

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



**In the Matter of the Request for Preliminary Plat Consisting of 64 Building Lots, 11 Common Lots and One (1) Other Lot for Future Development on 16.15-Acres of Land for Apex Phenomenal Subdivision (aka Pinnacle Subdivision), by Brighton Corporation.**

**Case No(s). H-2024-0041**

**For the City Council Hearing Date of: December 10, 2024 (Findings on December 17, 2024)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of December 10, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 10, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 10, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 10, 2024, incorporated by reference)

**B. Conclusions of Law**

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of December 10, 2024, incorporated by reference. The conditions are concluded to

be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for preliminary plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of December 10, 2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

E. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of December 10, 2024

By action of the City Council at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

\_\_\_\_\_  
Mayor Robert E. Simison

Attest:

\_\_\_\_\_  
Chris Johnson  
City Clerk

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

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office

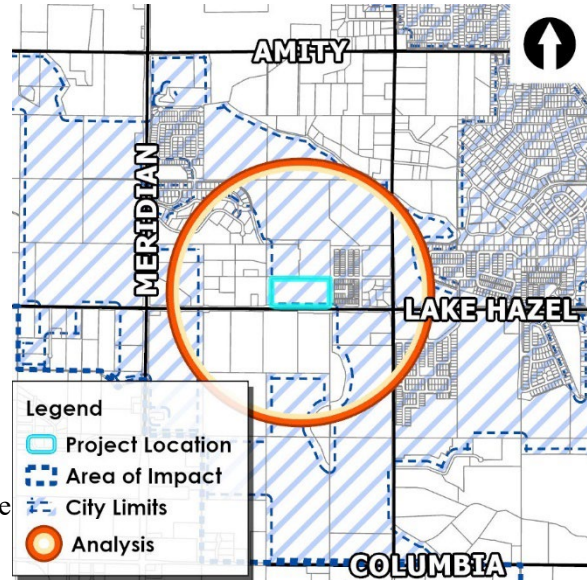
# EXHIBIT A

## COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 12/10/2024  
TO: Mayor & City Council  
FROM: Sonya Allen, Associate Planner  
208-884-5533  
sallen@meridiancity.org  
APPLICANT: Amanda McNutt, Brighton Corp.  
SUBJECT: H-2024-0041  
Apex Phenomenal (aka Pinnacle)

**LOCATION:** Generally located on the north side E. Lake Hazel Road, approximately 1/4 mile west of S. Locust Grove Rd. in the SE 1/4 of Section 31, T.3N., R.1E. (Parcel #S1131438975)



### I. PROJECT OVERVIEW

#### A. Summary

Preliminary plat consisting of 64 building lots, 11 common lots and one (1) other lot for future development on 16.15-acres of land in the R-15 zoning district.

#### B. Issues/Waivers

None

#### C. Recommendation

Staff: Approval

Commission: Approval

#### D. Decision

Council: Approval

## II. COMMUNITY METRICS

**Table 1: Land Use**

| Description              | Details   | Map Ref. |
|--------------------------|---|----------|
| Existing Land Use(s)     | Vacant/undeveloped  | -        |
| Proposed Land Use(s)     | Single-family residential dwellings (attached and detached) | -        |
| Existing Zoning          | R-15 (Medium High-density Residential)                      | VII.A.2  |
| Adopted FLUM Designation | Medium High Density Residential (MHDR)                      | VII.A.3  |

**Table 2: Process Facts**

| Description                 | Details    |
|-----------------------------|------------|
| Preapplication Meeting date | 6/4/2024   |
| Neighborhood Meeting        | 6/26/2024  |
| Site posting date           | 10/14/2024 |

**Table 3: Community Metrics**

| Agency / Element   | Description / Issue  | Reference                 |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
|--|--|---------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|-------------------|------------|--------------------|-----|-----------------|-------------------|--------|----------------|-----|-----------------|-------------|----------|-----------|-----|-----|------------------|----------|-----------|-----|-----|-------------------|------------|-------|-----|-----|---|
| Ada County Highway District  |  |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Comments Received</li> </ul>          | Yes  | -                         |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Commission Action Required</li> </ul> | No   | -                         |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Access</li> </ul>                     | S. Apex Ave., a commercial collector street; E. Phenomenal St., a local street; and a proposed private street (Street A)   | -                         |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Traffic Level of Service</li> </ul>   | <table border="1"> <thead> <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> </thead> <tbody> <tr> <td>E Lake Hazel Road</td> <td>1,213-feet</td> <td>Principal Arterial</td> <td>167</td> <td>Better than "E"</td> </tr> <tr> <td>Locust Grove Road</td> <td>0-feet</td> <td>Minor Arterial</td> <td>181</td> <td>Better than "E"</td> </tr> <tr> <td>Apex Avenue</td> <td>554-feet</td> <td>Collector</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Sublimity Avenue</td> <td>554-feet</td> <td>Collector</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Phenomenal Street</td> <td>1,213-feet</td> <td>Local</td> <td>N/A</td> <td>N/A</td> </tr> </tbody> </table> <p>* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).<br/>           * Acceptable level of service for a three-lane minor arterial is "E" (720 VPH).<br/>           * Acceptable level of service for a two-lane collector is "D" (425 VPH).<br/>           ** ACHD does not set level of service thresholds for local roadways.</p> | Roadway                   | Frontage                   | Functional Classification     | PM Peak Hour Traffic Count | PM Peak Hour Level of Service | E Lake Hazel Road | 1,213-feet | Principal Arterial | 167 | Better than "E" | Locust Grove Road | 0-feet | Minor Arterial | 181 | Better than "E" | Apex Avenue | 554-feet | Collector | N/A | N/A | Sublimity Avenue | 554-feet | Collector | N/A | N/A | Phenomenal Street | 1,213-feet | Local | N/A | N/A | - |
| Roadway  | Frontage   | Functional Classification | PM Peak Hour Traffic Count | PM Peak Hour Level of Service |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| E Lake Hazel Road  | 1,213-feet   | Principal Arterial        | 167                        | Better than "E"               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Locust Grove Road  | 0-feet   | Minor Arterial            | 181                        | Better than "E"               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Apex Avenue  | 554-feet   | Collector                 | N/A                        | N/A                           |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Sublimity Avenue   | 554-feet   | Collector                 | N/A                        | N/A                           |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Phenomenal Street  | 1,213-feet   | Local                     | N/A                        | N/A                           |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Meridian Fire  | Comments not received.   |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Meridian Police  | Comments not received.   |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Meridian Public Works Wastewater   |  |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Distance to Mainline</li> </ul>       | Currently no existing sewer service at this location; currently under construction and will be available to the site.  |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Impacts or Concerns</li> </ul>        | See Public Works Site Specific Conditions in Agency Comments folder in the public record.  |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| Meridian Public Works Water  |  |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |
| <ul style="list-style-type: none"> <li>Distance to Mainline</li> </ul>       | Currently no existing water main at this location; currently under construction and will be available to the site.   |                           |                            |                               |                            |                               |                   |            |                    |     |                 |                   |        |                |     |                 |             |          |           |     |     |                  |          |           |     |     |                   |            |       |     |     |   |

