



CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, August 11, 2020 at 6:00 PM

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Agenda

VIRTUAL MEETING INSTRUCTIONS

Limited seating is available at City Hall. Consider joining the meeting virtually:

<https://us02web.zoom.us/j/86787561107>

To call in: 1-669-900-6833

Webinar ID: 867 8756 1107

ROLL CALL ATTENDANCE

Jessica Perreault

Joe Borton

Brad Hoaglun

Treg Bernt

Liz Strader

Luke Cavener

Mayor Robert E. Simison

PLEDGE OF ALLEGIANCE

COMMUNITY INVOCATION

ADOPTION OF AGENDA

PUBLIC FORUM – Future Meeting Topics

The public are invited to sign up prior to the start of the meeting to address their elected officials regarding matters of general interest or concern of public matters. This time is reserved for general topics and not specific to an active land use/development application. By law, no decisions can be made on topics presented under this public comment section. However, the City Council may request that the topic be added to a future meeting agenda for a more detailed discussion or action. The Mayor may also direct staff to further assist you in resolving the matter following the meeting.

ACTION ITEMS

Public Hearings related to land use applications follow this process: Once the hearing is opened, City Staff will present their analysis of the application. Following this, the applicant will allowed up to 15 minutes to present their application. Following any questions that may be asked by

Council, members of the public are allowed up to 3 minutes each to address Council regarding the application. If a person is representing a Homeowner's Association, indicated by a show of hands, they may be allowed up to 10 minutes, provided those they are representing are yielding their time. Following all public testimony, the applicant is allowed an additional 10 minutes to respond to comments. Council may ask additional questions, and then close the public hearing. Once the hearing is closed, not further testimony will be heard.

City Council may move to continue the item to a future meeting or may vote to approve or deny the item with or without changes presented. The Mayor is not a member of the City Council and pursuant to Idaho Code does not vote on public hearing items, unless to break a tie-vote.

1. Public Hearing for Landing South (H-2020-0005) by Jim Jewett, Located at 660 S. Linder Rd.

Applicant is Requesting Continuance to August 25, 2020

A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.

B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.

2. Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

A. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium-density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site.

B. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.

3. Public Hearing for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.

A. Request: Annexation of 14.87 acres of land with an R-15 zoning district.

B. Request: A Preliminary Plat consisting of 44 buildable lots and 4 common lots on 14.87 acres of land in the R-15 zoning district.

4. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Generally Located East of S. Meridian Rd. and North of E. Columbia Rd.

A. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan.

B. Request: Annexation of 40.09 acres of land with an R-2 zoning district.

C. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 (144.78+ 119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

5. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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

6. Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Public Hearing for Landing South (H-2020-0005) by Jim Jewett,
Located at 660 S. Linder Rd.

Applicant is Requesting Continuance to August 25, 2020

- A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 11, 2020

Topic: **Public Hearing for Landing South (H-2020-0005) by Jim Jewett, Located at 660 S. Linder Rd.**

- A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.
 - B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.
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Information Resources:

[Click Here for Application Materials](#)

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Fitzgerald: Commissioner Holland, go right ahead.

Holland: Just to put it on the record, I think when Council looks at this, if they decide to go a different route than the denial route from our recommendation, if they were going to consider still approving it, I would say they would need to see a different plat with more significant open space, more centralized, that shows at least that usability and, then, resolve some of these issues that we have been chatting with tonight if they wanted a chance to have Council look at another option there.

Fitzgerald: And I agree. That said, all those in favor of recommending denial of H-2020-0006 say aye. Any opposed? Motion passes. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT.

4. Public Hearing Continued from June 4, 2020 for Landing South (H-2020-0005) by Jim Jewett, Located at 660 S. Linder Rd.

- A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.

Fitzgerald: Thanks, Joe. We appreciate it. Moving on to the next item on our agenda, which is the public hearing for Landing South, file number H-2020-0005, and let's start with the staff report.

Allen: Thank you, Mr. Chair. This application was before you a while back. The Commission continued this project in order for the applicant to work with ACHD to facilitate a construction entrance off of Linder Road until initial occupancy and reconfigure the plans to include a pathway between Lots 58 and 59 that complies with UDC standards and specifically fencing standards, possibly reduce the density or modify the design to improve parking and internal circulation and revise the east lots to more of an R-4 size. So, the plan there on your left is the original plat that was submitted. The applicant has submitted a revised plat shown on the right that depicts two fewer buildable lots for the Commission's consideration in response to their direction at the hearing on June 4th. They plan to retain the existing 50 inch silver maple tree on the site, which will reduce their mitigation requirements to 17 inches and that is in regard to condition number 3-B. ACHD will allow a temporary construction entrance off of Linder Road during development of the subdivision, but not during home construction. There are two on-street parking spaces and two additional spaces at the end of each of the two common driveways for a total of six spaces, in addition to those provided on individual lots and garages and parking pads. Private sidewalks are proposed to each of the lots from the sidewalk along Linder Road. A common lot with a pathway from Spoonbill to Linder Road is not proposed and the lots on the east side of the development were increased to have an R-4 size, 8,000

square feet. The applicant is here tonight and can respond to any questions you have on this revised plan.

Fitzgerald: Thanks, Sonya. Are there any questions for staff?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Sonya, I have a question with the preliminary plat that we received this afternoon. I'm having a hard time understanding what I'm looking at. Could you walk me through that a little bit just in terms of Lot 62, 63, 64 and 65? I don't fully understand what --

Allen: Yes. Mr. Chair, Commissioner Grove, Commissioners, they have reduced the plat by two lots on the east side, the two buildable lots. They have created flag lots. So, the original lots, if it helps, are shown in a lighter gray color and, then, the new lot lines are shown in black. So, these are flag lots you are looking at here and they are required to have a minimum 30 feet street frontage. So, that is what they are proposing. This is a common driveway right here for access to these two lots and, then, again, these are the configuration of the new lots. For the record, staff's really not in support of the proposed revised plat.

Grove: Follow up questions?

Fitzgerald: Go right ahead.

Grove: What -- do you -- I guess I'm just struggling. What is the piece for Lot 64 that's in between 65 and 63 on the east side?

Allen: I'm not really sure. Let's have the applicant answer that.

Grove: Okay.

Holland: I had the same question.

Fitzgerald: Any additional comments or questions for the staff? I think the applicant is going to have to walk through that preliminary plat with us -- or for us.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Sonya, could you repeat what you said there? I think you said that staff is not in favor of the current layout, is that what you said?

Allen: Yeah. The configuration of the lots are really wonky and -- yeah. Prefer the former plat between the two anyway.

Fitzgerald: Do you have follow up, Bill?

Cassinelli: No. I was looking for more of a reason, but I guess wonky is --

Fitzgerald: It's good enough.

Allen: It's an official term now.

Cassinelli: Yeah. Well -- and you said you prefer the -- you prefer the -- the original. We are talking about those 62, '3, '4, '5 versus the six lots that were over there. Yeah. I think it was six. Okay.

Pogue: Mr. Chair? Sonya or Bill, is there any chance you could use the yellow like crayons to draw each of the lots that are now depicted to make it clear? So, Commissioner Grove, I had the same question earlier and it did help to actually see them drawn out.

Allen: Well, I can -- Bill's the color, I am not, Andrea. If you can see my cursor here I can trace the outline of the lot. Like I said, it's the black line, it's not the gray line, so that's that lot. This is the flag for this lot that comes in. This is that lot. And, then, right here is the flag to this back lot.

Pogue: Thank you.

Fitzgerald: Commissioner Grove, did that help? Because I think you -- and we will get the applicant to explain it, but I think you're seeing an overlay with the gray behind it with the old layout, so --

Grove: Yeah. It's not that I couldn't see each, but I just don't understand it, I guess, like --

Fitzgerald: I'm with you, man. And I had the same question during our meeting earlier today, so --

Grove: Okay.

Fitzgerald: Is there additional questions for staff? If not, we will have the applicant come up and explain it so we can get a better handle on it, because I'm with you, that's what I want as well.

Jewett: So, it's Jim -- Jim Jewett at 776 East Riverside Drive, Suite 204, Eagle, Idaho. Can everybody hear me okay?

Fitzgerald: Yeah. Go ahead, Mr. Jewett.

Jewett: Thank you. So, at our last hearing there was a lot of discussion about changing the lots to the east to a more R-4. So, I drove my engineers crazy with trying to create an R-4 lot when you had such limited right of way frontage in which to configure and so we had to use these series of flag lots to maintain the minimum frontage on the public right of way and not use a common driveway. So, what you see is -- is the result of that and, for example, that one little panhandle that goes out to the east between -- and -- and I can't look at the lot numbers on my small screen, I'm sorry. That's just what was left over to make the one triangle'ish looking lot 8,000 square feet. That's all it is. This is -- this is what it looks like. I'm not in favor of it at all and the reason we overlaid it over the old plat was to illustrate how it doesn't work and I tried every other avenue, but if I went back to the common driveways it just made sense to stay with our original plat. So, we are here tonight to support our original plat and I believe that the staff is in the same position and, you know, my planner submitted a letter putting in support for why our regional plat extends and with that I will stand for your questions. I'm sure you will have many more for me.

Fitzgerald: Appreciate it. Commissioner Holland, go right ahead.

Holland: So, in the way that you reconfigured the new lot -- I appreciate you trying to meet our request and eliminate a couple of lots to make it fit better. If you went back to your original plat -- and maybe I -- I mean keep the -- you have got your common drive, but still reduce a couple of lots on there and reconfigure how much space they had, was that not something that was a possibility there?

Jewett: And, I'm sorry, I don't know which Commissioner is talking.

Holland: This is Commissioner Holland.

Jewett: Okay. So, Commissioner Holland, without -- not using the common drive, because what I took from the last hearing was to change the flow and not utilize a common drive, you have to maintain frontages and that only exception is when you use common drives. So, we only have so much frontage to use, so unless we simply kept the common drive and just made the lots bigger, that would be the only other option.

Holland: Well, I think that's what my question is, too, is would you be willing to consider maybe eliminating one of those lots to make those bigger, so you have less number of homes off of that common drive. I think that was our challenge before is we just didn't like that there were one, two, three drive aisles off of that one common drive and, then, there were two off of the -- or three off of the other one, because there is just a lot of homes coming off of that hammerhead there and so if there was the ability to keep a similar configuration, but maybe eliminate one or two lots, making less homes off of those access points, that might be more favorable.

Jewett: Commissioner Holland, certainly that -- we can reduce lots. In looking at it I would think that the reduction would probably be off of the public street, not the common drive. The common drive in its configuration and trying to get to those lots to the east are going to mandate that there is three lots on it regardless of what I do. So, if you lose a lot it will most likely be up to the north on the public frontage. So, I don't know how that helps anybody and I will give you the other side of that story and that is the way we configure now with the six slots, we have a similar size that we have in our existing previous phase, which was the Landing Number 13 and we offered product in that phase in the high 200s to the low 300s with an occasional home being larger into the mid 300s and an affordable product in Meridian right now. If I lost a lot I would simply average that value back into the other lots and you would take in that affordability and notch up, so you would have no more homes in the three -- are low two -- high two and low threes and you would start in the mid threes and I just don't know if that's really what's necessarily needed in Meridian right now is to have more expensive homes. I think we need to fill that medium income family and that's what this lot is intended to do. So, the answer to your question is yes and all I would do is change price points and I guess I would ask if that's really what you want us to do.

Fitzgerald: Well, in follow up to that, Mr. Jewett, because I wasn't here for the original hearing for this, but my understanding is you have duplexes on the west side of the road, whichever side you are looking at, and, then, single family homes on the east; is that correct?

Jewett: That's correct.

Fitzgerald: So, I mean we are -- you are putting in quite a bit -- I mean a large amount of homes in a pretty small space and I understand that we are trying to match price point and those kinds of things, but we also need to make sure we are being safe and not causing a little bit of chaos in that area. So, just -- just want to make sure that's on the record and everybody understands it.

Jewett: So, Commissioner Fitzgerald I believe is who --

Fitzgerald: Yes, sir.

Jewett: Yes, to provide a diversity of housing and to provide the -- along Linder Road, other than the back of people's homes, we did design a duplex product that would front face off of Linder and rear access off of this interior road, which is a unique design that I think that the Commission was in favor in our original hearing. I said I'm -- if -- if the desire of the Commission is to lose a lot and that's the recommendation that I can accept, I just want to make sure that everybody is aware that it just is a rebalance of value and from my original submittal to the city the staff asked me to lose a lot and which I did. So, that would be a total of a two lot reduction from my original proposal. You guys only saw the first lot reduction. This would be a second lot reduction.

Fitzgerald: Additional questions for the applicant?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli, go right ahead.

Cassinelli: Yeah. Can -- correct me if I'm wrong, but the last time that we looked at this wasn't there an issue with -- and I -- and I don't have the street name there, but wasn't there an issue with the width there and access in and out of that? Wasn't that one of the big issues we faced? And if that's correct can you -- can you address that and where we stand, so if the street got wider?

Jewett: Commissioner Cassinelli, I don't believe the street width was an issue, I think that the terminology that we used in the motion was -- or their recommendation was that I tried to improve the flow and I took that to mean that -- to lose the private drive -- the common driveway. I don't recall a discussion specific to width of the street. Our street width is the same width as a street that comes out of the Landing Number 13. We haven't reduced it below that -- that section, which is at 33 foot back to back.

Cassinelli: And maybe I'm thinking of something else. So thank you.

Holland: Mr. Chair, one more quick follow up question. I read in the staff report about the -- the sidewalk that was connected over to the main road, because we had asked for some sort of sidewalk or pathway that would connect between the homes and it didn't meet pathway requirements, but there was going to be some sort of private sidewalk. Can you just expand that for us?

Jewett: Certainly, Commissioner Holland. At the first hearing there was a discussion of making a little bit more interconnectivity to Linder Road from the cul-de-sac and we had talked about potentially putting a pathway between the lower two duplexes and the other duplexes. Sonya pointed out that had to meet the pathway standards if we put any pathway at all. We looked at that and it reduced the lots too greatly that we would end up losing one entire lot and so we opted just to keep that private -- our connectivity from the sidewalk to the front private amongst those duplexes and their lots, not making it public. Still the public pathway exists along the canal, the Kennedy, which I have built from the first phase -- or in the Landing Number 13, just to the north of the subdivision. Interconnectivity to Linder still exists there, second public pathway within a hundred or so feet of the other one and to have to lose a lot for that didn't seem appropriate.

Holland: So, that -- just to clarify, that private -- private sidewalk, is that still something people could use if they were living in this subdivision and wanted to walk to Linder Road?

Jewett: Certainly. If they -- and most specifically is for anybody that's at the cul-de-sac that wants to reach the front door of any of those duplexes, that's their way of accessing to there. So, certainly anybody else would be able to use it as well. It just wouldn't be meeting the public standards for a pathway and open space, which we didn't need the additional open space and since we couldn't encroach anymore on the open space that

we had to our north -- originally I thought I could squeeze up to the north, but I can't. I don't have sufficient room to do that to create that additional path.

Holland: Thank you.

Grove: One question.

Fitzgerald: Yeah. Commissioner Grove, go ahead.

Grove: Jim, question for you on the -- where do we sit with the trash receptacle situation for this project? At one point it was said that there was going to be like a centralized -- is that still the plan and -- or where do we -- which direction are we going in there?

Jewett: Commissioner Grove, yes, staff raised the question of trash early on in our planning process and we had offered to put a centralized trash receptacle -- a dumpster and -- dumpster containers -- I don't know what we call them now. Then we had the fence and -- instead of having individual trash receptacles and that seemed to solve that issue and I believe that is in the staff report that we will put a centralized facility for that trash, instead of the individual cans. The general location -- the general location of that will be between the northerly two duplexes and the southerly duplexes right along the public right of way is where we would locate that. Again, that was conflicting the pathway that we were putting in, too, and where to focus that trash receptacle.

Fitzgerald: Sonya, can you verify that that's in the staff report, because I -- thinking through it I don't recall off the top of my head.

Allen: I'm sorry --

Fitzgerald: Go ahead.

Allen: -- Chair, could you repeat the question?

Fitzgerald: Can you verify that we have -- the requirement in the staff report for a trash receptacle location? Because I -- I'm blanking on the fact if it's in there or not.

Allen: So, an actual trash enclosure, rather than private ones?

Fitzgerald: Yeah. Yes, ma'am.

Allen: No, there is not one.

Fitzgerald: Okay. Would the staff be amenable to that?

Allen: I thought you were asking the applicant if he was amenable to that. Yes, that's an option if you would like it to be.

Fitzgerald: Okay.

Allen: Although I'm not sure where they would put it exactly.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Just a -- I mean if -- if that's something that we condition in here -- I mean the trash enclosure itself has minimums and maximums that it has to be able to fit and I don't know -- with that being a private path already, I don't know that it's going to be there. That would be my -- I kind of share the concern is I don't know where it's going to go in here.

Jewett: Mr. Chairman, Commissioners, what our plan was to locate it between the northerly and southerly set of duplex lots along just west of the public right of way. We would make a trash enclosure there that the trash company once a week would come and unloaded it and we would have a stucco facility or a cement block facility there like you see in some of the commercial projects, albeit a little smaller than those, because it's only going to be servicing this many people. So, it doesn't have to be as large.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I have a follow up on that. Which preliminary plat are -- are you referencing in regards to that configuration, the original or the one with the long driveway things?

Jewett: Commissioner, Grove, good question. It's the original one. So, if you look at -- as I'm looking at my screen it's the one on the left and it's between Lots 58 and 59, those to sideways. The southerly part of one unit, northerly part of the other. It would be located between those two driveways.

Fitzgerald: Additional questions for the applicant? Commissioner Grove, did you get everything squared? Did you get --

Parsons: Mr. Chair?

Grove: Yes. I think I'm struggling with how that's actually going to work, because there are size requirements that are -- need to be kind of factored in that I don't see, especially right at the end of -- or where the shared driveway is. I just have some concerns without knowing how it's been thought through.

Parsons: Yeah. Mr. Chair, this is -- this is staff. If I could chime in.

Fitzgerald: Go ahead, Bill.

Parsons: If I could chime in on the enclosure. So, I think we really have to think about that and the reason why I'm thinking about it is because I'm a Meridian resident and my bill has my tote service in with my water and sewer. So, how is our utility billing companies going to figure out how to charge the appropriate trash for each one of these individual lot owners or how is the HOA going to set up the payment for that? So, to me that becomes a problematic issue that we are passing on to future homeowners in this subdivision and that's something that we do not want to do or encourage. So, I would really take that into consideration in your deliberation tonight that I wouldn't encourage that. Certainly that could be considered a commercial rate charge to those homeowners that could potentially be a higher rate than what they anticipate paying is -- all of us as Meridian residents enjoy now that are pretty low tote rates. So, again, I haven't seen it in my 13 years with the city where we have required an enclosure in a residential subdivision. That's really meant for a commercial setting. So, again, I guess from my perspective I would not be supporting that request and I would encourage you not to do the same. Thank you.

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I was going to ask in case the applicant wanted to address it, but my concern is if you put it between Lots 58 and 59 you may have people that are in that neighborhood that take advantage of that trash enclosure and drop things like furniture or bigger parcels that normally wouldn't be collected by trash carts and, then, you have got a bunch of junk sitting between those two lots that is hard to manage and hard to pin on who dropped it where and I share the same concern that staff just represented. It's tough to figure out the fair distribution of that and I think it would be hard to manage how much trash people would be allowed to have per week as well before they need to, you know, take a run to the dump or something. I think you could have a problem with someone dumping three trash can loads worth of stuff there just because they can. I have a lot of concerns about that, too.

Fitzgerald: Thank you for that and I appreciate, Bill, your input. Thank you. Any additional comments or questions for the applicant? Hearing none, Mr. Jewett, we will come back to you after we take public testimony, if there is any, and we will let you close, sir. Madam Clerk, is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, we didn't have anybody signed in, but I do believe Tony Baggio, who is joining us via Zoom, has his hand raised for this. Tony, one moment, please.

Fitzgerald: Thank you, Madam Clerk.

Weatherly: Tony, you should have the ability to unmute yourself.

Fitzgerald: You can click on the bottom left corner of your screen, there is a mute button on --

Baggio: It does. All right, sir. Let's go.

Fitzgerald: State your name and your address for the record and the floor is yours, sir.

Baggio: All right. Thank you very much. Yeah. It's been a long little thing. So, Anthony Baggio formally. 1414 West Joshua Street, Meridian, Idaho. So, I live in the new development that Jim built and what's being built around the corner is a concern. So, what I would like to understand -- which I didn't get in the conversation -- originally the number a lots for the original preliminary plat was 11, of which there was nine single homes and four duplexes. Now, what's changed is I don't know how many duplexes and single lots, because that was not conferred. So, that's my question, number one.

Fitzgerald: And, Mr. Baggio, we will have Mr. Jewett respond to you when he does his closing, make sure that that's very clear.

Baggio: Okay. Good. Because you have -- okay. So, the reason I bring that up is because the last time we had a TIS done was 2017, before the 28th home was built here. So, the -- the travel and the people getting to Linder have been growing and if we are going to add 60 more cars based on what the Council did with Tanner Creek, which is going to be 550 more cars, we are going to have a big problem. So, I need a TIS. Secondly, I would like to have access -- and I have taught -- I am a director on the HOA for Mallard Landing. We have access for construction, but not for house building. Why can't we have both? That's a request. We have people selling in the original Mallard Landing right across from where I live because of everything happening. They all want to leave, because of the volume of construction traffic. So, what we have here is not a City of Meridian issue, we have an ACHD issue and that -- the Tanner Creek thing and now it's this. So, whoever is running ACHD is not a forward planner. That's second. Then the general trash situation. I wrote down the Council has mentioned their good comments on that and I agree with that. It's ridiculous to have a central dump for duplexes, because Jim Jewett got grant rights for the land that I live on and he got grant rights in the land that he's trying to develop, which is in complete opposition to doing duplexes in Mallard Landing. So, he built his own duplex in our little area and didn't pay the HOA. Now he's going to build four or five -- I don't know how many more, but I'm not very comfortable with somebody who does those types of things. And, then, a central dump site. So, that's it. Thank you very much. I appreciate your time.

Fitzgerald: Thank you, sir. We appreciate you being here tonight. Thanks for participating. If there is anyone else in the public who would like to testify on this application, either via Zoom or in person, please, raise your hand using the Zoom application or raise your hand in the audience, Commissioner Seal will point you out. Not seeing anything on the panelist side or attendee side. Commissioner Seal, we are good in the audience, sir?

Seal: Nobody in the audience.

Fitzgerald: Mr. Jewett, would you like to close. Thank you.

Jewett: Mr. Chairman, it's Jim Jewett again. So, I will answer Mr. Baggio's question. There was a general application and the original proposal that went in front of the neighbors was for seven new residential lots and four duplex lots, totaling 11. After that submittal staff requested that we lose one lot. That resulted in six new residential lots, four duplex lots, and that was the application that came before you in June. So, that is what our request is, is for four duplex lots and six additional residential lots. There was reference to another subdivision. I don't know what that subdivision is, but Mr. Baggio did suggest that we get a TIS. A TIS is -- is not required for an additional traffic count that we have. ACHD has found that all the internal roads meet the requirements of our additional traffic. ACHD and staff are not supportive of any -- putting any additional connections onto Linder Road, so there was no TIS required and there wouldn't be for this many lots. Five hundred lots, yeah, that's -- that's a TSI, but not this. He talked about my grants rights having to do with the subdivision. Yes, I did obtain the grantor's rights for the previous subdivision that will extend to this subdivision. That's a course of business. I don't know if that's really an issue. As I do these annexations I specifically address documents within the HOA documents that provide that I can put a duplex on these additional phases, but not previous phases. Oh. The trash receptacle. I was offering that as a solution to everybody wheeling their trash can to the curb. I wheel my trash cans to the curb. Most of Meridian wheels their trash cans to the curb. There is common driveways all spread out in Meridian and people wheel their trash cans to the curb. So, I'm okay with whichever direction staff and the Council and the Commission wants to go when it comes to trash. I can understand that even in my -- some of my commercial projects I go there and I see trash, but I don't know where it came from and people use them to get rid of stuff. So, I know how trash receptacles can be abused. It was just a way I could offer a solution to what was perceived as a problem having to do with trash receptacles at the curb. Hopefully I would have addressed all of the concerns. With that I would stand for anymore questions.

