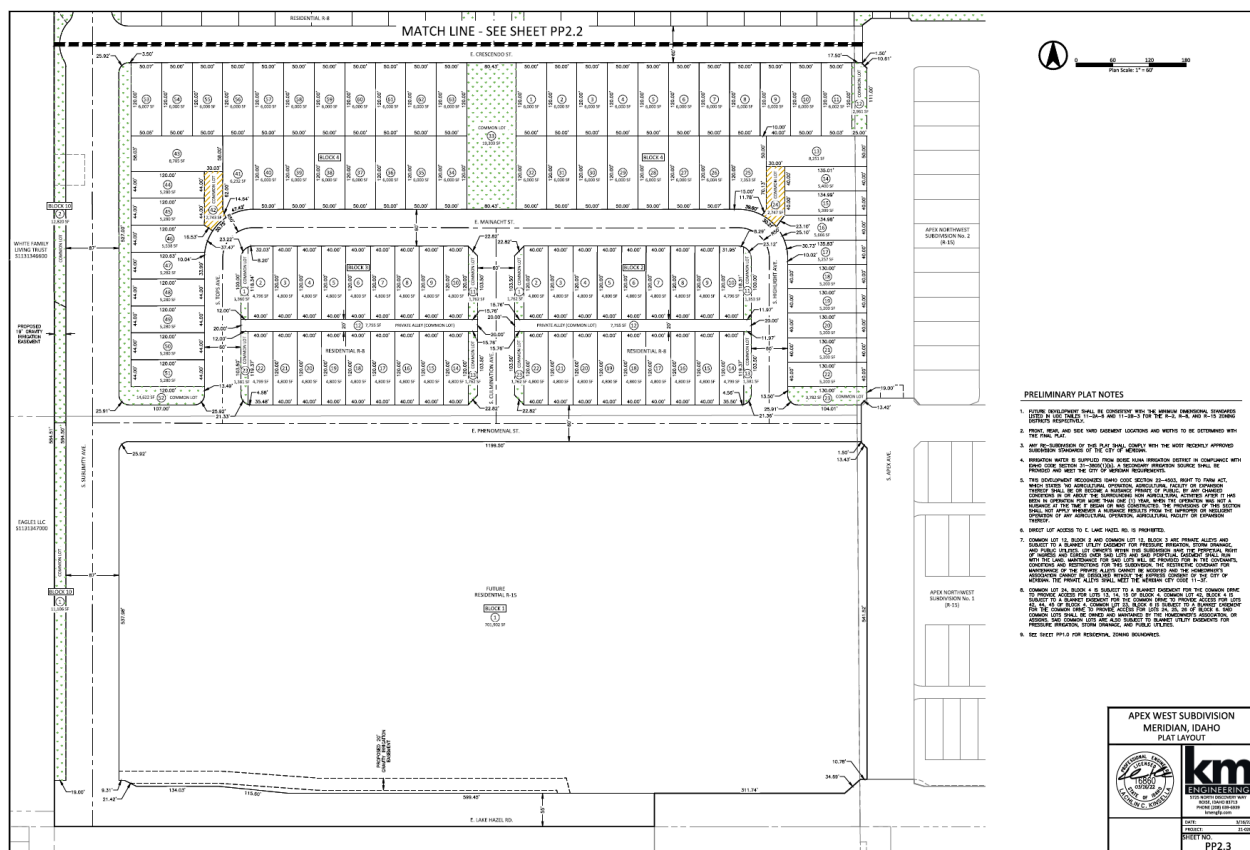
4. City Council change(s) to Commission recommendation:

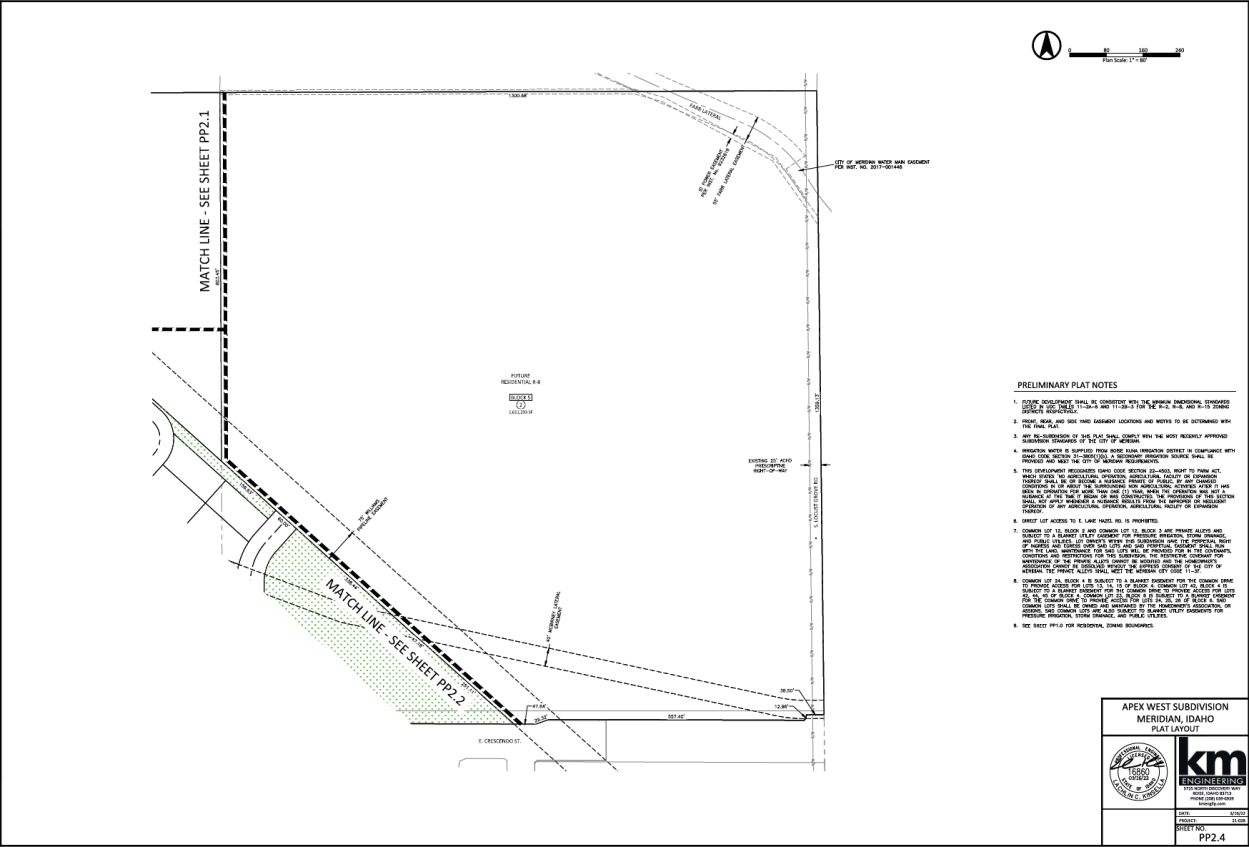
- a. Council approved the Applicant’s request to leave the Watkins drain open and not pipe it.