|  |   |               |                          |                     |                               |                        |                  |  |                    |
|--|---|---------------|--------------------------|---------------------|-------------------------------|------------------------|------------------|--|--------------------|
| • Impacts or Concerns                        | none  |               |                          |                     |                               |                        |                  |  |                    |
| School District(s)                           | No comments received from WASD; a memo was submitted from Long Range Planning |               |                          |                     |                               |                        |                  |  |                    |
| Estimated # of children for this development | SGR   |               | Total Units              |                     | Estimated Students            | Architectural Capacity | Program Capacity |  |                    |
|  | Development Area Zone   | Single Family | Multi Family             | Total Single Family |                               |                        |                  |  | Total Multi Family |
|  | Mary McPherson Elementary School  | 0.49          | 0.16                     | 64                  |                               |                        |                  |  | -                  |
|  | *This information is intended as a reference, rather than a decisive tool.    |               |                          |                     |                               |                        |                  |  |                    |
| Capacity of Schools                          | <b>School Boundary Areas</b>  |               | <b>23-24' Enrollment</b> |                     | <b>Architectural Capacity</b> |                        |                  |  |                    |
| Number of Students Enrolled                  | <b>Marcy McPherson Elementary</b>   |               | 484                      |                     | 675                           |                        |                  |  |                    |
|  | <b>Victory Middle</b>   |               | 1056                     |                     | 1000                          |                        |                  |  |                    |
|  | <b>Mountain View High</b>   |               | 2537                     |                     | 2175                          |                        |                  |  |                    |

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

### III. STAFF ANALYSIS

#### Comprehensive Plan and Unified Development Code (UDC)

##### A. General Overview

The proposed development consists of one (1) 15.93-acre parcel of land, zoned R-15 (Medium High Density Residential). The underlying Future Land Use Map (FLUM) designation in the Comprehensive Plan for the subject property is Medium High Density Residential (MHDR). The proposed single-family attached and detached units provide a mix of dwelling types at a gross density of 8 units per acre, which is consistent with the desired density of 8 to 12 units per acre in MHDR designated areas.

The preliminary plat is proposed to develop in one (1) phase. The Applicant plans to re-subdivide the western 7.94-acre lot (i.e. Lot 76) in the future and will likely develop that area with more single-family attached and detached units similar to this development; however, they're unsure at this time on the layout or lot sizes for that area. All the proposed units will have alley-access and will front on adjacent streets or internal common mews. A traffic study was not required by ACHD.

The proposed development is relatively compact in relation to the larger Apex/Pinnacle development and is located in close proximity to future neighborhood commercial services to the east at the corner of Locust Grove and Lake Hazel Roads, including a new public library and an amphitheater where a variety of public events will be held. It's also located in close proximity to Discovery Park ½ mile to the east on the south side of Lake Hazel Rd.

It's well-connected with pedestrian pathways and incorporates attractive landscaping and high-quality architectural design and materials to ensure quality of place. The proposed development is consistent with the development guidelines in the Comprehensive Plan and with the recorded development agreement.

**Table 4: Project Overview**

| Description       | Details  |
|-------------------|--|
| History           | Ord. #16-1670 (AZ H-2015-0019 South Meridian); H-2020-0066 [(MDA) DA Inst. # <a href="#">2020-178120</a> ]; H-2020-0066 (RZ Ord. #20-1910) |
| Phasing Plan      | 1 phase  |
| Residential Units | 64 single-family residential detached units & one (1) large lot for future development   |

| Description       | Details  |
|-------------------|--|
| Open Space        | 2.27-acres (27.6%)                               |
| Amenities         | Multi-sport court with artificial turf           |
| Physical Features | An irrigation ditch crosses this site.           |
| Acreage           | 16.15-acres                                      |
| Lots              | 64 building lots, 11 common lots and 1 other lot |
| Density           | 7.8 units/acre (gross); 13.73 units/acre (net)   |

## B. History

This property was annexed in 2015 with an R-4 (place holder) zoning district as part of the South Meridian Category A annexation and included in a Development Agreement (DA). The property was later rezoned to the R-15 zoning district in 2020 and a new Development Agreement was recorded that removed this property from the original agreement (DA Inst. #[2020-178120](#)).

## C. Site Development and Use Analysis

- Existing Structures/Site Improvements (*UDC 11-1*):  
None
- Proposed Use Analysis (*UDC 11-2*):  
The proposed single-family attached and detached dwellings are listed as a principal permitted use in the R-15 zoning district in UDC Table 11-2A-2.
- Dimensional Standards (*UDC 11-2*):  
Future development shall comply with the dimensional standards for the R-15 district listed in UDC Table 11-2A-7.