Fitzgerald: On access, can you address that? That was an ACHD requirement or allowance. Can you talk about that real quick?

Jewett: Yeah. Commissioner Fitzgerald, at the previous hearing it was requested that I inquire. I did inquire and ACHD responded with, yes, during the construction of the subdivision they would allow the temporary access, but not after the road construction was done, because from that point on the -- the individual home construction has to occur through the public streets and I understand their point, they don't have -- no idea the timing of when one home will be built or the next home will be built. In theory we are going to do them all right away, but things happen that change that and they wouldn't want to keep a temporary construction open indefinitely and I get their point and there might be able to be a little room with ACHD if they know that we are going forward with the initial four duplexes right away and allowing that access for those, but I just think that it's not an indefinite thing that ACHD is willing to grant.

Baggio: No. You have to -- no, you have to cut off one of the duplexes to get the rest of the development.

Fitzgerald: Sorry. Mr. Baggio, you had your time. Go ahead, Mr. Jewett. Sorry about that.

Jewett: And so I will continue to work with ACHD and to work with the neighbors. I do understand when the last phase is at the back of any subdivision and all the construction traffic has to go passed the neighbors. I do understand it. I do understand it's an inconvenience. Unfortunately, that's just the way this played out and I will do the best I can in attaining whatever temporary easements I can with ACHD, but I do have to say that construction of the roads and all those dump trucks and cement trucks and grading material won't -- not coming down their street is a great benefit to them, allowing us to utilize our existing access for all that will certainly mitigate a lot of that for the neighbors.

Fitzgerald: Are there any additional questions for Mr. Jewett?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, Commissioner Grove.

Grove: All right. I had a question. You had mentioned being able to -- or be amenable to changing some of the lots to be a different size or shape. Which lots were you considering? Are you talking about Lots 65, 66 and 67 on the original preliminary plat?

Jewett: So, the one lot -- it looks like -- unfortunately, my screen is so small, but it's the three lots to the north of the common driveway going to the east. I would reconfigure those into two lots versus the current three.

Grove: And with that -- just as a follow-up question, with those -- would that street, then, where it is or would you make the cul-de-sac bigger? What -- I guess -- and, then, the access with both -- or for both lots are off of Spoonbill, is that kind of the line of thinking?

Jewett: Commissioner Grove, like I testified earlier, I don't think that reduces the amount of lots that would access to common drive, it would certainly allow the common drive to slide north and make the three lots to the south a little larger and, then, just one lot taking access from the public roads versus two lots and I think that to get to that rear lot without creating a flag lot has to be a common drive. If I turn and made them real skinny that really isn't functional. We just have a real limited frontage along the -- the private -- I mean, excuse me, the public roads. So if we were to lose one more I certainly would want to slide the common driveway slightly north, make the three on the -- lots on the bottom a little deeper and, then, just reconfigure -- have one lot taking access off of Spoonbill and, then, the lot in the back would still take its access of the common drive.

Fitzgerald: Commissioner --

Jewett: And that would -- sorry.

Fitzgerald: Sorry. Go ahead.

Jewett: That would provide for a little -- some additional on-street parking along Spoonbill, having one less driveway cut on that street.

Grove: Thank you. I understand what you are saying. I guess I'm just looking at it a little bit differently and thinking that there would be a way to get better parking up front and have longer lots, but if -- if that's not the direction -- or if that's not feasible I understand, so -- thank you.

Jewett: Commissioner Grove and other Commissioners, I don't -- if you have seen the amount of iterations that we have made on this plat, even before submitting it, it's an in-fill. It's problematic. It's difficult. It's not the easiest thing to do. As you can see in my attempt to make R-4 lots, it -- it is really problematic and we struggled to find a plat even that I was comfortable with submitting. So, I would -- I would just ask you to just please consider all the time I put into this and trying to figure out -- I don't know how I can do the common driveway with one less access. Just -- it's frontage that makes it real problematic.

Seal: Mr. Chair?

Fitzgerald: Sorry. Go ahead.

Seal: Just -- I mean in looking at this I have -- you know, it seems like we have got -- in the current configuration -- and I like what the applicant's attempting to do with facing the homes towards Linder, but it -- I mean there is only so much creativity you can do. I mean I'm kind of getting to -- it seems like we are trying to put ten pounds of apples into a five pound bag here. So, in -- I mean -- and what I'm looking at -- and let's -- instead of trying to go mixed use in here, I mean wouldn't it be simpler to simply have duplexes on both sides of this road, extend the road down to the bottom, and have the turnaround at the bottom of it and call it a day? I mean maybe I'm oversimplifying it, but to me -- I mean there is -- it's a very very small space. I mean either that or, you know, ditch the idea of duplexes and just, you know, do like the land to the south of it, have -- you know, just basically make it a giant turn around with some houses that spring off of it, so -- and -- and I understand this is probably the thousandth hour you have spent on this in the timing of it, so just -- maybe less creativity is something that can be applied here and you will probably rarely if ever hear me say something like that about this, but -- I mean knowing that this is in-fill, I would like to see it filled in, but having it fit a few more criteria would be nice and to me, you know, I think simplifying the road structure and simplifying the layout of it just overall would probably help everybody. I mean that's going to clear up a lot of issues as far as where the trash cans go, how does the Fire Department turn around, you know, on and on and on. For me anyway.

Jewett: I believe that was Commissioner Neal. My screen just says City of Meridian. The -- the idea of putting duplexes on both sides, obviously, simplifies things and I'm certainly not opposed to that. It provides a diversity. I think that the neighbors would rather have seen some level of residential versus all duplexes and I think the mix was appropriate and that's why I went down that path. Again, I appreciate your comments. I

have put a lot of time into it. It is in-fill. It is problematic. Everything I have done here -- I'm not asking for any exceptions to any UDC rule. I have met every UDC rule. I have met every zoning guideline. I'm -- I'm right in the middle of the density, which is appropriate under the Comprehensive Plan. So, I would like to just have a recommendation based on my current plat and we can just go from there.

Fitzgerald: Additional questions or comments for the applicant? Mr. Jewett, thank you for being here tonight, sir. We will deliberate and see where we go from here.

Jewett: Thank you all.

Fitzgerald: Thank you. Can I get a motion to close public hearing?

Holland: So moved, Mr. Chair.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0005, Landing South. All those in favor say aye? Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Who wants to lead off? Commissioner Holland, you are unmuted, does that mean you are -- go right ahead, ma'am.

Holland: I suppose I can. I know Commissioner Cassinelli is unmuted, too, but that's all right, I will go first.

Fitzgerald: I saw you first.

Holland: I -- I really struggle with this one and I know we did last time we heard this, too, and we -- I was a little disappointed that the revised plat wasn't more of a significant change that was actually reasonable for consideration, because we had given them some feedback on what we wanted to see differently and what came back to us was not a practical use of the land. So, I was a little disappointed because we -- we didn't really have another option to look at. We basically just rehashed what we saw last time. It was a little bit disappointing there. But I -- I understand that the applicant has worked really hard on this and I certainly appreciate his creativity and trying to bring a different product than Meridian has seen. A couple of comments I had last time, I -- while I like that the -- the units faced Linder Road to kind of give more of that boulevard feel, it almost still feels out of place to me, because you only have a duplex unit facing Linder and everything else was facing internally and so when you are driving it looks a little -- almost out of place versus what you see in like a downtown Boise or you are used to seeing in a downtown Meridian type thing where everything is facing the main road and you have got the access drives on the back. I still struggle with that concept a little bit, even though I understand where they are trying to go with it. If it went for, you know, a quarter mile or a half mile

and had more consistency or was next door to commercial where there was easy walkability and it was nice to have those houses facing Linder, it could be different, but to me it could be a challenge long term, because it might look like it doesn't fit the rest of the neighborhood over there. So, that's one comment I have. Two, I don't like the idea of the shared trash enclosure. I think we have already kind of covered that, though. I think that can be problematic. We talk about shared drives all the time. I -- I hate seeing more than two driveways off of a shared drive, just because it causes challenges for people backing in, people needing to turn around. If someone has a truck, if someone has a motorhome or whatever it is, you are not likely to have a motorhome if you are living in a duplex, but you still might have friends that want to come over and even though there is a few extra parking stalls in there, I don't know that it's sufficient enough if you are going to have someone over for a Super Bowl party or -- or whatnot. So, it's -- it's a small piece of land and a lot of homes in there and not that it's our job to redesign it, but, you know, if I was looking at this with -- if I was a developer, you know, I could consider maybe doing duplexes on the -- where 57 and 58 are and, then, on the right where -- I'm sorry. I can't see the numbers. Where 67 and 66 are, you could do, you know, two sets of duplexes there where you still get your eight units and, then, use the rest of that cul-de-sac just to build out some nicer big lots and maybe -- maybe have a couple shared drives that go two lots in there. That's probably how I would look at configuring it to make it a little bit better. But I think we are still -- we are not where I feel comfortable with this going through. I think it's -- it's a tough layout to me, especially with the way that you get into it is kind of a winding roundabout and I know I heard from a lot of the neighbors last time we heard this application and they wished that they could access Linder directly, but that's just not an option for us, so it is an in-fill parcel. Could it be a little less dense? I would probably be okay saying that because of where it's located. So, that's where I will start off.

Fitzgerald: Thank you, Commissioner Holland. Commissioner Cassinelli, you are unmuted, so I will let you comment next, sir.

Cassinelli: Okay. I'm going to -- mostly I'm going to echo what Commissioner Holland started off with -- with a -- something that's just driving me nuts when I look at this. Why there wasn't a future stub street coming off of either Waltman or Gander to access this and I think, you know, had this been a big loop going into one of those, I don't think we would be having the -- he wouldn't be trying to -- I love Commissioner Seal's analogies tonight -- trying to squeeze ten pounds of apples into a -- into a five pound box. We wouldn't have that problem I don't think, but no on the central trash. As much as I do -- what Commissioner Holland said, as much as I like that idea of the -- of the front of the duplexes facing Linder, but just with -- with just a small number there it doesn't -- it doesn't fit. I understand the applicant wants to maybe try and have a lower price point in there, but it doesn't fit -- even if we did duplexes on both sides, which might make the street -- the layout work a little bit better. It doesn't -- you are putting a product that doesn't fit the surrounding -- surrounding neighborhood I don't think. So, I -- I hate to tell them to go back to the drawing board, since they have already spent so much time on, but it -- I -- and I get it, I mean it gets difficult, this -- what they are trying to -- trying to in-fill this. It's just -- man, it's a hard piece, especially when you can't take access off of Linder or anything, it's difficult. I sympathize with him on that. I just -- it just doesn't seem to fit the

existing neighborhood right now. I don't have a -- I don't have a magic wand that I could make it happen, but it just doesn't fit for me. So, those are my comments. Not -- not that I'm necessarily opposed to it, it just doesn't fit.

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I would -- you know, we have had comments that he's spent a lot of time on it, but I just -- since we made our comments at the last hearing for this, you know, what was brought back was not a lot of time spent. I don't think it's a reasonable layout to even be considered. So, I think, you know, it -- it is, it's just -- it's trying to fit too much in there or just the wrong product mix, because I think it could be real simple just bringing that road in just a little farther and lining things up around a nice big cul-de-sac, instead of trying to put all these little inlets trying to squeeze all that in. Yeah. And here we are again on another application where we have spent a ton of time a second time. Yeah. I don't know that we do another continuance or just recommend denial on this at this point, since this has always been offered.

Fitzgerald: My thoughts on -- just giving my two cents. I -- we are doing our best to get things squared away and help the applicant get down the road and the staff is doing an amazing job of working with them trying to do that, too. If after the first one we can't get it down the road, then, we got to move it forward in a direction that recommends what we think and so I don't want us as -- we are relatively lay people, it's not our job to redesign projects. We can give them our thoughts and give them the aspects that we can provide, but we got to trust our staff and -- and try to figure out how best to do it. But I -- I'm -- I mean I understand that there was an attempt to do a duplex and, then, modulate into a single family residential -- the buffer in between, but I agree with Commissioner McCarvel's comments exactly, you know, bringing a cul-de-sac in and -- finishing it off with a cul-de-sac and making those all lots that were similar even easier, although you do have a -- backing up to Linder Road, which is kind of a white elephant. So, I think per your comments I agree, I think we have got to help -- like we can give a continuance once, that's great. I think last round -- we did give them two rounds, which was -- didn't seem to help either, so -- then we got to do the application that's in front of us and see where we can go from -- go from there. I don't know if we are making progress in some of these where we are continuing with our thoughts and they -- they are coming back without a great deal of additional thought.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will throw my two cents in really quick. I don't have as much issue with the Linder facing fronts. I -- I understand what the other Commissioners have said. I don't have as much problem with that. I was really looking forward to this application coming back, because I thought that we would get a higher -- or a lot -- different creativity with the layout on the east side of this project and I was excited to see what they came up with and the -- the long driveway piece and weird shapes weren't what I thought they were

going to come back with and I'm just really struggling with both of the preliminary plats that they have shown for the reasons that we mentioned last time and all the things that we have said today. So, I don't know what -- where to go with this, but I still have some concerns.

Fitzgerald: Additional comments? Commissioner Seal, did you have thoughts there?

Seal: No, nothing further. Thank you.

Fitzgerald: Okay. Well, folks -- Commissioner Holland, go right ahead, ma'am.

Holland: I was just going to say I think everybody's kind of on the same page. I -- I would agree that at this point I don't know that continuing is going to help us that much to get where we want to be, so I would lean -- lean towards recommending denial on this project and if Council decides they want to, you know, reconfigure some things and see if they can make it work -- I know we have made a lot of recommendations to the applicant if they wanted to try and revise something before the Council hearing if they still want to try and move forward with a denial recommendation, but the way that it sits right now I just don't feel like it's a good fit for the -- what the city's Comprehensive Plan has, what the -- with the trash enclosures, with the tightness of turnarounds, all those things, there is a lot of challenges with it to me, so -- so, with that I want to be sure I have the right file number here. Hang on. This is Landing South; right?

Fitzgerald: Yes.

Holland: So, after considering all staff, applicant and public testimony, I move to recommend denial to the City Council for file number H-2020-0005 as presented during the hearing on June -- it's not June 4th, but it is July 16th, 2020, for the following reasons: That it doesn't seem to fit the -- the Comprehensive Plan. There are some challenges with turnarounds and access drives and the revised preliminary plat didn't solve some of the issues that we had discussed as a Commission previously.

Cassinelli: I will second that.

Fitzgerald: Have a motion and a second to recommend denial of file number H-2020-0005, Landing South. Any additional comments before we take a vote? Hearing none, all those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Moving on to the next application on the docket --

Parsons: Mr. Chair? Mr. Chair? This is staff.

Fitzgerald: Yes, sir.

Parsons: Before we move on to the next item, could I suggest a five minute break and let staff get re-adjusted so we can start presenting our applications to you?

Fitzgerald: Absolutely. So, let's take a five minute break and go from there.

Parsons: All right. Thank you.

Fitzgerald: Thank you.

(Recess: 8:40 p.m. to 8:45 p.m.)

6. Public Hearing for 2020 Comprehensive Plan Policy Prioritization (H-2020-0073) by City of Meridian Planning Division

- A. Request: To amend the text of the City of Meridian Comprehensive Plan by adding priority levels and assigning responsible department leads to the existing policies of the Plan. This amendment makes no revisions to the text of the Plan, except to add priorities and responsible leads for the policies adopted in December of 2019.

Fitzgerald: So, moving on on the docket, like to open the public hearing for the 2020 Comprehensive Plan Policy Prioritization, H-2020-0073, and we will turn it over to Brian McClure for the staff report. Brian, go ahead, sir.

McClure: Good evening, Commissioners. I'm here tonight to discuss the Comprehensive Plan text amendment with you. Really briefly, though, the current Comprehensive Plan was adopted in December of last year. It's still very shiny. There are 492 policies, 380 which are action items. The plan is really two documents, the regular text policies and, then, the map, of course, which is the Comprehensive Plan and that focuses on the report and, then, the existing conditions report, which is an addendum to the Comprehensive Plan. The report is needed to address some of the state requirements and it's focused on where we have been and where we are today. It's usually updated every few years. Why do we plan and what are the state requirements? In summary, we plan because we are supposed to for the community good and to incorporate the community's vision. The 17 required components of the state enabling legislation, which is on the right, is part of the Local Land Use Planning Act, and which just also note in there that Planning and Zoning is specifically called out in that act. And this is why we are here tonight. This amendment does not change the map and it doesn't revise any of the text in the adopted plan. The purpose of this update is to add priorities and responsibilities to the adopted policies. This is needed for transparency, so the public can understand our priorities and to be efficient. We also said we do it, which is incorporated into the text of the plan. The text on the right here is straight out of Chapter One under the next steps and I have highlighted the relevant sections in red. We can't go through all the policies due to the number of them, but you have the complete information in your packets. On a high level



AGENDA ITEM

ITEM TOPIC: Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

A. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium-density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site.

B. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 11, 2020

Topic: **Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.**

A. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium-density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site.

B. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.

Information Resources:

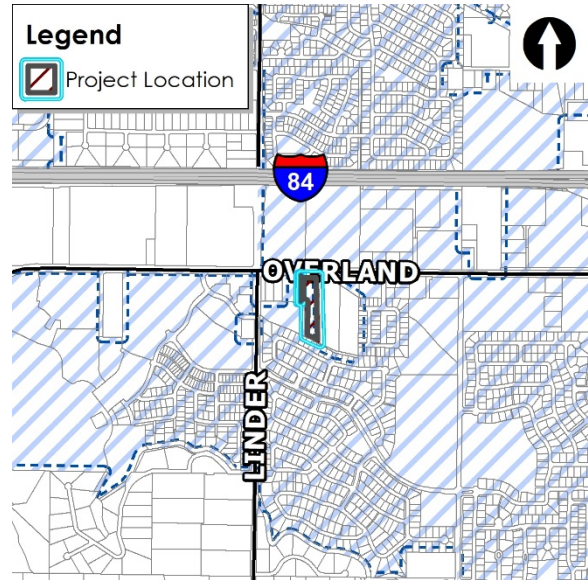
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020
 TO: Mayor & City Council
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0058
 Epic Storage Facility
 LOCATION: The site is located at 1345 W. Overland Road, in the NW ¼ of the NW ¼ of Section 24, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

- (RZ) - Rezone of 4.43 acres of land from R-8 zone (Medium-density Residential) to C-G zone (General Retail and Service Commercial) for the purpose of developing commercial storage on the site;
- (CUP) - Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district, by Jarron Langston.

II. SUMMARY OF REPORT

A. Project Summary

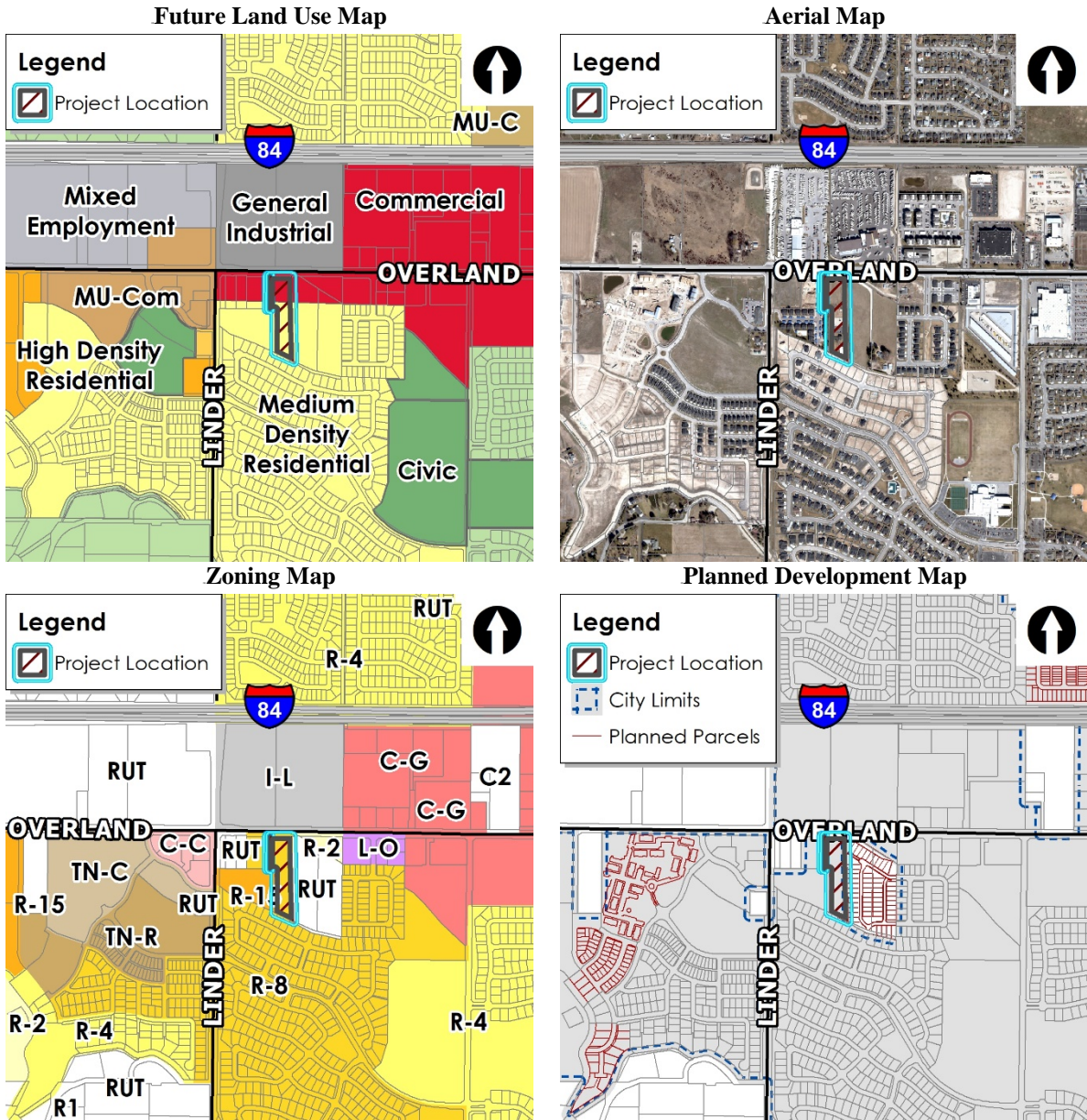
Description	Details	Page
Acreage	4.43 acres	
Future Land Use Designation	Commercial and Medium Density Residential	
Existing Land Use(s)	Commercial – County approved Church/Event center	
Proposed Land Use(s)	Commercial Storage Facility	
Lots (# and type; bldg./common)	2 lots – Commercial building lot	
Phasing Plan (# of phases)	Proposed as one phase	
Neighborhood meeting date; # of attendees:	April 21, 2020, 1 attendee. Meeting was held via Zoom due to Covid-19 stay at home orders.	
History (previous approvals)	AZ-04-027; County approved CUP for a Church/Event Center (date unknown).	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) 	No comments have been received at this time.	
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via an existing driveway from W. Overland Road, an arterial street. Only a secondary access is proposed (as required by Unified Development Code).	
Stub Street/Interconnectivity/Cross Access	Secondary access is proposed to the property to the east (Sagewood West) via a common drive that will serve as this project's emergency access.	
Existing Road Network	No road network is proposed; drive aisle to existing structures is existing.	
Existing Arterial Sidewalks / Buffers	Yes; Overland Road has existing curb, gutter, and sidewalk abutting the site.	
Proposed Road Improvements	N/A	
Distance to nearest City Park (+ size)	Approximately 1 mile to Bear Creek Park (18 acres in size)	
Fire Service		
<ul style="list-style-type: none"> • Distance to Fire Station 	250 feet from Fire Station #6 (the sites abut each other)	
<ul style="list-style-type: none"> • Fire Response Time 	This project lies within the Meridian Fire response time goal of 5 minutes.	
<ul style="list-style-type: none"> • Resource Reliability 	Fire Station #6 reliability is currently unknown due to this station being so new.	
<ul style="list-style-type: none"> • Risk Identification 	Risk Factor 4 – commercial with hazards (firefighting in a large commercial building with highly flammable campers, motorhomes, and trailers; this includes oils, fuels, and propane as additional fuel sources)	
<ul style="list-style-type: none"> • Accessibility 	Proposed project meets all required access, road widths, and turnarounds.	
Wastewater		
<ul style="list-style-type: none"> • Distance to Sewer Services 	Directly adjacent	
<ul style="list-style-type: none"> • Sewer Shed 	South Black Cat Trunkshed	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU's 	See application	
<ul style="list-style-type: none"> • WRRF Declining Balance 	13.96	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	YES	
<ul style="list-style-type: none"> • Impacts/Concerns 	No proposed changes to Public Sewer Infrastructure have been proposed within this record. Any changes or modifications, to the Public Sewer Infrastructure, shall be reviewed and approved by Public Works.	
Water		
<ul style="list-style-type: none"> • Distance to Water Services 	Directly adjacent	
<ul style="list-style-type: none"> • Pressure Zone 	3	
<ul style="list-style-type: none"> • Estimated Project Water ERU's 	See application	
<ul style="list-style-type: none"> • Water Quality Concerns 	This development ends in a long deadend water main which may result in poor water quality. A future	

Description	Details	Page
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	connection to the west will eliminate this dead end and correct this problem. YES	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Jarron Langston – 917 S. Allante Place, Boise, ID 83709

B. Owner:

Same as Applicant

C. Representative:

Glenn Walker (Architect) – 1891 N. Wildwood Street, Boise, ID 83713

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	6/19/2020	7/24/2020
Radius notification mailed to properties within 300 feet	6/16/2020	7/21/2020
Site Posting	6/29/2020	7/27/2020
Nextdoor posting	6/16/2020	7/21/2020

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/complan>)

Commercial – This designation will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in some cases, but should be careful to promote a high quality of life through thoughtful site design, connectivity, and amenities. Sample zoning include: C-N, C-C, and C-G.