A. Preliminary Plat & Phasing Plan (date: ~~8/16/2021~~ 3/16/2022) – REVISED

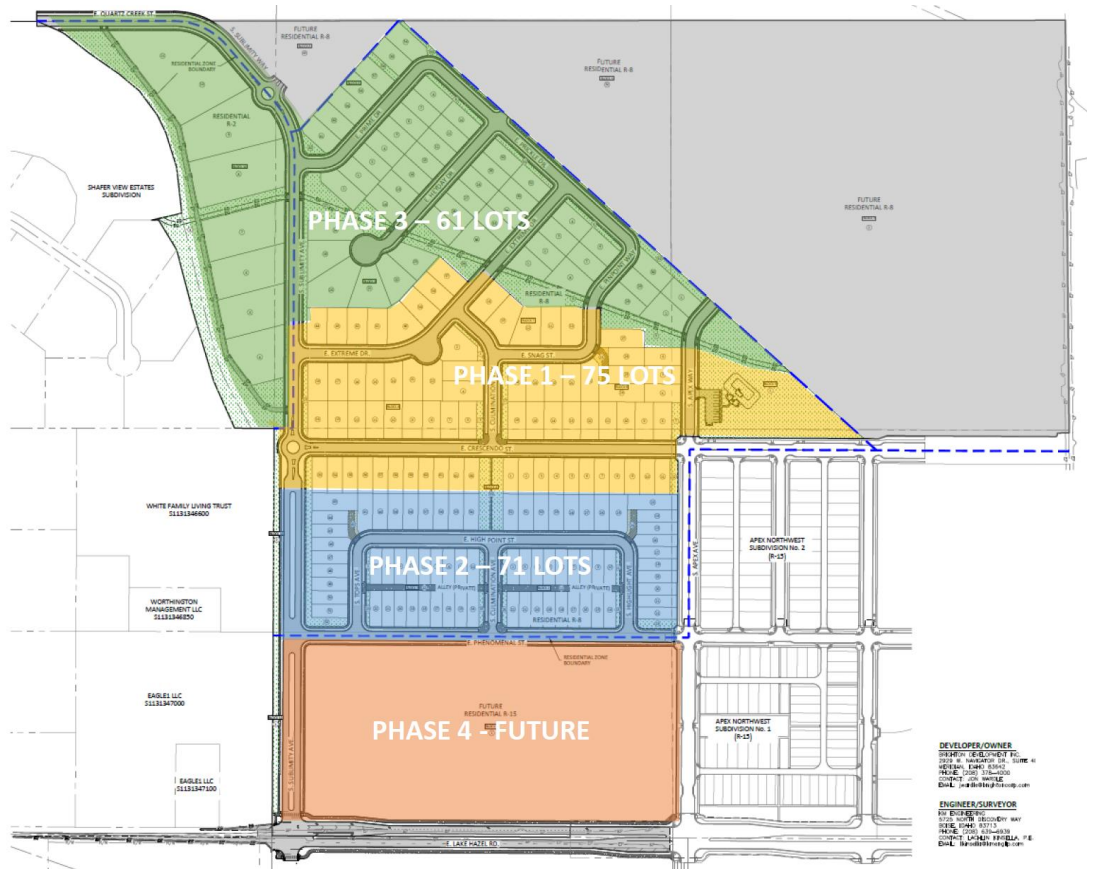