*Staff finds the following Policies are applicable to support the proposed development:*

*Comprehensive Plan policy #3.07.00 encourages compatible uses and site design to minimize conflicts and maximize use of land.*

*Comprehensive Plan policy 3.07.01A requires all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.*

## D. Design Standards Analysis

- Qualified Open Space & Amenities (*Comp Plan, UDC 11-3G*):  
A minimum of 15% qualified open space is required to be provided in the R-15 district. Based on the eastern 8.20-acre portion of the site proposed to develop at this time, a minimum of 1.23-acres of common open space is required that meets the minimum quality standards in UDC 11-3G-3A.2 and qualified open space standards in UDC 11-3G-3B.  
  
A total of 2.27-acres is proposed consisting of linear open space; 50% of the landscape buffer along E. Lake Hazel Rd., an arterial street; 100% of the landscape buffer along S. Apex Ave., a collector street; and open grassy areas of at least 5,000 square feet in area (see exhibit in Section VII.E). *Note: Although it's not needed to meet the minimum standard, Lot 69 is below the minimum width of 20' required for linear open space and cannot be counted. Additionally, per current code, when street buffers are counted toward qualified open space, they're required to have enhanced landscaping; however, because the minimum standard is met without inclusion of the street buffers and this wasn't a code requirement when the abutting Apex Northwest development was approved, Staff does not recommend it's required with this application.*

The western 7.94-acres (i.e. Lot 76) proposed to be re-subdivided in the future, is required to comply with the open space and site amenity standards in effect at the time of development.

Based on 8.20-acres, a minimum of two (2) points of site amenities are required; four (4) points of amenities are proposed consisting of an artificial turf multi-sport court in the central common mew area, which meets and exceeds the standard (see detail in Section VII.E). This development will also have access to all other amenities in the larger Apex/Pinnacle development, which include swimming pools, clubhouses, additional open space, trails, play equipment, barbeque grills and covered seating.

2. Landscaping (*UDC 11-3B*):

i. Landscape buffers along streets

A 25' wide street buffer is required along E. Lake Hazel Rd., an arterial street, and 20' wide street buffers are required along S. Apex Ave. and S. Sublimity Ave., both collector streets, landscaped in accord with the standards listed in UDC 11-3B-7C.3. **Because this subdivision isn't being phased, all street buffers are required to be installed with development. The landscape plan should be revised to reflect compliance with the aforementioned standards (i.e. the full buffer width is required to be provided and should be landscaped with a variety of trees, shrubs, lawn or other vegetative groundcover).**

**Street buffers are required to be on a common lot or on a permanent dedicated buffer easement, maintained by the property owner or homeowner's association as set forth in UDC 11-3B-7C.2a; the plat should be revised accordingly.**

ii. Tree preservation

All existing trees and landscaping shall be protected during construction. There are no existing trees proposed for removal.

iii. Storm integration

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

iv. Pathway landscaping

Landscaping is required along all pathways in accord with the standards listed in UDC 11-3B-12C. **The 5-foot wide pathways located on common area lots along the rear of building lots are required to be set off the property line in order to provide a landscape strip along each side of the pathways as set forth in UDC 11-3B-12C.1.**

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

i. Residential parking analysis

Off-street parking is required per the standards listed in UDC Table 11-3C-6; the number of parking spaces is based on the number of bedrooms per unit. On-street parking along adjacent public streets (i.e. E. Phenomenal St. and S. Apex Ave.) is also available for guests.

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

Conceptual building elevations were submitted for the proposed attached and detached units as shown below in Section VII.F. **The single-family attached units require design review approval and are subject to the residential design standards in the Architectural Standards Manual. Additionally, the DA requires development to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place consistent with the Comprehensive Plan (see pg. 3-10).**



The DA also requires the rear and/or sides of structures on lots that face E. Lake Hazel Rd. (i.e. Lots 40-49 and 51-58, Block 1) and S. Apex Ave. (i.e. Lots 13, 15, 39 and 40, Block 1) to 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.

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

No fencing is depicted on the landscape plan. The UDC (11-3A-7A.7) requires the developer to construct fences abutting pathways and common open space lots to distinguish common from private areas; fencing should be depicted on a revised landscape plan along with a detail of the fencing type proposed *or* alternative compliance may be requested to the standard.

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

Parkways are required to comply with the standards listed in UDC 11-3A-17E. Existing 8-foot wide parkways are depicted on the landscape plan with trees and landscaping.

*Comprehensive Plan policy #2.02.02F states that new development within existing residential neighborhoods should be cohesive and complementary in design and construction.*

**E. Transportation Analysis**

**Level of Service Planning Thresholds**

**1. Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

| Roadway           | Frontage   | Functional Classification | PM Peak Hour Traffic Count | PM Peak Hour Level of Service |
|-------------------|------------|---------------------------|----------------------------|-------------------------------|
| E Lake Hazel Road | 1,213-feet | Principal Arterial        | 167                        | Better than "E"               |
| Locust Grove Road | 0-feet     | Minor Arterial            | 181                        | Better than "E"               |
| Apex Avenue       | 554-feet   | Collector                 | N/A                        | N/A                           |
| Sublimity Avenue  | 554-feet   | Collector                 | N/A                        | N/A                           |
| Phenomenal Street | 1,213-feet | Local                     | N/A                        | N/A                           |

\* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

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

\* Acceptable level of service for a two-lane collector is "D" (425 VPH).

\*\* ACHD does not set level of service thresholds for local roadways.

## ACHD Planned Improvements

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

- Amity Road is scheduled in the IFYWP to be widened to 5-lanes from SH-69 (Meridian Road) to Locust Grove Road with a design year 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 2027-2928, 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.
- Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from SH-69 (Meridian Road) to Locust Grove Road and is currently under construction.