Medium Density Residential – This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

When the new comprehensive plan was ratified, the subject property was given two future land use designations due to its location on a major arterial street and despite it already being zoned residential (R-8 zoning district). This parcel has both the Commercial and Medium Density Residential future land use designations. The subject site is surrounded by existing City of Meridian zoning and development to its north, west, and south. Directly to the east the City is processing a new residential subdivision. Directly across W. Overland Road (an arterial street) there is I-L zoning with two RV uses currently existing—Bish’s RV and Camping World of Meridian. Directly to the west (along the northern half of the site) is the new Meridian fire station, and abutting the site on the southern half of the west boundary is a multi-family residential development.

Because of the addition of the Commercial future land use designation, the Applicant is proposing to rezone this property from its existing R-8 zoning to C-G, per the application. The Applicant believes utilizing this property, located on a major arterial street, for a commercial business rather than another residential subdivision. The proposed new land use is a form of RV storage and is a conditional use in the proposed C-G commercial zoning district. However, the proposed use is not a traditional RV self-storage as our code depicts; Staff must assess proposed uses with those listed in the UDC use tables for each zone. ~~Epic~~ Precision Storage (the actual business name) is a more encompassing commercial business than traditional self-storage by providing a valet, “drop and go,” system that requires customers to only drop off their trailers and RVs; they will not park them nor store them themselves. ~~Epic~~ Precision Storage is intended to

be a full service RV and trailer business that includes a wash before each use, supply stocking of the vehicle, and maintenance checks on standard items such as batteries, water, refrigerator, and tire pressure. In addition, a majority of the storage and business will occur within a large, single-story building. There will also be ancillary outdoor storage and vehicles and trailers will be stored on the asphalt area between the office in the back of the parcel and the main building along Overland Road, as seen on the site plan.

Because this property is already zoned residential and the development to the south/southwest and to the east is residential, Staff has concerns with the request for C-G zoning. This concern lies with the potential for a higher intensity of commercial use next to said residential if this property is rezoned to C-G but never develops as proposed. Staff would prefer to see lower intensity zoning on this property that is still commercial but will help Staff ensure a more disruptive use is not principally permitted and so easily attainable if this project is not completed fully. Therefore, Staff is recommending changing the requested rezone of C-G to be C-C instead. Self-service storage (the use Staff has to place the proposed use into) is still a conditional use in the C-C zone and will not affect the future operation of this use. If the Applicant adheres to the specific use standards and any additional conditions, the proposed project should meet the Future Land Use Map (FLUM) designation definitions and preferred uses for Commercial.

Below are specific comprehensive plan policies that discuss the proposed use in relation to the comp plan more thoroughly. In addition, see section V.D for further analysis on the proposed use.

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“Ensure that adequate water supply and pressure are available for fire protection in areas suitable for industrial and commercial uses.” (3.03.01D). The proposed use requires additional water supply when compared to residential development due to the existence of highly flammable vehicles and additional fuel sources like that of propane and gasoline. The proposed commercial building will be sprinklered to help ensure fire safety; the appropriate water supply for this use is readily available with existing services.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site as there is currently an existing structure on site that is being serviced by the City. This project not only lies within the Fire Department response time goal, it shared a property line with a fire station. In addition, the large building should be sprinklered which adds additional safety measures in case of a fire. The site currently has an existing curb cut onto W. Overland Road and Staff and ACHD have discussed this in relation to minimizing cuts onto an arterial street. Because the proposed use is commercial, it has been determined that the use and the adjacent subdivisions are better served if this site maintains its access to Overland rather than take access through a residential subdivision. If this application is not approved and the existing R-8 zoning district remains, the in process Sagewood West subdivision directly to the east is required to provide a full stub street to this property for future interconnectivity.

West Ada School District and Parks did not offer comments on this application because of the proposed use. Being a commercial project, there will not be any additional children added to the schools and there will be minimal impact on existing City services. This project should, however, add to the employment base of the City.

“Encourage the development of supportive commercial near employment areas.” (3.06.02C). As stated above, directly to the north and across Overland Road are two RV service/sales uses. When it comes to the future location of an additional RV use that then maintains those RVs for customers, being directly across the street is readily accessible. Epic Precision Storage is

intended to employ approximately 10 people outside of ownership and pay them more than minimum wage. This business is not an employment center itself but is minimally a supportive commercial use to those larger employers across the street because it adds an additional service for customers to partake in.

“Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.” (5.01.01F). City ordinances will be adhered to ensure disturbances are minimal to surrounding residential development. The Applicant is also proposing landscaping that will largely help with any potential noise and odor disturbances. In addition, a change to C-C zoning instead of the requested C-G zoning could offer an additional avenue for minimizing potential issues as less intense uses are principally permitted in the C-C zoning district when compared to C-G.

“Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). The make-up of the nearby area has been detailed above and the existence of so much residential makes integration of this use difficult. In addition, there are no existing stub streets to this parcel from adjacent subdivisions. In order to help mitigate any potential noise, light, or odor trespasses, the Applicant has proposed this use to almost wholly occur within a 29,400 square foot commercial building. The Applicant is also proposing trees and a vinyl privacy fence along the entire property boundary of the site to help with screening and to add a buffer to any adjacent use—this landscaping should also add to the beautification of the site as well.

The abovementioned building does not fully comply with the architectural requirements for commercial buildings. The Applicant will be required to add additional roof variation along the northern and southern roof lines as required by the City’s Architectural Standards Manual. In addition, it must be stressed that placing a prefabricated type of metal building next to residential and next to a nicely designed fire station will not be supported. Therefore, Staff is recommending additional conditions of approval that require better architecture for the proposed building to help it match and integrate with existing and proposed development.

Staff finds this development to be generally consistent and in alignment with the Comprehensive Plan, if the Commission and Council support the applicant’s request to rezone the property entirely commercial without a residential component as envisioned by the Comprehensive Plan.

C. Existing Structures/Site Improvements:

There is an existing home and accessory building that currently exist on site. It is the understanding of Staff that the existing home will be removed upon development but the additional warehouse structure in the rear of the property will remain. This small warehouse will become the required office for the proposed storage use. There is also an existing access from W. Overland Road that is improved with asphalt and is to remain for the future project.

D. Proposed Use Analysis:

The proposed use falls under Self-Service Storage in the Unified Development Code (UDC) and is a conditional use in the proposed and recommended C-G and C-C zoning district per UDC Table 11-2B-2. Storage facilities are also governed by specific use standards as noted in UDC 11-4-3-34 for self-service storage facility. There is also ancillary outdoor storage proposed that is also governed by specific use standards, UDC 11-4-3-33. Commercial buildings require Certificate of Zoning Compliance (CZC) and Design Review and Staff will use these additional applications as a chance to ensure the site develops according to the conditions of approval in this staff report.

Epie Precision Storage is not a traditional RV storage facility with acres of asphalt and metal buildings that jut out of the landscape and require a security gate for customers to access the facility. By simply driving through neighborhoods one can see that the Treasure Valley is home to a large number of RVs and motorhomes and the proposed use hopes to help manage this by providing premium services for them. Epie Precision Storage is a full service RV and trailer business that includes a wash before each use and maintenance checks on standard items such as batteries, water, refrigerator, and tire pressure. In addition, propane tanks will be filled and the vehicles will be stocked with supplies and food so that the customers only have to arrive and pick their vehicle up for a time of fun. Staff finds that the location is ideal for the proposed use due to its proximity to Bish's RV and Camping World where recreational vehicles and trailers are serviced and sold. It is well known that additional self-service storage facilities are not largely desired in the City of Meridian. Because of the details outlined above, Staff believes that the proposed use is more premier than a traditional storage facility and would in fact add a new business to the City and Valley.

E. Specific Use Standards (UDC [11-4-3](#)):

The proposed self-service storage and outdoor storage uses are subject to conditional use permit approval by the Planning and Zoning Commission and subject to specific use standards outlined in UDC 11-4-3-34 and 11-4-3-33 and below, respectively:

11-4-3-34 – Self-Service Storage Facility:

- A. Storage units and/or areas shall not be used as dwellings or as a commercial or industrial place of business. The manufacture or sale of any item by a tenant from or at a self-service storage facility is specifically prohibited. *As noted, the proposed use does not fully fit within uses listed in the UDC use table. Self-service storage is the closest use to the proposed use but does not fit with this requirement as the use is a commercial use where the main building will be used to both store and maintain customer's RVs and trailers. No items will be manufactured on the subject site or within any proposed buildings.*
- B. On site auctions of unclaimed items by the storage facility owners shall be allowed as a temporary use in accord with chapter 3, article E, "Temporary Use Requirements", of this title.
- C. The distance between structures shall be a minimum of twenty five feet (25'). *The proposed site-plan shows compliance with this standard.*
- D. The storage facility shall be completely fenced, walled, or enclosed and screened from public view. Where abutting a residential district or public road, chain-link shall not be allowed as fencing material. *A majority of the storage and use is proposed to occur within the large commercial building. Ancillary outdoor storage is likely to occur and the Applicant is proposing to screen this with a privacy vinyl fence and a 25-foot wide landscape buffer abutting the residential uses.*
- E. If abutting a residential district, the facility hours of public operation shall be limited to six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M. *According to the application, the Applicant's proposed hours of business are 7:00 A.M. to 6:00 P.M. and are therefore within the allowable range of business operation hours.*
- F. A minimum twenty five foot (25') wide landscape buffer shall be provided where the facility abuts a residential use, unless a greater buffer width is otherwise required by this title. Landscaping shall be provided as set forth in subsection [11-3B-9C](#) of this title. *The submitted landscape plans show a 25-foot buffer but it does appear to meet UDC 11-3B-*

5N requirements that any type of buffer be at least 70% covered with vegetation at maturity. Staff is recommending a condition of approval to correct this.

- G. If the use is unattended, the standards in accord with section [11-3A-16](#), "Self-Service Uses", of this title shall also apply. *Not applicable; use is attended.*
- H. The facility shall have a second means of access for emergency purposes. *The submitted plans show a secondary access in the northeast corner of the site in line with a requirement of the Sagewood West subdivision to the east currently in process with the City. This access satisfies this standard.*
- I. All outdoor storage of material shall be maintained in an orderly manner so as not to create a public nuisance. Materials shall not be stored within the required yards. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic. *Submitted plans show compliance with this standard.*
- J. The site shall not be used as a "vehicle wrecking or junk yard" as herein defined. *The Applicant shall comply with this standard.*
- K. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand feet (1,000') from a hospital. (Ord. 13-1555, 5-14-2013) *Liquid propane may be stored on site for use in filling propane tanks in customer vehicles. There is no hospital within 1,000 feet of the subject site; therefore, this standard shall be satisfied.*

11-4-3-33 – Outdoor Storage Facility:

- A. All outdoor storage of material shall be maintained in an orderly manner so as not to create a public nuisance. *The Applicant shall comply with this standard.*
- B. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic. *The Applicant shall comply with this standard.*
- C. The site shall not be used as a "vehicle wrecking or junk yard" as herein defined. *The Applicant shall comply with this standard.*
- D. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand feet (1,000') from a hospital. *See comment on same standard above.*
- E. For properties in industrial districts, the following standards shall apply: *(The subject site is not proposed with an industrial district and therefore this standard does not apply)*
 - a. For properties that are adjacent to nonindustrial properties and/or public streets, outdoor storage of materials, equipment, inventory, and/or supplies shall be incorporated into the overall design of buildings and site landscaping so that the visual impacts of these functions are fully contained and screened from view of adjacent nonindustrial properties and/or public streets by a solid fence and/or wall with a minimum height of six feet (6'). Such fence and/or wall shall be constructed of complementary or of similar design and materials of the primary structure.
 - b. For properties that adjoin the railway corridor, in addition to the standards of subsection E1 of this section, outdoor storage of materials, equipment, inventory, and/or supplies shall be screened from the edge of the required street buffer a

distance of one hundred feet (100') from the edge of right of way parallel to the railway corridor.

- c. For properties where subsections E1 and/or E2 of this section do not apply, outdoor storage areas do not need to be screened. (Ord. 09-1420, 6-23-2009, eff. 6-23-2009)

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

The proposed commercial building appears to meet all UDC dimensional standards including required landscape buffers, building setbacks, drive aisle widths, and building height.

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access is proposed via the existing curb cut from W. Overland Road, an arterial street. ACHD approves of this access point as the proposed use is a commercial use and vehicle trips to the location is presumed to be minimal when compared to a residential development. The specific use standards require a secondary access for storage facilities and the Applicant is proposing one at the eastern boundary that lines up with a proposed common driveway in the adjacent Sagewood West development currently being processed.

This Applicant and the Applicant for Sagewood West have worked together to align this emergency only access. Typically, an emergency access must meet a separation requirement from the main access in order to count as a secondary access for Meridian Fire. However, the requirement of this secondary access is not a Fire requirement but a Planning one and therefore the normally required separation between the two access points is not applicable.

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

Off-street parking is required to be provided at one space per 500 square feet in accord with the standards listed in [UDC 11-3C-6B](#) for commercial zoning districts. Specifically for self-service storage facilities, this requirement is only applicable based on the gross floor area of the office space. *According to the submitted site plan, the existing warehouse building on site is 3,185 square feet, requiring a minimum of seven (7) parking spaces. The Applicant has proposed seven (7) parking spaces, of which two (2) are ADA accessible. Because the proposed use uses a valet system, Staff finds the proposed parking to be sufficient.*

Between the office and the main building, the Applicant is proposing to install asphalt paving for the majority of that area. This area is intended for outdoor storage and staging of RVs and trailers but will not be for public parking. This area will likely not be striped as the position and size of items parked in this area will vary throughout business operation. The outdoor storage specific use standards shall be adhered to because of this proposed ancillary use.

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

No pathways are proposed or required due to frontage along W. Overland Road being fully improved with curb, gutter, and sidewalk.

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

The subject site has its only street frontage on W. Overland Road and this section of Overland has been fully improved with 5 lanes and curb, gutter, and attached sidewalk. The Applicant is proposing a short extension of the sidewalk to go into the site. This extension turns into a pedestrian crosswalk that leads to the front door of the main storage building.

UDC 11-3A-19, "Site Design Standards," also dictates that sidewalks be provided from the public street to the office for a delineated path for pedestrians. No submitted plans show this

sidewalk connection to the office in the back of the site where parking is proposed. In order to satisfy this requirement this additional sidewalk should be delineated through the parking lot in some way. For example, stamped concrete, brick, or similar. Staff is recommending a condition of approval to correct this.

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

A 25-foot wide street buffer is required adjacent to W. Overland Road, an arterial street, landscaped per the standards listed in *UDC 11-3B-7C*. A 25-foot wide buffer is shown on the submitted site plan and landscape plan. In addition, a 25-foot buffer is required between the proposed commercial use and any residential uses, landscaped per the standards listed in *UDC 11-3B-9*. A 25-foot landscape buffer is depicted on the submitted landscape plans along the property boundary that abuts all residential uses, existing and proposed.

*When a landscape buffer between uses is required, the requirement is meant to ensure adequate screening between dissimilar uses. The code requires that this buffer include trees that have canopies that touch at maturity. The Applicant is proposing to use a large number existing trees for this buffer that are not on this property but are near the property line and on the adjacent property to the east. Therefore, the Applicant shall be required to revise the submitted landscape plans and show adequate landscape material within the required buffer per *UDC 11-3B-9* standards. With the combination of a privacy fence and dense landscaping, Staff finds the proposed landscape buffers as sufficient to meet this code requirement.*

*The City Arborist has made Staff aware of a potential issue with the *Fraxinus* “Ash” tree species. This type of tree species attract a specific and invasive pest and it is the request of the City Arborist that projects start trying to replace these types of trees with other tree species. Therefore, Staff is recommending a condition of approval that the Applicant work with the City Arborist on an appropriate alternative to their proposed “Ash” tree selection.*

L. Fencing ([UDC 11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in *UDC 11-3A-7*. Fencing is proposed as shown on the landscape plan along the entire property boundary and meets *UDC* standards as proposed.

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

The Applicant submitted conceptual renderings and conceptual elevations of the new proposed storage/commercial building (see Section VII.E). The submitted plans do not meet all of the standards as required for commercial development in the *Architectural Standards Manual (ASM)*. This application does not include Design Review but staff is recommending certain conditions to ensure any future commercial building on this site is built to a premier standard as intended by the *ASM*.

*Specifically, prefabricated metal siding is prohibited as a field material unless uses with a minimum of two other qualifying field materials and meets all other standard fenestration and material requirements (*ASM, Commercial District Goal 5.20*). The submitted elevations show this type of metal as a field material along the top of the entire building. The only other field material proposed appears to be stucco; all other materials are used as accents. Staff understands that the proposed building is a large metal building but that does not mean that an industrial type building can be dropped on a lot within a commercial district. IF the metal look is desired, it should be of high quality like that of “high grade fiber panels,” for example. In addition, Staff recommends replacing some of the metal shown on the plans with windows to create a more interesting façade across the different building elevations. Adding overhangs or architectural*

trellis along the building (especially on the north façade that faces the public street) would also add interest and qualifying fenestration to the building.

The submitted plans also do not show where mechanical equipment will be placed. The proposed building will be climate controlled so the required HVAC system will not be small. Where will this be located? The plans do not show any parapet on the building and any roof mounted mechanical equipment must be fully screened from public view. To help fix this and add the required roofline variation, Staff recommends adding an architectural parapet around the building that helps anchor the top of the structure architecturally and provide screening opportunities for future mechanical equipment.

VI. DECISION

A. Staff:

Staff recommends approval of the requested rezone and conditional use permit per the Findings in Section IX of this staff report and if the Commission and Council deem the site more appropriate to develop entirely with a commercial use as proposed

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

1. Summary of Commission public hearing:

- a. In favor: Glenn Walker, project architect**
- b. In opposition: None**
- c. Commenting: Glenn Walker, Architect**
- d. Written testimony: None**
- e. Staff presenting application: Joseph Dodson**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. None**

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

- a. Height of fence adjacent to residential uses;**
- b. Use of existing facility in rear of property that is to remain;**
- c. How proposed use actually functions on-site with intended “valet” service model.**

4. Commission change(s) to Staff recommendation:

- a. Add condition/DA provision that an 8-foot tall fence be constructed along the property lines that abut a residential use.**

5. Outstanding issue(s) for City Council:

- a. Applicant has not addressed conditions 1.1 and 1.2. Staff recommends that Council modify these conditions to include a rewording that requires the Applicant to supply these revised documents to Planning Staff prior to any Rezone ordinance approval.**

C. City Council:

Enter Summary of City Council Decision.

VII. EXHIBITS

A. Rezone Legal Description and Exhibit Map



May 13, 2020

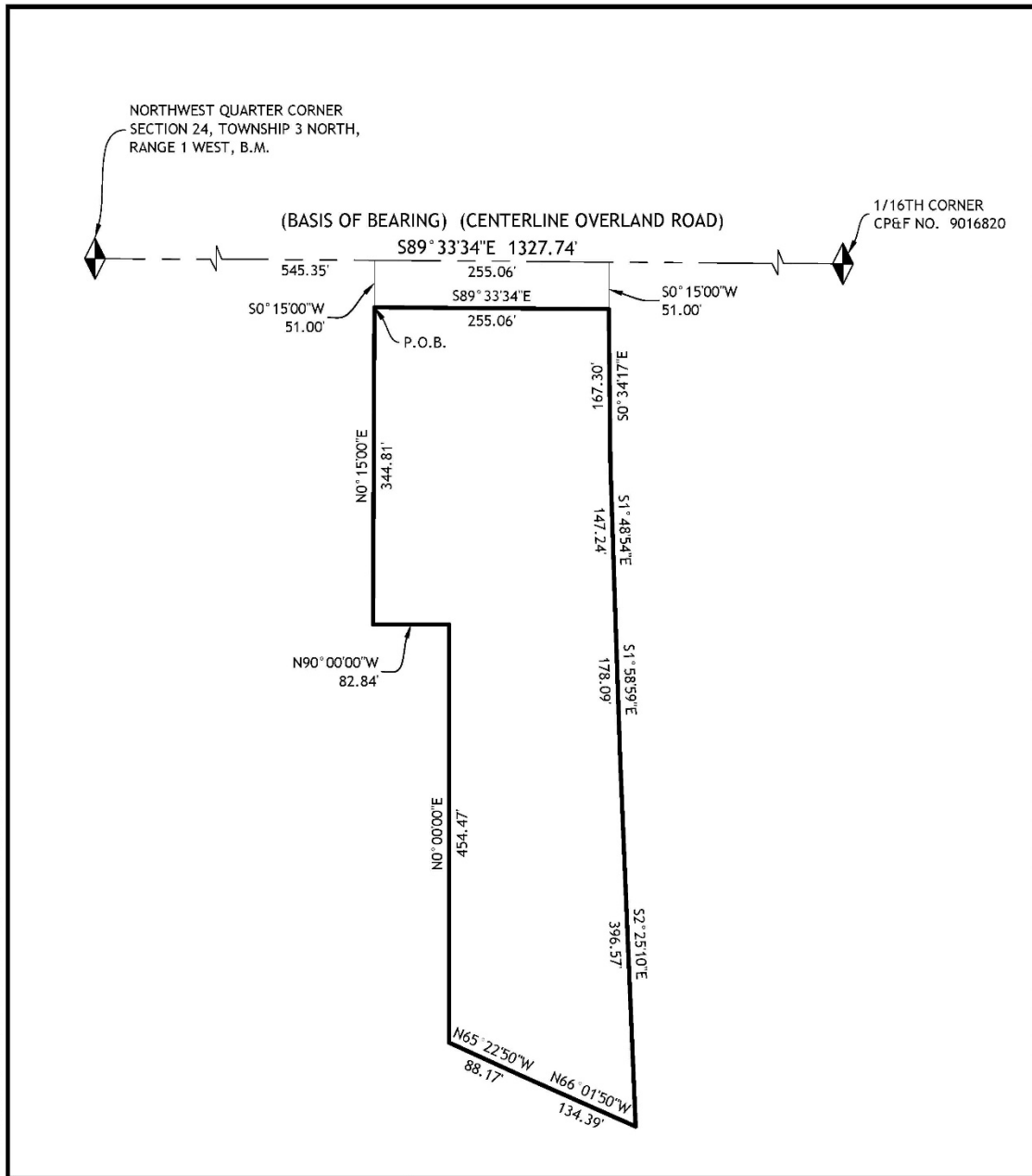
Rezoning to Zone CG Legal Description

BASIS OF BEARING for this description is S89°33'34"E between a found 1/2" Iron Pin at the West 1/16th Corner and the Northwest corner of Section 24, Township 3 North, Range 1 West, B.M., Ada County, Idaho.

