

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 10/8/2024

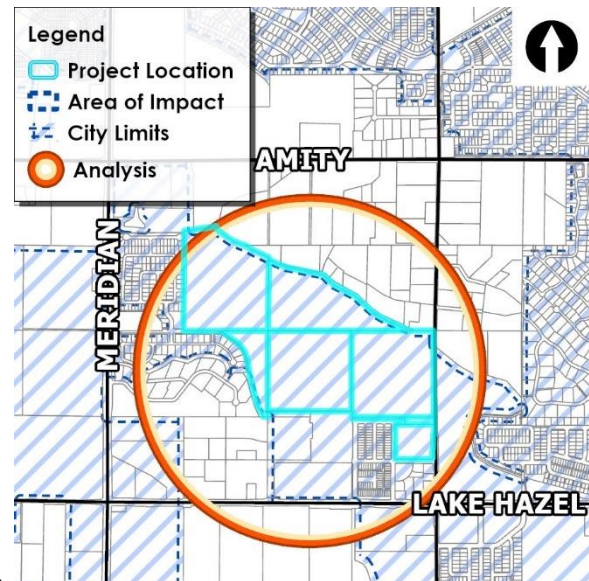
TO: Mayor & City Council

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

APPLICANT: Brighton Corporation

SUBJECT: [H-2024-0014](#)
Apex Farr –MDA, PP, RZ
(aka Pinnacle)

LOCATION: West side of S. Locust Grove Rd., north of E. Lake Hazel Rd. and east of S. Meridian Rd., in the NW 1/4 and the east 1/2 of Section 31, T.3N., R.1E.



I. PROJECT OVERVIEW

A. Summary

The Applicant has submitted applications for the following:

- Development Agreement modification (MDA) to remove the property annexed with South Meridian - Arbor Ridge (H-2015-0019, Inst. #2016-007071) and portions of the property annexed with Shafer View Terrace (H-2020-0117, Inst. #2021-102396) and Apex (H-2020-0066 Inst. #2020-178120) from the existing agreements to include in a new agreement and update the overall conceptual development plan for the site and other provisions as applicable;
- Rezone (RZ) of 38.69-acres of land from R-2 to R-8 (0.76-acre), R-15 to C-C (6.66-acres) and R-4 to R-8 (31.27-acres); and
- Preliminary Plat (PP) consisting of 381 single-family residential building lots, 6 commercial building lots and 60 common lots on 131.89-acres of land in the R-8, R-15 and C-C zoning districts.

B. Issues

- Block 12 exceeds the maximum block face length allowed in UDC 11-6C-3F for residential districts along W. Precipice Dr. and along W. Vertex Dr.

The Applicant requests a Council waiver to the block face standard for both of these block faces due to the block design being constrained by site conditions that include a large waterway/irrigation facility (i.e. the Farr Lateral) along the northern boundary and steep slopes ranging from 7-12% within a portion of the area. Traffic calming is proposed in the form of a 29-foot wide street section for W. Precipice Dr. along the Farr Lateral and bulb outs and choke points. (See Section III.E.6 for more information.)

- A 25-foot wide buffer is required in the C-C zoning district on Lots 1, 5 and 6, Block 23 to the abutting residential uses along the west boundary as set forth in UDC Table 11-2B-3. Landscaping and fencing (if the use can't be adequately buffered by landscaping) is required within the buffer in accord with the standards listed in UDC 11-3B-9C.

The Applicant requests City Council approval of *no* buffer in this area on the commercial property with the provision of a 15-foot wide common area mew on the residential property, which will include landscaping and a sidewalk. The Applicant asserts the mew will act as a buffer that still provides connectivity to the adjoining uses and walkability to the adjoining commercial uses to the east in accord with the MU-C FLUM designation. **Staff recommends if Council is amendable to the Applicant's request that the common area mew is increased to a minimum of 20-foot wide consistent with the linear open space standards in UDC [11-3G-3B.1e](#) and includes landscaping in accord with the standards for landscape buffers to adjoining uses listed in UDC [11-3B-9C](#).** If Council grants the request, a reduction to the buffer width does not affect building setbacks; all commercial structures shall be set back from the property line a minimum of the buffer width (i.e. 25-feet) required in the C-C zoning district. (See Section III.D.3.iii for more information.)

As an alternative to the Applicant's request, Staff recommends a public street is provided between the residential and commercial portions of Block 23, which would require no buffer on the C-C zoned property, and an alley is provided for access to the residential units rather than a private street. The addition of a public street will provide a named street for addressing the east-facing units, provide for on-street parking for guests of the residential units and provide a transition/separation between land uses (see concept plan in Section III.E.1) and Staff's original recommendation to provide a public street between the residential and commercial uses, which doesn't meet ACHD's off-set requirements, Staff recommends residential lots/uses are removed from Block 23 and all of Block 23 is developed with commercial uses and zoned C-C.

C. Recommendation

Staff: Staff recommends approval of the proposed MDA, RZ and PP requests with the provisions included below in Section IV.

Commission: The Commission recommends approval to City Council of the proposed MDA, RZ and PP requests with the provisions recommended by Staff and changes requested by the Applicant and agreed upon by Staff included below in Section IV.

D. Decision

Pending

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Rural residential/agricultural	-
Proposed Land Use(s)	Single-family residential detached dwellings	-
Existing/Proposed Zoning	Existing: R-2 (Low-density Residential), R-4 (Medium-low Density Residential), R-8 (Medium-density Residential) and R-15 (Medium-high Density Residential). Proposed: R-8 (Medium-density Residential), R-15 (Medium-high Density Residential), C-C (Community Business)	VII.A.2
Existing Future Land Use Designations	LDR (Low Density Residential), MDR (Medium Density Residential) and MU-C (Mixed Use – Community) with a school designation	VII.A.3

Table 2: Process Facts

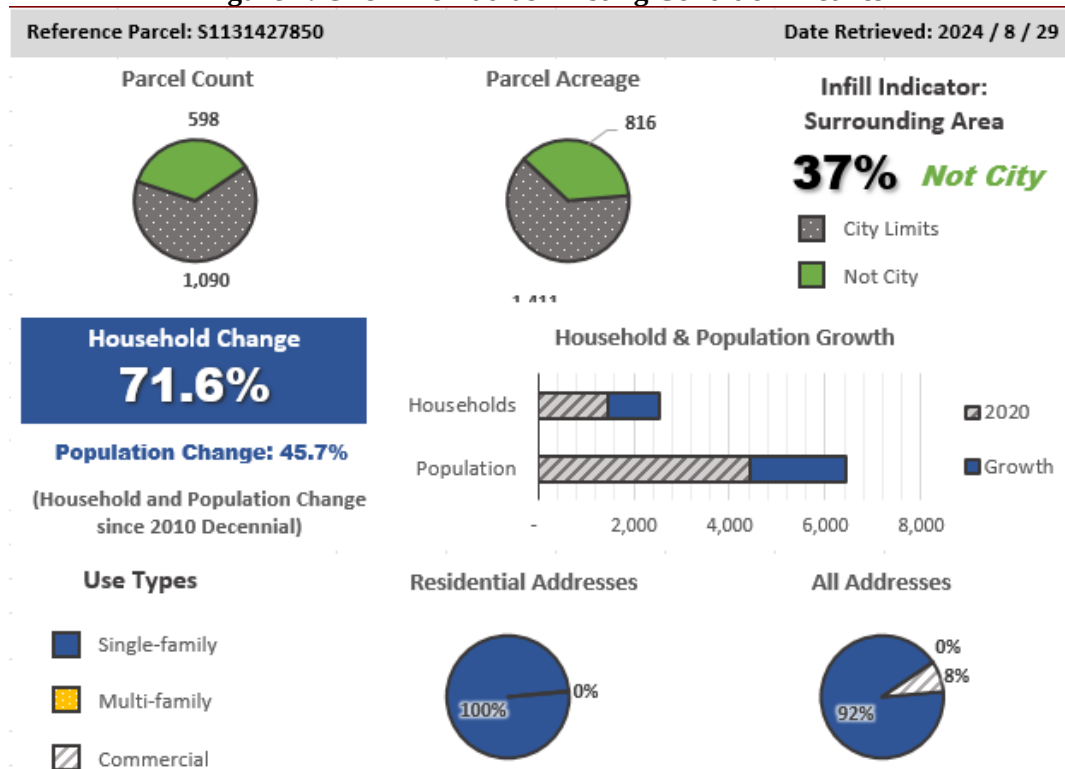
Description	Details
Preapplication Meeting date	4/9/2024 PREAPP-2023-0164
Neighborhood Meeting	2/15/2024
Site posting date	8/23/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		
• Comments Received	Yes	
• Commission Action Required	No	
• Access	Various access points	
• Traffic Level of Service	Better than “E”	
Traffic Impact Study (Y/N)	No	
ITD Comments Received	No	
Meridian Fire	Distance to Station: 1 +/- mile to Station #7; Response Time: see comments	
Meridian Police	No comments received	
Meridian Public Works Wastewater	Distance to Mainline: Sewer is available at site; Impacts or Concerns: Flow is committed – see site specific conditions	
Meridian Public Works Water	Distance to Mainline: Water is available at site in pressure zone 5 – project is consistent with water master plan; Impacts or Concerns: See Public Works comments	

See City/Agency Comments and Conditions Section for all department/agency and the [public record](#) for comments received on this application.

Figure 1: One-Mile Radius Existing Condition Metrics



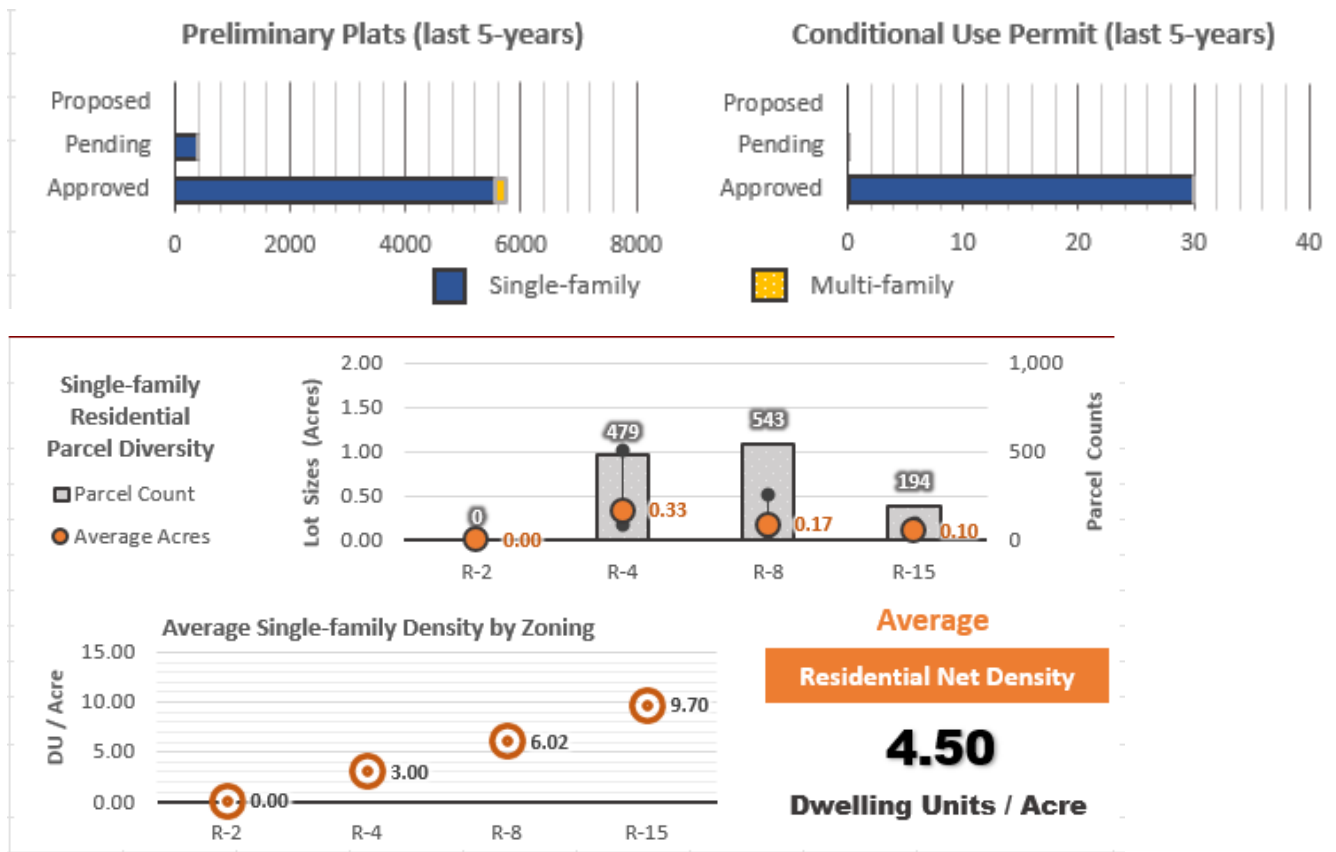
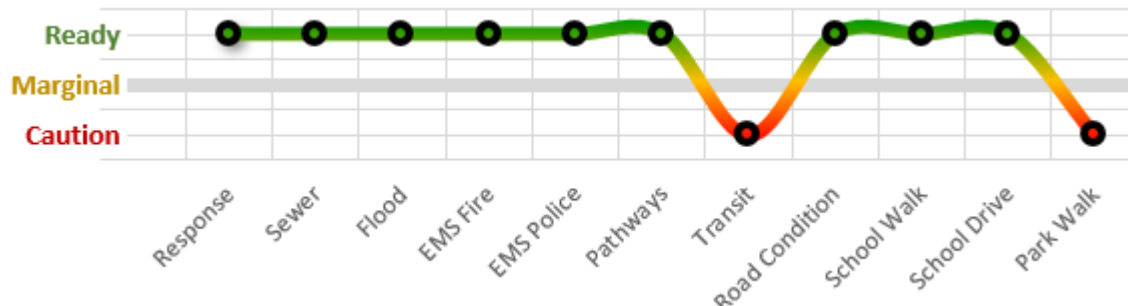


Figure 2: Service Impact Summary



III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. History

The subject property, except for the R-2 zoned portion, was annexed in 2015 with an R-4 zoning district as part of the South Meridian Category A annexation, which included multiple properties and property owners ([H-2015-0019](#)). A “placeholder” R-4 zoning district was approved with individual Development Agreements (DA’s) for each property owner [i.e. Arbor Ridge (Inst. #[2016-007071](#)), Brighton Investments LLC (Inst. #[2016-007072](#)), SCS Brighton LLC (Inst. #[2016-007073](#)), Murgoitio Limited Partnership (Inst. # Inst. #[2016-007074](#))], which require modification of the agreements prior to development of the property to approve any proposed development plan.

In 2020, a modification to the existing DA’s for Brighton Investments LLC (Inst. #2016-007072), SCS Brighton LLC (Inst. #2016-007073) and Murgoitio Limited Partnership (Inst. # Inst. #2016-007074) was approved, which replaced those agreements with one (1) new agreement (Apex H-2020-0066, DA Inst.

#2020-178120). A rezone (Apex [H-2020-0066](#)) was approved for much of the subject property from the R-4 to the R-8 and R-15 districts. *The Arbor Ridge R-4 zoned property along the northern boundary was under different ownership at that time and was not included in the rezone but is part of the subject rezone application.* A preliminary plat ([H-2020-0056](#)) was also approved for Apex Northwest Subdivision, which included the R-15 zoned portion of the subject property at the southeast corner. The conceptual Master Plan included in the DA depicts “future development” with no specific development plan for the areas not included in the preliminary plat with a general street layout on the land southwest of the Williams gas pipeline and a future school at the northwest corner of Locust Grove and Crescendo.

In 2021, the R-2 zoned portion of the property was annexed with a DA (Inst. #[2021-102396](#)) and included in Shafer View Terrace Subdivision as Lot 1, Block 5 ([H-2020-0117](#), [FP-2021-0056](#)). This lot was depicted as a future phase with no specific development plan.

A preliminary plat ([H-2021-0087](#)) was approved in 2021 for Apex West Subdivision, which included Lot 1, Block 5, Shafer View Terrace Subdivision and a portion of the subject property. *A portion of this property is included in the subject preliminary plat; the remainder will be part of Apex West.*

Table 4: Project Overview

Description	Details
History	H-2015-0019 (AZ South Meridian: Arbor Ridge DA Inst. # 2016-007071 , Brighton Investments LLC DA Inst. # 2016-007072 , SCS Brighton LLC DA Inst. # 2016-007073 , Murgoitio Limited Partnership DA Inst. # Inst. # 2016-007074); H-2020-0056 (Apex Northwest – PP), H-2020-0066 [Apex MDA, RZ (replaced all earlier DA’s) – Inst. # 2020-178120]; Shafer View Terrace (H-2020-0117 , DA Inst. # 2021-102396); Apex West (H-2021-0087); Apex NW Pool PBA-2024-0006 – ROS #14520).
Phasing Plan	7
Physical Features	The McBirney Lateral runs east/west through this site, the Watkins Drain runs north/south through the northwest portion of this site, the Carlson Lateral runs along the northern boundary of the site and the Farr Lateral runs along the northern boundary of the site. The Williams Northwest gas pipeline also bisects this site. There is a significant grade on the northern portion of the site south of the Farr Lateral (it’s higher in that area and slopes to the south).
Acreage	131.89-acres
Lots	381 single-family residential building lots, 6 commercial building lots and 60 common lots

B. General Overview

Development Agreement Modification:

The subject property is currently subject to three (3) different DA’s (i.e. South Meridian - Arbor Ridge (H-2015-0019, Inst. #2016-007071); Shafer View Terrace (H-2020-0117, Inst. #2021-102396); and Apex (H-2020-0066 Inst. #2020-178120). A Development Agreement modification is proposed to include these properties in one (1) new agreement; these properties will no longer be subject to the previous DA’s. *(See legal description and exhibit map of property subject to the new DA in Section VII.C below.)*

An updated conceptual master plan, shown in Section VII.K below, is proposed to be included in the DA for the overall area subject to the DA. *Note: The future school previously planned at the northwest corner of Locust Grove and Crescendo was shifted to the south side of Lake Hazel, east of Locust Grove; a public school is planned on the east side of Locust Grove Rd. in the future.*

Rezone:

A rezone of 38.69-acres of land is proposed from R-2 to R-8 (0.76-acre), R-15 to C-C (6.66-acres) and R-4 to R-8 (31.27-acres). *(See legal descriptions and exhibit maps for property proposed to be rezoned in Section VII.D below.)*

The area proposed to be rezoned to R-8 is designated Medium Density Residential (MDR) on the Comprehensive Plan Future Land Use Map (FLUM), except for a 0.76-acre portion which is designated Low Density Residential (LDR). The area proposed to be zoned C-C is designated Mixed Use – Community (MU-C). The proposed development plan is consistent with the Comprehensive Plan FLUM designations.