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

Residential units will be accessed via alleys from local and collector streets abutting the site. The proposed alleys accessing S. Apex Ave. are in alignment with those across the street in Apex Northwest Subdivision No. 1. Direct lot access via E. Lake Hazel Rd., an arterial street, is prohibited.

**Address signage should be provided at the alley entrances off the public streets for homes that don't have frontage on a public street. Address numbers shall also be provided on the rear of structures visible from the alley for emergency responders.**

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

A 10-foot wide detached multi-use pathway is required within the street buffers along E. Lake Hazel Rd. and S. Sublimity Ave. within a 14-foot wide public use easement per the Park's Dept. if they're located outside of the adjacent right-of-way; otherwise, an easement is not required.

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

Five-foot wide pathways and micro-paths are proposed in internal common areas for interconnectivity within the development and adjacent developments.

*Comprehensive Plan policy #2.02.01A states, "With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities."*

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

Detached sidewalks are proposed adjacent to public and private streets in accord with UDC 11-3A-17.

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

One (1) private street is depicted on the plat as Street A. The purpose statement for private streets in UDC 11-3F-1, states it's not the intent to approve private streets for single-family developments other than those that create a common mew through the site design or that propose a limited gated residential development. A mew is proposed on the eastern portion of the development; the development is not proposed to be gated.

**A private street application must be submitted for approval of the proposed private street that complies with the standards listed in UDC 11-3F-4 and may be submitted with the final plat application. Approval from the transportation authority (i.e. ACHD) and the Fire Dept. is required. Approval of the street name is also required from the Ada County Street Name Committee.**

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

i. Dead end streets

The proposed private street dead ends at approximately 438-feet but will connect to alleys to the east and presumably to the west with future re-subdivision of Lot 76.

ii. Block face

The proposed block face complies with UDC 11-6C-3F.

**F. Services Analysis**

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

The Watkins Drain, a private irrigation facility, crosses this site. Per Idaho State Statutes, Title 42, local irrigation/drainage ditches that cross this property to serve neighboring properties must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors. **A 25-foot wide maintenance easement is proposed over the drain and should be depicted on the plat.**

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

An underground pressurized irrigation system is required to be installed to provide irrigation to each lot in the subdivision in accord with the standards listed in UDC 11-3A-15.

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

An adequate storm drainage system shall be required in all developments in accord with the city's adopted standards, specifications and ordinances. Design and construction shall follow Best Management Practice as adopted by the city.

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

Utilities are required to be installed in the proposed development as set forth in UDC 11-3A-21.

**IV. CITY/AGENCY COMMENTS & CONDITIONS**

**A. Meridian Planning Division**

1. The final plat shall substantially comply with the approved preliminary plat as set forth in UDC 11-6B-3C and with the provisions of the development agreement associated with H-2020-0066 (Inst. #[2020-178120](#)).

2. All single-family attached units shall comply with the design standards in the Architectural Standards Manual. A design review application shall be submitted for approval of the proposed structures prior to submittal of building permit applications.

3. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place consistent with the Comprehensive Plan (see pg. 3-10) per the development agreement.

4. The rear and/or side of structures on lots that face E. Lake Hazel Rd. (i.e. Lots 40-49 and 51-58, Block 1) and S. Apex Ave. (i.e. Lots 13, 15, 39 and 40, Block 1) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections,

- recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
5. The final plat submitted with the final plat application shall include the following revisions:
    - i. Depict the required street buffers (i.e. 25-feet along E. Lake Hazel Rd. and 20-feet along S. Sublimity Ave. and S. Apex Ave.) on a common lot or on a permanent dedicated buffer easement, maintained by the property owner or homeowner's association as set forth in UDC 11-3B-7C.2a.
    - ii. Depict 14-foot wide public pedestrian easements for the multi-use pathways along S. Sublimity Ave. and E. Lake Hazel Rd. if they're located outside of the adjacent right-of-way; include the recorded instrument numbers of the easements.
    - iii. Depict a 25-foot wide maintenance easement over the Watkins drain.
    - iv. Include a note that prohibits direct lot access via E. Lake Hazel Rd., S. Apex Ave. and S. Sublimity Ave. other than those accesses specifically approved with this application.
  6. The landscape plan submitted with the final plat application shall be revised as follows:
    - i. Depict a 25-foot wide street buffer along E. Lake Hazel Rd., an arterial street, and 20-foot wide street buffers along S. Apex Ave. and S. Sublimity Ave., both collector streets, landscaped with a variety of trees, shrubs, lawn, or other vegetative ground cover in accord with the standards listed in UDC 11-3B-7C.3.
    - ii. Depict landscaping along all pathways as set forth in UDC 11-3B-12C. The pathways located on common area lots along the rear of building lots shall be set off the property line in order to provide a landscape strip along each side of the pathways in accord with the standards in UDC 11-3B-12C.1.
    - iii. Depict fencing abutting pathways and common open space lots to distinguish common from private areas as set forth in UDC 11-3A-7A.7 *or* alternative compliance may be requested to the standard.
    - iv. Depict a 10-foot wide multi-use pathway along the east side of S. Sublimity Ave. as well as along E. Lake Hazel Rd.
  7. All required street buffers shall be installed with development of the subdivision, including those on Lot 76, Block 1.
  8. Submit 14-foot wide public pedestrian easements for the multi-use pathways along S. Sublimity Ave. and E. Lake Hazel Rd. as required by the Park's Dept. *if* they're located outside of the adjacent right-of-way.
  9. Stormwater integration shall comply with the standards listed in UDC 11-3B-11C.
  10. Address signage shall be provided at the alley entrances off the public streets for homes that don't have frontage on a public street. Address numbers shall also be provided on the rear of structures visible from the alley for emergency responders.
  11. A private street application shall be submitted concurrently with the final plat application for approval of the private street. Compliance with the standards listed in UDC 11-3F-4 is required.