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST, B.M., ADA COUNTY, IDAHO AS DESCRIBED:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION 24, SAID POINT BEING S89°33'34"E 545.35 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND S00°15'00"W 51.00 FEET FROM THE NORTHWEST QUARTER CORNER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST, B.M.; AND RUNNING S89°33'34"E 255.06 FEET; THENCE S00°34'17"E 167.30 FEET; THENCE S01°48'54"E 147.24 FEET; THENCE S01°58'59"E 178.09 FEET; THENCE S02°25'10"E 396.57 FEET; THENCE N66°01'50"W 134.39 FEET; THENCE N65°22'50"W 88.17 FEET; THENCE N00°00'00"E 454.47 FEET; THENCE N90°00'00"W 82.84 FEET; THENCE N00°15'00"E 344.81 FEET TO THE POINT OF BEGINNING.

CONTAINS 4.23 ACRES IN AREA



C:\Users\jdmom\Dropbox\EDM (1)\Projects\Precision Storage\Drawings\Legal Desc.dwg

EDM Partners

NORTH

SCALE: 1"=150'

Precision Storage	
Legal Description	
DATE:	FIGURE:
May 15, 2020	2

B. Site Plan (dated: June 2020)

NEW SITE PLAN

NORTH
SCALE: 1" = 50'

OWNER DATA

SITE DATA

KEY NOTES

ADP ARCHITECTS ARCHITECTURE & REAL ESTATE PLANNING
GIANNI PALAKOS, AIA
4001 N. WILLOWWOOD ST.
MERCER, INDIANA 47356
OFFICE: 892-885-0791
gpalakos@adpphoto.com

NEW STORAGE FACILITY FOR:
EPIC DEVELOPMENT
1345 W. OVERLAND RD
MERIDIAN, IDAHO 83642
NEW SITE PLAN

ARCHITECTURE DENSPHUS, P.A.

A-1.0

DATE: 06/20/20

DRAWN BY: [Name]

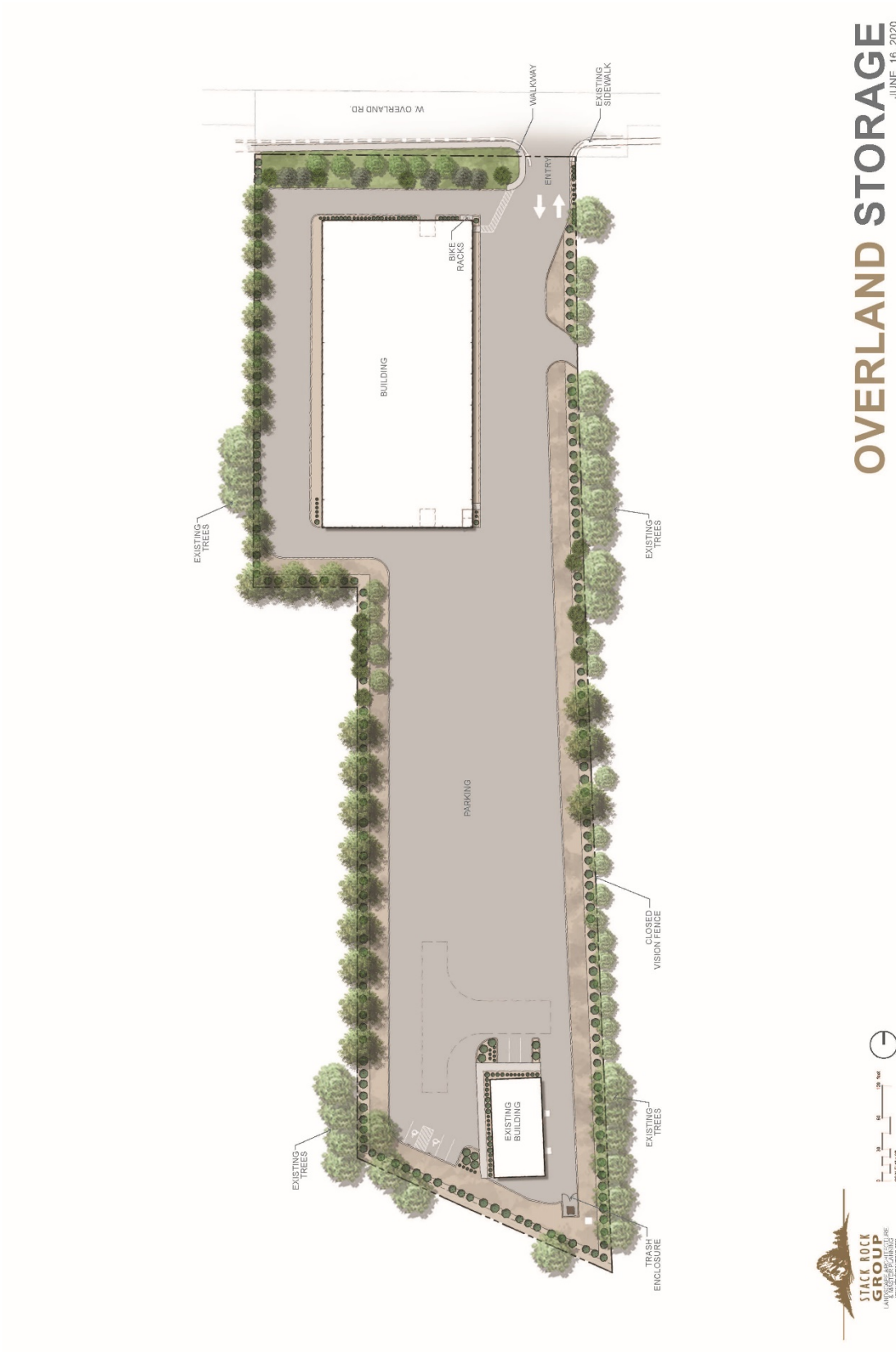
CHECKED BY: [Name]

DATE: 06/20/20

SCALE: 1" = 50'

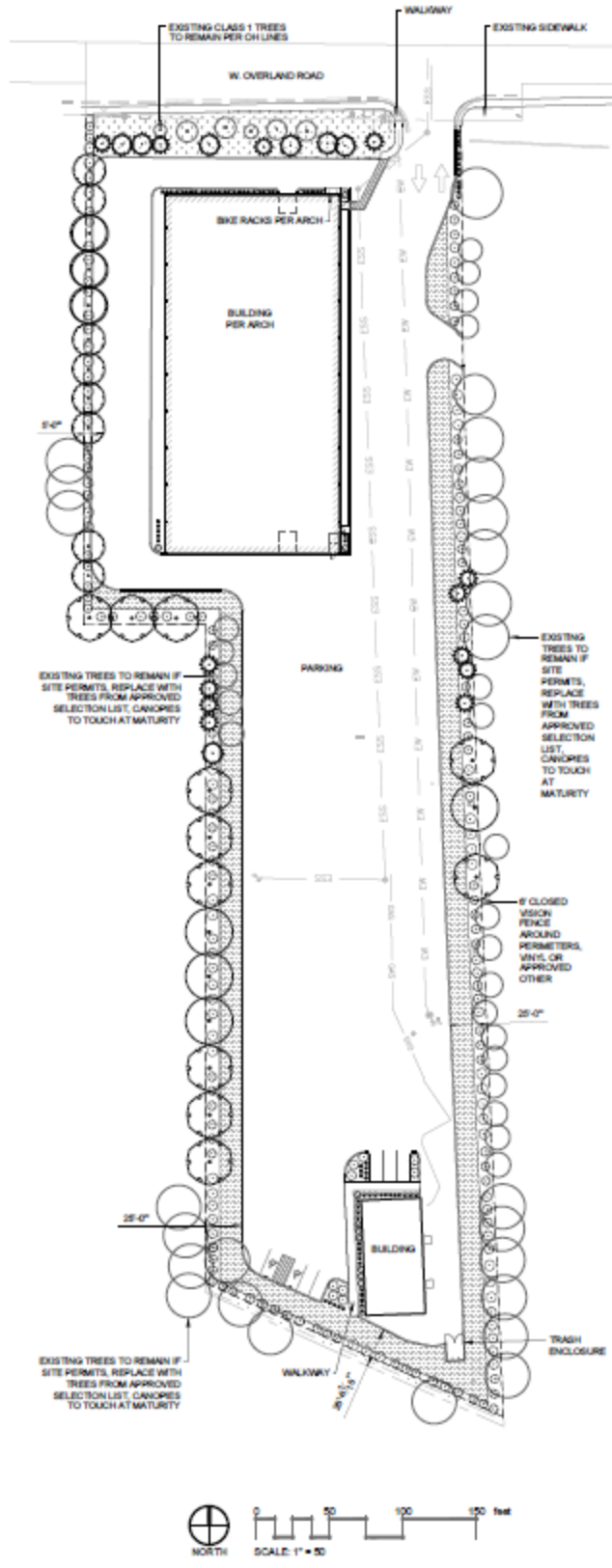
PROJECT NUMBER: A-1.0

C. Landscape Rendering (date: June 2020)



OVERLAND STORAGE
JUNE 16, 2020





E. Conceptual Building Elevations (Revised for Commission)



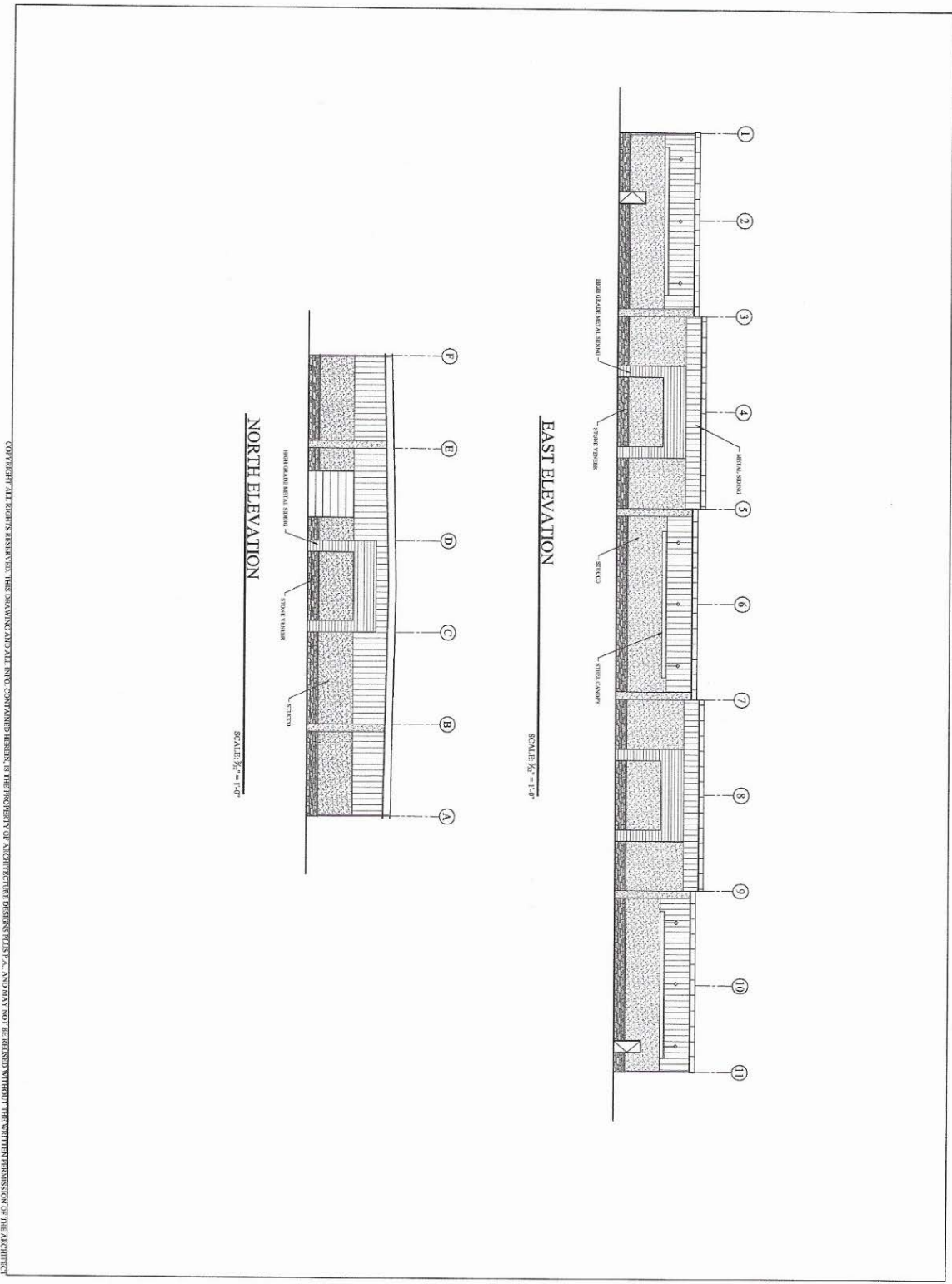
Item #2.



Item #2.



Item #2.



<p>PROJECT NO. A-3.0</p> <p>DATE: 03-25-10</p> <p>DRAWN BY: CW</p>	<p>PROJECT NO. A-3.0</p> <p>NEW STORAGE FACILITY FOR: EPIC DEVELOPMENT 1345 W. OVERLAND RD. MERIDIAN, IDAHO 83642</p> <p style="text-align: center;">ELEVATIONS</p>	<p style="text-align: center;">ADP ARCHITECTS</p> <p style="text-align: center;">ARCHITECTURE & REAL ESTATE PLANNING</p> <p style="text-align: center;">GLENN WALKER, AIA 1801 N WILLOW ST. BOISE, IDAHO 83713</p> <p style="text-align: right; font-size: small;">OFFICE 208-363-0794 gwalker@adpinc.com</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUE FOR PERMIT</td> <td>03/16/10</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	1	ISSUE FOR PERMIT	03/16/10												
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1	ISSUE FOR PERMIT	03/16/10																			

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

- 1. As allowed by Idaho State Law with Annexation and Rezone applications, a Development Agreement (DA) is required as a provision of rezoning this property. Prior to approval of the rezone ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of rezone ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the rezone. The DA shall, at minimum, incorporate the following provisions:

At least ten (10) days prior to the City Council hearing, the Applicant shall submit:

1. Revised legal descriptions for the requested rezone to reflect the C-C zoning district instead of the C-G zoning district AND

2. Revised legal description for the rezone boundary to reflect the conveyance of the sliver of land from the proposed Sagewood West application, Lot 27, Block 1 of their proposed plat.

- a. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-C zoning district and those listed in the specific use standards for self-service storage facilities and ancillary outdoor storage, UDC 11-4-3-34 and UDC 11-4-3-33, respectively.
- b. The only approved direct lot access to W. Overland Road is that existing access in the northeast corner of the subject site.
- c. The Applicant shall maintain an emergency only access to the east via the proposed common drive in the adjacent subdivision to the east, Sagewood West.
- d. The Applicant shall comply with the ordinances in effect at the time of application submittal.
- e. Prior to CZC and DES submittal, the Applicant shall obtain approval of a Property Boundary Adjustment to consolidate all existing lots (S1224223270 & S1224223300) into one and include the sliver of land conveyed from the property owner to the east, shown as Lot 27, Block 1 in the Sagewood West preliminary plat.
- f. All fencing adjacent to abutting residential uses shall be privacy fencing and eight (8) feet in height meeting UDC 11-3A-7 standards.

2. The Applicant shall obtain Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approval prior to submitting for building permits.
3. The submitted site plan, dated June 2020 and as seen in Exhibit VII.B, shall be revised to show the required sidewalk from W. Overland Road to the office in the rear of the subject site. The sidewalk shall be delineated by being constructed of a different material than the asphalt parking lot (i.e. stamped concrete, brick, or similar).
4. The submitted landscape plan, dated June 2020 and as seen in Exhibit VII.D, shall be revised as follows:
 - a. Show the required landscape buffer to all residential land uses as at least 70% covered by vegetation at maturity, as set forth in UDC 11-3B-5N.
 - b. Add the required additional sidewalk from W. Overland to the office in the rear of the subject site. The sidewalk shall be delineated by being constructed of a different material than the asphalt parking lot (i.e. stamped concrete, brick, or similar).
- ~~5. Prior to the Planning and Zoning Commission hearing on July 9, 2020, the elevations and elevation renderings, dated 2/25/2020 and seen in Exhibit VII.E, shall be revised prior to CZC and DES submittal as follows:~~
 - ~~a. Add an additional field material that is not pre-fabricated metal siding along all building facades;~~
 - ~~b. Add windows, where architecturally feasible, along the top of building facades, especially on the north facing elevation;~~
 - ~~c. Add architectural trellis on the north, east, and west building facades;~~
 - ~~d. Wrap the proposed stone veneer along the bottom of the building around the corners as is required in ASM Goal 5.1F;~~
 - ~~e. Continue the stone veneer onto the proposed pop-outs and at a higher height from the ground;~~
 - ~~f. Add a parapet along the roofline with the required modulation that will also cover any mechanical equipment.~~
 - ~~g. Add additional fenestration and pedestrian scale along all building facades.~~

6. All future lighting on the subject site shall be compatible to abutting residential uses and adhere to the standards outlined in UDC 11-3A-11C, these standards are to be met regardless of the lumen output.
7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for commercial developments based on the gross floor area of the self-service storage office.
8. The Applicant shall work with the City Arborist on an appropriate alternative to their proposed "Ash" tree selection and obtain approval from the City Arborist prior to building permit approval.
9. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to: 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F4.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 A street light plan will need to be included in the final plat and or building permit application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. Contact the Meridian Transportation and Utility Coordinator for additional information.
- 1.2 The existing water main stub into the property is a 10", not a 6" as shown on the plan
- 1.3 Retain and protect the existing fire hydrant at the end of the 10" main
- 1.4 Provide a utility easement from the end of the existing 10" line to the west property line matching up with the existing utility easement in Linder Road Apartments
- 1.5 The water service and fire line should connect to the existing 10" line, not the existing 12" line in Overland Rd as currently shown

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall be dedicated via using the City of Meridian's standard forms. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must

- be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
 - 2.5 Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
 - 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
 - 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
 - 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
 - 2.9 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
 - 2.10 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
 - 2.11 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 - 2.12 Developer shall coordinate mailbox locations with the Meridian Post Office.
 - 2.13 All grading of the site shall be performed in conformance with MCC 11-12-3H.
 - 2.14 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
 - 2.15 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
 - 2.16 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
 - 2.17 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A

copy of the standards can be found at
http://www.meridiancity.org/public_works.aspx?id=272.

2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184359&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190570&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184914&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

ACHD has not submitted any comments at this time.

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191804&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

1. The map amendment complies with the applicable provisions of the comprehensive plan;

Commission finds the proposed zoning map amendment to C-C zoning district and not the requested C-G zoning district is consistent with the Comprehensive Plan, if all provisions of the Development Agreement and conditions of approval are complied with.

2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;

Commission finds the proposed zoning map amendment and request for Recreational Vehicle storage to be generally consistent with the purpose statement of the commercial district and future land use designation of Commercial.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;

Commission finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare if all provisions of the Development Agreement and conditions of approval are complied with.

- 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**

Commission finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

- 5. The annexation (as applicable) is in the best interest of city.**

The subject property is already annexed; therefore Staff finds that this finding is not applicable. However, Commission finds that the requested rezone and addition of a commercial use is in the best interest of the city.

B. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

- 1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.**

The site and proposed building meets all the dimensional and development regulations in the commercial zoning districts for the proposed use. Therefore, Commission finds the site is large enough to accommodate the proposed use.

- 2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.**

Commission finds the proposed self-service storage facility will be harmonious with the Comprehensive Plan in that it is a conditional use in the C-C and C-G zoning districts which are allowable zones in the Commercial future land use designation as noted in the Meridian Comprehensive Plan.

- 3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.**

Commission finds the operation of the proposed self-service storage facility should be compatible with the other uses in the area and will not adversely change the essential character of this area if all conditions of approval and DA provisions are met.

- 4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.**

If the proposed facility complies with the conditions of approval in Section VIII as required, Commission finds the proposed use should not adversely affect other properties in the vicinity.

- 5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.**

The subject site is already annexed into the City and these services are already being provided to the existing buildings on site. Therefore, Commission finds the proposed use will be served

adequately by all public facilities and services.

- 6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.**

Commission finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

- 7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**

With adequate screening and adherence to applicable zoning and building code requirements, Commission finds the proposed use should not be detrimental to any persons, property, or the general welfare.

- 8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

Commission is not aware of any such features; the proposed use should not result in damage of any such features.

discussing the commercial and not for the multi-family component? Or if we are just opening it up for the applicant. I'm not sure if we have to open it up for -- for public comment, so -- but --

Pogue: I think the public would be able to -- to comment on the -- what's brought back for the -- for more commercial and if that impacts on -- in a new way on the rest of the project they would be able to testify about that, too. But it's -- the purpose that I'm hearing the Commission wanting to base its continuance on is on the commercial -- wanting to see more commercial brought into the project.

Fitzgerald: I think that we are -- the motion seems fine, I believe, so I have a motion and a second to continue the public hearing of H-2020-0022, Modern Craftsman at Black Cat. All those in favor say aye. Opposed same? Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you all. Mr. Riggs, thank you and your team. We will see you in August.

Riggs: Great. Thanks, everyone. Appreciate your time.

B. Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

1. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium-density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site; and,
2. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.

Fitzgerald: Moving on to the public hearing for Epic Storage Facility, H-2020-0058. Joe, I'm turning it back over to you for the public -- or for the staff report, sir.

Dodson: Thank you, Mr. Chair. Can everybody see my screen now? I want to make sure I did this right. I think we are good. Okay. So, yes, as stated next item, Item No. 4-B, Epic Storage Facility. The request before you is for a rezone and conditional use permit for Epic Storage Facility, a 29,400 square foot storage facility. The applicant is requesting a rezone to change the existing R-8 zoning to C-G zoning, general commercial. The applicant is also requesting conditional use permit approval for a storage facility. The subject site is surrounded by existing City of Meridian zoning and development to its northwest and south. Directly to the east is a new residential subdivision that the city is currently processing. Directly across West Overland, an arterial street, there is I-L zoning with two RV users currently existing, Bish's RV and Camping

World of Meridian. Directly to the west along the northern half of the site is the new Meridian Fire Station and abutting the site on the southern half of the west boundary is a multi-family residential development. This parcel has both the commercial and medium density residential future land use designations as seen in the future land use map on the left-hand side of my screen here. The addition of the commercial designation spawned this proposal to rezone the property. There we go. The propose new land use is a form of RV storage and is a conditional use in the proposed C-G commercial zoning district. However, the proposed use is not a traditional self -- RV self storage as our code depicts. Staff must assess proposed uses with those listed in the UDC Table for each zone. Precision Storage Concepts, the actual business proposed here, is a more encompassing commercial business than traditional self storage by providing a valet -- valet drop and go system that requires customers to only drop off their trailers and RVs. They will not park them, nor store them themselves. Precision Storage Concepts is intended to be a full service RV and trailer business that includes they wash before each use, supply stocking of the vehicle and maintenance checks on standard items, such as batteries, water, refrigerator and tire pressure. In addition, a majority of the storage and business will occur within a large single story building. That is the 29,000 square foot storage facility. There is also intent for ancillary outdoor storage of vehicles and trailers that will be stored on the asphalt area between the office and the back of the parcel, the southern end, and the main building that is closer to Overland Road as seen on the site plan. Because this property is already zoned residential and development to the south, southwest, and to the east is residential, or planned to be, staff has concerns with the requests for C-G zoning. This concern lies with the potential for a higher intensity of commercial use next to said residential if this property is rezoned to C-G, but never develops as proposed, barring any bad economic downturn. Staff would prefer to see lower intensity zoning on this property that is still commercial and would help staff ensure a more disruptive use is not principally permitted and so easily attainable if this project is not completed fully. Therefore, staff is recommending changing the requested rezone of C-G to be C-C instead. Self service storage, the use staff has to place this use into, is still a conditional use in the C-C zone and will not affect the future operation of this use. Access to this site is proposed via an existing curb cut from West Overland Road in the northeast corner of the site. ACHD approved this access point as the proposed use as -- it's only a commercial use and vehicle trips to location is presumed to be minimal when compared to a residential development. The specific use standards for Self Service Storage require a secondary access for storage facilities and the applicant is proposing one at the eastern boundary that lines up with the proposed common driveway and the adjacent Sagewood West Subdivision currently being processed by the city. This applicant and the applicant for Sagewood West have worked together to align this emergency only access. As part of proposing a commercial zoning and use, a 25 foot landscape buffer is required adjacent to any residential uses. The applicant is showing this buffer on the submitted landscape plans as seen on the screen, but the buffer does not appear to meet the UDC requirement of landscape -- the amount of landscaped vegetation within the buffer. Staff has recommended a condition of approval to correct this. That condition is that all of the landscape buffers, the 25 feet, need to be at least 70 percent vegetated at the time of maturity. The applicant submitted conceptual renderings and conceptual elevations of the new proposed storage building. The originally submitted plans do not meet all the

standards as required for commercial development in the architectural standards manual. This application does not include design review, but staff recommended certain conditions to ensure any future building on this site is built to a premier standard as intended by the ASM. In response to these conditions, the applicant has provided revised renderings that appear to respond to most of staff's concerns to some level. I will click through a few of these for you. Staff believes some additional tweaks should take place, but these can happen upon certificate of zoning compliance and design review application submittal. Overall the revised elevations are very much improved. There was no written testimony on this, at least as of 4:00 o'clock'ish. Staff does recommend approval of the requested rezone and conditional use permit pursuant to the DA provisions and conditions in the staff report. Because the applicant has responded to my condition about the elevations, I recommend that Condition Five in the staff report be stricken as it is no longer applicable and we will handle the rest of it through certificate of zoning compliance and design review. Thank you.