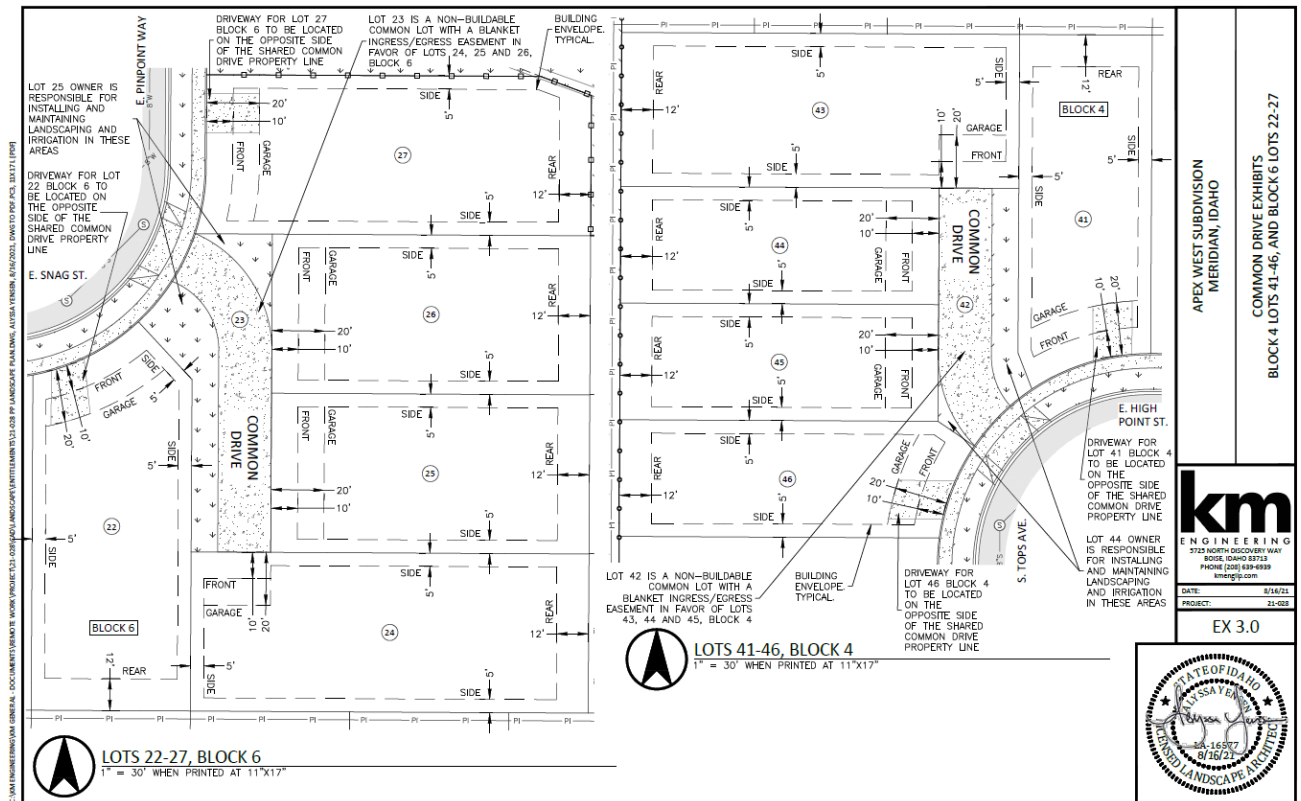
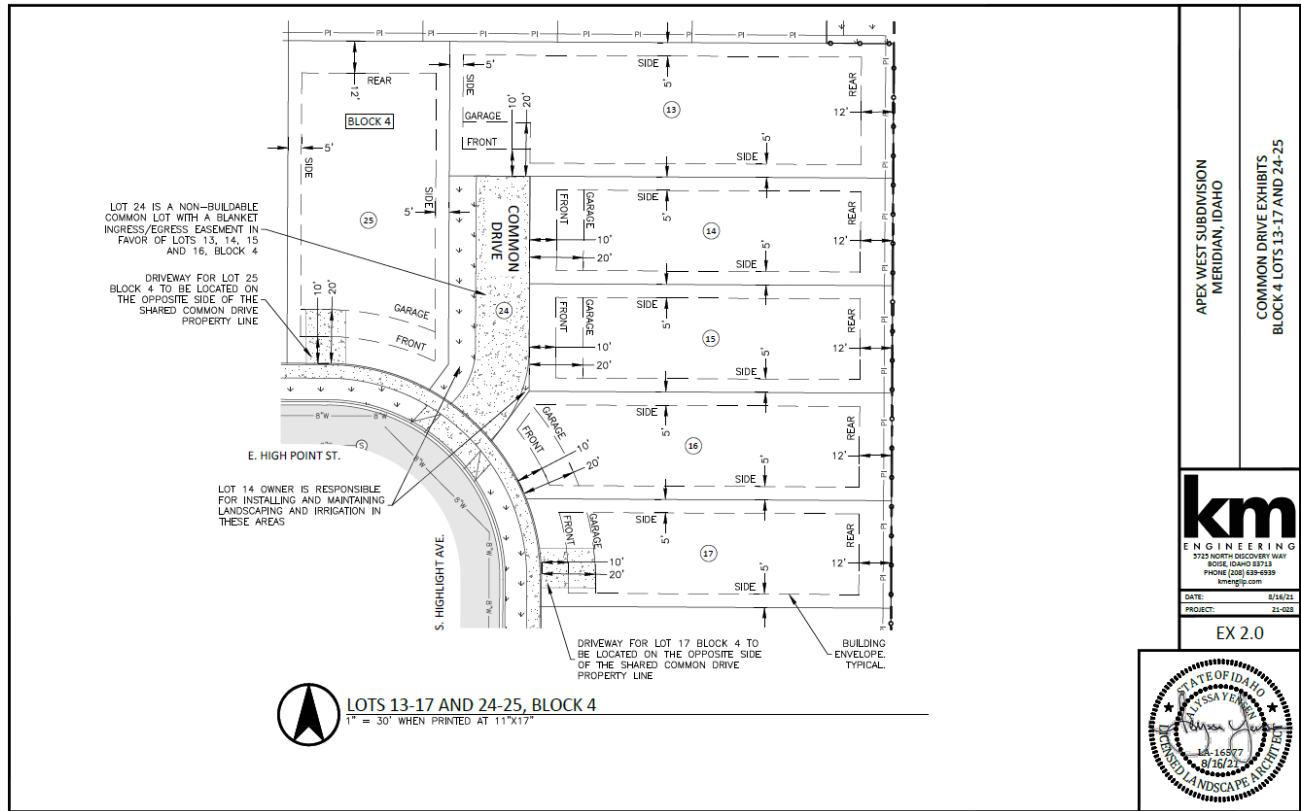