12. The preliminary plat shall become null and void if the Applicant fails to obtain the City Engineer's signature on the final plat within two (2) years of the approval of the preliminary plat as set forth in UDC 11-6B-7A; or obtain approval of a time extension as set forth in UDC 11-6B-7C.

See the Agency Comments folder in the project file in the public record for other City and Agency comments and conditions: *(copy the link into a separate browser)*

<https://weblink.meridiancity.org/WebLink/browse.aspx?id=360421&dbid=0&repo=MeridianCity>

## V. FINDINGS

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

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

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code;  
*The City Council finds the proposed plat is 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 City Council finds public services are currently being extended and will be available to serve the site and will be adequate to accommodate the proposed development.*
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;  
*The City Council finds the proposed plat is in conformance with scheduled public improvements in accord with the City's CIP.*
4. There is public financial capability of supporting services for the proposed development;  
*The City Council finds there is public financial capability of supporting services for the proposed development.*
5. The development will not be detrimental to the public health, safety or general welfare; and  
*The City Council finds the proposed development will not be detrimental to the public health, safety or general welfare.*
6. The development preserves significant natural, scenic or historic features.  
*The City Council is unaware of any significant natural, scenic or historic features that need to be preserved with this development.*

## VI. ACTION

### A. Staff:

Staff recommends approval of the proposed preliminary plat with the conditions listed above in Section IV.

### B. Commission:

The Meridian Planning & Zoning Commission heard these items on November 7, 2024. At the public hearing, the Commission moved to recommend approval of the subject PP request.

#### 1. Summary of Commission public hearing:

- a. In favor: Amanda McNutt, Brighton Corp.

- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Amanda McNutt, Brighton Corp.
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
  - a. The Applicant submitted a letter agreeing with the staff report conditions.
- 3. Key issue(s) of discussion by Commission:
  - a. None
- 4. Commission change(s) to Staff recommendation:
  - a. None
- 5. Outstanding issue(s) for City Council:
  - a. None

**C. City Council:**

The Meridian City Council heard this item on December 10, 2024. At the public hearing, the Council moved to approve the subject PP request.

- 1. Summary of City Council public hearing:
  - a. In favor: Amanda McNutt, Brighton Corp.
  - b. In opposition: None
  - c. Commenting: Brian White
  - d. Written testimony: Amanda McNutt, Brighton Corp.
  - e. Staff presenting application: Sonya Allen
  - f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
  - a. Mr. White expressed concern with the high cost of Comprehensive Plan map amendment applications and concerns pertaining to development requirements for his property;
  - a. The Applicant submitted a letter agreeing with the staff report conditions.
- 3. Key issue(s) of discussion by Council:
  - a. None
- 4. Council change(s) to Commission recommendation:
  - a. None