Preliminary Plat:

The Preliminary Plat consists of 381 single-family residential building lots, 6 commercial building lots and 60 common lots on 131.89-acres of land in the proposed R-8, R-15 and C-C zoning districts and is a re-subdivision of a portion of Lot 1, Block 5, Shafer View Terrace Subdivision. The plat is proposed to develop in seven (7) final plat phases as shown on the phasing plan. *(See preliminary plat and phasing plan in Section VII.E below.) Note: The remainder of Lot 1, Block 5 of Shafer View Terrace Subdivision that's not part of the subject plat will be included in the Apex West final plat (H-2021-0087).*

The minimum lot size proposed is 4,180 square feet (s.f.) with an average lot size of 8,021 s.f. A gross density of 2.84 units per acre with a net density of 5.43 units per acre is proposed, which is consistent with the density desired in the MDR FLUM designation.

A mix of front-loaded and alley-loaded units in a variety of different lot sizes are proposed with larger lots along the northern boundary to provide a transition between the rural lots to the north of the Farr Lateral.

C. Site Development and Use Analysis**1. Existing Structures/Site Improvements (UDC 11-1):**

There are some existing structures on the site that are required to be removed prior to City Engineer signature on the final plat phase in which they are located.

There are several site constraints that effect the design and layout of this project, as follows (see map below for reference):

- The Carlson Lateral runs along the northwest boundary of the site
- The Farr Lateral runs along the northeast boundary of the site at the highest elevation of the project.
- The McBirney Lateral will be piped and is located in the southeast portion of the project.
- The Watkins Drain runs through the northwest quadrant.
- The Williams Northwest Gas Pipeline bisects this site within a 75-foot wide easement.
- There is an existing sewer trunk line on the northwest corner of the property in a 25-foot wide easement.
- There are slopes between 7 and 12% within the area shown in red on the map below.



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

Single-family residential detached dwellings are principally permitted in the R-8 and R-15 zoning districts, per UDC [Table 11-2A-2](#).

Commercial uses are allowed in the C-C zoning district as listed in UDC [Table 11-2B-2](#).

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

See UDC Table [11-2A-6](#) and [11-2A-7](#) for the dimensional standards of the R-8 and R-15 zoning districts, respectively; and,

UDC [Table 11-2B-3](#) for the dimensional standards of the C-C zoning district.

4. Specific Use Standards (*UDC 11-4-3*):

There are no specific use standards that apply for single-family detached dwellings.

UDC [Table 11-2B-2](#) notes if specific use standards listed in UDC [11-4-3](#) are applicable to certain uses in the C-C zoning district.

D. Design Standards Analysis

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

Future development of the C-C zoned area should comply with the structure and site design standards listed in UDC [11-3A-19](#); review for compliance with these standards will take place with future development applications.

The proposed development should create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices in accord with Comprehensive Plan Policy #3.07.01A.

2. Qualified Open Space & Amenities (*Comp Plan, UDC 11-4-3-27*):

The residential portion of the development is required to comply with the open space and site amenity standards listed in UDC [11-3G-3](#) and [11-3G-4](#).

A minimum of 15% (or 18.93-acres based on 126.2-acres of residential area) qualified open space is required to be provided in the R-8 and R-15 zoning districts; a total of 36.1-acres (or 29.1%) is proposed that meets the quality standards listed in UDC 11-3G-3A.2. Qualified open space consists of open grassy areas exceeding 5,000 square feet in area, an education garden, linear open space, street buffers along arterial and collector streets, parkways and stormwater detention facilities. When counting street buffers along arterial and collector streets, the buffers need to comply with the enhanced buffer requirements in UDC [11-3G-3B.3](#). Parkway along local residential streets are required to meet the standards listed in UDC [11-3G-3B.4](#) when counted toward open space. Stormwater detention facilities are required to meet the standards in UDC [11-3G-3B.5](#) when counted toward open space.

Amenities totaling a minimum of 26 points from each category are required to be provided based on the area of the development (i.e. 131.89-acres).

An open space exhibit was submitted as shown in Section VII.I.

Site amenities totaling 30 points (pts.) are proposed from each category as follows:

- Quality of Life: two (2) fitness courses (2 pts. each = 4 pts.), a dog park (2 pts.), two (2) education gardens (1 pt. each = 2 pts.).

Per UDC 11-3G-3C, the fitness course is required to have a minimum of six (6) stations permanently installed; and the dog park is required to have bags for dog waste disposal, a double entrance gate, bench(es) and fencing to enclose a minimum of 5,000 square feet and secured open space for an off-leash dog park.

- Recreation Activity Area: swimming pool with changing facilities & restrooms (6 pts.), (2) tot lots/natural play areas (1 pt. each = 2 pts.).

Per UDC 11-3G-3D, the swimming pool is required to be constructed in ground and meet all Building Code requirements; the tot lots are required to have commercial grade play equipment scaled and designed for the use and safety of younger children and benches for seating shall be nearby.

- Pedestrian or Bicycle Circulation System: 0.37-mile of pathway aligned with linear open space (1 pt.) and 1.61-miles of multi-use pathway (12 pts.).

The proposed pathways are not required sidewalk adjacent to public right-of-way. The multi-use pathway will connect to planned pedestrian or bicycle routes outside the development in accord with the Pathways Master Plan. All pathways will be designed and constructed in accord with adopted City standards.

- Multi-modal: bicycle repair station (1 pt.)

The bicycle repair station is required to be a fixed installation with tools and an air pump per UDC [11-3G-4F.2](#).

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

- i. Landscaping is required to be provided in common open space areas in accord with the standards listed in UDC [11-3G-5B](#).

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

3. Landscaping (*Comp Plan, UDC 11-3B*):

Attractive landscaping and pedestrian friendly design is required within new developments in accord with Comprehensive Plan Policy #5.01.02G.

Landscaping is required to be provided within the development in accord with the standards listed in UDC 11-3B.

- i. Landscape buffers along streets

A 25-foot wide street buffer is required along S. Locust Grove Rd., an arterial street; 20-foot wide street buffers are required along all collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way); and a 10-foot wide street buffer is required along local streets (i.e. E. Phenomenal St.) in the C-C district.

Landscaping is required within the street buffers in accord with the standards listed in UDC [11-3B-7C](#). **All street buffers are required to be in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association or business owner's association per UDC 11-3B-7C.2a and should be depicted on the plat.**

A 4-foot tall berm is proposed within the street buffer along S. Locust Grove Rd.

- ii. Parking lot landscaping

Internal parking lot landscaping is required with future development of the C-C zoned lots in accord with the standards listed in UDC [11-3B-8C](#).

- iii. Landscape buffers to adjoining uses

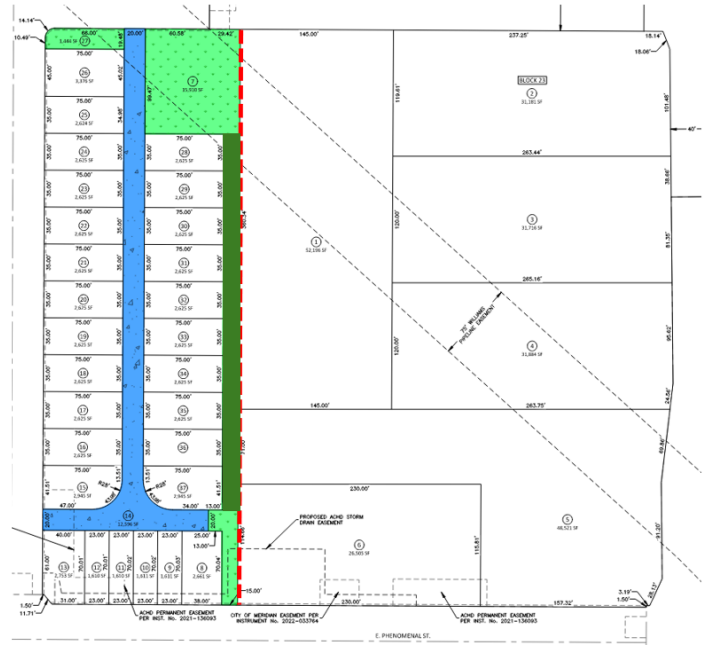
A 25-foot wide buffer is required in the C-C zoning district on Lots 1, 5 and 6, Block 23 to the abutting residential uses along the west boundary as set forth in UDC Table 11-2B-3.

Landscaping and fencing (if the use can't be adequately buffered by landscaping) is required within the buffer in accord with the standards listed in UDC [11-3B-9C](#).

The Applicant requests City Council approval of *no* buffer in this area with the provision of a 15-foot wide common area mew on the residential portion, which will include landscaping and a sidewalk as shown in the exhibit below. The Applicant asserts the mew will act as a buffer that still provides connectivity to the adjoining uses and walkability to the adjoining commercial uses to the east in accord with the MU-C FLUM designation. Staff recommends if Council is amendable to the Applicant's request that the common area mew is increased to a minimum of 20-foot wide consistent with the linear open space standards in UDC [11-3G-3B.1e](#) and includes landscaping in accord with the standards for landscape buffers to adjoining uses listed in UDC [11-3B-9C](#). If Council grants the request, a reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width (i.e. 25-feet) required in the C-C zoning district.

As an alternative to the Applicant's request, ~~which would require no buffer on the C-C zoned property, Staff recommends a public street is provided between the residential and~~

commercial portions of Block 23 and an alley is provided for access to the residential units rather than a private street. The addition of a public street will provide a named street for addressing the east-facing units, provide for on-street parking for guests of the residential units and provide a transition/separation between land-uses and Staff's original recommendation to provide a public street between the residential and commercial uses, which doesn't meet ACHD's off-set requirements, Staff recommends residential lots/uses are removed from Block 23 and all of Block 23 is developed with commercial uses and zoned C-C. See concept layout below in Section III.E.1.



- iv. Tree preservation
Existing trees 4-inch caliper or greater that are removed from the site during development may require mitigation (see UDC [11-3B-10](#) for more information). **Include mitigation information on the landscape plan that demonstrates compliance with the standards in UDC 11-3B-10.C.5.**
- v. Storm integration
Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#). A [Geotechnical Investigation](#) report was submitted with this application.
- vi. Pathway landscaping
Landscaping is required along all pathways in accord with the standards listed in UDC [11-3B-12C](#).
- 4. Parking (UDC 11-3C):
Off-street parking is required to be provided with all development in accord with UDC standards.
 - i. Residential parking analysis
Off-street parking is required to be provided for all single-family residential units in accord with the standards for such listed in UDC [Table 11-3C-6](#).
 - ii. Nonresidential parking analysis
Off-street parking is required to be provided for non-residential uses in the commercial district in accord with the standards listed in UDC [11-3C-6B](#).

iii. Bicycle parking analysis

A minimum of one (1) bicycle parking is required to be provided for every 25 proposed vehicle parking spaces or portion thereof, except for single-family residences, per UDC [11-3C-6G](#). Bicycle parking facilities should comply with the standards listed in UDC [11-3C-5C](#).

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

Several conceptual building elevations were submitted for the proposed residential development, included in Section VII.L below. A mix of single-story and 2-story homes are proposed that include a variety of siding styles with masonry accents in a variety of colors and design elements/features with varying roof profiles and wall modulation that demonstrate the high quality of development proposed.

Design review is not required for single-family detached structures. However, because the rear and/or sides of homes facing S. Locust Grove Rd. and internal collector streets will be highly visible, Staff recommends a DA provision requiring those elevations 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 adjacent public streets. Single-story homes are exempt from this requirement.

Conceptual elevations weren't submitted for the commercial portion of the development. Administrative design review is required for those structures as well as the swimming pool and associated structure in the residential portion of the development in accord with the design standards in the Architectural Standards Manual.

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

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

All/any fencing proposed on the site should comply with the standards listed in UDC [11-3A-6](#) for fencing along waterways and [11-3A-7](#).

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

All parkways should comply with the standards for such listed in UDC [11-3A-17](#).

E. Transportation Analysis

A Traffic Impact Study (TIS) was not submitted for this development as ACHD did not require one.

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

- Amity Road is scheduled in the IFYWP to be widened to 5-lanes from SH-69 (Meridian Road) to Locust Grove Road with a design year of 2023-2024, a right-of-way year of 2027-2028, and construction year yet to be determined.
- Amity Road is scheduled in the IFYWP to be widened to 5-lanes from Locust Grove Road to Eagle Road with a design year of 2025-2026, a right-of-way year of 2027, and a construction year yet to be determined.
- Locust Grove Road is scheduled in the IFYWP to be widened to 3-lanes from Amity Road to Victory Road with a design year of 2028-2029 and a construction year yet to be determined.
- The intersection of Amity Road and Locust Grove Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 2-lanes on the north leg, 2-lanes on the south, 4-lanes east, and 4-lanes on the west leg with a design year of 2023-2024, a right-of-way year of 2027-2028, and a construction year yet to be determined.
- 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.

Condition of Area Roadways (Traffic Count is based on Vehicles per Hour (VPH):

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Locust Grove Road	2,006-feet	Minor Arterial	181	Better than "E"
Lake Hazel	0-feet	Minor Arterial	351	Better than "E"

* Acceptable level of service for a three-lane minor arterial is "E" (720 VPH).

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

Collector streets are required to be constructed with development in accord with ACHD's Master Street Map (MSM) and/or as required by ACHD. The following streets are required to be constructed as collector streets: E. Crescendo St., E. Quartz Creek St., Apex Way and Elevated Way.

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

1. Access is proposed via the extension of E. Quartz Creek St., E. Tranton St. and ~~E. Liberator Ct.~~ at the project's west boundary; and from S. Locust Grove Rd. via S. Apex Way and E. Crescendo St. An emergency access is proposed at the north boundary via S. Margaret Ave. East Liberator Ct. stubs to the northwest boundary of the site but due to the slope in that area, that street is not proposed to be extended with development.

Stub streets are proposed for future extension and interconnectivity with adjacent development and future development in Apex/Pinnacle. An east/west and north/south collector street is required to be provided through the development per ACHD's Master Street Map (MSM). A collector street is stubbed to the north, which will extend to E. Amity Rd. with future development; and S. Apex Way will extend to S. Locust Grove Rd. as a collector street in accord with the MSM.

Cross-access/ingress-egress easements should be provided between all of the commercial lots (i.e. Lots 1-6, Block 23) either by recorded easement or as a note on the final plat in accord with UDC [11-3A-3A.2](#).

The north/south drive depicted on the plat that provides access to the residential lots in Block 23 should be realigned to reflect the updated design shown on the landscape plan. Staff is *not* in favor of the proposed layout of this block with the residential units abutting the parking lot for the commercial area with only 15-feet in between consisting of landscaping and a pathway. Accordingly, ~~Staff recommends the access drive for the residential units is constructed as an alley and a north/south public street is provided between the residential and the commercial lots for addressing purposes for the east-facing residential units, for on-street parking for the residential units and as a transition/separation between land uses. The following is the existing layout and a concept layout showing Staff's recommended changes: Because Staff's original recommendation to provide a local street between the residential and commercial uses doesn't meet ACHD's off-set policy, Staff recommends the residential lots/uses are removed from Block 23 and all of Block 23 is developed with commercial uses and zoned C-C.~~

Existing Layout:



Recommended layout:



Local and collector street connectivity is proposed within the development in accord with Comprehensive Plan Policy #6.01.02B, “Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity.”

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

Multi-use pathways are required to be provided with development in accord with the Pathways Master Plan as required by the [Park’s Department](#). **Per the plan, a 10-foot wide multi-use pathway is required within the Williams gas pipeline easement and should extend as a detached pathway along the north side of E. Crescendo St. to the detached pathway along S. Locust Grove Rd. A 10-foot wide detached multi-use pathway is also required along the west side of S. Elevated Way to create a pedestrian connection between the proposed park amenity and the existing pathway to the south in Apex West subdivision.**

A pathways plan is included in Section VII.J that depicts all pathways proposed within the development.

A 14-foot wide public use easement is required for the multi-use pathways required by the Pathways Master Plan where they lie outside of public right-of-way and should be submitted to the Planning Division and recorded prior to City Engineer signature on the final plat. The easement and recorded instrument number should be depicted on the plat.

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

All pathways should be constructed in accord with the standards listed in UDC [11-3A-8](#).

A pathways plan is included in Section VII.J that depicts all pathways proposed within the development.

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

All sidewalks should be constructed in accord with the standards listed in UDC [11-3A-17](#).

A sidewalk is not proposed along the northern boundary of the site adjacent to the Farr Lateral on the northeast side of W. Precipice Dr. due to the grade difference between the waterway and the street (the lateral is higher). **The UDC requires sidewalks to be provided on both sides of public streets and does not include a provision for a waiver; therefore, Staff recommends changes to the development plan to provide a sidewalk along the northeast side of W. Precipice Dr.**

Staff recommends a DA provision requiring 10-foot wide detached sidewalks/pathways to be provided along S. Locust Grove Rd., an arterial street, all internal collector streets and those abutting this site in lieu of on-street bike lanes for public safety.

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

All private streets constructed within the subdivision should comply with the standards listed in UDC [11-3F-4](#). Private streets are proposed for access and addressing for the residential lots in Blocks 2 and 23. **A separate application is required to be submitted for approval of the private streets and should be submitted concurrently with the final plat application.**

Because the proposed private streets will result in several building lots having frontage on both public and private named streets in Blocks 2 and 23, which will likely create confusion for emergency responders, Staff is *not* in favor of the proposed layout of these blocks. Staff has recommended changes to the layout of Block 23, which will alleviate this issue, as discussed in Section III.E.1 above. Staff recommends the Applicant make changes to the layout of lots in Block 2 to comply with ACHD's requirements for public alleys so that these lots only have frontage on one (1) named street.

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

Compliance with the subdivision design and improvements standards listed in UDC [11-6C-3](#) is required.

Alleys are required to comply with the standards in UDC 11-6C-3B.5. The proposed alleys appear to comply with these standards.

Common driveways are required to comply with the standards listed in UDC 11-6C-3D.