Fitzgerald: Thanks, Joe. Are there questions for staff? Okay. Hearing none, Madam Clerk, do we have anyone signed up to testify or in the audience that would like to testify?

Weatherly: Mr. Chair, would you like to hear from the applicant first?

Fitzgerald: Oh. Sorry. Yes. Thank you. I'm discombobulated with all the different things going on. Yes. Would the applicant like to come forward and testify or join us online to testify. Are they joining yet?

Walker: Mr. Chairman, Members of the Board, my name is -- excuse me -- is Glen Walker. 1891 North Wildwood Street, Boise. I am representing the ownership group for this project, which is -- this project is actually called Precision Storage Concepts. That's the name we would like to use. We have submitted this project for a rezone and a conditional use permit application. We originally were requesting to rezone to a C-G zone, but after reading the staff report we would agree that a rezone to C-C zone would work if the facility works in that same zone. I apologize, because I will probably be restating same -- some of the same statements that Joseph read, but I would like to restate it again. The site is located at 1345 West Overland Road, which it has been designated a commercial zone under the future land use map. We feel this project will fit in nicely with the surrounding uses. This site is surrounded by existing City of Meridian zoning and development to its northwest and south. To the east this site is a new residential subdivision. Across Overload Road is the I-L zone, which has two facilities or projects, one being the Bish's RV and the other one being Camping World, which we feel this facility will fit in nicely with those two users across the street. To the west is a new fire station, which is really a nice convenience and as mentioned to the east of us is a residential subdivision that's being proposed. There is an existing home and accessory building on the site. The home will be removed upon the development of this project. However, the -- however, the accessory facility we are going to be keeping and in that accessory building is the ADA restrooms and an office, which is going to be used for this new proposed Precision Storage Concept facility. The new facility we are proposing is a high end storage facility for storing RVs, trailers, boats, et cetera. The storage facilities is a more encompassing

commercial business that -- than that of a traditional self storage facility. Precision -- Precision Storage Concepts was established with a valet system that comes with a drop and go system, a wash before each use, and includes maintenance checks on standard items, such as batteries, water, refrigeration and pretty much an overall check of the RV that's going to be stored in that facility. Precision Storage Concepts -- it will -- it will -- this facility will blend in nicely -- we feel that it will blend in nicely and perfectly with the convenience of the city and its beautiful surroundings. People move here to play with their toys and will love the valet system and the care and precision that this facility will offer. It will help the City of Meridian to continue -- to continue to offer all -- the people that live around this facility --

Fitzgerald: I think we are having some technical difficulties in hearing you, sir. Either speak into the mic or -- we have some challenges -- having some technical challenges hearing you, so if you could speak up a little bit or talk into the mic a little bit closer it would be greatly appreciated.

Walker: Sure. I will move in here and I will start from in there. Can you hear us?

Fitzgerald: Yeah. That's much better.

Walker: Okay. Great. And I apologize for that. It might be also the mask that I'm wearing. As Precision Storage Concepts is going to be a full service RV trailer, boat (unintelligible) for the community, we feel the location of this facility is ideal for the public use with the proximity to Bish's RV and Camping World where recreation vehicles and trailers are serviced and sold. In regards to CZC application, this project is subject to conditional use permit approval. This facility will be used as a commercial use for storage and light maintenance only. No manufacturing will be done at this facility. This facility will be separated by more than 35 feet on all sides. It will be fire sprinkled. The site will be surrounded by a screen vinyl fence and landscaping as well. The hours of operation for this facility will be 6:00 a.m. to 7:00 p.m., roughly, which falls under the allowed time for the city. We are providing a 25 foot landscape buffer between the residential zone, as well as a 25 foot street buffer, which should meet the landscape requirements from the city. We are also showing a secondary means of access for emergency purposes. We have aligned that access with the development to our east and we have worked with that -- that group and that development, so have lined those up together. The site itself -- we are proposing seven parking stalls with two ADA stalls. As mentioned, this facility is a valet-type system. We feel the seven parking stalls is in -- is in compliance with city code for the amount of parking spaces. The staff report does talk about providing a sidewalk from Overland Road to the rear building or office building. The owners will agree to provide some sort of path. We are asking that if we do provide a path, if we could provide some type of striping on the asphalt that goes across the asphalt to the -- to the building itself, if that would suffice. We will be submitting a design review and a certificate of zoning compliance as Joseph mentioned and at that time we will be working with the city with regards to the design of the building, the colors, the materials of the building. So, that is it somewhat in a nutshell. We hope that these two applications, the CUP and the rezone, will be acceptable to the Planning Department. We feel this project is a great fit

for the City of Meridian and will add quality, great architecture, and distinctiveness to the area. So, that's kind of it in a nutshell.

Fitzgerald: One question on the -- the fencing type and size, is that -- can you give me an idea -- is that eight foot fencing around, since you have -- RVs are going to be outside? And is it going to be screened?

Walker: We -- yeah. It will be a screened solid vinyl fence. We were thinking six foot, but if you guys are wanting eight foot I'm sure we can -- we can comply with eight feet. But we were thinking six feet, but it's what you guys would want. We will definitely comply with your guys' recommendations.

Fitzgerald: Okay. And the second question -- the auxiliary building that's going to remain on the property, is that being remodeled or revamped to come up to where the -- the design work that you guys are doing with the new building?

Walker: No, not at this time. We are leaving that facility as is. That's really tucked back down there on the south portion of the site. You're really not going to see that facility from the front, Overland Road area.

Fitzgerald: Okay. Thank you. Are there other questions for the applicant at this time? Commissioner Holland.

Holland: Just one follow-up question from your earlier comment about the fencing. I think if I remember right we are only allowed to do six foot fence in code, but the way we have kind of helped applicants around that in the past was recording a two foot landscaping buffer and put the fence on top of it if we wanted to see it higher, if I remember right. But that's a question for staff.

Fitzgerald: I think Joe and I talked about it earlier.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Yeah. Yes, sir. I'm -- Mr. Chair, Commissioner Holland, it's C-G, so you can actually go up to eight feet on the fence, not just the six foot as is required in residential.

Holland: Great. Thanks.

Fitzgerald: Commissioner Seal, sorry about that.

Seal: Yeah. Just a quick question on the -- the -- essentially what's going to become the office space, is that something that's going to still be a residence in terms of somebody will be staffing that for a security reason?

Walker: I apologize, I didn't hear the question. Was that directed towards me?

Seal: It was. The question was for what the office space -- is that something there -- is somebody going to stay there full time, like a security type presence, or is that simply office space?

Walker: It's going to be simply just an office space.

Seal: Okay. Thank you.

Fitzgerald: Additional questions for the applicant?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: Hey, Glen, question for you real quick. Just to try and get this in my -- when -- so, it's a valet service. Is that for parking -- do they pull -- does the person pull all the way to the back of -- where that small office space is or is it pulled up to that main building?

Walker: Well, it's going to be the employees of Precision Storage Concepts that's going to be taking the vehicle, driving it onto the site and, then, driving it into the facility. So, it's going to be the employee is taking it and bringing it to where they need to take it. The customers will not be doing that.

Grove: So, it's a valet service as a -- back to their homes?

Walker: Yeah. It is. It's a -- it's -- it's -- it's solely a valet type service. Precision Storage Concepts is going to be -- you know, taking the vehicle and bringing it into the -- to the building -- into the facility and, then, from there they will pull it back out and onto the site and we will most likely call the client and say the RV is ready for pickup and, then, the client comes and picks it up.

Fitzgerald: Commissioner Grove, did you have another comment?

Grove: That answered it. Thank you.

Fitzgerald: Yep. Any additional questions to the applicant?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead.

Pitzer: Okay. So, I'm like Commissioner Grove, I'm trying to wrap my head around this. So, they come to pick it up, but they don't come to drop it off; is that correct?

Walker: Well, I'm not sure exactly the process. We could get the ownership to talk about that. But I believe that for the most part, you know, when you come and you -- the client potentially probably would drive somewhat into the site, drop it off near the building, check in and, then, from there the -- the employees would take over and grab the -- grab the RV and, then, take it into the facility.

Pitzer: Okay. Thank you. That would make more sense to me. Okay. Thank you.

Walker: Uh-huh.

Fitzgerald: Any additional questions this time -- at this time? Seeing none, Glen, we will be back to you shortly so you can close, but we are going to see if there is any public testimony and, then, we will let you close up. Adrienne, do we have anyone wishing to testify on this application, either in person or on the line?

Weatherly: Mr. Chair, we had some people sign up, but no one indicated a wish to testify.

Fitzgerald: Is there anyone in the audience or online that would like to testify on this application? Please raise your hand or signify by raising your hand on Zoom. Or in the audience. Which ever one. And Commissioner Seal will be the eyes.

Seal: I see no one in the audience raising a hand.

Fitzgerald: Madam Clerk, are we good to go on the other side?

Weatherly: Mr. Chair, that's correct.

Fitzgerald: Okay. Thanks, ma'am. Glen, do you have any additional final comments you would like to make before we deliberate?

Walker: I would just like to say that we through the ownership group and myself really feel that this project will fit in very nicely within this area in that we are working with the storage of expensive RVs and boats and having Bish's RV and Camping World right across the street, which is kind of in the same use as -- as those, so we feel that this project will definitely fit in nicely in this area.

Fitzgerald: Well, we appreciate you being here this evening and are there any other questions for the applicant before we close the public hearing? Going once? Going twice? Sir, we greatly appreciate you being here tonight and can I get a motion to close the public hearing?

Holland: So moved.

Seal: Mr. Chair? Oh. Second.

Fitzgerald: Oh, Commissioner Seal, go right ahead.

Seal: No. Go ahead. I was just going to make the motion, but it's been made, so --

Fitzgerald: Okay. Can I get a second?

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing on file number H-2020-0058. All those in favor say aye. Opposed same. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Anyone want to lead off?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: I really like the concept of this. So, being a trailer owner myself it's -- it's probably not something that I would -- would utilize, but I do know people that would utilize it and I mean it would help them out a lot of -- I would say elderly folks that are not so much mechanically inclined, but do have large motor homes would more than likely use this service a lot and being right across the street from the two dealers over there, I mean I can see that, you know, incentives for trailer buying and being able to use that service are probably -- probably in the works already. So, as far as it fitting in, you know, I mean I -- as far as a six foot fence or an eight foot fence, depending on the landscaping that's put in there, it may be moot, but I mean if -- if an eight foot fence is something that everybody thinks we should put in there, I mean that's -- I'm totally workable with that for sure, so -- but I think this was -- you know, location is everything and -- and I think it's well thought out and I think it will be a good addition to the community.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I would be in support of this, especially with the revised renderings. Just a couple little add-ons made a nice difference and, I agree, I think it will be utilized a bunch.

Fitzgerald: Commissioner Holland.

Holland: Mr. Chair, I -- I like the concept as well and I like that they are putting the RV units in the back and have the building up front. That's not something we typically see with RV storage, so I appreciate that and, you know, someday if this ever was repurposed as another use it's certainly a nice looking attractive building that could be used a number of different ways. One question I do have -- if we could go back to what the surrounding uses are around this, I don't mind the eight foot fence, but there may be some that we

don't need any fence on, if it's next to another commercial or whatnot. I can't remember exactly what's on both sides of it, though. I think an eight foot fence (unintelligible).

Fitzgerald: Yeah.

Holland: Okay. Then an eight foot fence it is.

Fitzgerald: I think -- I will let Joe give me direction, but I think it's residential on all sides. Except for the north.

Dodson: Mr. Chair?

Fitzgerald: Joe, is that correct? Yes, go ahead, sir.

Dodson: Yes, Mr. Chair, to the north, yes, is Overland and, then, I-L zoning east, south and to the southwest is residential. But directly abutting the site to the west is Fire Station No. 6, the brand new one. So, that's also not residential.

Fitzgerald: But to the south of that is residential neighborhood that runs along that east corridor; right? Or that east boundary? South of the fire station.

Dodson: Along the west boundary, yeah, that's where some multi-family residential is and R-15 zoning.

Fitzgerald: Okay. Thank you. Additional comments? Commissioner Pitzer, do you have a comment?

Pitzer: Yes. No. I -- and I'm just going to echo the sentiment here. I think this is -- this is a great idea to put right across the street from the other RV places and I'm in full support of this and -- yeah, six foot, eight foot fence, either works for me.

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: I don't want to cut anyone off, but I will make a motion, unless anybody else has comments, but -- after -- after considering all staff, applicant, and public testimony I move to recommend approval to City Council of file number H-2020-0058 -- making sure I have got the right one. As presented in the staff report for the hearing date of July 9th, 2020, with the modification that they would be putting in an eight foot fence where the property lines abut two residential uses.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0058, Epic Storage Facility. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Glen, thank you for being here tonight and good luck. I wish you guys the best.

Walker: All right. Thank you, Commissioners.

Fitzgerald: Does anyone need to take a break for any reason or you want to keep plowing forward and we get into a --

Parsons: That's -- Mr. Chair, that's up to you. If you want -- your purview. If you guys need a five minute break, happy to do that while we get set up for the next presentation.

Fitzgerald: Okay. Let's do that real quick. We are going to take a bio break.

(Recess: 8:35 p.m. to 8:44 p.m.)

Weatherly: Mr. Chair, we are all here and ready to go.

C. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Located generally located east of S. Meridian Rd. and north of E. Columbia Rd.

1. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. # 2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. # 2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
2. Request: Annexation of 40.09 acres of land with an R-2 zoning district. Request Continued to a Future Date to be Determined
3. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

D. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.

A. Request: Annexation of 14.87 acres of land with an R-15 zoning district.

B. Request: A Preliminary Plat consisting of 44 buildable lots and 4 common lots on 14.87 acres of land in the R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: August 11, 2020

Topic: **Public Hearing for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.**

A. Request: Annexation of 14.87 acres of land with an R-15 zoning district.

B. Request: A Preliminary Plat consisting of 44 buildable lots and 4 common lots on 14.87 acres of land in the R-15 zoning district.

Information Resources:

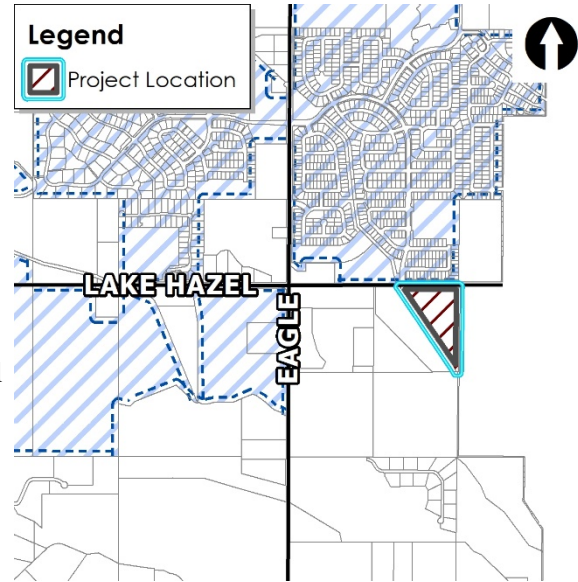
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020
 TO: Mayor & City Council
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0035
 Poiema Subdivision
 LOCATION: The site is located at 3727 E. Lake Hazel Road, in the NE ¼ of the NW ¼ of Section 4, Township 2N., Range 1E.



I. PROJECT DESCRIPTION

Annexation & zoning of 14.87 acres of land with an R-15 zoning district and preliminary plat consisting of 48 building lots and 6 common lots, by Dave Evans Construction.

Note: Staff received updated plans late into the review process. These plans have been analyzed to the best of Staff’s ability given the timeline but finds them to be in better compliance than those originally submitted. Much of the analysis within this report is based on the new plans and the exhibits within this staff report have been updated to reflect this.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	14.87 acres	
Future Land Use Designation	Medium-High Density Residential	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Residential and future Religious Institution (Church)	
Lots (# and type; bldg./common)	48 total lots – 43 single-family residential; 1 lot for future Church building site; and 4 common lots.	
Phasing Plan (# of phases)	Proposed as one (1) phase.	
Number of Residential Units (type of units)	48 total units - 33 single-family attached units; and 15 single-family townhome units.	
Density (gross & net)	Gross – 7.5 du/ac.; Net – 10.75 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	1.08 acres total, 0.75 qualifying open space (or approx.. 11.7% qualified)	
Amenities	1 amenity – Water feature with seating	

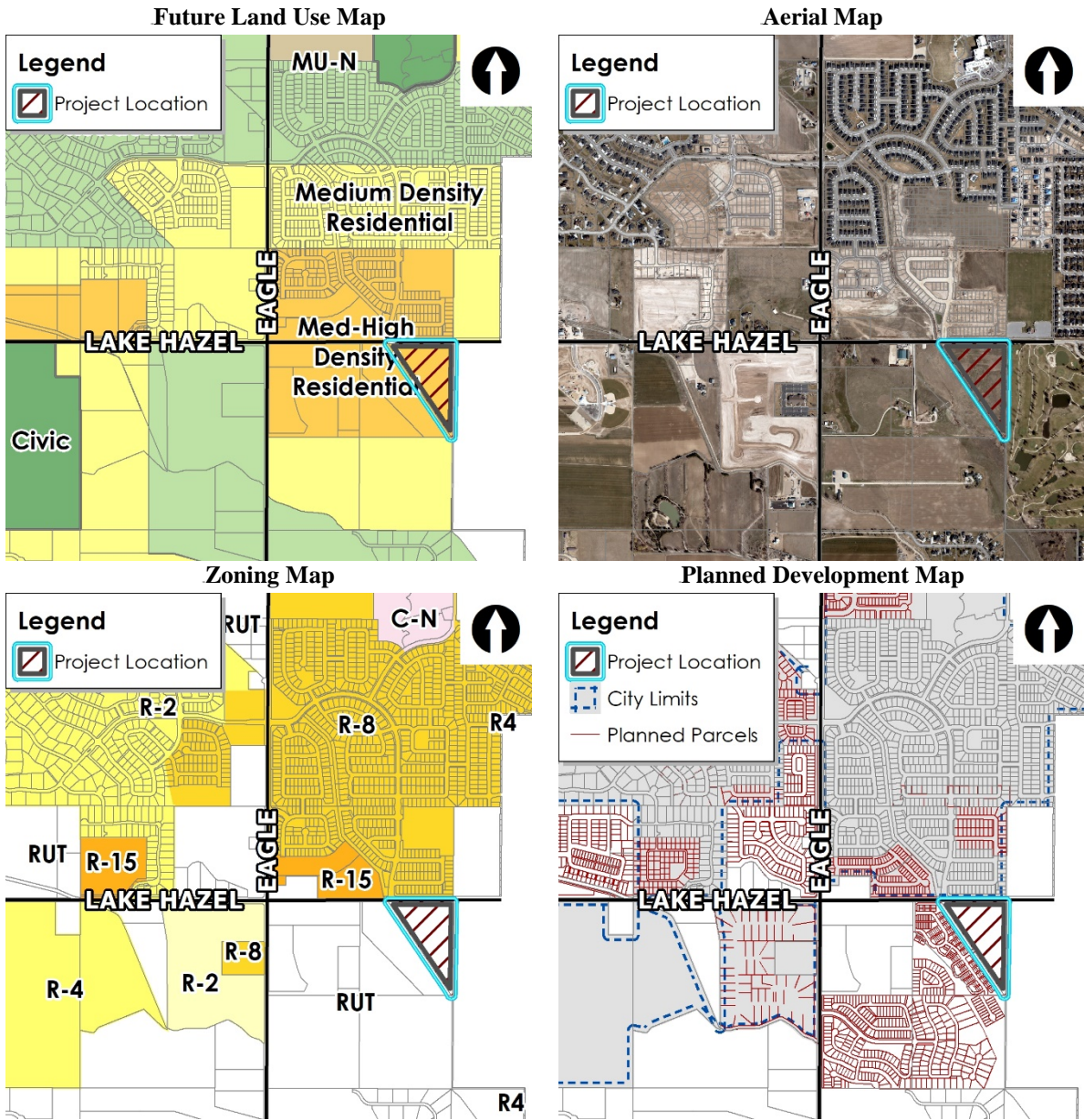
Description	Details	Page
Physical Features (waterways, hazards, flood plain, hillside)	Ten Mile Creek runs along the western boundary but is not on the subject site. Part of the site resides within the 100-year floodplain zone.	
Neighborhood meeting date; # of attendees:	December 16, 2019 – 3 attendees	
History (previous approvals)	N/A	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Draft Report	Section VIII.H
• Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Proposed access is off of E. Lake Hazel Road, an arterial. The proposed access is via a new public local street. ACHD is allowing a modification to their district policies to allow this access as there is no other lesser classified street available.	
Stub Street/Interconnectivity/Cross Access	A new stub street is proposed to the adjacent property to the west from the proposed local street noted above. This access is approved by ACHD as noted in their staff report.	
Existing Road Network	E. Lake Hazel, an arterial, is existing with 2 travel lanes.	
Existing Arterial Sidewalks / Buffers	No	
Proposed Road Improvements	Applicant is not proposing to improve E. Lake Hazel as it is scheduled to be widened to 5 travel lanes by ACHD in 2024.	
Fire Service		
• Distance to Fire Station	3 miles from Fire Station #4	
• Fire Response Time	Part of the proposed development falls within the 5 minute response time goal.	
• Resource Reliability	78% (below the target rating of 80%)	
• Risk Identification	Risk Factor 2 – Residential with hazards; current resources would not be adequate to supply service to this project due to nearby waterway if an emergency were to occur.	
• Accessibility	Proposed project meets all required access, road widths, and turnarounds. The project will be limited to 30 homes until the entire emergency access along the western boundary is constructed.	
Police Service		
• Distance to Police Station	5.5 miles	
• Response Time	Goal of 3-5 minutes	
• Accessibility	MPD has no concerns with access into this development; the MPD can service this development if approved.	
• Additional Comments	There is no call data in this area because the proposed development is at the edge of City Limits. Between March 2019 and March 2020, MPD responded to 7 calls for service within one mile of this proposed development. The crime count on those calls was one (1).	