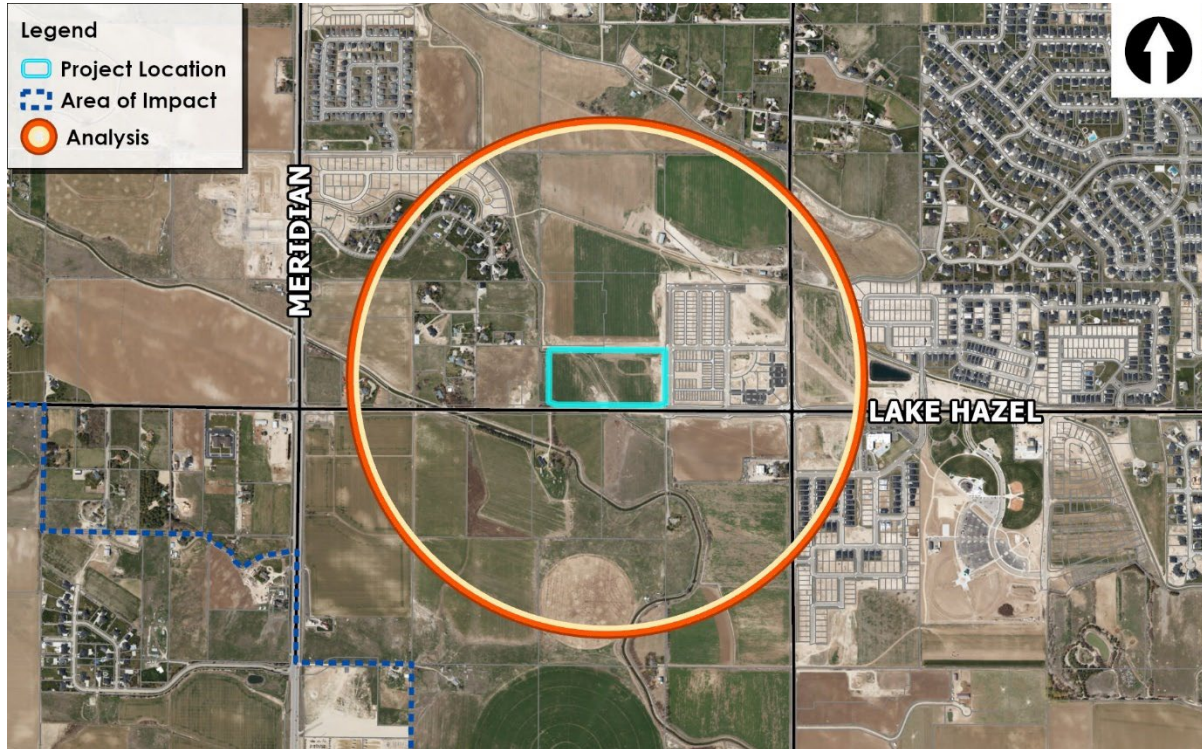


## VII. EXHIBITS

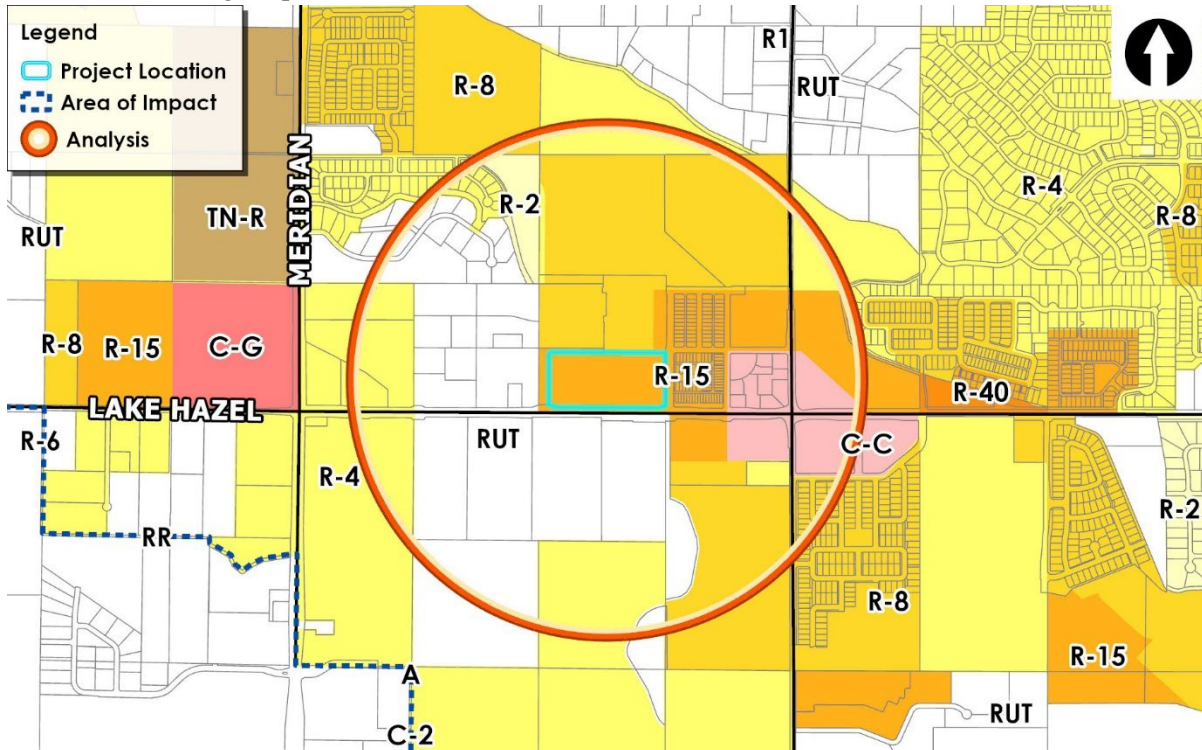
### A. Project Area Maps

(link to [Project Overview](#))