- Common driveways should serve a maximum of four (4) units; in no case should more than three (3) dwelling units be located on one (1) side of the driveway. **The common driveway in Block 12 serving Lots 72-75 exceeds the maximum number of dwelling units that may be served on one (1) side of the driveway. The plat should be revised to remove one (1) of these lots to comply with the standard; or, an alternative compliance request/application may be submitted to UDC 11-6C-3D.1 to be allowed four (4) driveways on one (1) side of the common driveway in accord with UDC 11-6C-3D.9. Note: The Fire Dept. has approved the design of this common driveway.**
- Solid fencing adjacent to common driveways is prohibited, unless separated by a minimum five-foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover – construction of this buffer is the responsibility of the developer and not the adjacent homeowner.
- Perpetual ingress/egress is required either by a recorded easement or as a note on a recorded final plat. The easement or plat note shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.

In residential districts, block faces should not be more than 750-feet in length without an intersecting street or alley, except where a pedestrian connection is provided, then the maximum block face may be extended up to 1,000-feet in length. The City Council may approve a block face up to 1,200-feet in length where the block design is constrained by site conditions which include steep slopes in excess of 10% or a large waterway/irrigation facility. In no case shall a block face exceed 1,200-feet, unless waived by City Council. Where appropriate, traffic calming may be required for blocks in excess of 1,000 feet.

- The face of Block 12 along W. Precipice Dr. is approximately 2,500-feet. Two (2) pedestrian connections are proposed within the block that provides pedestrian access between streets. The Farr Lateral runs along the north side of W. Precipice Dr. at the highest point of the development.

- The face of Block 12 along W. Vertex Dr. is approximately 1,500-feet. One (1) pedestrian connection is proposed within the block that provides pedestrian access between streets.

The Applicant requests a Council waiver to the block face standard for both of these block faces based on the above-noted site constraints in addition to those noted in Section III.C1 above. Traffic calming is proposed in the form of a 29-foot wide street section for W. Precipice Dr. along the Farr Lateral

and bulb outs and choke points at pedestrian crossings as shown below. Note: The proposed reduced street section will only allow parking on one side of the street.



F. Services Analysis

See Service Accessibility Report in Section VII.B below.

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

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

The McBirney Lateral runs east/west through this site within a 25-foot wide easement from centerline both directions and the Farr Lateral runs mostly off-site along the northeast boundary of the site within a 30-foot wide easement from centerline both directions. Both of these facilities are under the jurisdiction of the Boise Project Board of Control (BPBC). The Board does not allow landscaping, including trees and/or shrubs (other than gravel) within their easements – all fences, gates, pathways, and pressurized irrigation lines are required to be located just off the edge of the easements and the easements must be left a flat drivable surface.

The Watkins Drain runs north/south through the northwest portion of this site and the Carlson Lateral runs along the northern boundary of the site.

2. Pressurized Irrigation (*UDC 11-3A-15*):

Underground pressurized irrigation water is required to be provided in each development as set forth in UDC [11-3A-15](#).

3. Storm Drainage (*UDC 11-3A-18*):

An adequate storm drainage system is required in accord with the adopted standards, specifications and ordinances; design and construction shall follow Best Management Practice as adopted by the City per UDC 11-3A-18.

4. Utilities (*Comp Plan, UDC 11-3A-21*):

All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

Water service is available at the site. Main lines are required to be extended to and through the subject property with development. The developer should coordinate main size and routing with the Public Works Dept. and execute standard forms of easements for any mains that are required to provide service.

Sanitary sewer service is available at the site. Main lines are required to be extended to and through the subject property with development. The developer should coordinate main size and routing with the Public Works Dept. and execute standard forms of easements for any mains that are required to provide service.

5. Topography

There is a significant grade on the northeastern portion of the site south of the Farr Lateral (it's higher in that area and slopes to the southwest).

6. Hazards

The Williams Northwest gas pipeline bisects this site and lies within a 75-foot wide easement.

Future development is required to comply with the Williams Pipeline Developer's Handbook.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. A new Development Agreement (DA) shall be required as a provision of the MDA and RZ applications. The previous DA's [i.e. South Meridian - Arbor Ridge (H-2015-0019, Inst. #2016-007071); Shafer View Terrace (H-2020-0117, Inst. #2021-102396); and Apex (H-2020-0066 Inst. #2020-178120)] shall no longer be in effect for the subject property.

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

- i. Future development of the subject property shall be generally consistent with the conceptual development plan, preliminary plat, landscape plan, open space and site amenity exhibit included below in Section VII, the conditions contained herein and the standards in the Unified Development Code (UDC).
- ii. The subject property shall be subdivided prior to submittal of any building permit applications for the residential portion of the development and prior to issuance of any Certificates of Occupancies within the commercial portion of the development.
- iii. A 10-foot wide multi-use pathway shall be constructed within the Williams Northwest gas pipeline easement in accord with the Pathways Master Plan.
- ~~iv. Depict 10-foot wide detached sidewalks/pathways along both sides of all collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way) and within the street buffer along S. Locust Grove Rd., an arterial street in lieu of on-street bicycle lanes.~~
- v. Future development shall comply with the Williams Pipeline Developer's Handbook.

- vi. The rear and/or sides of 2-story homes facing S. Locust Grove Rd. and the collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way) 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 streets. *Single-story homes are exempt from this requirement.*
2. The final plat shall include the following revisions:
- i. Depict a 25-foot wide street buffer along S. Locust Grove Rd., an arterial street; 20-foot wide street buffers along all collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way); and a 10-foot wide street buffer is required along the local street (i.e. E. Phenomenal St.) in the C-C district.
 - ii. All street buffers shall be depicted in a common lot or on a permanent dedicated buffer easement in accord with UDC 11-3B-7C.2a.
 - iii. ~~Depict 10-foot wide detached sidewalks/pathways along both sides of all collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way) and within the street buffer along S. Locust Grove Rd., an arterial street, in lieu of on-street bicycle lanes. Only 5-foot wide detached sidewalks are required in accord with UDC 11-3A-17.~~
 - iv. A 14-foot wide public use easement shall be depicted on the final plat for the multi-use pathways required by the Park's Dept. per the Pathways Master Plan where they lie outside of public right-of-way. The easement shall be submitted to the Planning Division and recorded prior to City Engineer signature on the final plat and the recorded instrument number shall be included on the plat.
 - v. Solid fencing adjacent to common driveways is prohibited, unless separated by a minimum five-foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover as set forth in UDC [11-6C-3D.5](#); include a buffer if fencing is proposed.
 - vi. For all common driveways, a perpetual ingress/egress easement shall be depicted on the plat and a note shall be included for requirement of maintenance of a paved surface capable of supporting fire vehicles and equipment in accord with UDC [11-6C-3CD.8](#).
 - vii. Depict cross-access/ingress-egress easements between all of the commercial lots (i.e. Lots 1-6, Block 23) in accord with UDC [11-3A-3A.2](#).
 - viii. Reconfigure Block 12 to comply with the block face standards listed in UDC 11-6C-3F, unless otherwise waived by City Council. *The Applicant requests City Council waive the block face standards on both sides of Block 12 that face W. Precipice Dr. and W. Vertex Dr.*
 - ix. Revise the alignment of the north/south drive that provides access to the residential lots in Block 23 to reflect the updated layout shown on the landscape plan.
 - x. Remove Lot 24, Block 2 to enlarge the mew area and to reflect the updated layout shown on the landscape plan.
 - xi. ~~Depict a north/south public street between the residential lots and the commercial lots in Block 23 with parking on at least one (1) side of the street.~~
 - xii. Revise the layout of the lots in Block 2 to comply with ACHD's requirements for public alleys so that these lots only have frontage on one (1) named street.
 - xiii. Depict a sidewalk along the northeast side of W. Precipice Dr. as set forth in UDC 11-3A-17D.

- xiv. Depict traffic calming (i.e. a reduced 29-foot wide street section for W. Precipice Dr., bulb-outs and choke points) within the development as shown on the exhibit in Section VII.E as allowed by ACHD.
3. The landscape plan submitted with the final plat application shall include the following revisions:
- i. Depict a 25-foot wide street buffer along S. Locust Grove Rd., an arterial street; 20-foot wide street buffers along all collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way); and a 10-foot wide street buffer along E. Phenomenal St., a local street, in the C-C district, in accord with UDC Tables 11-2A-6, 11-2A-7 and 11-2B-3.
 - ii. All required street buffers shall be landscaped in accord with the standards listed in UDC [11-3B-7C](#). The arterial and collector street buffers shall comply with the enhanced buffer requirements listed in UDC [11-3G-3B.3](#) because they were counted toward open space requirements.
 - iii. Parkways along local residential streets shall comply with the standards listed in UDC [11-3G-3B.4](#) when counted toward open space requirements as proposed.
 - iv. Stormwater detention facilities shall comply with the standards in UDC [11-3G-3B.5](#) when counted toward open space requirements as proposed.
 - v. Include mitigation information on the landscape plan that demonstrates compliance with the standards in UDC [11-3B-10.C.5](#).
 - ~~vi. Depict 10-foot wide detached sidewalks/pathways along both sides of all collector streets (i.e. E. Crescendo St., S. Sublimity Ave., E. Quartz Creek St., Apex Way and Elevated Way) and within the street buffer along S. Locust Grove Rd., an arterial street, in lieu of on-street bicycle lanes.~~
 - vii. Solid fencing adjacent to common driveways is prohibited, unless separated by a minimum five-foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover as set forth in UDC [11-6C-3D.5](#); if fencing is proposed, depict a buffer. Construction of this buffer is the responsibility of the developer and not the adjacent homeowner.
 - viii. Depict a sidewalk along the northeast side of W. Precipice Dr. as set forth in UDC 11-3A-17D.
 - ~~ix. Depict a north/south public street between the residential lots and the commercial lots in Block 23 with parking on at least one (1) side of the street.~~
 - x. Depict landscaping in common open space areas in accord with the standards listed in UDC 11-3G-5B.
 - xi. Depict landscaping along all pathways in accord with the standards listed in UDC 11-3B-12C.
4. The fitness course shall to have a minimum of six (6) stations permanently installed in accord with UDC [11-3G-3C.6](#).
5. The dog park shall have bags for dog waste disposal, a double entrance gate, bench(es) and fencing to enclose a minimum of 5,000 square feet and secured open space for an off-leash dog park in accord with UDC [11-3G-3C.9](#).
6. The swimming pool shall be constructed in ground and meet all Building Code requirements in accord with UDC [11-3G-3D.1](#).
7. The tot lots shall have commercial grade play equipment scaled and designed for the use and safety of younger children and benches for seating shall be nearby in accord with UDC [11-3G-3D.3](#).

8. The bicycle repair station is required to be a fixed installation with tools and an air pump per UDC [11-3G-4F.2](#).
9. Either apply for alternative compliance to UDC [11-6C-3D.1](#) to be allowed four (4) driveways on one (1) side of the common driveway for Lots 72-75, Block 12; or, remove one (1) lot in this location to comply with the standard. *If alternative compliance is requested, the request shall be submitted concurrent with the final plat application.*
10. Prior to submittal of the final plat for City Engineer signature, a 14-foot wide public pedestrian easement shall be submitted to the Planning Division, approved by City Council and recorded for the multi-use pathway along the Williams Northwest gas pipeline and any other pathways required by the Park's Department in accord with the Pathways Master Plan that are outside of public right-of-way. Include the recorded instrument number of the easement(s) along with a depiction of the easement(s) on the final plat.
11. All private streets constructed within the subdivision shall comply with the standards listed in UDC [11-3F-4](#). A separate application is required to be submitted for approval of private street(s) and shall be submitted concurrently with the final plat application.
12. All waterways, except natural waterways, are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC 11-3A-6.
13. Off-street parking is required to be provided for all single-family residential units in accord with the standards for such listed in UDC Table [11-3C-6](#); and for non-residential uses in the commercial district in accord with UDC [11-3C-6B](#). Bicycle parking is required for non-residential uses as set forth in UDC [11-3C-6G](#); bicycle parking facilities shall comply with the standards listed in UDC [11-3C-5C](#).
14. A 25-foot wide buffer to residential uses shall be provided with development of the commercial lots (i.e. Lots 1, 5 and 6, Block 23). *The Applicant requests City Council approval of no buffer in this area on the C-C zoned property with the provision of a 15-foot wide common mew on the residential portion, which will include landscaping and a sidewalk. If Council grants the request, a reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width required in the applicable zoning district. **As an alternative, Staff recommends residential lots/uses are removed from Block 23 and all of Block 23 is developed with commercial uses and zoned C-C.***
15. The existing structures on the site shall be removed prior to City Engineer signature on the final plat phase in which they are located.
16. Administrative design review shall be required for future commercial structures on Lots 1-6, Block 23 and the swimming pool and associated structure in accord with the design standards in the Architectural Standards Manual.
17. All waterways, except natural waterways, intersecting, crossing or lying within the area being development are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC [11-3A-6](#). If left open, fencing may be required in accord with the standards listed in UDC [11-3A-6C](#).
18. Permanent addresses cannot be assigned until Ada County has approved the proposed street names.

Other Agency comments may be accessed in the project [file](#), included in the public record.

V. FINDINGS

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

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

1. The map amendment complies with the applicable provisions of the comprehensive plan;
The Commission finds the proposed map amendment and development plan complies with the applicable provisions of the Comprehensive Plan.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The Commission finds the proposed amendment complies with the regulations outlined for the proposed districts, including the purpose statement.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The Commission finds the proposed map amendment should not be materially detrimental to the public health, safety and welfare.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The Commission finds the proposed map amendment should not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City including, but not limited to, school districts.
5. The annexation (as applicable) is in the best interest of city.
This finding is not applicable as the proposed request is for a rezone, not annexation.

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

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

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code;
The Commission finds the proposed plat is in conformance with the Comprehensive Plan and will be consistent with the UDC if the Applicant complies with the above-noted conditions.
2. Public services are available or can be made available and are adequate to accommodate the proposed development;
The Commission finds public services are available to the site and will be adequate to accommodate the proposed development.
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;
The Commission finds there are no scheduled public improvements adjacent to or on this site.
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.

5. The development will not be detrimental to the public health, safety or general welfare; and
The Commission finds the proposed development will not be detrimental to the public health, safety or general welfare.
6. The development preserves significant natural, scenic or historic features.
The Commission is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

VI. ACTION

A. Staff:

Staff recommends approval of the proposed MDA, RZ and PP requests with the provisions included above in Section IV. **Council should consider and take action on the waivers requested by the Applicant pertaining to block face and buffer to residential uses.**

B. Commission:

The Commission heard these items on September 5, 2024. At the public hearing, the Commission moved to approve the subject MDA request.

1. Summary of the Commission public hearing:

- a. In favor: Amanda McNutt and Jon Wardle, Brighton Corp. (Applicant's Representatives)
- b. In opposition: None
- c. Commenting: Julie Edwards, Melissa Fulkerson
- d. Written testimony: Amanda McNutt, Brighton Corp. (Applicant's Representative – response to the staff report)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Request from the neighbors on Mary Ln. for trees to be provided within the buffer along the south side of the Farr Lateral from approximately Locust Grove Rd. to Margaret Ln. for screening purposes. The Applicant is amenable to providing trees in this location provided there is adequate area to do so outside of the Farr Lateral easement or through a license agreement with the Irrigation District.
- b. Opinion that people living in the residential units facing the commercial development in Block 23 would not want to look out their front windows into a parking lot.

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

- a. The requested waiver to block face standards in regard to both faces of Block 12 and the associated site constraints.
- b. The requested reduction of the buffer to residential uses on the commercial property in Block 23 and proposed design with the parking lot for the commercial uses abutting the residential property – generally not in favor of the proposed design.
- c. Concern pertaining to addressing for the lots that have frontage on a public street and are accessed off a named private street and confusion that may occur for emergency responders.

4. Commission changes to the Staff recommendation:

- a. At the recommendation of Staff, the Commission approved the Applicant's request to remove the requirement for 10-foot wide detached sidewalks to be provided along all collector streets in lieu of on-street bicycle lanes consistent with the 5-foot wide sidewalks constructed in the adjoining Apex developments (only 5-foot wide detached sidewalks are required by the UDC); modification to the condition (#A.3) requiring a revised landscape plan to be submitted to add that it shall be required with submittal of the final plat application; and modification to the condition (#A.9) requiring alternative compliance to the common driveway standards to allow (4) lots on side of the driveway in Block 12 to be submitted with the final plat application if requested.