Description	Details	Page
	Between March 2019 and March 2020, MPD responded to 9 crashes within 1 miles of this proposed development.	
West Ada School District		
<ul style="list-style-type: none"> • Distance (elem, ms, hs) 	No comments submitted at this time.	
<ul style="list-style-type: none"> • Capacity of Schools 		
<ul style="list-style-type: none"> • # of Students Enrolled 		
Wastewater		
<ul style="list-style-type: none"> • Distance to Sewer Services 	N/A	
<ul style="list-style-type: none"> • Sewer Shed 	South Black Cat Trunk Shed	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU's 	See application	
<ul style="list-style-type: none"> • WRRF Declining Balance 	13.92	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	YES	
<ul style="list-style-type: none"> • Additional Comments 	Flows have been committed No sewer mains in common driveways Applicant to provide "to and through" to property to the west.	
Water		
<ul style="list-style-type: none"> • Distance to Water Services 	710 feet	
<ul style="list-style-type: none"> • Pressure Zone 	5	
<ul style="list-style-type: none"> • Estimated Project Water ERU's 	See application	
<ul style="list-style-type: none"> • Water Quality Concerns 	None	
<ul style="list-style-type: none"> • Project Consistent with Water Master Plan 	YES	
<ul style="list-style-type: none"> • Impacts/Concerns 	The water main extension in Lake Hazel is currently shown in the wrong corridor, the water main should remain north of center line instead of being moved south of center line. Also, the water main in Lake Hazel needs to be a 12", not an 8" as currently shown. We prefer to have a main stub or service line (whichever is needed) to the future church lot to eliminate cutting the new road in the future.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Dave Evans Construction – 7761 W. Riverside Drive, Boise, ID 83705

B. Owner:

Calvary Chapel Treasure Valley, Inc. – 9226 W. Barnes Drive, Boise, ID 83705

C. Representative:

The Land Group – 462 E. Shore Drive, #100, Eagle, ID 83616

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	5/29/2020	7/24/2020
Radius notification mailed to properties within 300 feet	5/26/2020	7/21/2020
Site Posting	6/8/2020	7/31/2020
Nextdoor posting	5/27/2020	7/21/2020

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

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

The proposed annexation area lies at the edge of the City’s area of impact on the south side of E. Lake Hazel road, approximately ½ mile east of Eagle Road. There is existing City of Meridian zoning directly across Lake Hazel to the north but no other existing Meridian zoning is adjacent to the subject site. There is a golf course directly to the east of this property, within the City of Boise. Despite minimal existing zoning directly to the west and southwest of this site, the City is currently processing multiple projects in this area, as seen in the Planned Development Map above. This project, if approved, should blend in well with these adjacent developments.

The proposed land use of attached single-family residential and townhome units (per the revised site plan) is consistent with the Future Land Use Map (FLUM) designation definitions for Medium High Density Residential (MHDR). MHDR requires a density of 8-12 units per acre. The Applicant has proposed a project with 7.5 du/ac with their updated plat and the comprehensive plan allows for rounding of density. Because of the proposed product type and the difficult shape of the property to begin with, Staff supports rounding the proposed density of 7.5 du/ac to the required 8 du/ac per the provisions in the comprehensive plan.

In addition to the proposed residential use on this site, the Applicant is reserving a building lot for a future church site; a church is a conditional use within the proposed R-15 zoning district. The residential portion of the site consists of approximately 7.5 acres (including the right of way) and the future church lot is approximately 7 acres. This application does not include the conditional use permit application for the church lot; that use will be analyzed with the future conditional use permit submittal.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.*

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed R-15 zoning and proposed land use of single-family attached and townhome residential is an extension of some of the housing products recently approved nearby and some of the housing proposed on the adjacent site to the west. R-15 zoning and attached single-family homes are not abundant in the immediate area at this time but if this project and the adjacent project to the west are approved, this type of housing would make up a fair portion of the housing options in this ½ mile area. A vast majority of the housing within a mile of this site is detached single-family residential. So, adding 48 units of a different product type to the area helps meet this comprehensive plan policy.*

“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” (2.02.01A). *The Ten Mile Creek runs adjacent to this property on its western boundary but is not on the subject site. Because of this, there is no multi-use pathway proposed on this property. However, the project that Staff is also processing for the adjacent property to the west is constructing that multi-use pathway. Because of the proposed internal stub street with attached sidewalks with this development, there should be adequate pedestrian connection to the multi-use pathway on the adjacent parcel. With a connection to the pathway, residents within this development will have greater pedestrian and bicyclist connection to the north to Hillsdale Park and the Hillsdale YMCA.*

The largest area of open space proposed with this development is expected to be shared between the residences and the future church site. That common open space lot is proposed to be approximately 15,000 square feet in size and offer a relatively large open area for residents and churchgoers to use. Because the lot is relatively large and open, it is more usable than open space that may be qualifying but is usually dispersed throughout the development. Staff supports open space that is in this more usable format. The other open space in this development abuts the Ten Mile Creek and the proposed townhomes; this area should offer additional visual amenity to the development and those townhomes specifically. In addition, this open space area near the creek and the cul-de-sac will contain a water feature and seating area for the residents. Again, offering usable open space and an amenity for the proposed community. For the size of this site, Staff finds the proposed open space is adequate in size.

“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” (6.01.02B). *Due to the odd shape of this parcel, strict adherence to ACHD and City policies regarding access points to arterial streets was not feasible. The Applicant has proposed the main access into this development as far east on their parcel as possible. Because of this, ACHD has agreed to modify their policy to allow for this additional access onto E. Lake Hazel. This Applicant is also proposing a stub street to the west for future local street connectivity which sets up future development to the west and south to minimize their potential accesses onto arterial in the area.*

“Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City's vision and the necessary extension of public services and infrastructure is provided.” (3.03.03). *The proposed development and uses adhere to the vision established by the underlying future land use designation. Attached single-family and townhomes are permitted uses and a Church is a conditional use in the R-15 zoning district. In addition, all infrastructure extensions will be paid for by the Applicant and not the taxpayers.*

“Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00). *The proposed single-family residential development is compatible with other residential and agricultural uses in the area; the future Church development should be compatible with nearby uses as well. In addition, additional residential units built at this density should be compatible with the existing golf course use on the parcel directly to the east.*

Staff finds this development to be generally consistent with Comprehensive Plan policies and objectives.

C. Existing Structures/Site Improvements:

There are no existing structures on the subject site and no site improvements are known at this time.

D. Proposed Use Analysis:

The proposed use is attached single-family residential and townhome single-family residential; both types of residential dwellings are listed as principally permitted uses in the R-15 zoning district per UDC Table 11-2A-2.

Part of the property (along the western boundary) lies within the 100-year floodplain boundary. The Applicant is currently awaiting the results of a floodplain study to determine the types of constraints and/or possibilities of reducing this boundary area. See Public Works comments for further requirements of the site.

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

The proposed lots along the eastern boundary and the public streets appear to meet all UDC dimensional standards per the submitted preliminary plat. This includes property sizes, required street frontages, and road widths. The revised preliminary plat submitted by the Applicant shows townhomes off of a private alley. It is the understanding of Staff that ACHD has not yet given comments on the precise location of this alley but are generally supportive of it. Per the revised plat, all lots appear to meet UDC dimensional standards for the R-15 zoning district and attached single-family unit type.

In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). There is one (1) common driveway proposed and such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **If any common drives are proposed, an exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway.**

F. Access ([UDC 11-3A-3](#)):

Access is proposed via a new local street into this development from E. Lake Hazel Road. The Applicant is also proposing a stub street to the west for future local street connectivity. For these areas, all dimensional standards appear to meet UDC requirements.

Because the stub street to the west will likely lead to nowhere at the time of this development, the Applicant will have to provide an emergency only access. The Applicant is showing on their master plan (as shown in Exhibit VII.B) a 20-foot wide emergency only access from the stub street that runs along the western property boundary and connects to E. Lake Hazel. ACHD and Meridian Fire Department have granted their approval of this emergency access. Without this

access, this property will be limited to no more than 30 homes until such time that the emergency access is constructed. To remediate this, Staff is recommending the emergency access is built prior to the Applicant receiving any building permit approval.

Staff is supportive of this emergency access but does have concerns on what its future use will be once the stub street to the west connects with the adjacent subdivision and offers the required secondary access. The Applicant has not discussed the future plans for this access with Staff but the submitted master plan depicts the church site using this emergency only access as a way to drive from one side of the church to the other for ease of access and emergency response. So long as this road is not used for parking while this road is meant for emergency access, Staff finds no concerns with this. Once the emergency access is not needed, however, Staff recommends the Applicant work with ACHD to keep the road for the church site to gain an additional access point, albeit limited.

The revised preliminary plat shows a private alley that connects to the future western stub street and the proposed cul-de-sac. As stated above, Staff is unaware of ACHD’s formal approval of this location but has also not been given notice of its denial. The Applicant should continue working with ACHD to ensure the location of the alley meets all ACHD requirements. The proposed alleyway is shown as 20 feet wide which meets UDC and Fire requirements; the alleyway will be deemed as a no parking zone for its entirety. Staff supports this alleyway and the alley loaded type of home for this development.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached and attached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. No parking plan was submitted with the application.

The proposed street sections (33-feet wide) of the local streets within the development, shown on the submitted plat, accommodate parking on both sides of the street where no driveways exist. The alleyway for the alley-loaded homes will be required to be labeled as “No Parking.” Each townhome will be required to meet the off-street parking standards and Staff encourages the developer of this site to include provisions within their HOA bylaws that prohibit garages being used as storage. This would help alleviate some of the parking issues seen throughout the City. Parking requirements for the future church site will be reviewed with the future conditional use permit application.

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

No multi-use pathways are proposed or required with this development because the master pathways plan shows a multi-use pathway along the opposite side of the Ten Mile Creek on an adjacent parcel. This Applicant is proposing attached sidewalks along all local streets that will connect to this future multi-use pathway as the property to the west develops and the proposed stub street is extended westward. These sidewalks should help improve pedestrian and cyclist connectivity from this development to other services within a mile.

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

Five-foot attached sidewalks are proposed along all internal local streets. There is no existing sidewalk along E. Lake Hazel Road and Lake Hazel is expected to be widened in 2024 according to ACHD, as stated above. *Detached sidewalks are required along arterial roadways per UDC 11-3A-17. The Applicant has already agreed to dedicate additional right of way to ACHD for the future widening of Lake Hazel. Therefore, Staff is recommending that the Applicant construct at*

least a 5-foot detached sidewalk within the required landscape buffer along Lake Hazel, outside of the ultimate ACHD right of way.

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

A 35-foot wide street buffer is required adjacent to E. Lake Hazel Road because it is both an arterial roadway and noted as an entryway corridor. This buffer should be landscaped per the standards listed in UDC 11-3B-7C and placed into a common lot that is at least 35-feet wide; this common lot should also contain the detached sidewalk required along all arterial roadways. *The submitted landscape plan depicts a 25-foot wide landscape buffer; the correct number of trees appear to be shown on the submitted landscape plans (see Section VII.D). The Applicant shall be required to submit revised plans depicting the correct size landscape buffer along E. Lake Hazel. In addition, the improvements required outside of the ultimate ROW should be constructed prior to receiving building permit approvals. The submitted open space exhibit does not count this buffer area as qualified open space for the residential development because only a small portion of this buffer abuts the future residences. Normally, half of this area would count towards qualified open space. Staff believes the required landscape buffer and detached sidewalk should be constructed with the residential development and not the church site. Therefore, Staff is recommending a condition of approval to complete the frontage improvements prior to receiving building permit approval and revise the open space exhibit to show this area on the open space exhibit to give a more complete open space calculation.*

Common open space is required to be landscaped in accord with the standards listed in UDC 11-3G-3E. *The total square footage of common open space are included in the Landscape Calculations/Requirements table along with the required number of trees to demonstrate compliance with UDC standards but has not been updated to depict the new layout. Staff recommends the Applicant submit a revised landscape plan at least ten (10) days prior to the City Council hearing to show the new layout and match the other revised plans.*

Also shown on the landscape plan is an area directly to the west of Lot 34, Block 1 that is within the Ten Mile Creek easement. This area of the development is not open on both ends and does not offer easy visibility. Staff is concerned with potential safety and crime issues in this small area. UDC 11-3G-3D.3 states that “common open space shall be located in areas of high visibility to avoid hidden areas and corners...” This area is not qualifying open space because it is not open on both ends but it is still common open space and must adhere to these standards. Therefore, Staff is recommending a condition of approval that this area be part of Lot 34, Block 1 to alleviate this potential safety issue. In addition, the Applicant is proposing an additional 8 trees in order to mitigate trees that are being lost with the development of this site. This note is stated on the submitted landscape plan.

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

A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required. The proposed future Church site is not required to meet open space standards. Therefore, the required qualified open space for this development shall be based upon only the portion of the property where the residential use is proposed. According to the Applicant, the residential area is approximately 6.05 acres. Based on this size, the Applicant should supply at least 0.6 acres of qualified open space, or approximately 26,000 square feet. The applicant is proposing 1.08 acres of open space, of which 0.75 acres is proposed as qualifying open space. Staff has concerns with one area of this open space and its eligibility to qualify.

The largest common open space lot is approximately 15,000 square feet and sits between the proposed residences and the future church site. It is the intention of the Applicant that this open space lot would serve as open space for both the residential part of this development and for the

children attending the future church site. Again, the church site is not required to have open space but Staff understands the desire to share this space in the future. To ensure this open space lot stays with the residential development and is used by the residences, it should be made clear that the future homeowners association is to own and maintain this lot, and not the church owner. In addition to this common open space lot, the Applicant is proposing open space around the cul-de-sac that terminates at the southern end of the development. This area is proposed to contain a water feature and seating area for residents to enjoy. Part of this open space also runs within the Ten Mile Creek Easement and creates a small “green-way” from the western stub street and back into this water feature area; this proposed area is qualifying.

The Ten Mile Creek and this “green-way” can be utilized for both open space and offer a great green space for the proposed townhomes to front on. Staff is concerned the proposed townhomes from off of the alley and the Applicant is missing an opportunity to give those future homeowners along the creek an additional green space area. Because of this, Staff is recommending a condition of approval that the townhomes front towards the green space and not on the alley.

On the revised open space exhibit (Section VII.E) there is an area less than 5,000 square feet located between the alley and the local street. UDC requirements state that in order for this area to be qualifying it must be at least 50’ by 100’ in dimension. Staff uses their discretion when the open space area can meet the 5,000 square foot area requirement but may not meet the precise dimensions above. In this case, this area meets neither of these benchmarks and Staff believes it is not qualifying open space. With this area removed from the open space calculations, Staff has calculated that the qualified open space for the site is approximately 0.64 acres, or approximately 10.57%. The proposed open space still meets UDC minimum requirements and Staff finds that the open space with the water feature and the large open space lot in the center of the development are sufficient for the number of homes proposed in this development.

The required landscape buffer along E. Lake Hazel should be shown on the open space exhibit even though it is not qualifying open space. As stated above, Staff recommends these improvements be completed with development of the residential portion of the site. The open space exhibit should be revised to show this area to give a more complete picture of all open space on the site in accordance with UDC 11-3G-3.

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

Based on the area of the proposed plat (approximately 6 acres for the residential component), a minimum of one (1) qualified site amenity is required to be provided per the standards listed in UDC 11-3G-3C. Even if the amenities were based on the entire 14 acre parcel, one (1) qualified site amenity would still be required.

The applicant has proposed one (1) qualified amenity: a seating area with a water feature located at the end of the new local street. This water feature shows a small fountain and boulders that also flows into a small stream channel.

The proposed amenity meets the minimum UDC requirements and Staff finds it to be a nice amenity for the community.

M. Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is shown on the landscape plan but is not made clear as to what type of fencing it is. Fencing shown next to any open space shall be open-vision or semi-private fencing per UDC requirements.

This fencing requirement applies to the area of the property that abuts the Ten Mile Creek. The Ten Mile Creek itself is not located on this site but its easement does. Ten Mile Creek is to remain

open as this Applicant does not have rights to it. The creek should be protected during development on this site.

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

The Applicant has submitted sample elevations of the attached single-family homes for this project (see Section VII.G).

The submitted elevations show all single-story attached structures with two-car garages and similar finishing materials of stucco, masonry, and wood. In addition, the elevations show both shed roof and traditional pitched roof designs. The Applicant has not stated there will only be single-story attached structures. Staff has also not received updated elevations for the townhome style product. The submitted sample elevations appear to meet design requirements for single-family homes.

Because the proposed local street running north-south is straight and relatively long, Staff is recommending that future homes are built across varying setbacks to provide variation along the street and help ensure there is not a monotonous wall plane of homes along this street. Attached and townhome single-family residential require design review approval prior to building permit submittal. This requirement gives staff the opportunity to review the site plan and ensure compliance with the above noted recommendation.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and approval of the requested preliminary plat with the conditions noted in Section VIII.A per the findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on June 18, 2020. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Preliminary Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Tamara Thompson, Applicant Representative; Daryl Zachman, Pastor of church to be developed in the future.
- b. In opposition: None
- c. Commenting: Tamara Thompson; Daryl Zachman
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. No issues—Daryl Zachman commented on location of shared open space and the temporary emergency-only access along the west boundary.

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

- a. Removal or modification of Staff condition 3.B and the feasibility of either outcome;
- b. Location and size of the large common open space lot shared between the future Church site and this preliminary plat; and issue of who will own and maintain this shared open space lot;
- c. Whether this plat should be combined with the future conditional use permit required for the Church site and how the two projects will function together;
- d. Wants Applicant to look at some sort of netting to prevent broken windows from the adjacent golf course.

4. Commission change(s) to Staff recommendation:

- a. Modify condition 1.F to include language that requires the future HOA and the Church enter into a use agreement to ensure perpetual maintenance of the common open space located on Lot 2, Block 2;
- b. Remove condition 3.B from the staff report.
- 5. Outstanding issue(s) for City Council:
 - a. Applicant has not submitted any information on the netting that Commission wanted them to discuss internally; Council should discuss whether they want to condition netting along the eastern boundary or not.

C. City Council:

Enter Summary of City Council Decision.

VII. EXHIBITS

A. Annexation Legal Description and Exhibit Map



ANNEXATION

Page 1 OF 1

February 19, 2020
Project No.: 119022

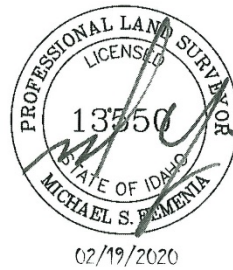
ANNEXATION
CALVARY CHAPEL TREASURE VALLEY INC.

A parcel of land as shown on Record of Survey Number 2880, recorded as Instrument Number 94050954, records of Ada County, situate in a portion of Government Lot 3, Section 4, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the North Quarter Corner of said Section 4 (from which the Northwest Corner of said Section 4 bears South 89°56'28" West, 2651.66 feet distant);
Thence on the north/south midsection line of said Section 4, South 00° 37' 05" West, 1356.13 feet;
Thence leaving said north/south midsection line and on the southerly and westerly boundary of said parcel shown on Record of Survey Number 2880, South 89° 59' 56" West, 21.00 feet;
Thence North 28° 52' 16" West, 82.77 feet;
Thence North 34° 04' 12" West, 1548.37 feet to a point on the north section line of said Section 4;
Thence on said north Section line North 89° 56' 28" East, 943.00 feet to the **POINT OF BEGINNING**

The above described parcel contains 14.87 acres, more or less.

PREPARED BY:
The Land Group, Inc.



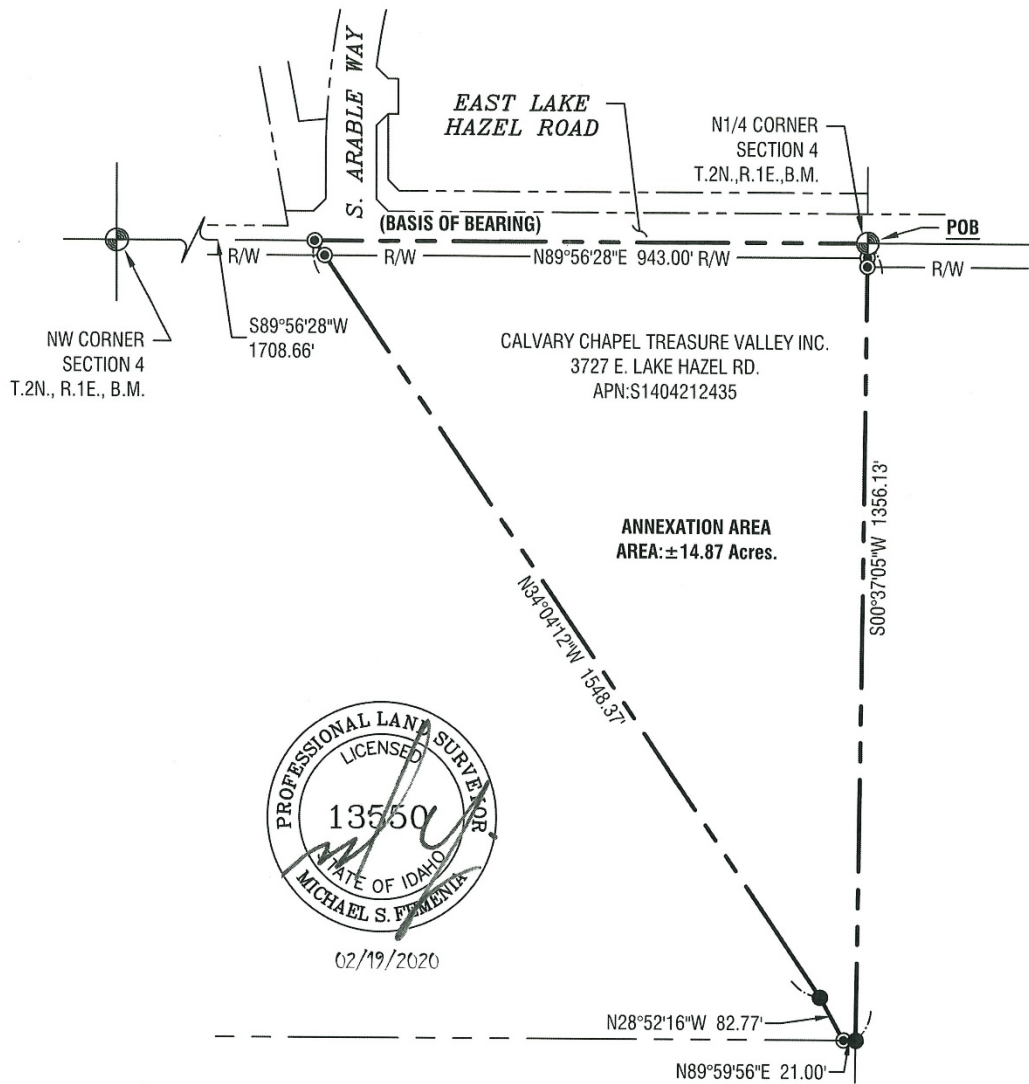


Exhibit "B"

Horizontal Scale: 1" = 250'