#### 1. Aerial

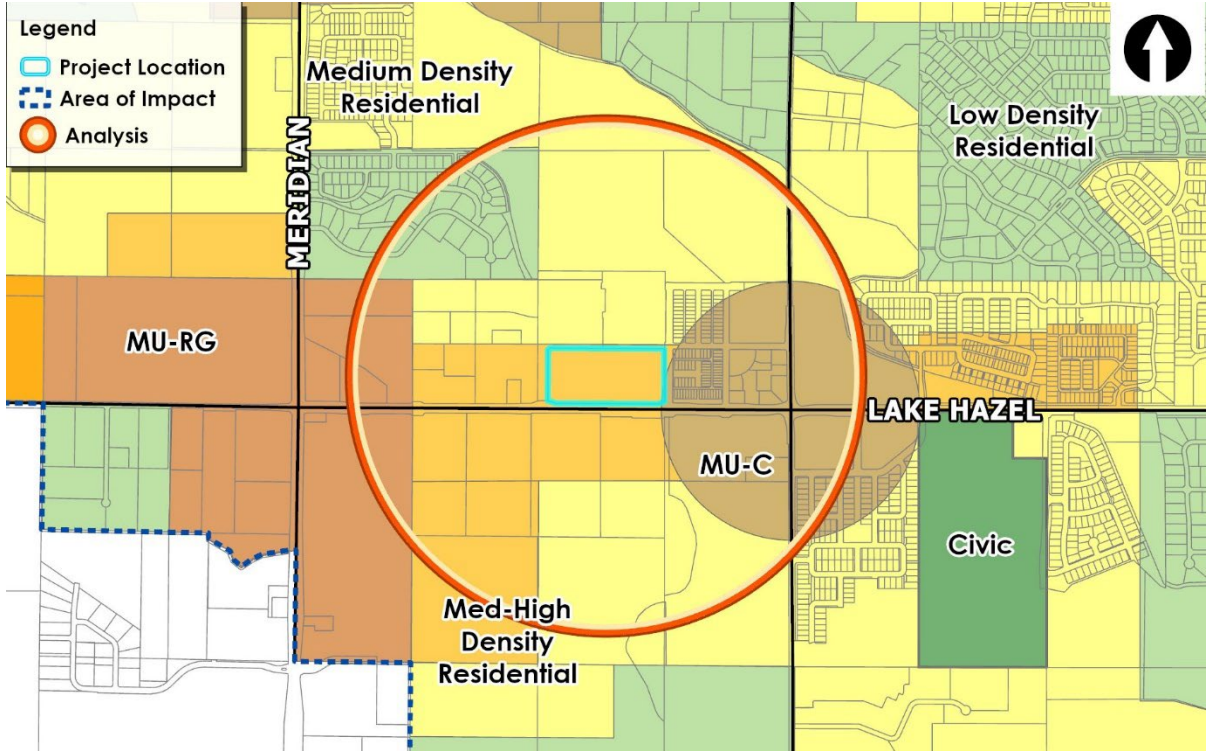


#### 2. Zoning Map

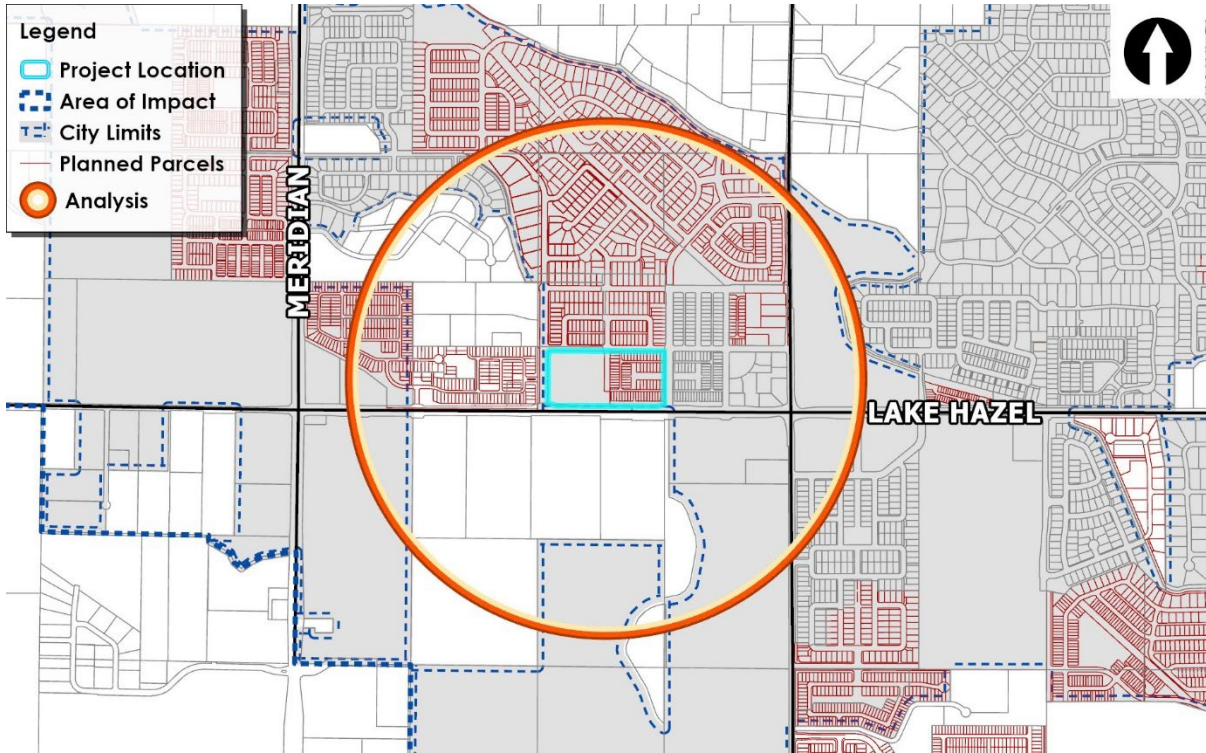




3. Future Land Use



4. Planned Development Map





**B. Service Accessibility Report**

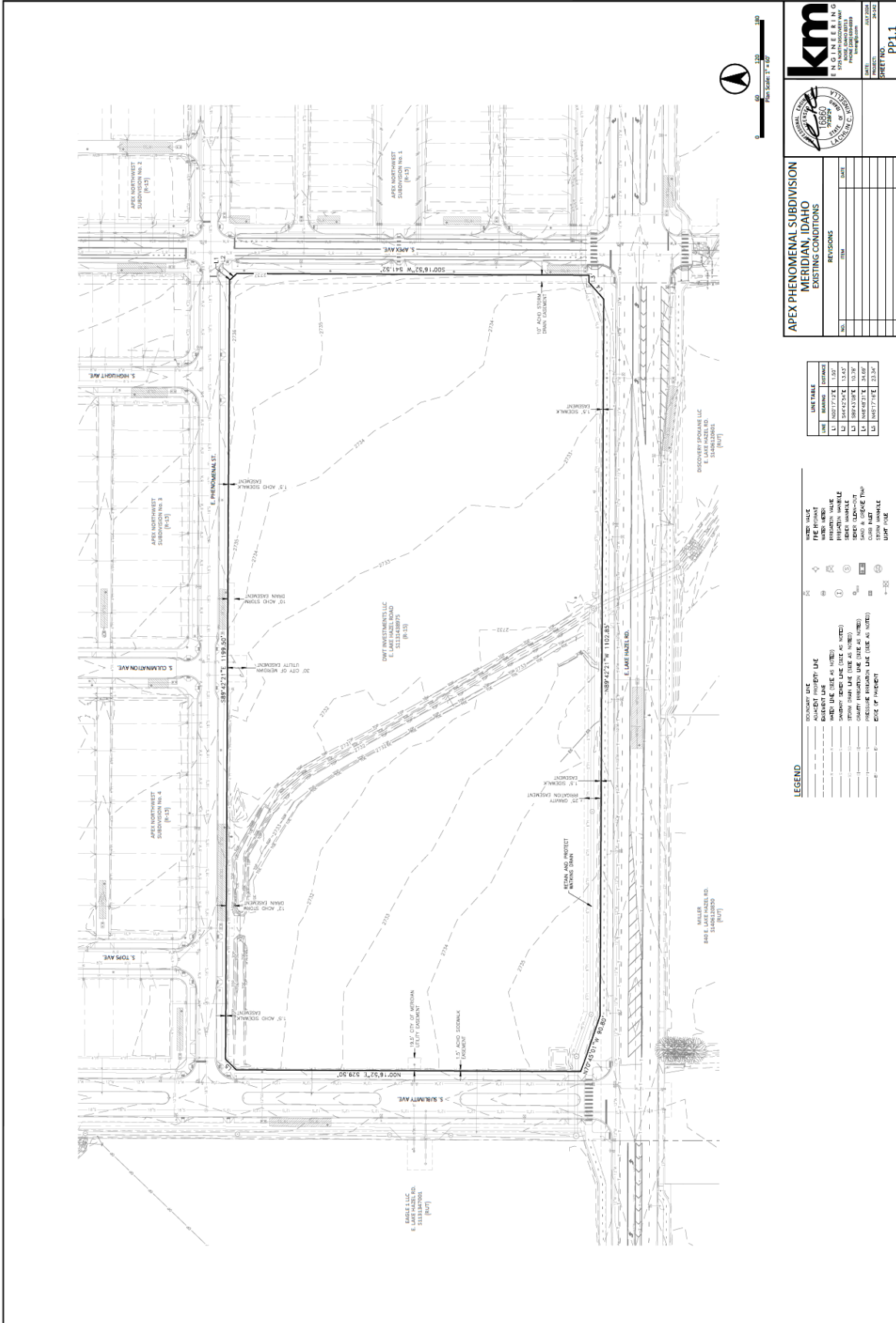
**PARCEL S1131438975 SERVICE ACCESSIBILITY**