5. Outstanding issue(s) for City Council:

- a. The Applicant requests deletion of the requirement for a north-south public street to be provided between the residential and the commercial lots in Block 23.
- b. The Applicant requests deletion of the requirement for the revision to the lot layout in Block 2 to comply with ACHD's requirements for public alleys, which was required so that the lots only have frontage on one named street rather than two.
- c. The Applicant requests deletion of the requirement for a sidewalk to be provided on the north side of West Precipice Drive; this is a UDC standard that can't be waived.
- d. The Applicant requests a waiver from Council to exceed the maximum block face allowed for Block 12 along W. Precipice Dr. and W. Vertex Dr. due to the site constraints described above in Section III.E.6.
- e. The Applicant requests a waiver from Council to *not* provide a 25-foot wide buffer in the C-C district on Lots 1, 5 and 6, Block 23 to the abutting residential uses along the west boundary with the provision of a 15-foot wide common area mew on the residential property, which will include landscaping and a sidewalk. *As an alternative, Staff recommends residential lots/uses are removed from Block 23 and all of Block 23 is developed with commercial uses.*

C. City Council:

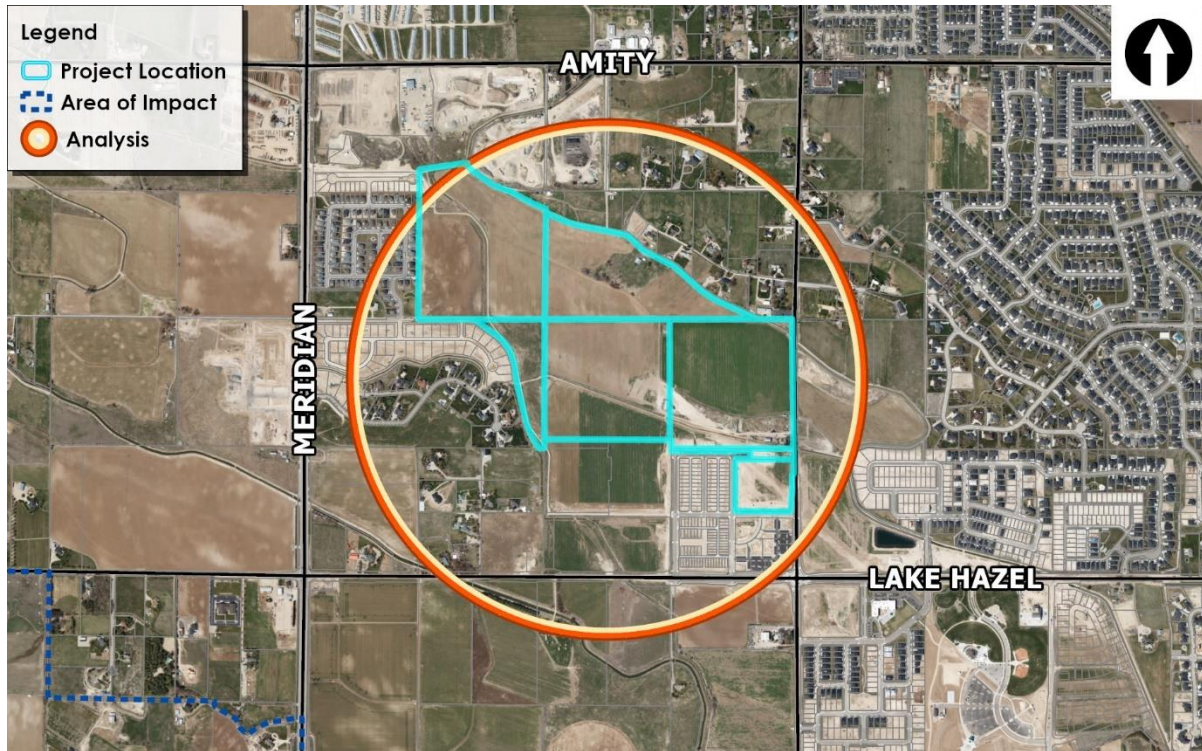
Pending

VII. EXHIBITS

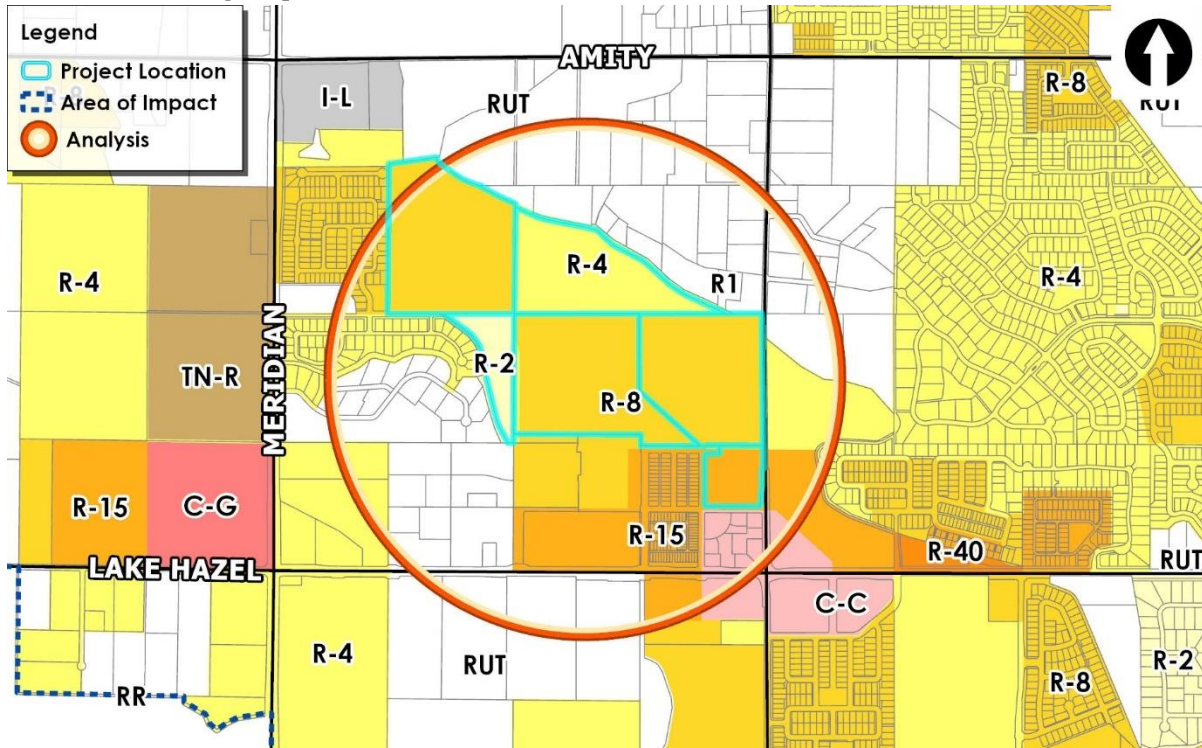
A. Project Area Maps

(link to [Project Overview](#))

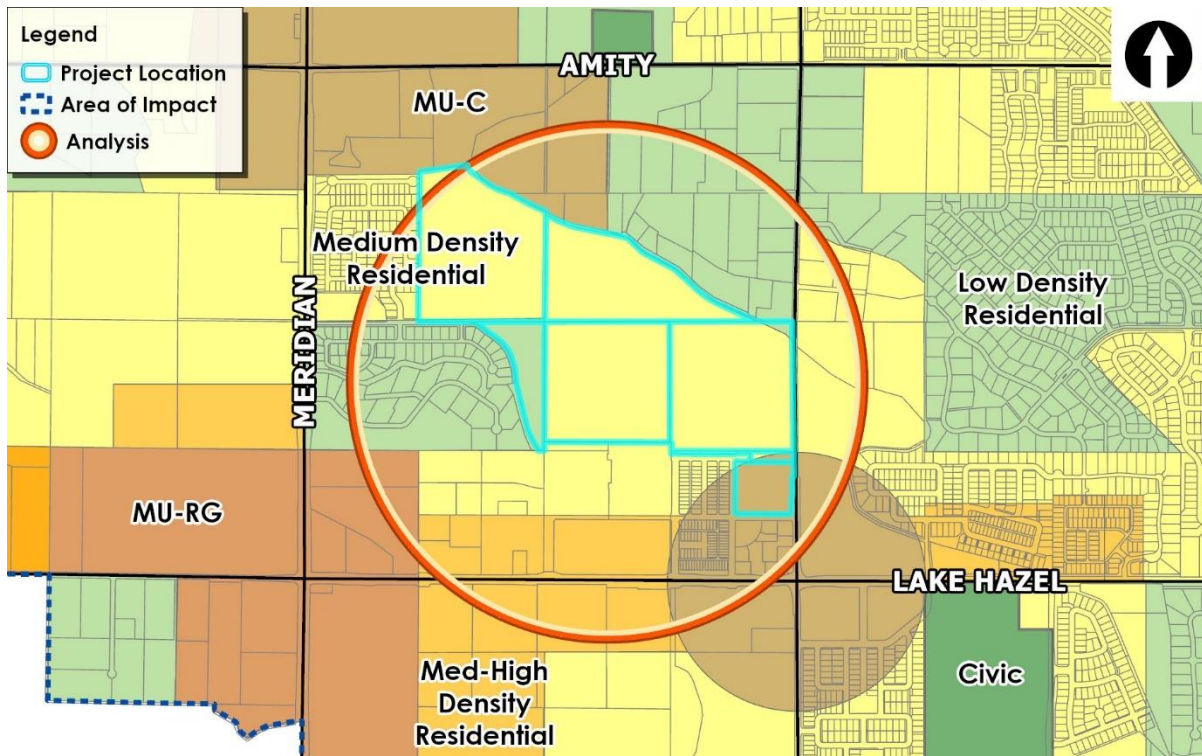
1. Aerial



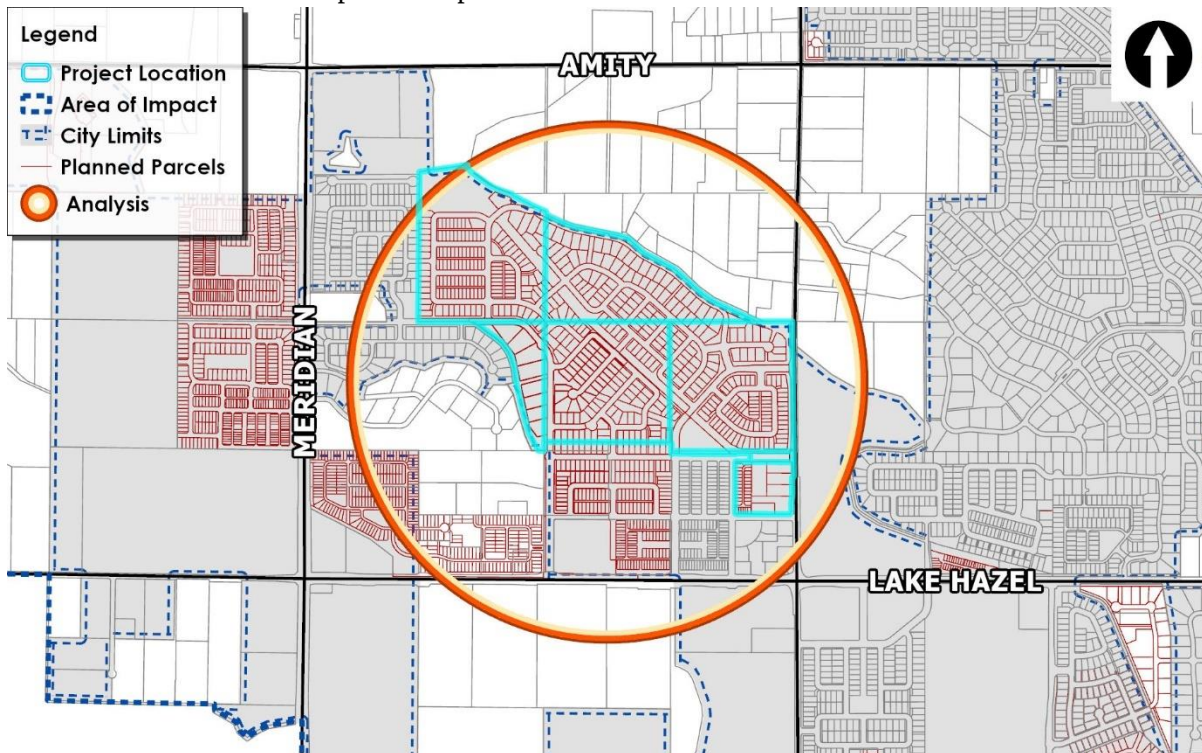
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Service Accessibility Report

PARCEL S1131427850 SERVICE ACCESSIBILITY

Overall Score: 18	7th Percentile
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Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time > 9 min.	RED
Emergency Services Police	Meets response time goals some of the time	YELLOW
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Not within 1/4 of current or future transit route	RED
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) > existing (# of lanes) & road IS in 5 yr work plan	YELLOW
School Walking Proximity	From 1/2 to 1 mile walking	YELLOW
School Drivability	Not within 2 miles driving of existing or future school	RED
Park Walkability	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

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C. Legal Description & Exhibit Map for Boundary of Proposed New Development Agreement



June 24, 2024
Apex Subdivision
Project No. 21-248

Exhibit A Legal Description for Development Agreement Modification (Apex Farr Subdivision)

A parcel of land situated in a portion of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at an aluminum cap marking the southeast corner of said Section 31, which bears S00°32'22"E a distance of 2,700.07 feet from a brass cap marking the east 1/4 corner of said Section 31, thence following the easterly line of the Southeast 1/4 of Section 31, N00°32'22"W a distance of 693.57 feet;

Thence leaving said easterly line, N89°42'21"W a distance of 67.25 feet to a 5/8-inch rebar on the subdivision boundary of Apex Northwest Subdivision No. 1 (Book 124, Pages 19693-19698, records of Ada County, Idaho) and being the **POINT OF BEGINNING**.

Thence following the subdivision boundary of said Apex Northwest Subdivision No.1 the following three (3) courses:

1. N89°42'21"W a distance of 563.32 feet to a 5/8-inch rebar;
2. N39°31'00"W a distance of 11.71 feet to a 5/8-inch rebar;
3. N89°43'08"W a distance of 1.50 feet to a 5/8-inch rebar on the subdivision boundary of Apex Northwest Subdivision No. 2 (Book 124, Pages 19844- 19847, records of Ada County, Idaho);

Thence leaving said subdivision boundary of Apex Northwest Subdivision No. 1 and following said subdivision boundary of Apex Northwest Subdivision No. 2 the following seven (7) courses:

1. N00°16'52"E a distance of 528.00 feet to a 5/8-inch rebar;
2. 14.14 feet along the arc of a circular curve to the right, said curve having a radius of 9.00 feet, a delta angle of 90°00'47", a chord bearing of N45°17'16"E and a chord distance of 12.73 feet to a 5/8-inch rebar;
3. S89°42'21"E a distance of 146.58 feet to a 5/8-inch rebar;
4. N00°17'39"E a distance of 87.50 feet to a 5/8-inch rebar;
5. N89°42'21"W a distance of 130.00 feet to a 5/8-inch rebar;
6. S70°21'17"W a distance of 24.92 feet to a 5/8-inch rebar;
7. N89°42'21"W a distance of 47.64 feet;

Thence leaving said subdivision boundary of Apex Northwest Subdivision No. 2, N47°56'33"W a distance of 251.11 feet;

Thence N48°54'58"W a distance of 47.18 feet;

Thence N47°51'19"W a distance of 1,638.44 feet;

Thence S42°08'41"W a distance of 461.91 feet;

Thence 50.41 feet along the arc of a circular curve to the right, said curve having a radius of 60.00 feet, a delta angle of 48°08'12", a chord bearing of S66°12'47"W and a chord distance of 48.94 feet;

Thence N89°43'08"W a distance of 40.82 feet;

Thence N44°07'12"W a distance of 21.37 feet;

Thence 198.52 feet along the arc of a circular curve to the left, said curve having a radius of 311.50 feet, a delta angle of 36°30'56", a chord bearing of N22°16'05"W and a chord distance of 195.18 feet;

Thence N40°31'33"W a distance of 241.33 feet;

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Thence 226.01 feet along the arc of a circular curve to the left, said curve having a radius of 261.50 feet, a delta angle of 49°31'13", a chord bearing of N65°17'09"W and a chord distance of 219.04 feet;

Thence S89°57'15"W a distance of 450.61 feet;

Thence S00°02'45"E a distance of 31.50 feet to the southerly line of the Southeast 1/4 of the Northwest 1/4 of Section 13;

Thence following said southerly line, S89°57'15"W a distance of 529.87 feet to a 5/8-inch rebar marking Center-West 1/16 corner of said Section 31 (also being the southeast corner of Prevail Subdivision No. 1, Book 120, Pages 18715-18719, records of Ada County, Idaho);

Thence leaving said southerly line and following the westerly line of said Southeast 1/4 of the Northwest 1/4, N00°31'11"E a distance of 1,326.96 feet to a 5/8-inch rebar marking the Northwest 1/16 corner of said Section 31 (also being the northeast corner of Prevail Subdivision No. 2, Book 121, Pages 19054-19057, records of Ada County, Idaho and being the southeast corner of Prevail Subdivision No. 3, Book 126, Pages 20182-20184, records of Ada County, Idaho);

Thence leaving said westerly line of the Southeast 1/4 of the Northwest 1/4 and following the westerly line of the Northeast 1/4 of the Northwest 1/4 of said Section 31, N00°20'36"E a distance of 206.98 feet to the northeast corner of said Prevail Subdivision No. 3;

Thence following said westerly line, N00°20'36"E a distance of 24.96 feet;

Thence leaving said westerly line, N81°55'55"E a distance of 531.16 feet to a 5/8-inch rebar;

Thence S25°53'19"W a distance of 7.65 feet to a 5/8-inch rebar;

Thence S82°35'12"W a distance of 8.19 feet to a 5/8-inch rebar on the northeasterly bank of the Farr Lateral;

Thence following said northeasterly bank the following five (5) courses:

1. 48.99 feet along the arc of a curve to the left, said curve having a radius of 58.00 feet, a delta angle of 48°23'56", a chord bearing of S22°46'16"E and a chord distance of 47.55 feet to a 5/8-inch rebar;
2. S46°58'07"E a distance of 45.40 feet to a 5/8-inch rebar;
3. S54°23'34"E a distance of 180.18 feet to a 5/8-inch rebar;
4. 161.54 feet along the arc of a 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°15'47"E and a chord distance of 161.03 feet to a 5/8-inch rebar;
5. Thence S70°14'40"E a distance of 112.44 feet to a 5/8-inch rebar on the northerly line of said Southeast 1/4 of the Northwest 1/4 of Section 31;

Thence leaving said northeasterly bank and said northerly line, S19°57'31"W a distance of 12.12 feet to the centerline of said Farr Lateral;

Thence following said centerline the following three (3) courses:

1. S70°07'29"E a distance of 9.75 feet;
2. S62°02'58"E a distance of 207.13 feet;
3. S65°37'43"E a distance of 186.17 feet to the easterly line of said Southeast 1/4 of the Northwest 1/4;

Thence leaving said centerline and following said easterly line, S00°38'17"W a distance of 30.20 feet to a point on a line being parallel to and 25-ft southwesterly of the centerline of said Farr Lateral;

Thence following said line the following fourteen (14) courses:

1. S63°55'51"E a distance of 137.97 feet;
2. S67°14'14"E a distance of 113.95 feet to a 1/2-inch rebar;
3. S72°17'39"E a distance of 87.22 feet to a 1/2-inch rebar;
4. S78°53'58"E a distance of 439.81 feet to a 1/2-inch rebar;
5. S75°55'10"E a distance of 99.84 feet;

6. S61°21'11"E a distance of 24.44 feet;
7. S46°09'47"E a distance of 188.67 feet;
8. S55°48'16"E a distance of 45.29 feet to a 1/2-inch rebar;
9. S62°37'05"E a distance of 331.41 feet to a 1/2-inch rebar;
10. S49°07'00"E a distance of 149.42 feet to a 1/2-inch rebar;
11. S47°33'25"E a distance of 228.36 feet;
12. S54°34'10"E a distance of 104.95 feet;
13. S59°52'47"E a distance of 94.86 feet;
14. S65°32'37"E a distance of 460.70 feet to a point on the northerly line of the Southeast 1/4 of said Section 31;

Thence leaving said line and following said northerly line, N89°57'56"E a distance of 390.76 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 1,372.93 feet;

Thence leaving said easterly line, N89°42'21"W a distance of 63.22 feet to a point on the westerly right-of-way line of S. Locust Grove Rd.;