Project No.: 119022
Date of Issuance: February 19, 2020

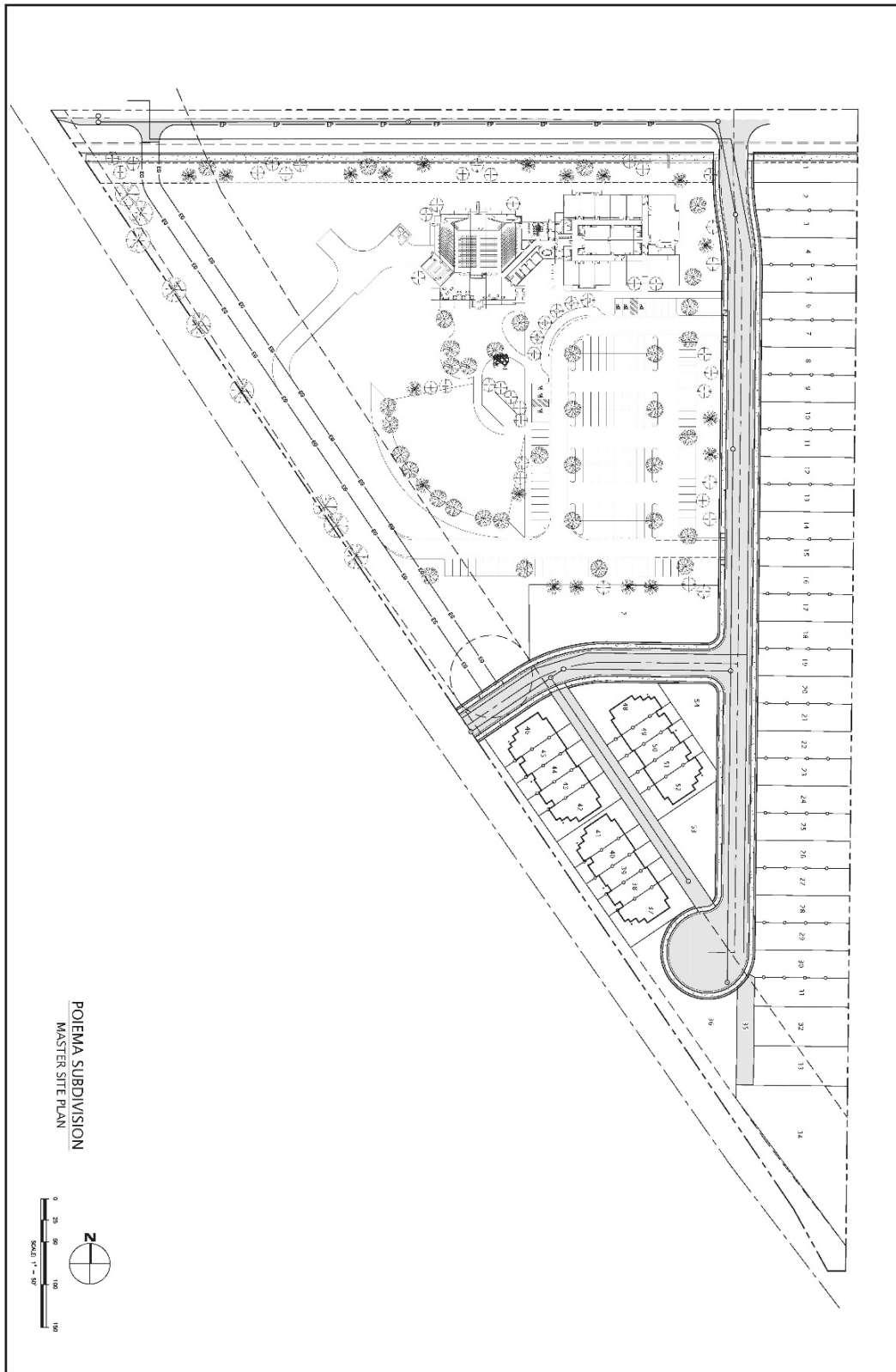


**Calvary Chapel Treasure Valley Inc.
Annexation**

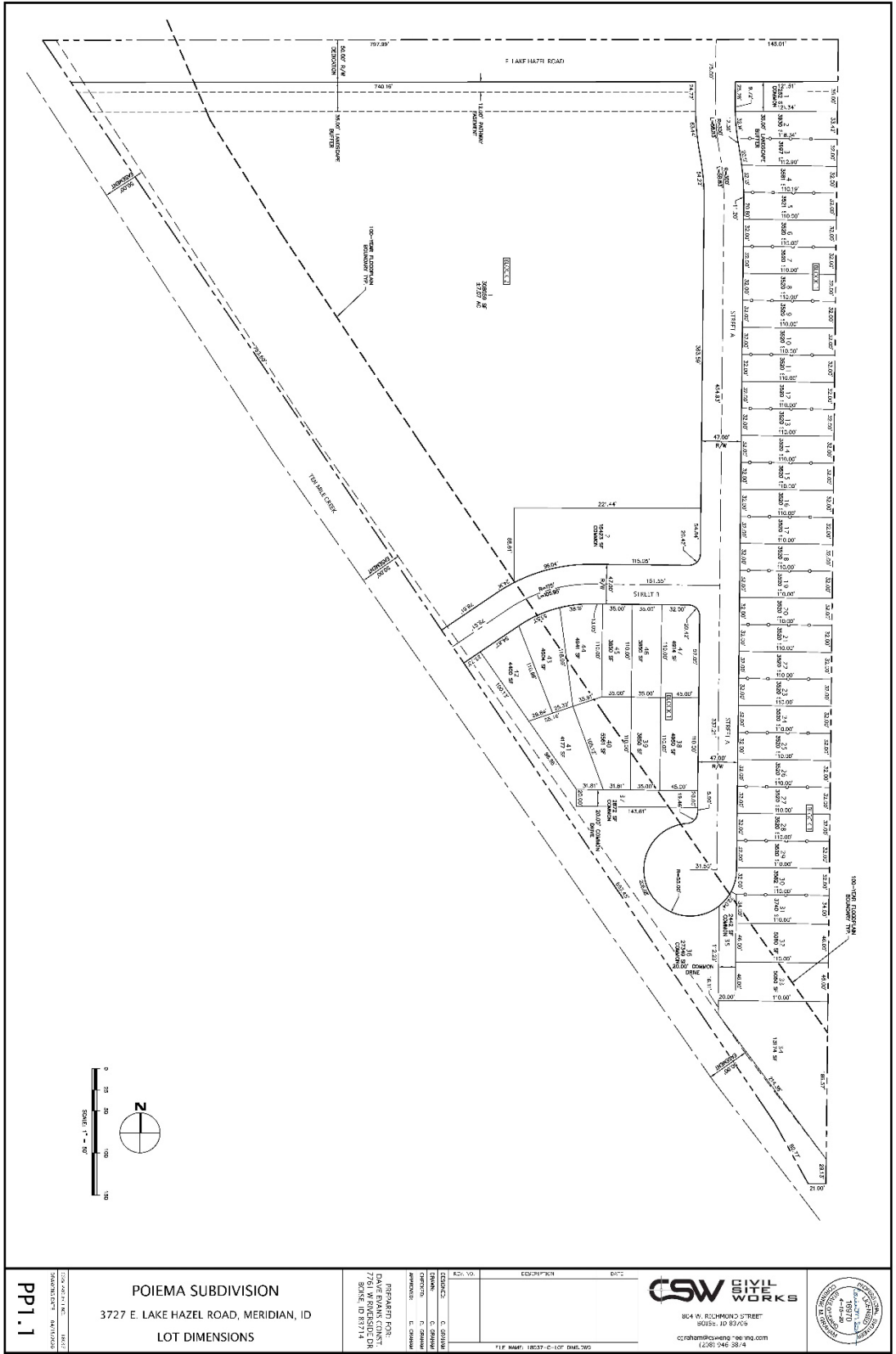
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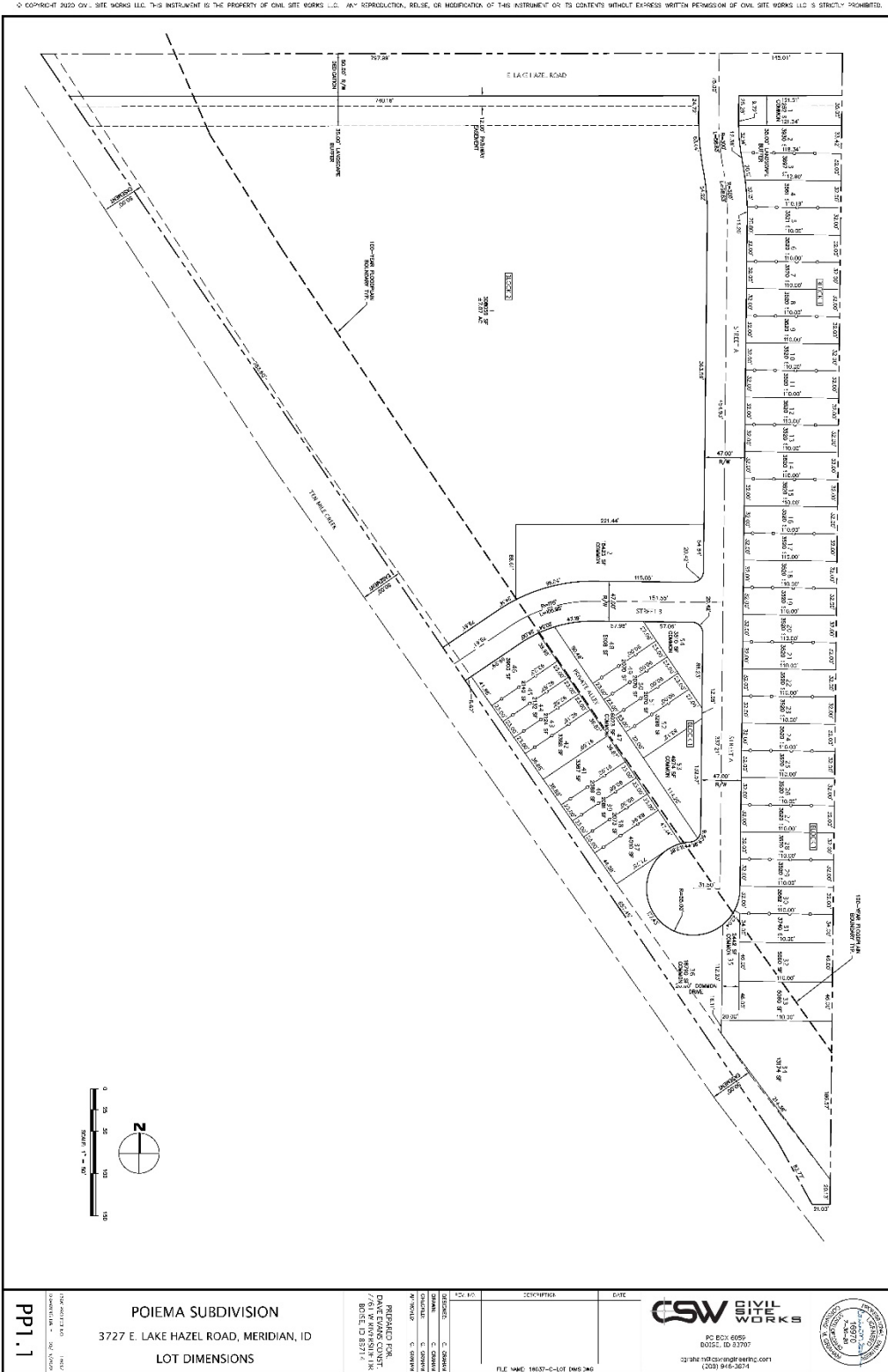
B. Master Development Concept Plan



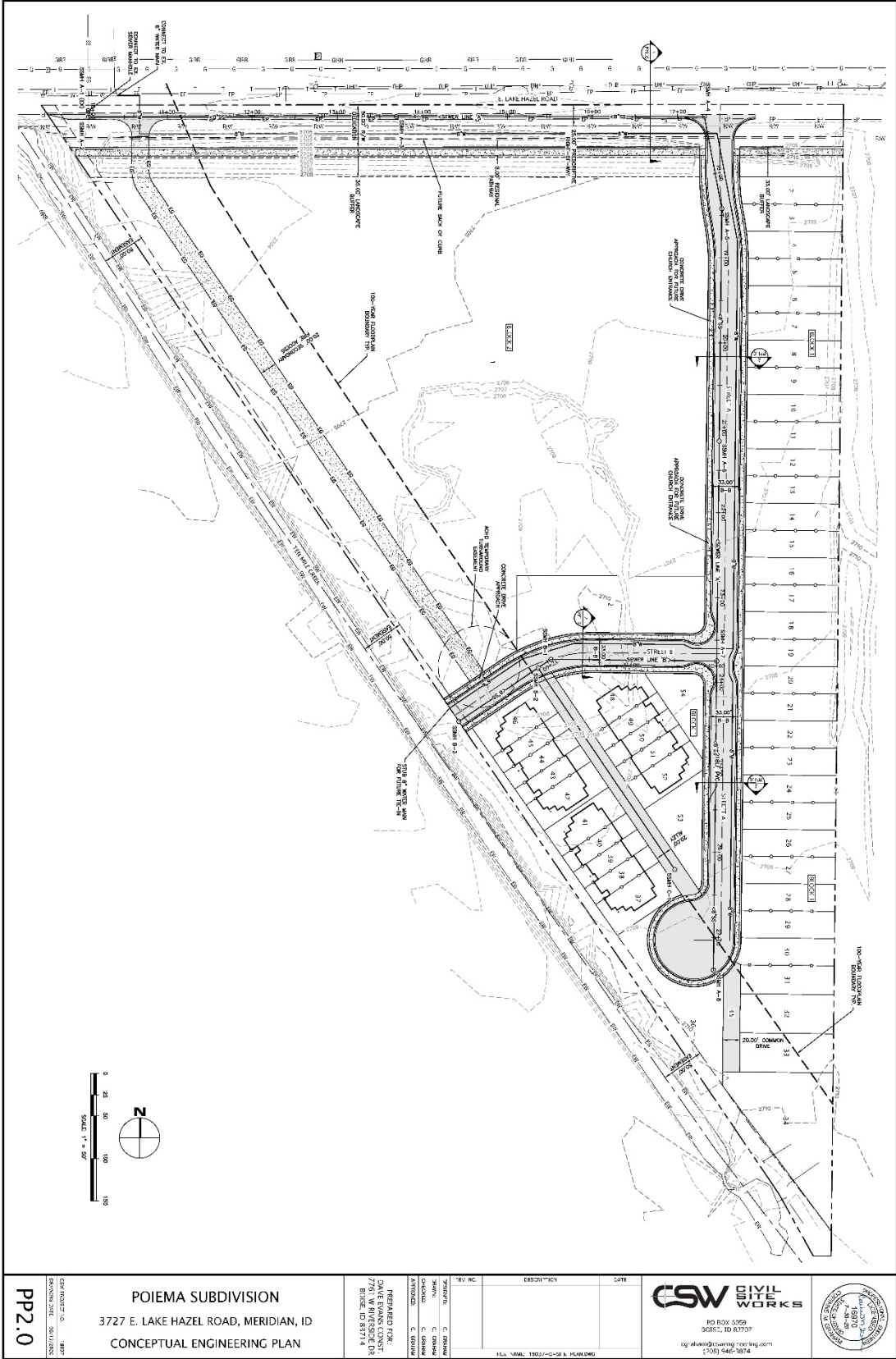
C. Original Preliminary Plat (date: 4/15/2020)



D. REVISED Plat (dated: 06/15/2020-7/30/2020)



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POIEMA SUBDIVISION
3727 E. LAKE HAZEL ROAD, MERIDIAN, ID
CONCEPTUAL ENGINEERING PLAN

PREPARED FOR:
DAVE EVANS CONSULTING
777
RIVER, ID 83714

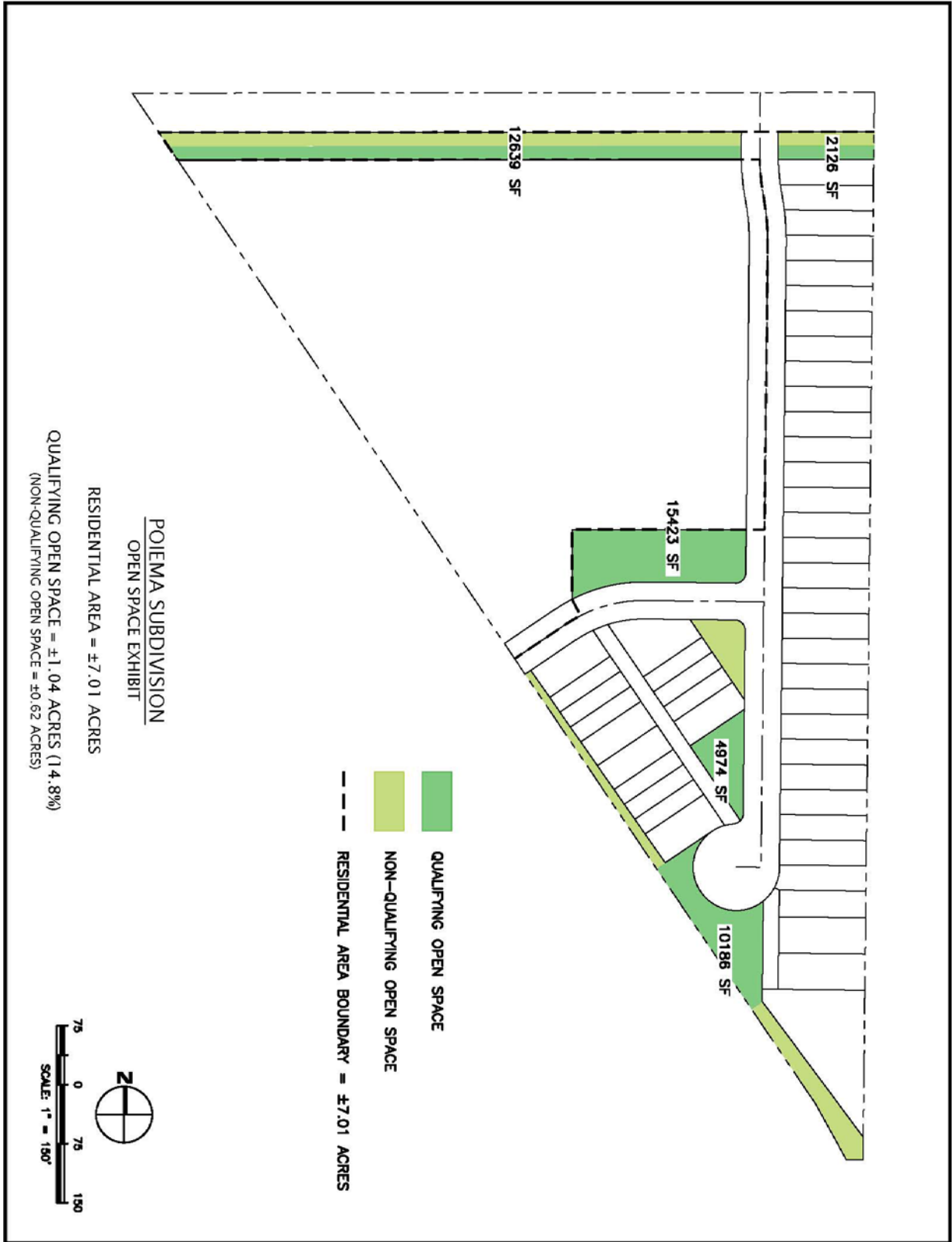
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CSW CIVIL SITE WORKS
PO BOX 5059
BOISE, ID 83720
cs@cswork.com | www.cswork.com
(208) 546-1074



E. Open Space Exhibit (dated: ~~06/15/2020~~ August, 2020)





Project Calculations:

1. TOTAL PROJECT AREA: 10.00 ACRES

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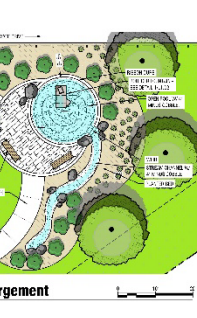
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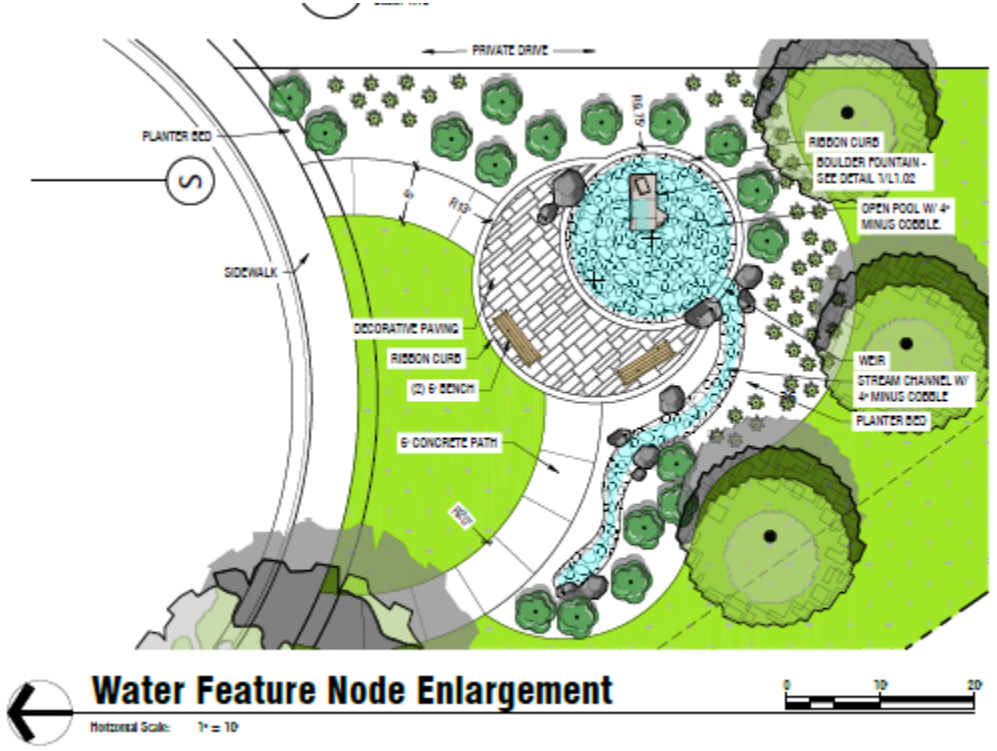


THE LAND GROUP

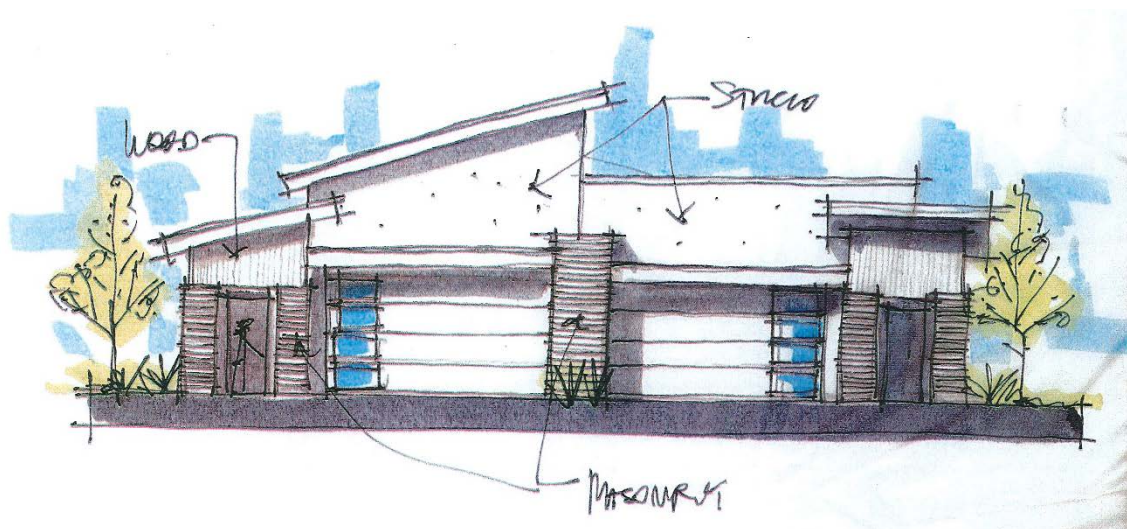
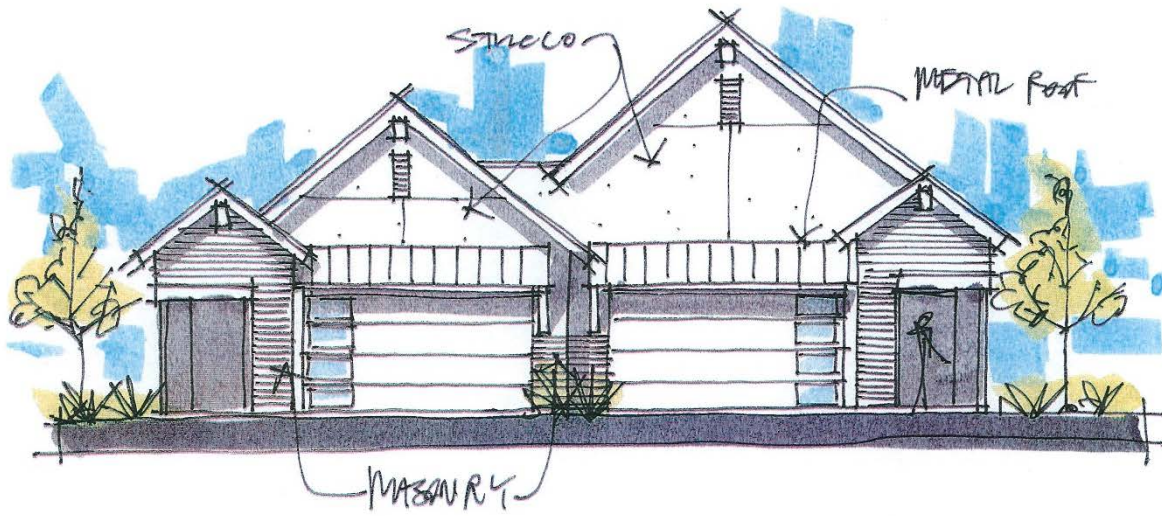
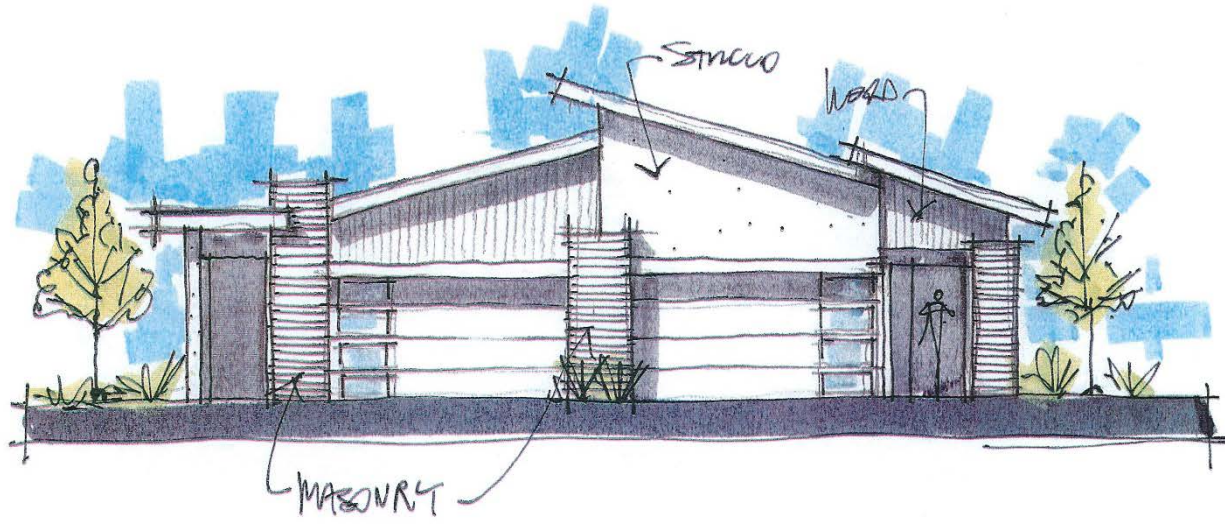
POEMA SUBDIVISION
Dave Evans Construction