|                          |                       |
|--------------------------|-----------------------|
| <b>Overall Score: 18</b> | <b>7th Percentile</b> |
|--------------------------|-----------------------|

| <b>Criteria</b>               | <b>Description</b>  | <b>Indicator</b> |
|-------------------------------|---|------------------|
| 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            |

Report generated on 10-24-2024 by MERIDIAN\sallen





**km**  
 KENNETH M. KIMMEL  
 REGISTERED PROFESSIONAL ENGINEER  
 LICENSE NO. 100077712  
 EXPIRES 12/31/2024

**REVISIONS**

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

**DATE TABLE**

| DATE       | DESCRIPTION                           |
|------------|---------------------------------------|
| 12/15/2023 | PRELIMINARY                           |
| 12/15/2023 | 15' KOHD SEWER                        |
| 12/15/2023 | 15' KOHD WATER                        |
| 12/15/2023 | 20' CITY OF MERIDIAN UTILITY EASEMENT |
| 12/15/2023 | 15' KOHD SEWER                        |
| 12/15/2023 | 15' KOHD WATER                        |

**LEGEND**

| SYMBOL | DESCRIPTION                      |
|--------|----------------------------------|
| ---    | BOUNDARY LINE                    |
| ---    | ADJACENT PROPERTY LINE           |
| ---    | WATER MAIN (USE AS NOTED)        |
| ---    | SEWER (USE AS NOTED)             |
| ---    | UTILITY (USE AS NOTED)           |
| ---    | EXISTING EASEMENT (USE AS NOTED) |
| ---    | PROPOSED EASEMENT (USE AS NOTED) |
| ---    | EXISTING DRIVE                   |
| ---    | PROPOSED DRIVE                   |
| ---    | EXISTING SIDEWALK                |
| ---    | PROPOSED SIDEWALK                |
| ---    | EXISTING CURB                    |
| ---    | PROPOSED CURB                    |
| ---    | EXISTING DRIVE                   |
| ---    | PROPOSED DRIVE                   |
| ---    | EXISTING SIDEWALK                |
| ---    | PROPOSED SIDEWALK                |
| ---    | EXISTING CURB                    |
| ---    | PROPOSED CURB                    |



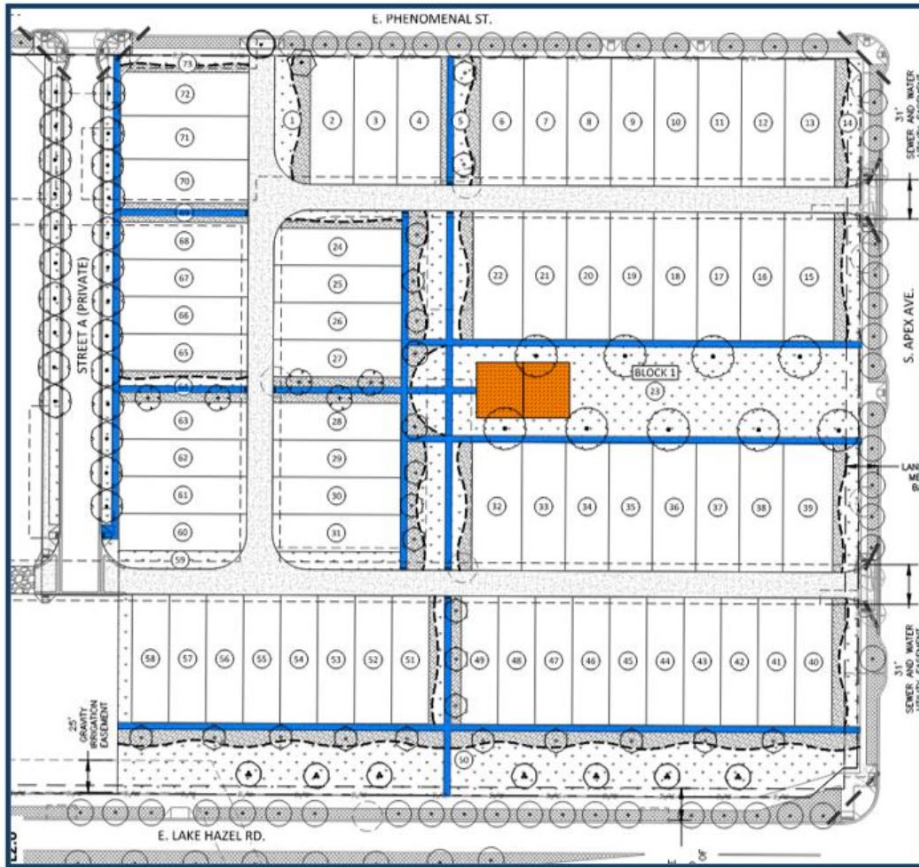








New sidewalk locations (blue) and multisport court location (orange).



Multisport artificial turf court example





## F. Conceptual Building Elevations

Single Family Detached Carriage Lane



Single Family Attached (Paired) Carriage Lane