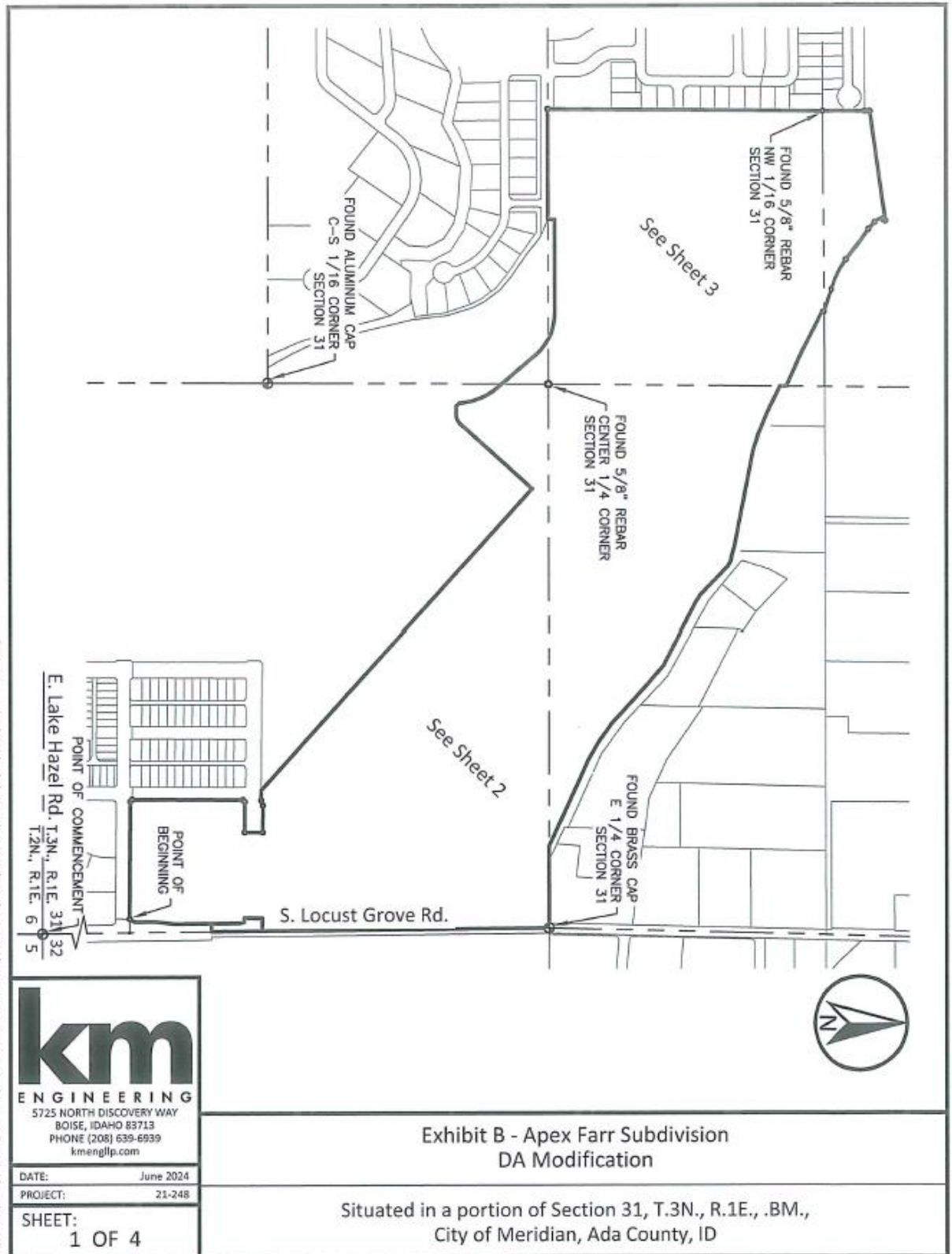
Thence following said westerly right-of-way line the following nine (9) courses:

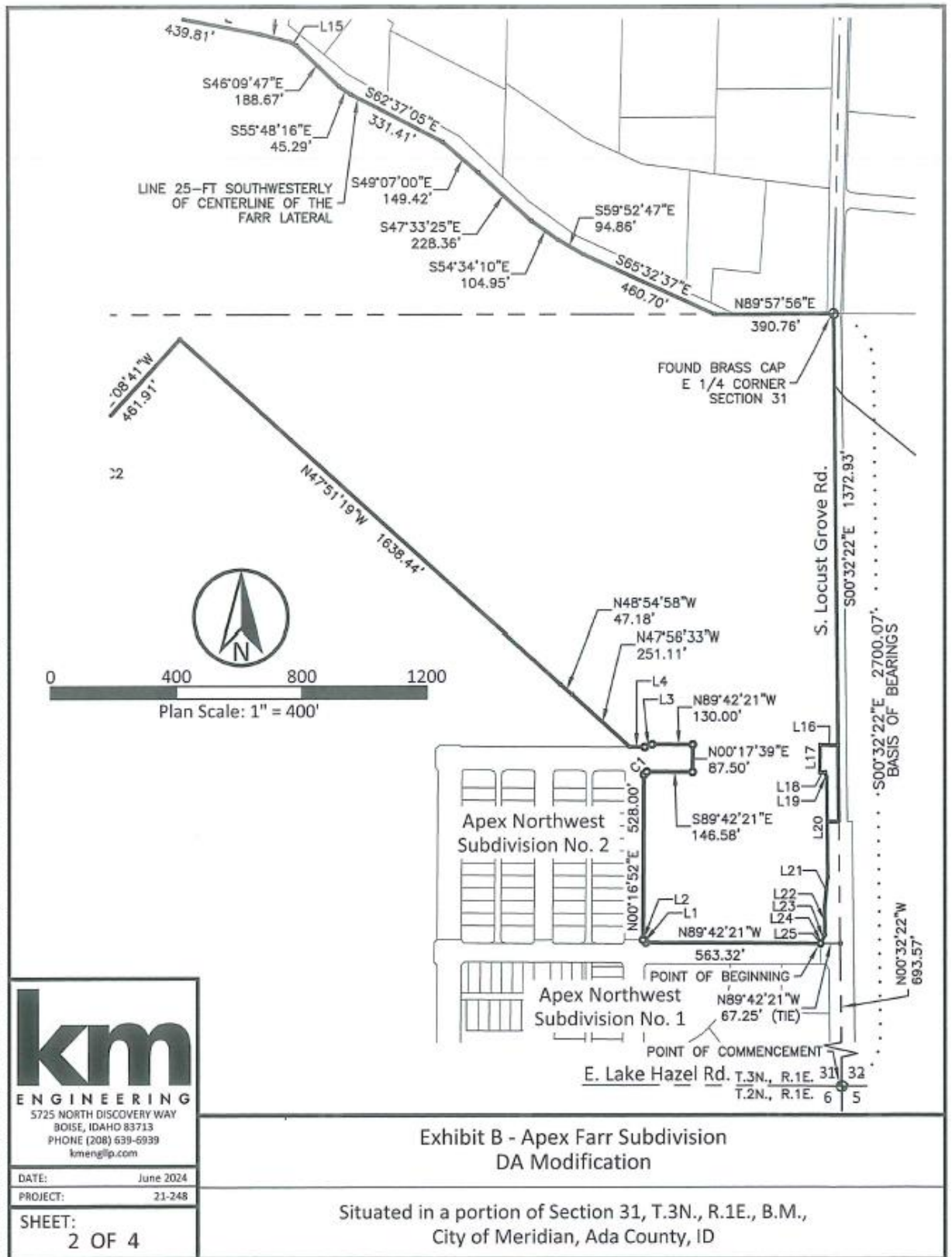
1. S00°17'39"W a distance of 87.50 feet;
2. S89°42'21"E a distance of 18.14 feet;
3. S21°07'21"E a distance of 18.06 feet;
4. S00°32'22"E a distance of 317.11 feet;
5. S06°45'44"W a distance of 94.42 feet;
6. S00°32'22"E a distance of 91.20 feet;
7. S24°46'04"W a distance of 28.13 feet;
8. N89°42'21"W a distance of 3.19 feet;
1. S00°17'39"W a distance of 1.50 feet to the **POINT OF BEGINNING**.

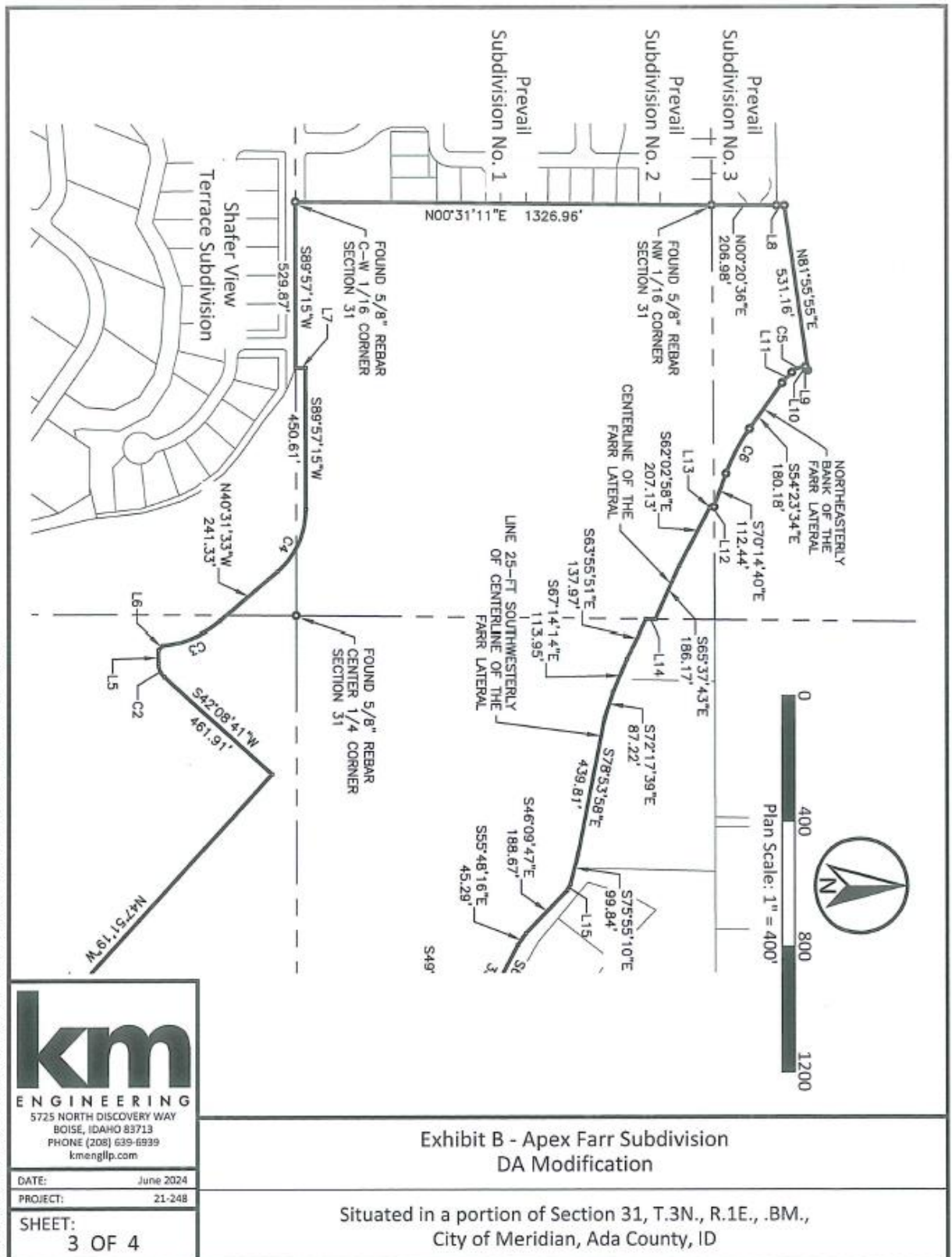
Said description contains a total of 131.89 acres, more or less.

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









km
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kmengllp.com

DATE: June 2024
PROJECT: 21-248
SHEET: 3 OF 4

**Exhibit B - Apex Farr Subdivision
DA Modification**

Situated in a portion of Section 31, T.3N., R.1E., .BM.,
City of Meridian, Ada County, ID

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N39°31'00"W	11.71'
L2	N89°43'08"W	1.50'
L3	S70°21'17"W	24.92'
L4	N89°42'21"W	47.64'
L5	N89°43'08"W	40.82'
L6	N44°07'12"W	21.37'
L7	S00°02'45"E	31.50'
L8	N00°20'36"E	24.96'
L9	S25°53'19"W	7.65'
L10	S82°35'12"W	8.19'
L11	S46°58'07"E	45.40'
L12	S19°52'31"W	12.12'
L13	S70°07'29"E	9.75'

LINE TABLE		
LINE	BEARING	DISTANCE
L14	S00°38'17"W	30.20'
L15	S61°21'11"E	24.44'
L16	N89°42'21"W	63.22'
L17	S00°17'39"W	87.50'
L18	S89°42'21"E	18.14'
L19	S21°07'21"E	18.06'
L21	S06°45'44"W	94.42'
L22	S00°32'22"E	91.20'
L23	S24°46'04"W	28.13'
L24	N89°42'21"W	3.19'
L25	S00°17'39"W	1.50'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	9.00'	14.14'	90°00'47"	N45°17'16"E	12.73'
C2	60.00'	50.41'	48°08'12"	S66°12'47"W	48.94'
C3	311.50'	198.52'	36°30'56"	N22°16'05"W	195.18'
C4	261.50'	226.01'	49°31'13"	N65°17'09"W	219.04'
C5	58.00'	48.99'	48°23'56"	S22°46'16"E	47.55'
C6	588.00'	161.54'	15°44'26"	S62°15'47"E	161.03'



DATE: June 2024
PROJECT: 21-248
SHEET: 4 OF 4

Exhibit B - Apex Farr Subdivision DA Modification

Situated in a portion of Section 31, T.3N., R.1E., B.M.,
City of Meridian, Ada County, ID

D. Rezone Legal Descriptions & Exhibit Maps



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

April 30, 2024
Project No. 21-248

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

A parcel of land being a portion of Lot 1, Block 5 of Shafer View Terrace Subdivision (Book 128, Pages 20722-20730, records of Ada County, Idaho) and further situated in 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:

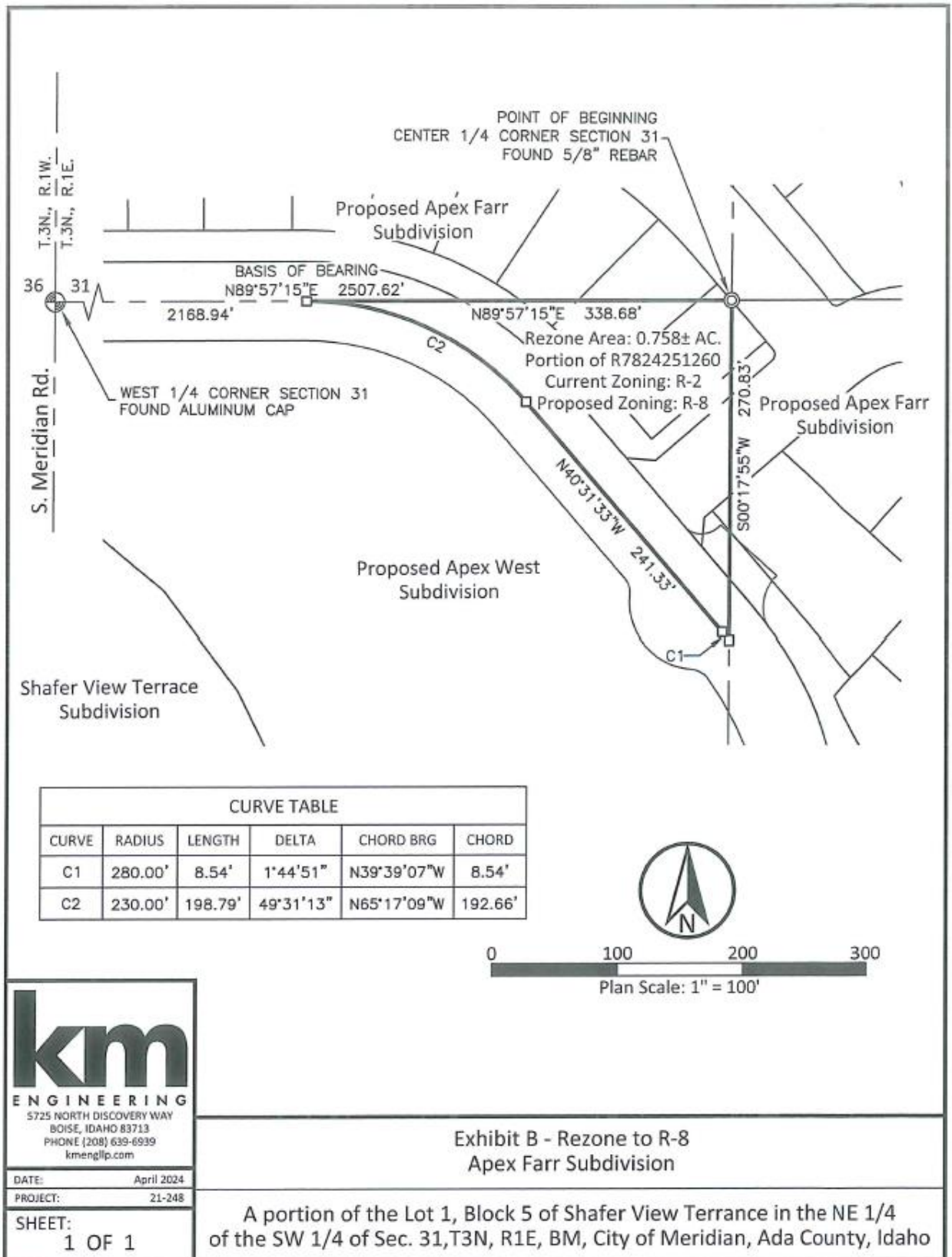
BEGINNING at a 5/8-inch rebar marking the Center 1/4 corner of said Section 31, which bears N89°57'15"E a distance of 2,507.62 feet from an aluminum cap marking the West 1/4 corner of said Section 31, thence following the easterly line of said Southwest 1/4, S00°17'55"W a distance of 270.83 feet;
Thence leaving said easterly line, 8.54 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of 01°44'51", a chord bearing of N39°39'07"W and a chord distance of 8.54 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 a point on the northerly line of said Southwest 1/4;
Thence following said northerly line, N89°57'15"E a distance of 338.68 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 0.758 acres, more or less.

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



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9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

April 29, 2024
Project No. 21-248

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, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the southeast corner of said Section 31, which bears S00°32'22"E a distance of 2,700.07 feet from a brass cap marking the east 1/4 corner of said Section 31, thence following the easterly line of the Southeast 1/4 of Section 31, N00°32'22"W a distance of 660.07 feet to the **POINT OF BEGINNING**.