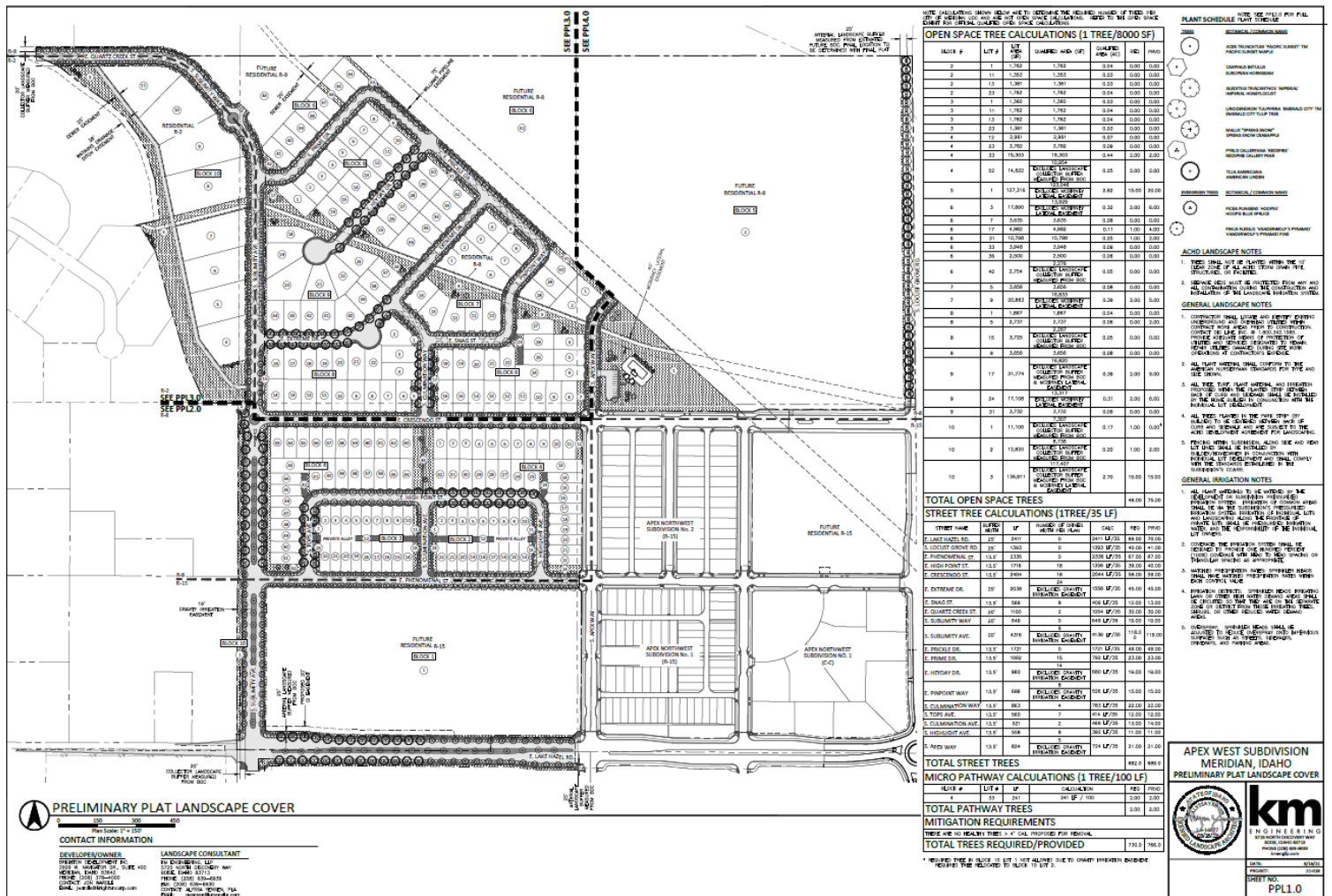
APEX WEST PHASING	
PHASE 1	75
PHASE 2	71
PHASE 3	61
TOTAL	207
PHASE 4	R-15 Future
PHASE 5	Future Pre-Plat