Thence leaving said easterly line, N89°42'21"W a distance of 470.05 feet;
Thence N00°16'52"E a distance of 623.25 feet;
Thence S89°42'21"E a distance of 461.12 feet to said easterly line of the Southeast 1/4;
Thence following said easterly line, S00°32'22"E a distance of 623.32 feet to the **POINT OF BEGINNING**.

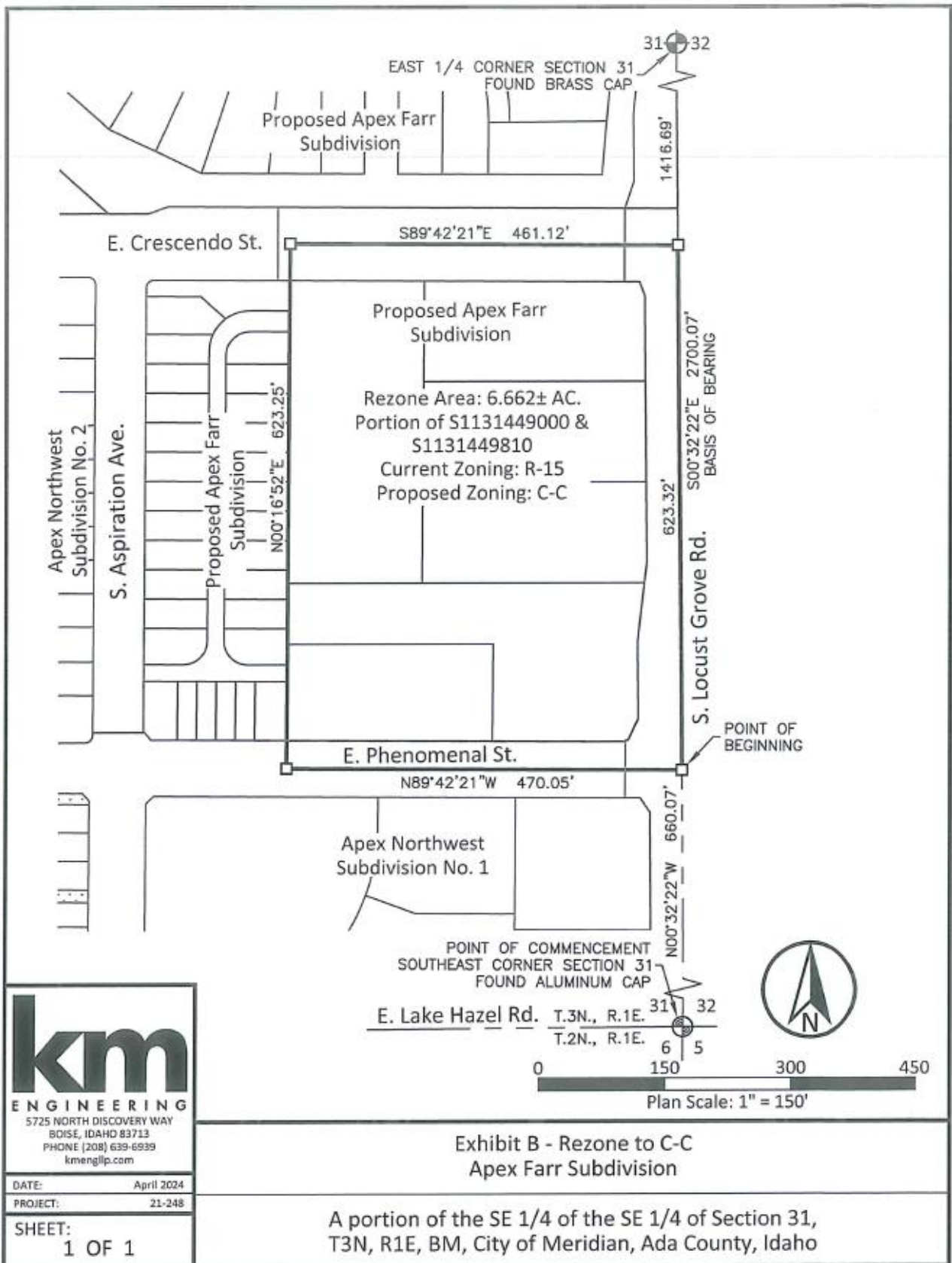
Said parcel contains a total of 6.662 acres, more or less.

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



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P:\141-248\141248\SURVEY\EXHIBITS\141-248 REZONE TO C-C.DWG, AARON BALLARD, 4/25/2024, ESTUDID0907.PC3, ---





9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

April 29, 2024
Project No. 21-248

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

A parcel of land situated in a portion of the South 1/2 of the Northeast 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 1/4 corner of said Section 31, which bears S89°57'56"W a distance of 2,601.37 feet from a brass cap marking the East 1/4 corner of said Section 31, thence following the westerly line of said Northeast 1/4, N00°38'17"E a distance of 1,112.96 feet to a point on a line being parallel to and 25-ft southwesterly of the centerline of said Farr Lateral; Thence leaving said westerly line and following said line parallel to the Farr Lateral the following fourteen (14) courses:

1. S63°55'51"E a distance of 137.97 feet;
2. S67°14'14"E a distance of 113.95 feet to a 1/2-inch rebar;
3. S72°17'39"E a distance of 87.22 feet to a 1/2-inch rebar;
4. S78°53'58"E a distance of 439.81 feet to a 1/2-inch rebar;
5. S75°55'10"E a distance of 99.84 feet;
6. S61°21'11"E a distance of 24.44 feet;
7. S46°09'47"E a distance of 188.67 feet;
8. S55°48'16"E a distance of 45.29 feet to a 1/2-inch rebar;
9. S62°37'05"E a distance of 331.41 feet to a 1/2-inch rebar;
10. S49°07'00"E a distance of 149.42 feet to a 1/2-inch rebar;
11. S47°33'25"E a distance of 228.36 feet;
12. S54°34'10"E a distance of 104.95 feet;
13. S59°52'47"E a distance of 94.86 feet;
14. S65°32'37"E a distance of 460.70 feet to a point on the southerly line of said Northeast 1/4;

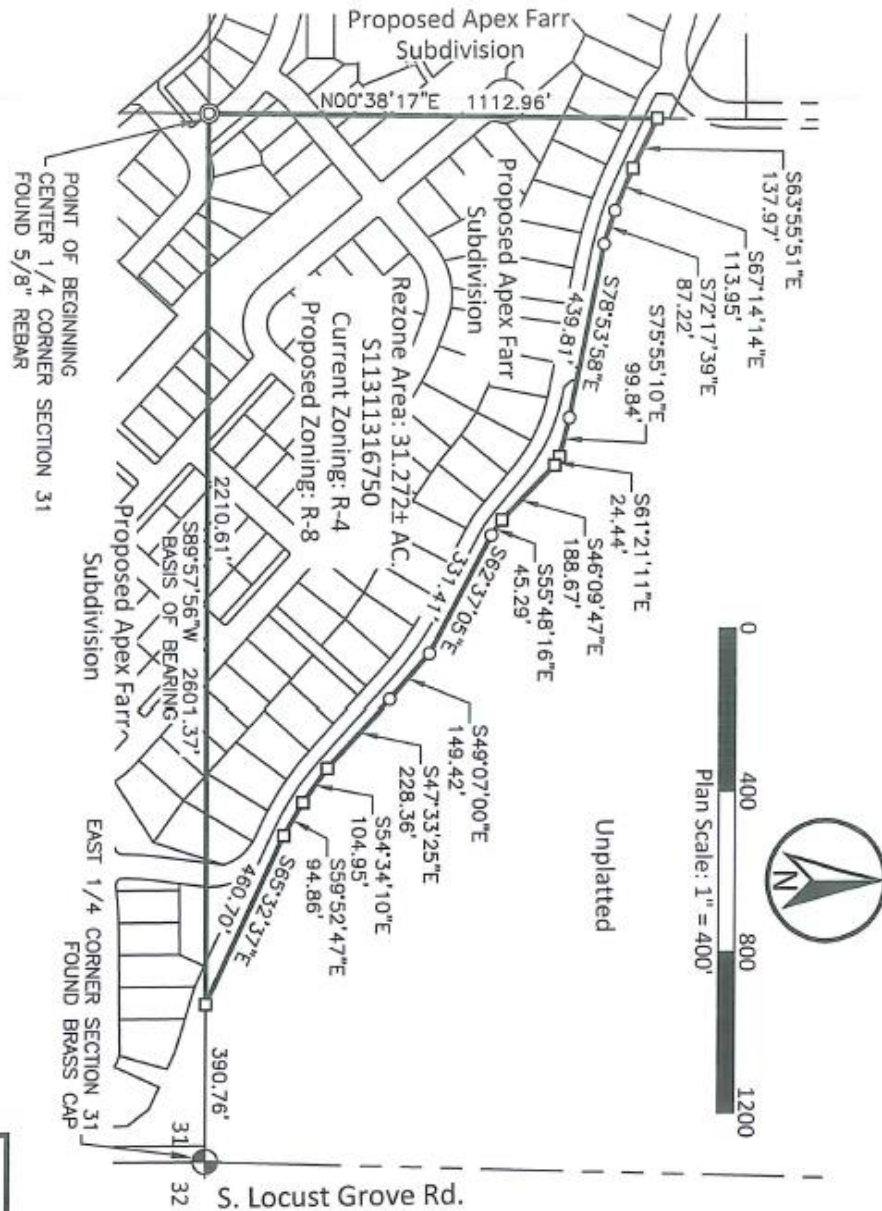
Thence leaving said line and following said southerly line, S89°57'56"W a distance of 2,210.61 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 31.272 acres, more or less.

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



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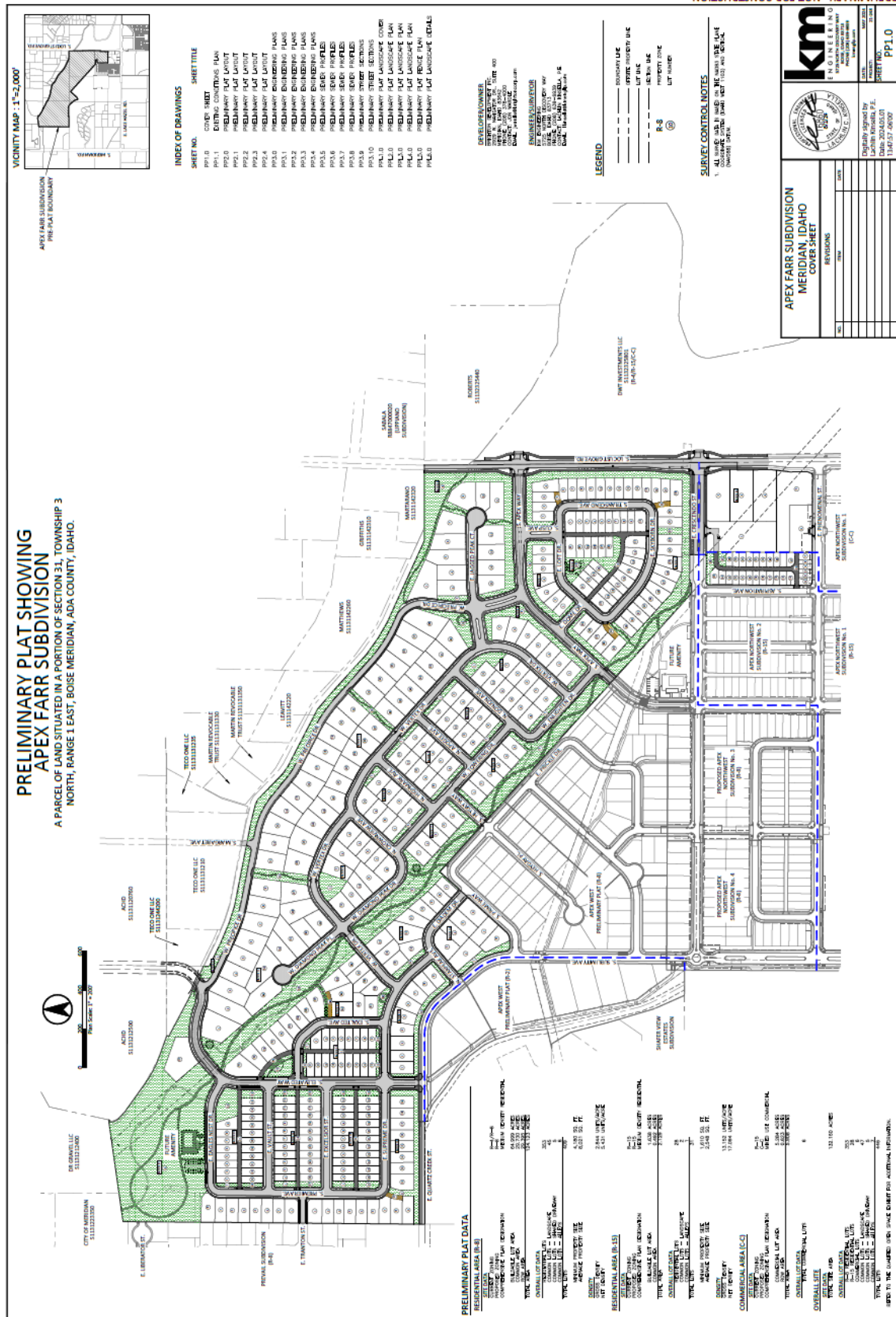
km
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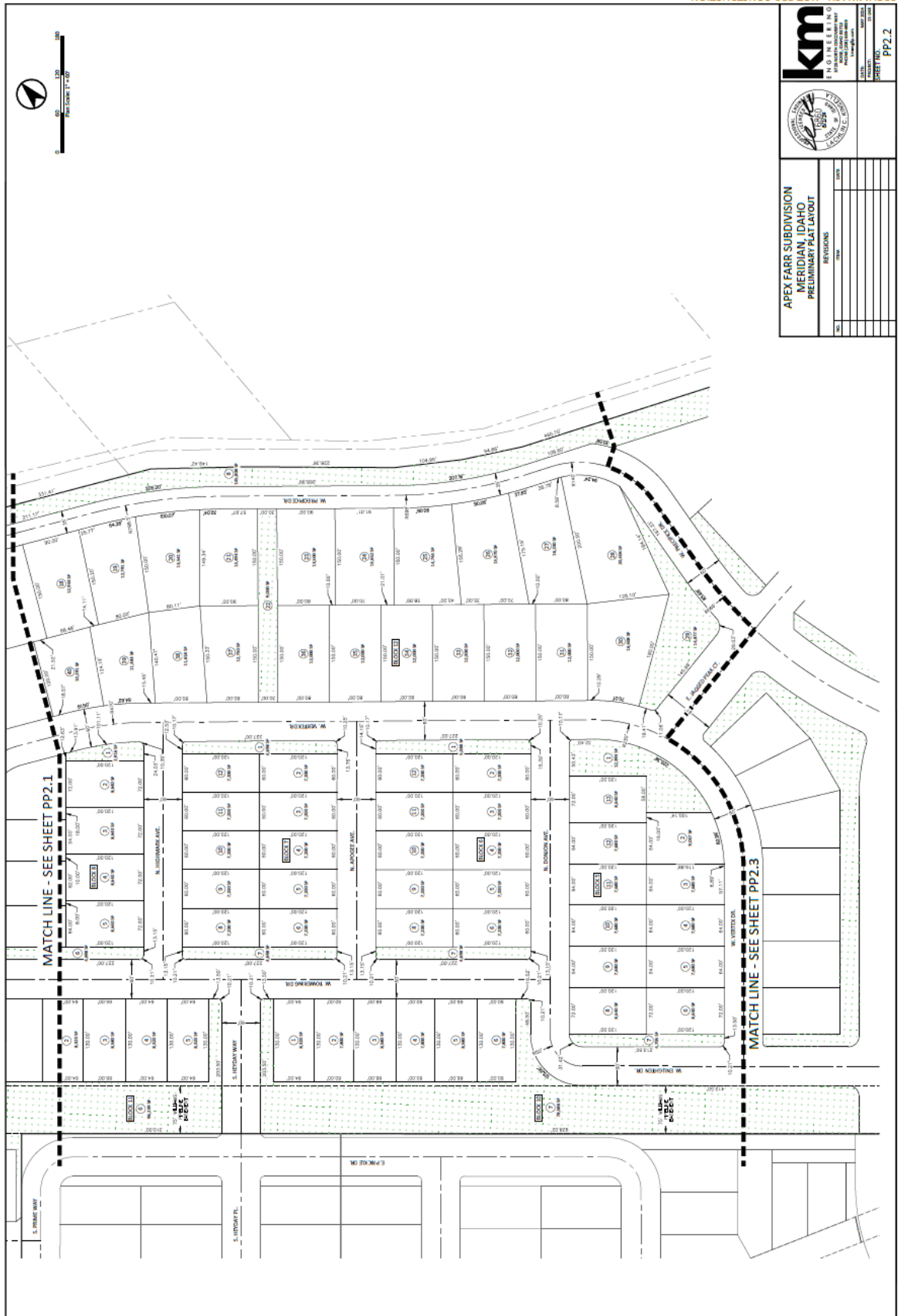
DATE: April 2024
PROJECT: 21-248

SHEET:
1 OF 1

Exhibit B - Rezone to R-8 Apex Farr Subdivision

A portion of the South 1/2 of the Northeast 1/4 of Section 31,
T3N, R1E, BM, City of Meridian, Ada County, Idaho







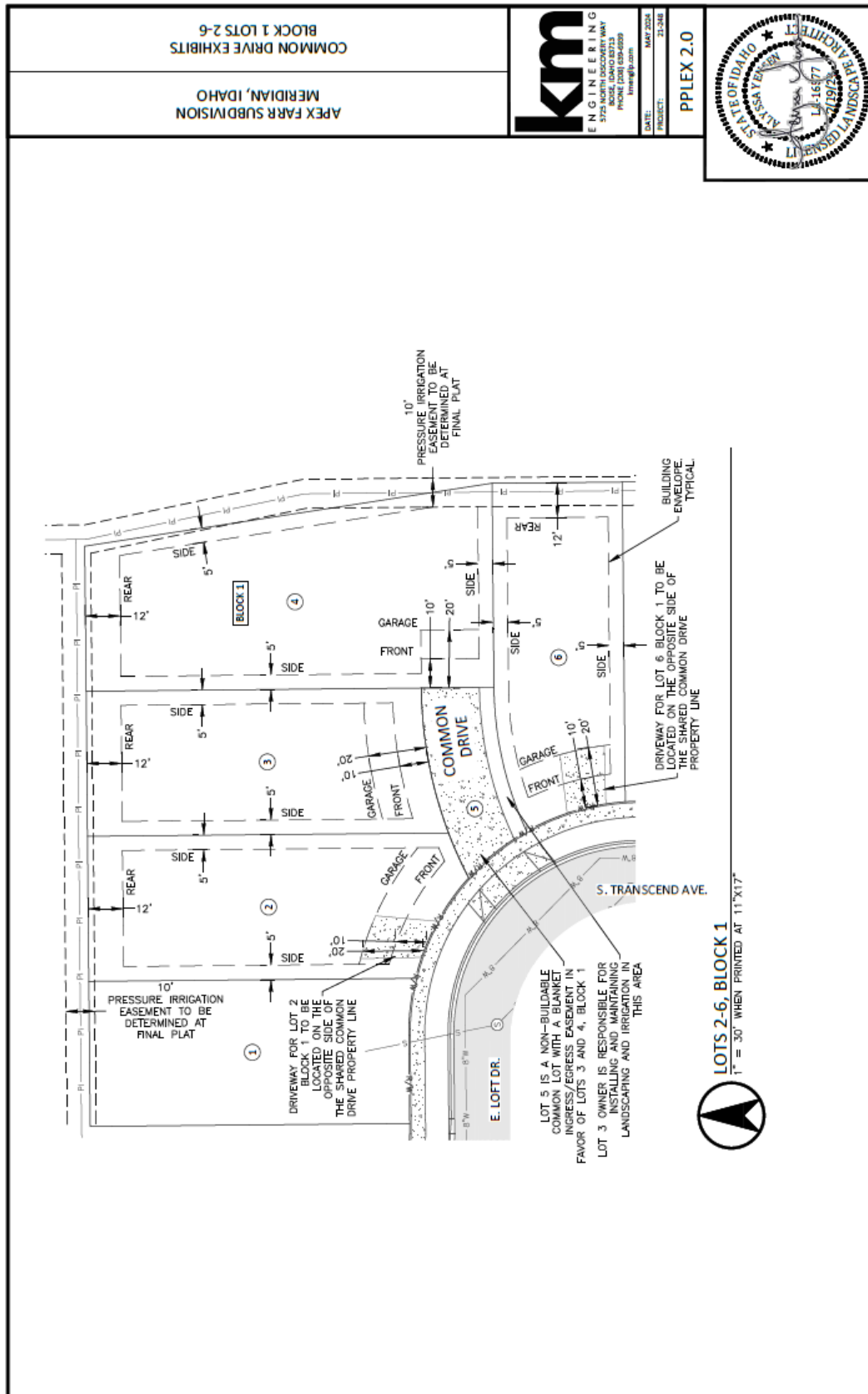
Phasing Plan:

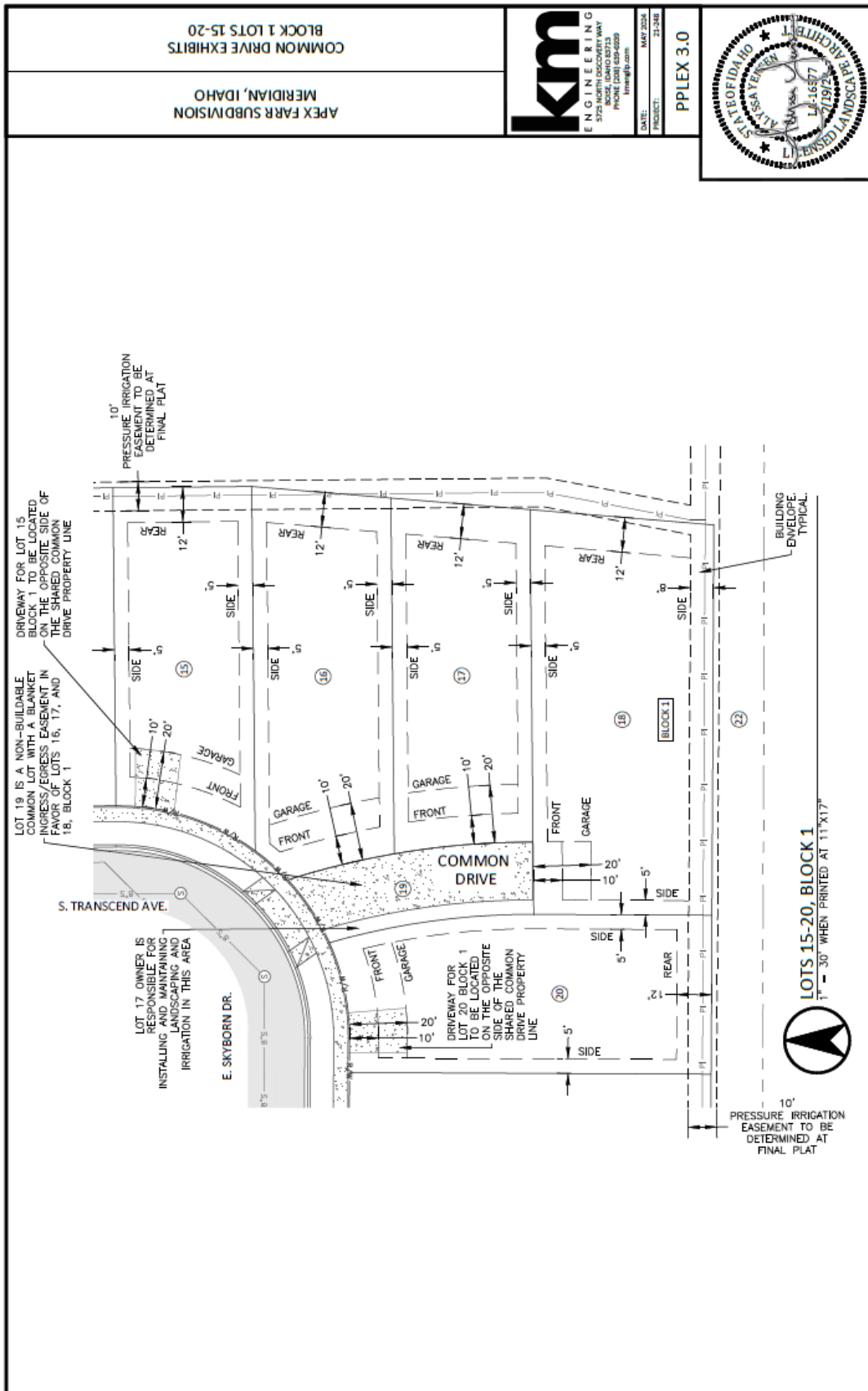


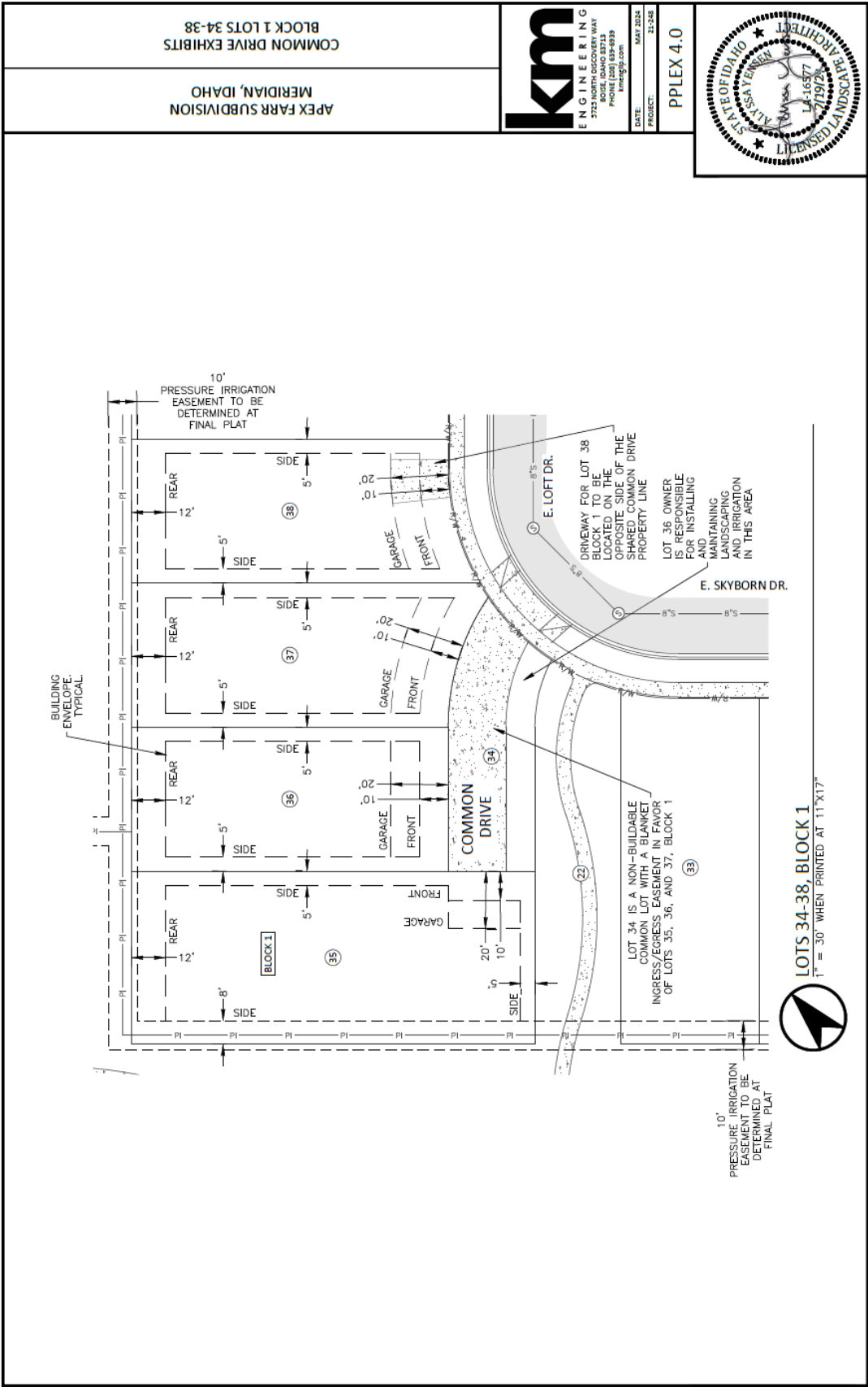
Traffic Calming – Bulb Outs and Choke Points:

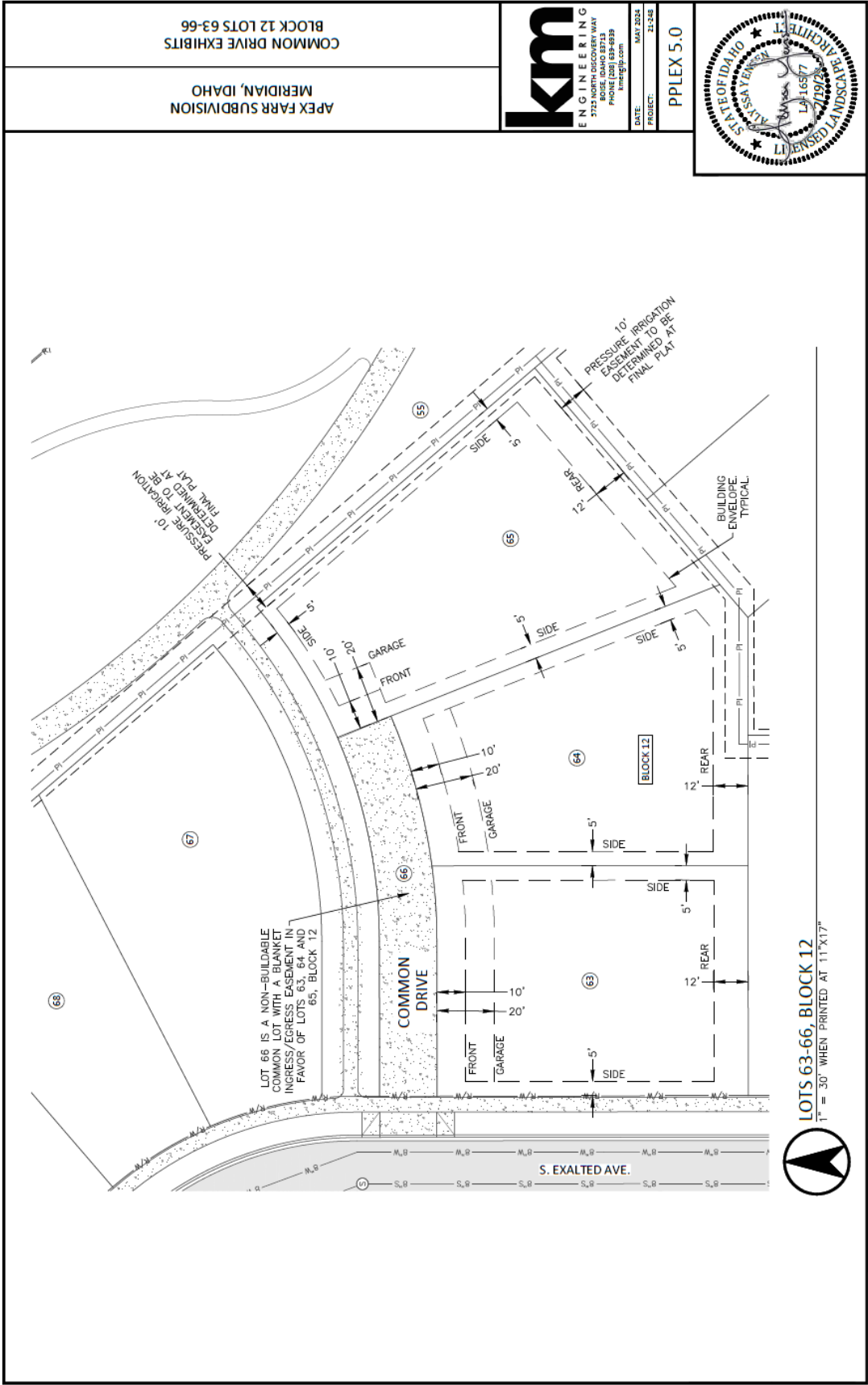


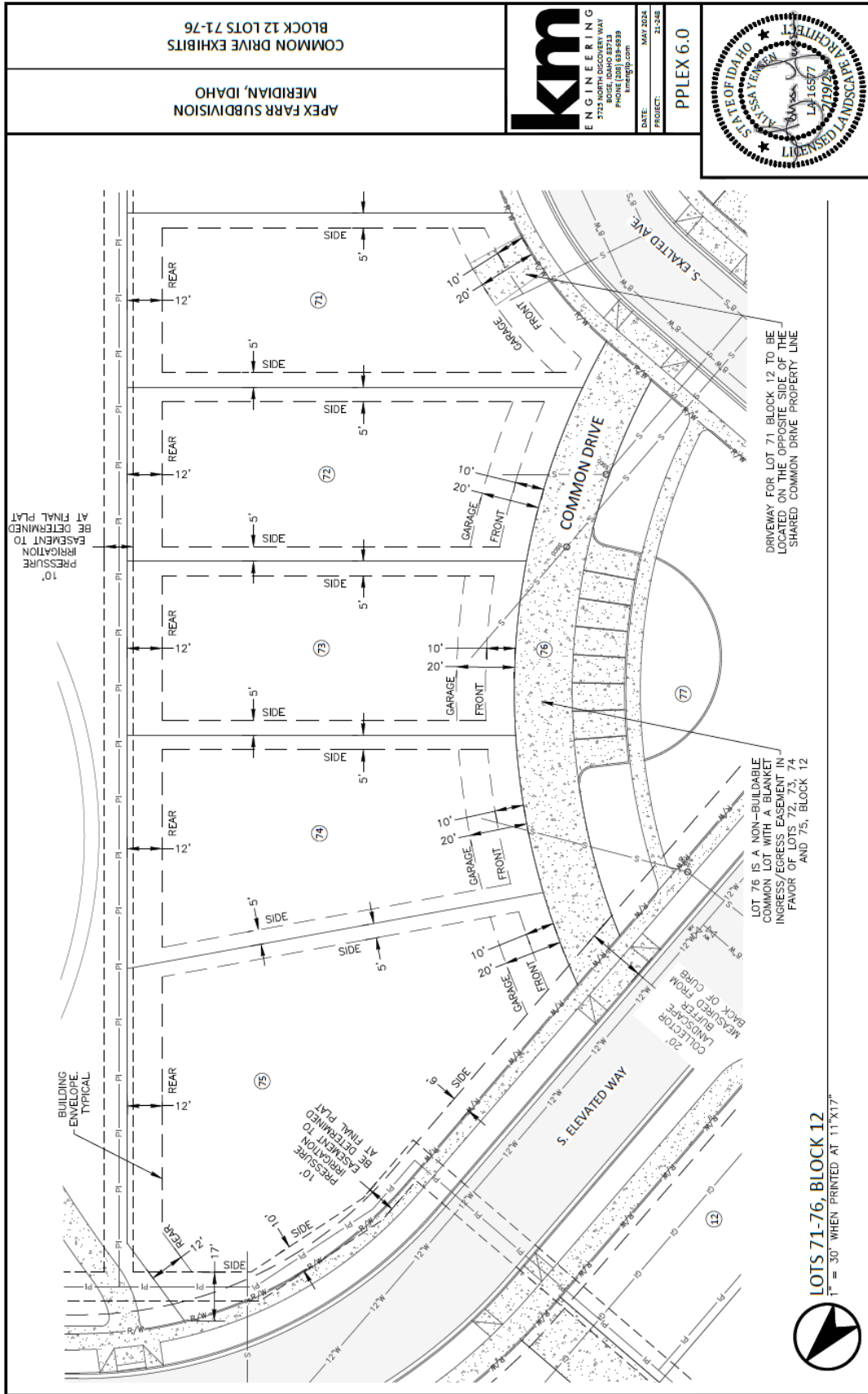
1. Common Dietary Elements

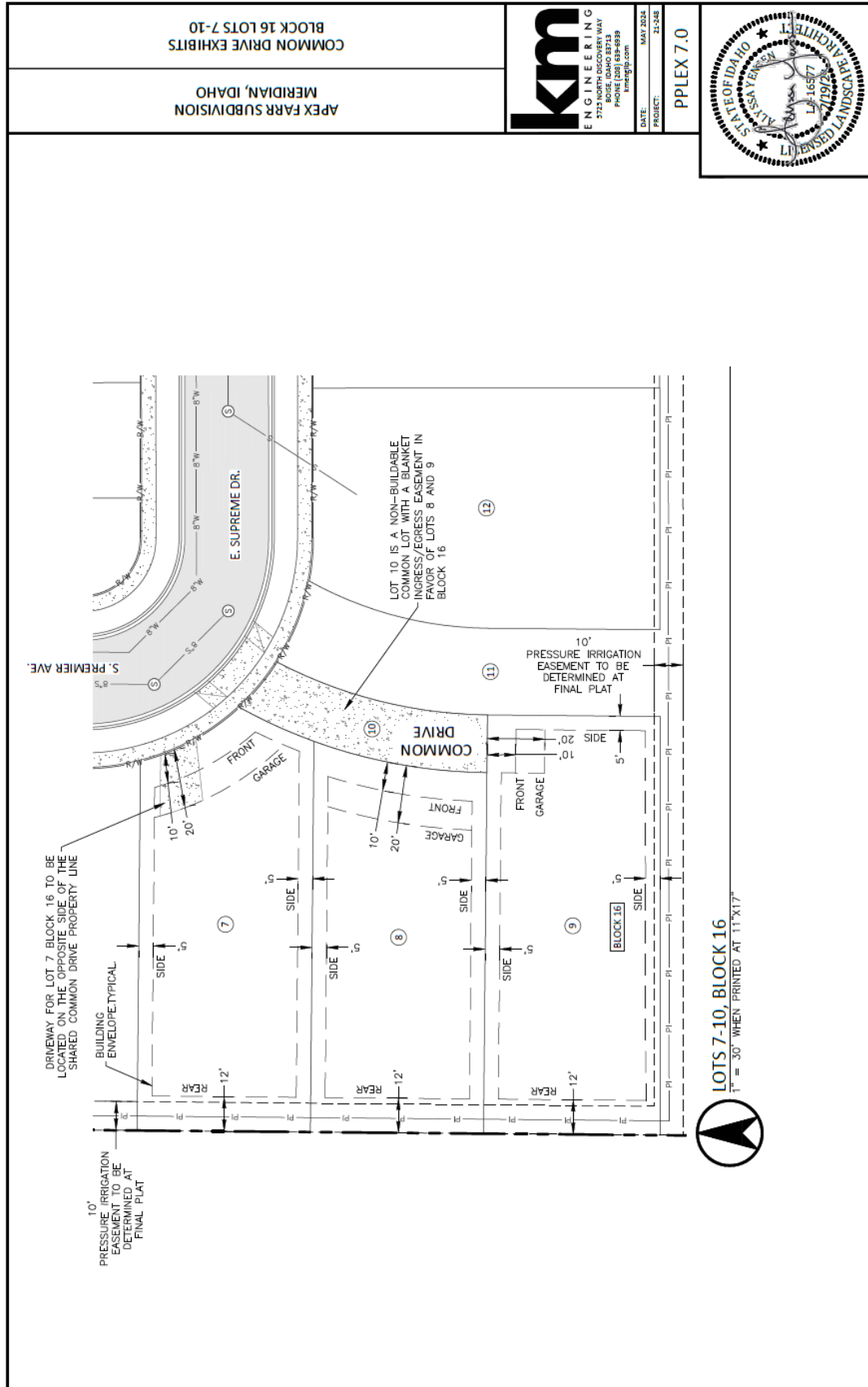




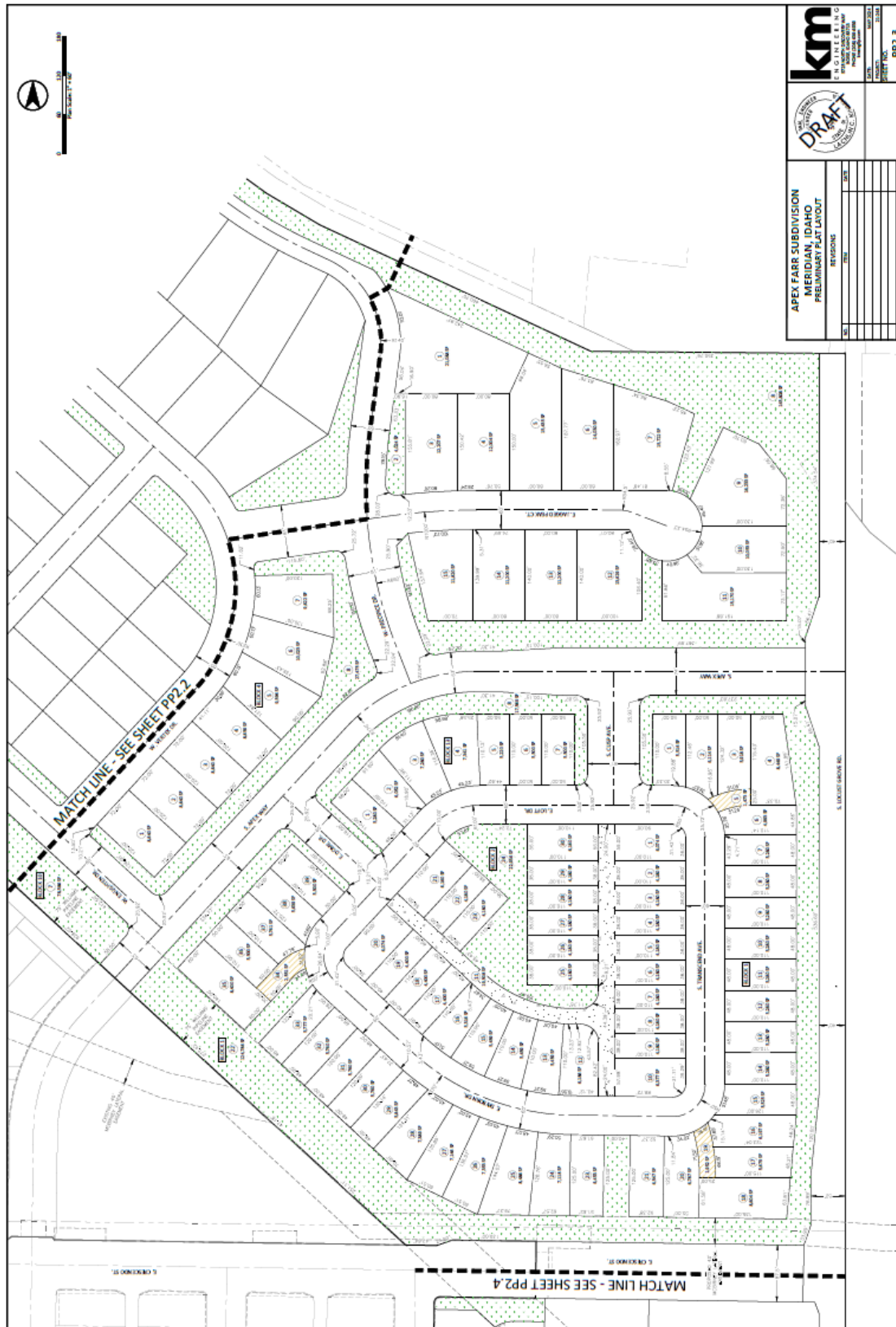






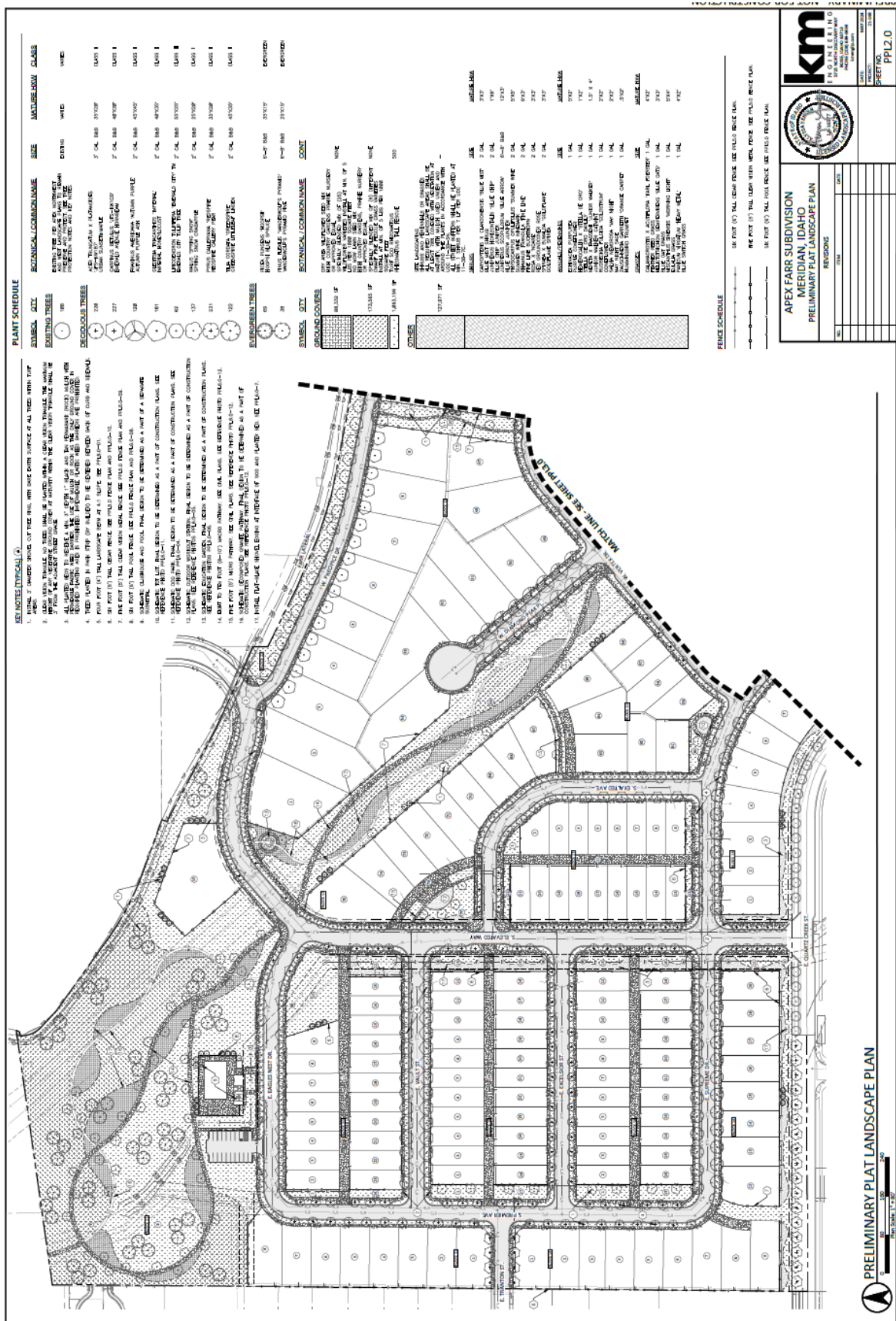


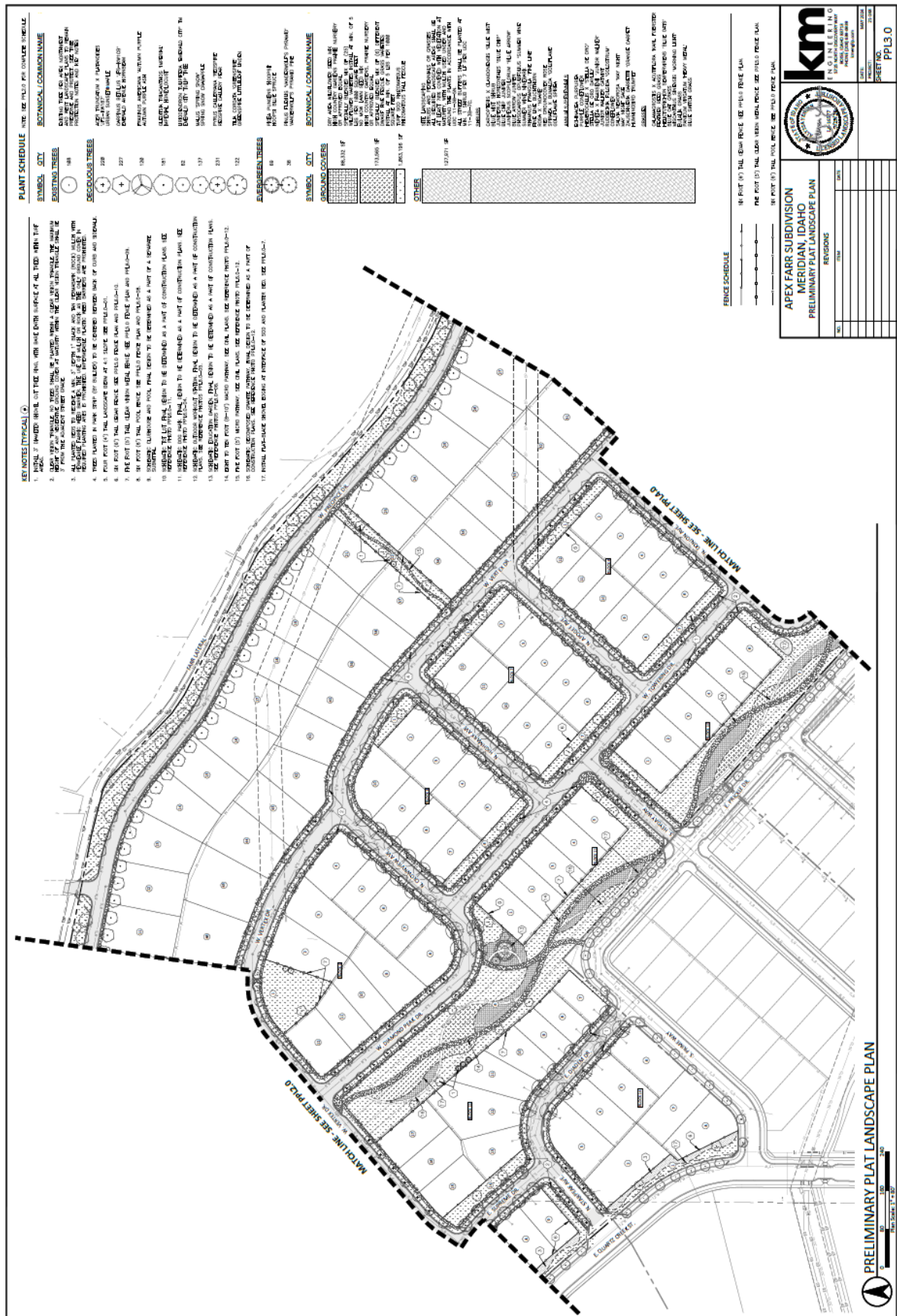
G. Private Street Areas 1 and 2



City of Meridian | Department Report

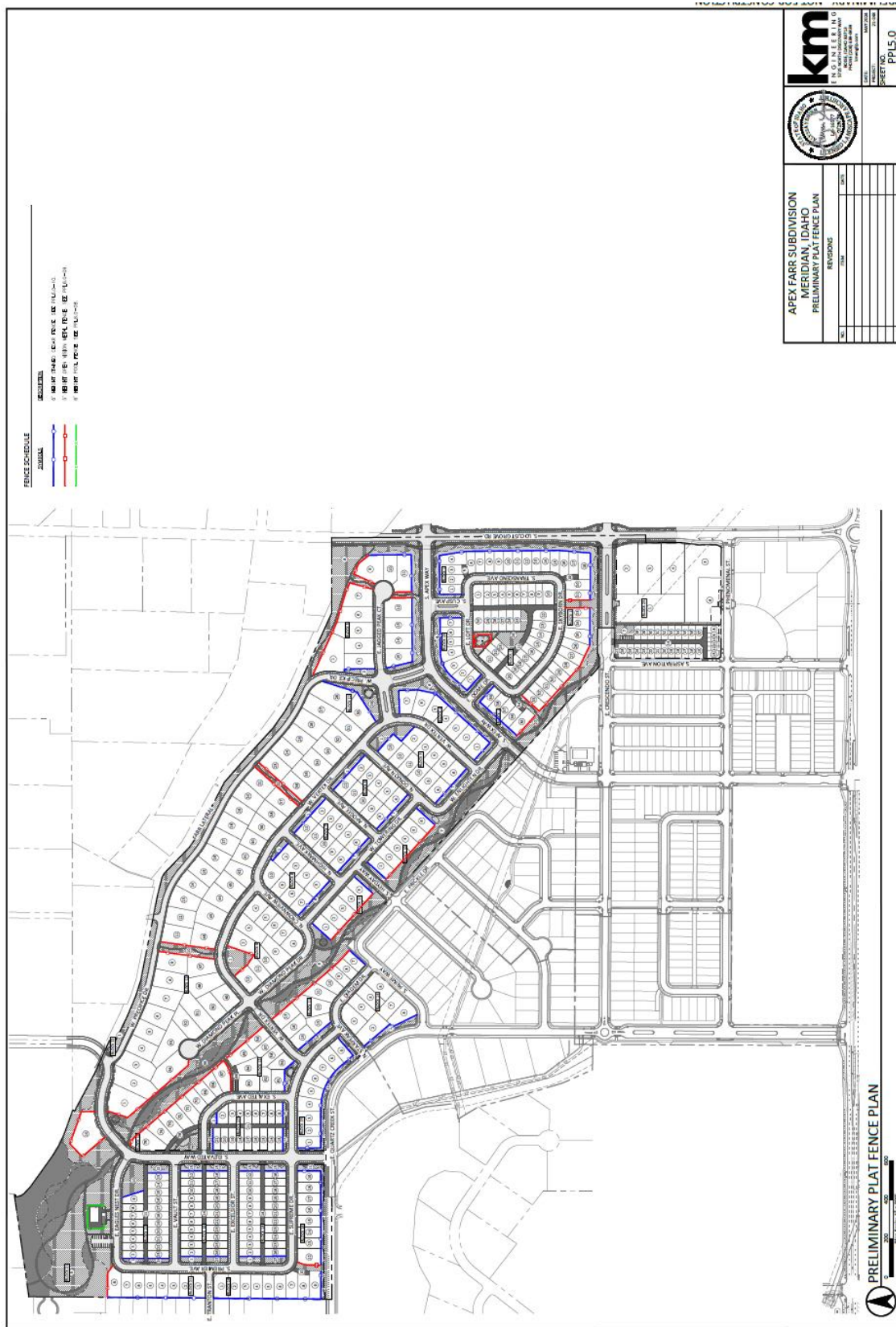








Fencing Plan:





J. Pathway Exhibit



K. Overall Conceptual Development Plan



L. Conceptual Building Elevations for Residential Units