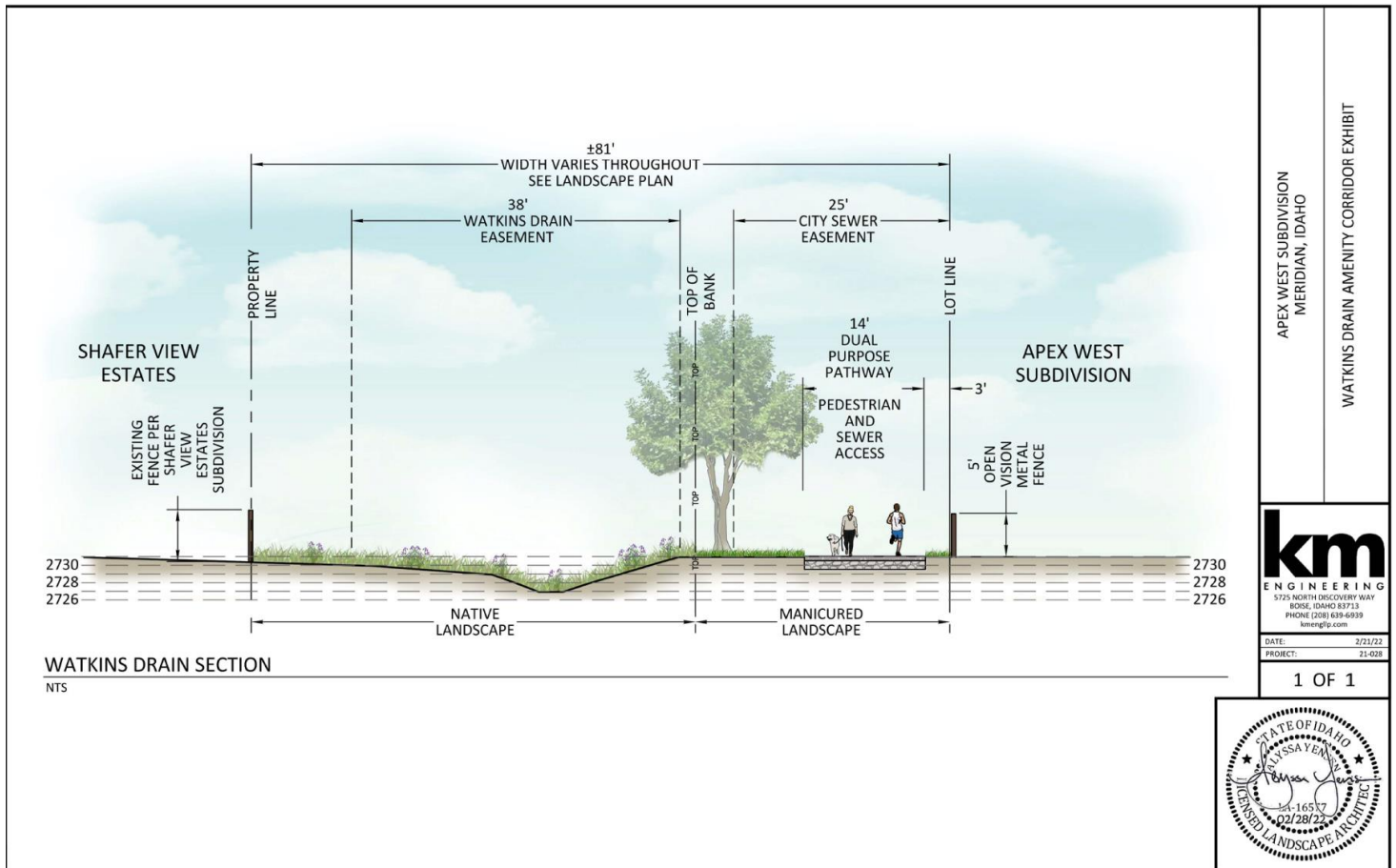


B. Common Driveway Exhibits

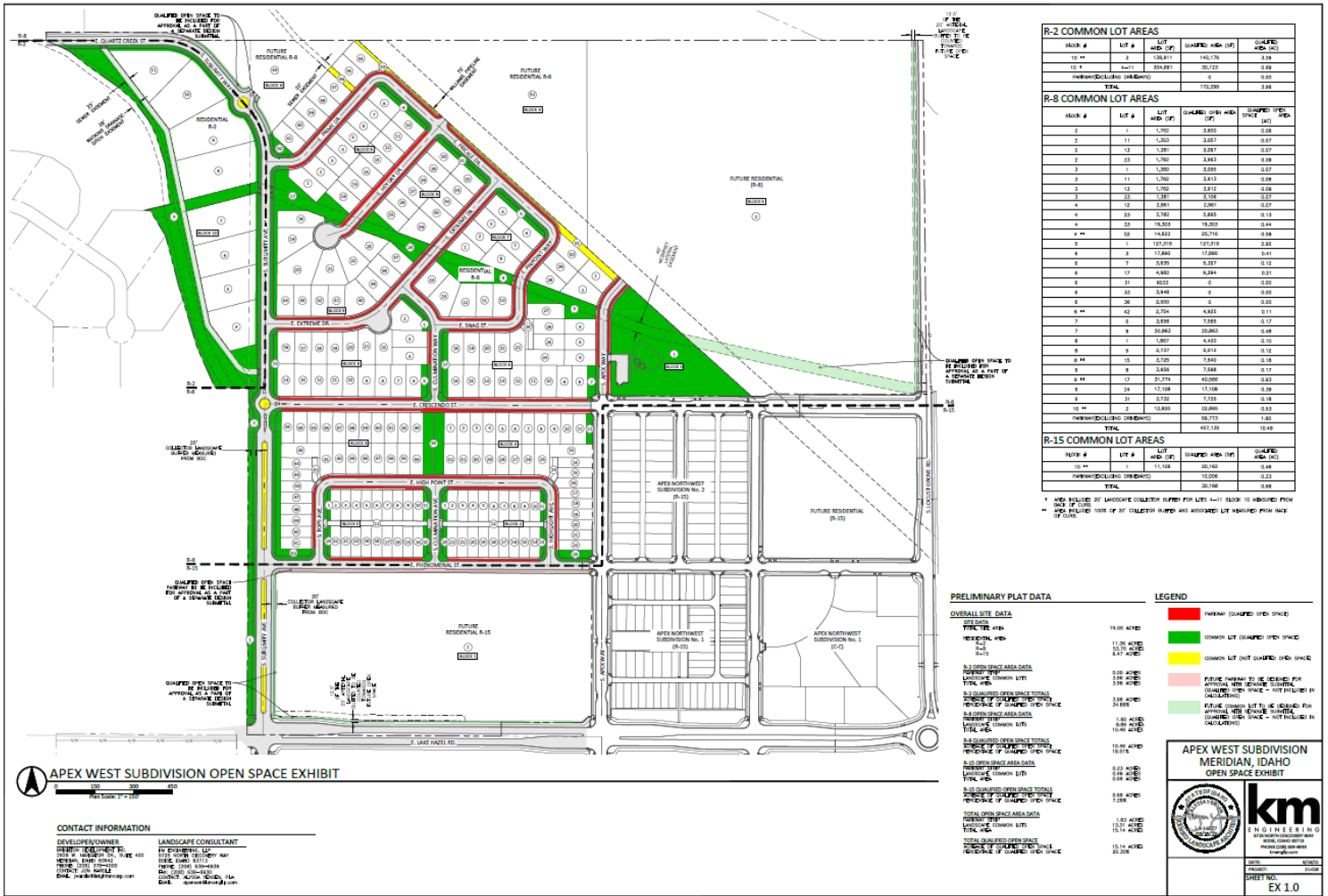


C. Landscape Plan & Fencing Plan (date: ~~8/16/2021~~ 3/15/2022) - REVISED





D. Open Space Exhibit (dated: 8/16/24 3/15/22) - REVISED



E. Conceptual Building Elevations



VIII. CITY/AGENCY COMMENTS & CONDITIONS

~~Prior to City Council entering its Findings of Fact, Conclusions of Law, Final Decision, and Order, approval of the subject preliminary plat application, a property boundary adjustment shall be approved, which incorporates Lot 1, Block 5 and the surrounding area into Parcel #S1131417210 or creates a separate developable parcel for that area.~~

A. PLANNING DIVISION

1. Future development shall comply with the provisions of the existing Development Agreements (i.e. Shafer View Estates – Inst. #2021-102396 and Apex – Inst. #2020-178120), and the preliminary plat, phasing plan, common driveway exhibits, landscape plan and conceptual elevations in Section VII and the conditions of approval listed below.
2. The final plat shall include the following revisions:
 - a. Include a note prohibiting direct lot access to the collector and arterial streets, except for Lots 4-11, Block 10.
 - b. Depict an easement for the 20-foot wide street buffer on the west side of S. Apex Ave. south of E. Crescendo St.: for the 25-foot wide street buffers on the west side of S. Locust Grove Rd. on Lot 2, Block 5 and on the north side of E. Lake Hazel Rd. on Lot 1, Block 1.
3. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict additional landscaping within street buffers as set forth in UDC [11-3B-7C](#). *Note: These standards were recently revised.*
 - b. Depict a 20-foot wide street buffer on the west side of S. Apex Ave. south of E. Crescendo St. with landscaping in accord with the standards listed in UDC [11-3B-7C](#). *Note: These standards were recently revised.*
 - c. All pathways shall be improved per the standards listed in UDC 11-3B-12C.3 and have landscape strips along each side of the pathways and be landscaped per the standards listed in UDC [11-3B-12C](#), which requires a mix of trees, shrubs, lawn, and/or other vegetative ground cover. *Pathways are not allowed to have a gravel surface. Landscape strips are required along all pathways, including those in Blocks 6, 7, 9 and 10 – if within an easement that prohibits trees, additional area shall be provided outside of the easement to accommodate the required landscaping.*
 - d. Include calculations in the Project Calculations table that demonstrate compliance with the standards for pathway ([11-3B-12C](#)) landscaping; include required vs. provided number of trees. Landscaping is required along *all* pathways.
 - e. A minimum 5-foot wide pathway shall be included in Lot 36, Block 6.
 - f. Depict a 10-foot wide detached multi-use pathway along the west side of S. Sublimity Ave. as required by the Park's Dept. in accord with the Pathways Master Plan.
 - g. The fencing on the northeast side of Lot 34, Block 6 shall be revised to comply with the standards listed in UDC 11-3A-7A.7b.
4. A 14-foot wide public use easement shall be submitted to the Planning Division for the multi-use pathways within the site that are not within the public right-of-way prior to submittal of the final plat for City Engineer signature in the phase in which they are located.

5. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables [11-2A-4](#) for the R-2 zoning district, [11-2A-6](#) for the R-8 zoning district and [11-2A-7](#) for the R-15 zoning district.
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. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#) unless otherwise waived by City Council. *The Applicant requests approval of a waiver from City Council to leave the Watkins drain open – Council approved this request.*
8. Homes on Lots 4-11, Block 10 shall have side entry garages with a turnaround area so that vehicles aren't backing out onto the collector street in an effort to preserve public safety.
9. If a multi-family development is proposed on Lot 1, Block 1, a conditional use permit application shall be submitted and approved prior to submittal of any building permit applications for that lot. Qualified open space and site amenities shall be provided in accord with UDC standards for such.
10. If single-family homes or townhomes are developed on [Lot 2, Block 5](#); Lots 32 and 43, Block 6 and/or on Lot 1, Block 1, these lots shall be re-subdivided prior to issuance of any building permits. Qualified open space and site amenities shall be provided in accord with UDC standards for such.
11. Homes on lots that abut collector streets (i.e. E. Quartz Creek St. and S. Sublimity Ave. and S. Apex Way south of E. Crescendo St.) and arterial streets [i.e. S. Locust Grove Rd. and E. Lake Hazel Rd. (if applicable)] will be highly visible, the rear and/or side of structures on these lots should incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
12. Submit a detail of the proposed playground equipment with the final plat application.
13. All development within the Williams pipeline easement shall comply with the Williams Pipeline Developers Handbook.
14. Street setbacks for residential units abutting collector streets shall be as approved with ZOA-2021-0003.
15. A Certificate of Zoning Compliance and Design Review applications shall be submitted for the non-residential portions of the development (i.e. changing rooms associated with the swimming pool) and approved prior to submittal of applications for building permits. All non-residential structures shall comply with the design standards listed in the Architectural Standards Manual.
16. Staff's failure to cite specific ordinance provisions or terms of the approved annexation does not relieve the applicant of responsibility for compliance.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 All sewer manholes must have a 14-foot-wide access road per the City Design Standards.
- 1.2 Ensure no sewer services cross infiltration trenches.

- 1.3 No permanent structures may be within City utility easements including but not limited to trees, bushes, buildings, carports, trash enclosures, fences, infiltration trenches, light poles, etc.
- 1.4 Do not run sewer main in common driveways, services should be run within the common driveway.
- 1.5 Sewer main should be run from the northern portion of the site down South Sublimity Way from the existing sewer main. Main should be kept within the Right of Way whenever possible.
- 1.6 12-inch water main will need to be constructed at the Northwest corner to make the second connection at East Quartz Creek Street.
- 1.7 There is a piece of water main missing at the corner of East Prickle Drive and East Pinpoint Way, this must be included to complete the water loop.
- 1.8 The water main in East Prime Drive needs to be upsized to 12-inch from South Sublimity Way to East Prickle Drive.
- 1.9 The water main in East Prickle Drive needs to be upsized to 12-inch from East Prime Drive to East Heyday Drive.
- 1.10 The water stub in East Heyday Drive to the property line needs to be upsized to 12-inch

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-feet wide for a single utility, or 30-feet 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 9-1-28.C). 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 wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 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.
- 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 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.
- 2.17 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.
- 2.18 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.

- 2.19 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.
- 2.20 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.
- 2.21 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.
- 2.22 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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243074&dbid=0&repo=MeridianCity>

Phasing Map:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243072&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244321&dbid=0&repo=MeridianCity>

E. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248416&dbid=0&repo=MeridianCity>

F. COMMUNITY DEVELOPMENT SCHOOL IMPACT ANALYSIS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248658&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242586&dbid=0&repo=MeridianCity&cr=1>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=256785&dbid=0&repo=MeridianCity>

H. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243205&dbid=0&repo=MeridianCity>

I. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243211&dbid=0&repo=MeridianCity>

J. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251528&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. 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 plat is generally consistent with the adopted Comprehensive Plan in regard to land use, density and collector street layout. (Please see Comprehensive Plan Policies in, Section IV 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 property with development. (See Exhibit B 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 VIII 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.