7775 JAVELLE ROAD
HOUSTON, TEXAS 77055

L1.02



G. Conceptual Building Elevations





VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the submitted and revised plans and conceptual building elevations for the attached single-family and townhome dwellings included in Section VII and the provisions contained herein.
 - b. The Applicant shall comply with the ordinances in effect at the time of application submittal.
 - c. Direct lot access to E. Lake Hazel Road shall be prohibited.
 - d. The entire frontage improvements along E. Lake Hazel Road shall be completed with the first phase of development.
 - e. The proposed townhome units shall front on open space and not on the alleyway, especially those units facing the Ten Mile Creek.
 - f. Lot 2, Block 2 shall be a non-buildable lot in perpetuity owned and maintained by the future homeowner's association for the residential portion of this project and not owned and maintained by the future church, and the Church and future homeowner's association shall enter into a use agreement to ensure continued maintenance of this lot.
2. At least (10) days prior to the City Council hearing, the Applicant shall submit conceptual building elevations of the proposed townhome units.
 3. ~~Ten (10) days prior to the City Council hearing, the~~ The preliminary plat included in Section VII.C, dated 04/15/2020, shall be revised as follows:
 - a. ~~Add a note prohibiting direct lot access via E. Lake Hazel Road.~~
 - b. ~~Show Lot 34, Block 1, to include that common open space area outside of its fence, adding it to this lot and removing it from any common lot to eliminate a potential safety and crime hazard.~~
 - c. Coordinate with the ACHD and Staff on the final position of the proposed alleyway for the townhome units that meets all required City and ACHD standards. This condition shall be satisfied at least ten (10) days prior to the City Council hearing or the project will be continued to a future date determined by Staff.

- ~~d. Provide traffic calming at the internal intersection to break up the block length of the proposed "Street A". Work with ACHD on appropriate measure to ensure pedestrian safety at this intersection.~~
4. ~~Ten (10) days prior to the City Council hearing, the~~ The landscape plan included in Section VII.F, dated 05/04/2020 shall be revised as follows:
 - a. Label and depict the type of fencing proposed throughout the development; all fencing shall comply with the standards listed in UDC 11-3A-7.
 - b. ~~Revise the landscape plan to show the new layout and townhome units; any changes in landscape calculations shall also be reflected in the calculations table.~~
 - c. ~~Correct the landscape buffer along E. Lake Hazel to show the required 35 foot buffer width in accordance with the dimensional standards for R-15 zoning district, UDC 11-2A-7.~~
 5. ~~Ten (10) days prior to the City Council hearing, the open space exhibit included in Section VII.E shall be revised to show the required 35 foot landscape buffer along E. Lake Hazel and show this area in the calculations table.~~
 6. Future development shall be consistent with the R-15 dimensional standards listed in UDC Table 11-2A-7 for all buildable lots.
 7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
 8. Staff recommends the Applicant work with ACHD on allowing the emergency only access as an additional access for the church site after the parcel to the west develops and provides a secondary access into the development.
 9. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in UDC 11-6C-3D.
 10. The Applicant shall obtain Conditional Use Permit approval prior to development of the future church site, per UDC Table 11-2A-2.
 11. Administrative Design Review application is required to be submitted and approved prior to submittal of any building permit applications for single-family attached dwellings and townhomes, as applicable.
 12. Future homes along the proposed "Street A" shall provide variation in building setbacks to provide for an attractive streetscape. A master plan depicting varying building setbacks shall be submitted with the required design review applications.
 13. The Ten Mile Creek that abuts the subject site along its western boundary shall be protected during construction.
 14. The Applicant shall construct a temporary turnaround with a minimum turning radius of 45 feet at the end of the proposed western stub street in alignment with ACHD policies. The turnaround is required until such time that the stub street connects to future streets in the development to the west.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards.
- 1.2 An FLDP (Flood Plain Development Permit) is required. Currently the property is within an "A Zone". Study submitted requires culvert on Lake Hazel to be replaced and LOMR completed to change maps.
- 1.3 Sanitary sewer mains are not allowed in common driveways.
- 1.4 Applicant to provide "to and through" sanitary sewer mainline connection to the property to the west.
- 1.5 The water main extension in E. Lake Hazel Road is shown in the wrong utility corridor, as depicted on the conceptual engineering submitted with the application. The water main should remain north of center-line instead of being moved south of center-line. In addition, the water main in E. Lake Hazel Road needs to be a 12-inch diameter, not an 8-inch diameter as shown. We prefer to have a mainline stub or service line (whichever is needed) to the future church lot to eliminate cutting the new road in the future.
- 1.6 The geotechnical investigative report prepared by MTI (Materials Testing & Inspection) dated March 7, 2003, indicates some very significant groundwater and soils concerns, and specific construction considerations and recommendations. The applicant shall be responsible for the strict adherence of these considerations and recommendations to help ensure that homes are constructed upon suitable bearing soils, and that shallow groundwater does not become a problem with home construction. **Prior to this application being considered by the Meridian City Council, the applicant shall be required to submit up to date ground water monitoring data based upon current adopted building codes, as well as any other updated geotechnical information or recommendations since the initial work by MTI back in 2003.**
- 1.7 Due to the very significant groundwater and soils concerns on site, structures are to be founded on conventional reinforced spread footings and walls, and slab-on-grade foundations.

2. General Conditions of Approval

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

an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

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

- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT (MFD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=186859&dbid=0&repo=MeridianCity&cr=1>

D. POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=186743&dbid=0&repo=MeridianCity>

E. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188199&dbid=0&repo=MeridianCity>

F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188719&dbid=0&repo=MeridianCity>

G. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188182&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190509&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

1. The map amendment complies with the applicable provisions of the comprehensive plan;

Commission finds the proposed zoning map amendment to R-15 and proposed uses are consistent with the Comprehensive Plan, if all provisions of the Development Agreement and conditions of approval are complied with.

2. The map amendment complies with the regulations outlined for the proposed districts, specifically the purpose statement;

Commission finds the proposed zoning map amendment will allow for the development of single-family detached homes which will contribute to the range of housing opportunities available within the City, consistent with the Comprehensive Plan, and the purpose statement of the residential districts.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;

Commission finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

Commission finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

5. The annexation (as applicable) is in the best interest of city.

Commission finds the proposed annexation is in the best interest of the City per the Analysis in Section V.

B. Preliminary Plat Findings:

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

1. The plat is in conformance with the Comprehensive Plan;

Commission finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan analysis and other analysis in Section V of this report for more information.)

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Commission finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;

Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.

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

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

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

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

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

Commission is unaware of any significant natural, scenic or historic features that exist on this site that require preserving. The Ten Mile Creek does not reside on this property but its easement will be respected.

Holland: I was going to ask the same question, everyone, since we have been on for a couple hours if anyone needs a five minute power break we can certainly do that.

Seal: That would be good for -- that would be good for me.

Holland: Okay. We will be back at around 8:23 then. Take a five minute quick break.

Cassinelli: Thank you.

(Recess: 8:17 p.m. to 8:24 p.m.)

E. Public Hearing for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.

1. Request: Annexation of 14.87 acres of land with an R-15 zoning district; and,
2. Request: A Preliminary Plat consisting of 44 buildable lots and 4 common lots on 14.87 acres of land in the R-15 zoning district.

Holland: All right. We are ready to go then. Hopefully staff's back with us, but I would say at this point we are ready to open the public hearing for Poiema Subdivision, H-2020-0035, by Dave Evans Construction and we can begin with the staff report.

Dodson: Okay. Thank you Commissioner Holland, Commissioners. Hello again. As stated this is Poiema Subdivision in front of you tonight. The site consists of 14.87 acres of land, currently zoned RUT, located at 3727 East Lake Hazel Road. Generally located about a half a mile east of Eagle and on the south side of Lake Hazel Road, south of -- Bicentennial Farm Subdivision. The request before you tonight is for annexation of 14.87 acres of land with an R-15 zoning district and a preliminary plat consisting of 48 building lots and six common lots, of which one is a common drive serving four lots. The proposed annexation area lies at the edge of the city's area of impact on the south side of East Lake Hazel Road, approximately a half mile east of Eagle Road. There is existing city zoning directly across Lake Hazel to the north, but no other existing Meridian zoning is adjacent to the site. There is a golf course directly to the east of this property and within the city of Boise area of impact. Despite minimal existing zoning directly to the west and southwest of this site, the city is currently processing multiple projects in this area as seen on the plan development map. The proposed land use of attached single family and -- or single family residential and townhome units is consistent with the future land use map designation of medium high density residential and both are principally permitted uses in the requested R-15 zoning district. Medium high density residential requires a density of eight to 12 units per acre. The applicant has proposed a project with 7.5 DU per acre with their updated plat and the Comprehensive Plan allows -- and the Comprehensive Plan allows for rounding of densities. Because of the proposed product type being two

different product types and the difficult shape of the property to begin with, staff supports rounding the proposed density of 7.5 DU per acre to the required eight dwelling units per acre per the provisions in the comp plan. In addition to the proposed residential site -- or residential portion of this site, the applicant is reserving a large building lot for a future church site and the church itself will be a conditional use permit within the proposed R-15 zoning district. The residential portion of the site consists of approximately seven and a half acres, including the right of way, and the future church lot is approximately seven acres. The application does not include the conditional use permit application for the church lot. That use will be analyzed with the future conditional use permit application at a future date. The applicant has submitted sample elevations of the attached single family homes for this project, but not the proposed townhome units. The submitted elevations show all single story attached structures with two car garages and similar finishing materials of stucco, masonry, and wood. In addition, the elevations show both shed roof and traditional pitched roof designs. The applicant has not stated there will only be single story attached structures. The submitted elevations also appeared to meet design requirements for single family homes. Because the proposed local street running north-south is straight and relatively long, staff is recommending that future homes are built across varying setbacks to provide variation along the street and help ensure there is not a monotonous wall plain of homes along this street. Attached single family and townhome single family residential require design review approval prior to building permit submittal. This requirement gives staff the opportunity to review the site plan overall and ensure compliance with this recommendation. All proposed lots -- sorry. Shown on submitted plat appear to meet all UDC dimensional standards. This includes property sizes, street frontages, and road widths. Access to this development is proposed via a new local street into this development from East Lake Hazel Road. The applicant is also proposing a stub street to the west for future local street connectivity that is required to have a temporary turnaround constructed at its terminus until it is extended in the future. The proposed street sections, which are 33 feet wide, can accommodate parking on both sides of the street where no driveways exist and they are proposed with five foot attached sidewalks. Because the stub street to the west will likely lead to nowhere at the time of this development, the applicant is required to provide an emergency only access or -- or the development will be limited to no more than 30 homes. On their master plan the applicant is showing a 20 foot wide emergency only access from the western stub street and runs along the western property boundary and connects to East Lake Hazel, as you can see here, if you guys can see my pointer. I have no idea if you guys can see that. But right along their property boundary on their west. North is to the left here. ACHD and Meridian Fire Department have granted their approval of this emergency access. Staff is recommending the emergency access be built prior to the applicant receiving any building permit approval. A 30 foot -- 35 foot wide street buffer is required adjacent to East Lake Hazel Road because -- because it is both an arterial and an entryway corridor. The submitted landscape plan depicts only a 25 foot wide landscape buffer. So, per the UDC standards arterial roadways are required to have detached sidewalks as well. Staff is recommending a condition of approval to construct the detached sidewalk and required improvements with the residential phase of this development. A minimum of ten percent qualified open space meeting the standards listed in UDC 11-3G-3B is required as normal. The proposed future church site will not be required to meet open space

standards. Therefore, the required qualified open space for this development is based upon the only -- based upon only the portion of the property where the residential use is proposed. According to the applicant the residential area is approximately six acres. Based on this size the applicant should supply at least .6 acres of qualified open space or approximately 26,000 square feet. The applicant is proposing 1.088 acres of open space, of which three quarters of an acre is proposed as qualifying open space. The largest common lot of open space is approximately 15,000 square feet and has been centrally located in the plat. It sits between the proposed residences and the future church site. It is the intention of the applicant that this open space lot serve as open space for both residential development -- I lost my place there. And for the children attending the future church site, even though the church site will not be required to meet any certain open space requirements. Staff is concerned that if this open space lot is owned by the church and not the HOA, the church could later decide to subdivide their parcel further, including this open space lot and, then, the residential development would lose much of their open space. Another area of qualified open space is located around the cul-de-sac. This 10,000 square foot area here. And includes a very nice water feature and seating area for future residences. The open space exhibit also shows an open space area between the proposed alley and the local street that is less than 5,000 square feet. This area right here. This open space does not appear to qualify per UDC standards and should be removed from the open space calculations. With this area removed the qualified open space is reduced to 2.64 acres or approximately 10.57 percent. Therefore, the overall open space still meets their minimum required open space. This area runs along the Ten Mile Creek easement, but the creek itself is not on the property. This area, as you can see along here that is labeled as nonqualified open space for some portions, creates a kind of greenway and can offer great green space for the proposed townhomes to front on. However, part of this easement also runs into the southernmost corner of the site and is not visible from a public street. I'm referring to this area here. It offers potential safety and crime issues because of its lack of visibility. Because of this staff is recommending a condition of approval to add this area as part of the buildable lot at a Lot 34, Block 1. Code dictates that this area be included in a common lot, because it is open space and resides in an easement. However, City Council can waive that requirement if they see fit. Staff is recommending that they do so. The applicant responded to the staff report and is requesting a few modifications. So that I do not misspeak for them, I will let them discuss those with you guys. No other written testimony was submitted. With the conditions listed in my staff report staff does recommend approval of the requested annexation and preliminary plat and I will stand for questions. Thank you.

Holland: Thank you, Joe. One other comment. We -- so, a couple of options that they might have for the 15,000 square feet of open space, if they didn't have the HOA maintain that and the church held onto that, potentially they could just put a note on the plat that says it's undevelopable or it's a nonbuildable lot in perpetuity or that it stays within the HOA as a common lot open space, nonbuildable lot. Is there a preference from staff on which way makes more sense, whether it stays the HOA or the -- the church? You might be muted, Joe.

Dodson: Sorry. Yes, I was there. I do not mind either way. If the -- the applicant did request to have my condition of it being owned and maintained by the HOA removed. So, if it's amenable to them I am amenable to just -- instead of having that condition, change it to say that it will be deed restricted and it will be a nonbuildable lot, I'm perfectly fine with that. I just want it to satisfy my fear of the church might -- potentially developing it and removing it from the residential area.

Holland: Great. Thanks, Joe. Any other questions for staff before we bring the applicant in? Seeing no one jump, Madam Clerk, do we have the applicant in? It looks like they are joining us now. So, if you want to unmute and state your name and address for the record we are ready to hear from you.

Thompson: All right. Madam Chair, my name is Tamara Thompson, I'm with The Land Group and I will be -- oh. My address is 462 East Shore Drive in Eagle. And I'm representing the applicant on this subdivision. I do have a slideshow for you. If -- I sent it earlier, but it might be easier if I can run it if I can just share my screen.

Weatherly: Tamara, you know what, I would love to give you permission. I seem to be having PowerPoint presentation issues tonight, so you should have free rein to go ahead and get your presentation up.

Thompson: Okay. I'm going to move things around a little bit. Okay. So, since this word was new to me I figured it might be new to you all, too, so I thought we would just go through what the definition is. It is pronounced Poiema and it is a Greek -- of Greek origin and it means peace, calm or work of art and since Calvary Chapel is the owner of the property and this term is -- is mentioned in the Bible, it's something that is -- it's special to them and so that is where the name came from. Here is the vicinity map. The project is 14.87 acres and it is located -- I don't -- can you guys see my pointer at all?

Holland: Yep. We can see it.

Thompson: Okay. Perfect. So, the -- the western corner is a third of a mile from Eagle and the eastern corner is a half mile from Eagle Road. It's on the south side. And, then, just to give a little context, the YMCA is up in this area. This is Hill Century Farm. And, then, Bicentennial Farm. Some other projects that have recently been approved that aren't final platted yet, but the -- I believe the preliminary plat is approved. This is the piece here that wraps around the -- the Latter Day Saints Church at that location and, then, we have a wonderful opportunity here with having the existing Boise Ranch Golf Course as -- as a neighbor to the east. The property currently consists of one parcel. It's vacant. It is zoned RUT in Ada county and the creek runs along the west property line and to the -- the east is Boise Ranch Golf Course and developing a triangle is always a challenge, so keep that in mind for the density and -- and the layout. Even though this Ten Mile Creek is not on the property, the easement for Ten Mile Creek is a hundred feet wide and so there are portions of that easement that encroach onto the property. The property is in the City of Meridian impact area and the path of annexation exists via Bicentennial Farm Subdivision, which is on the north side of Lake Hazel. The property

has a Comprehensive Plan future land use map designation of high -- I'm sorry -- medium high density residential, which is defined as single family attached -- detached town -- residential units, townhouses, condominiums and multi-family offered in that. Attached is our master plan and the application before you tonight is an annexation for the entire plat and a rezone to R-15 and a preliminary plat for -- to make one large lot and, then, single family homes. So, all of these are single family. They -- they are attached and detached units. Actually, all attached units now. We used to have some detached, but we made some modifications. A conditional use permit for the church will be submitted separately and the reason for that is ACHD required a distribution study for Sundays for the church operation and due to the quarantine and the shutdown we haven't been able to -- to get that traffic study, although ACHD just released us to start that and so we are hoping within the next 30 days that you will see the conditional use permit for the church. So, it's following just a little bit behind. The proposed annexation and R-15 zoning designation complies with the city's Comprehensive Plan. The preliminary plat includes 56 total lots, 48 single family residential building lots, one nonresidential lot, which is for the church here. Five open space lots. One common drive and one alley. We do have a stub street that will go to the west and ACHD issued their staff report today and we are in agreement with ACHD's conditions. I believe staff -- Joe had heads up on that and he has included the -- some of those conditions in his -- in this report. Of the residential units there are 33 patio homes, which will back to the existing golf course and, then, there is 15 townhouse units, ten of which will front on Ten Mile Creek. I think there was some confusion with that in the staff report, but it is the plan to front those units on Ten Mile as an amenity. The residential area -- for just the land area, if you take out the right of way, equals four acres. We have approximately 12 percent open space and of that we have a -- a nice plaza with a water feature, a fountain, and there is kind of a representation here of -- of what that would look like. The conceptual elevations -- again, there is 33 patio homes. Those are represented here and they do have articulation. This shading would be for the garages. One would be back and one would be forward. So, each of the units go back and forth. All of these are showing in single story, but there could be two story units or one and a half story. And, then, we did not have the townhouse units, but I am showing them here. This will be the five-plex. And we would still need to go through design review, so don't -- don't look at the colors too much, because those might change. They are just representative of the -- of the elevations. So, we have read the staff report and we agree with staff's analysis with the following modifications. And I have listed all those here. It's the same as what we gave you in an e-mail and I will go through each one of those separately. So, the first one is condition 1.D and that is the residential subdivision meets and exceeds the open space requirements without this frontage and because we are coming back with a conditional use permit for the -- for the church use in the R-15 zone, we are respectfully requesting that this landscaping be improved with the church, not knowing what the conditions of approval come out with that, and -- and the programming for that. So, we still have to go through conditional use and CZC and design review, so we are respectfully requesting that this landscaping that I have circled in red here go with the phase with the -- with the church. And, then, the second one is 1.F and that's Block 2, Lot 2, and that's this area. It is of our common -- common open space for the subdivision. However, it is planned to be shared between the church and -- as long as there is a use and maintenance agreement or a plat note it shouldn't matter who owns

the parcel. So, we would like that -- that condition of approval to be revised to allow either/or. Either a plat note or -- or the use and maintenance agreement. And, then, the last one is 3.B and this one is the open space along the side of Lot 45. So, per city code we have to put this -- this is a portion, so you can see on the side here that Ten Mile Creek is off site, but a portion of that easement is on our property. Per city code that easement needs to be in a common lot and I -- I just put where -- where this Ten Mile Creek is to the north and you can see here where it -- where it meanders through both the Bicentennial Farm and the Hill Century Farm, is that these are -- it is in the common lot with those and it has -- you know, those lots weren't extended into the center of -- of that canal or creek, so we are -- we are just doing the exact same thing here and I will add that there is a pathway that exists on the west side of Ten Mile Creek and that would continue on the west side of Ten Mile Creek with the development of the lot -- of the properties to the west of this one and they are in -- in the process of doing their traffic study right now as well in order to get that submitted to the City of Meridian. So, it will be the same situation as the properties to the north. So, we are requesting that that condition be removed. And I thought I would just bring up, since -- since you didn't have the benefit of seeing the ACHD staff report, these are some of the improvements that are in -- that are referenced in the staff report and so this -- this is ACHD's staff report and Lake Hazel Road along our frontage -- so, from Eagle Road, which is the next mile over to the east, that is to be widened to five lanes by 2024 and there is improvements on Eagle Road from Lake Hazel to Amity in 2023. Some other improvements. So, just wanted you to know this area is slated in ACHD's five year work plan. So, there is going to be considerable road infrastructure improvements. So, the timing is -- is perfect for this. And the annexation and zoning of this property provides for the orderly development of the city and the Meridian Development Code and the comp plan, we comply with both of those with this development and I will stand for questions.

Holland: Thank you, Tamara. Any questions from the Commission?

Cassinelli: Madam Chair, Commissioner Cassinelli.

Holland: Commissioner Cassinelli.

Cassinelli: Tamara, were there three conditions that you were addressing or just two?

Thompson: Madam Chair, Commissioner Cassinelli, there were three. I just had two of them on one slide, so I tricked you.

Cassinelli: Okay. So, one -- there was 1-D, 1-F and what was the other one then?

Thompson: Let me go to that slide for you.

Holland: It was 3-B.

Thompson: It was 1-D --

Cassinelli: 3-B?

Thompson: -- 1-F and 3-B as in boy.

Cassinelli: Okay. Thank you.

Holland: Tamara, one question. So, staff had recommended putting that condition 3-B with the open space on the side of Lot 34, Block 1, as part of a building lot, instead of a common lot for the easement. Is there -- is there a reason you would rather have that not be part of the building lot? I mean I know you just kind of explained some of it, but could you get into that in a little more detail.

Thompson: Madam Chair, the -- yeah. It -- well, I mean it's against city code currently. I guess City Council has an option to -- to modify that, but that's not something that we -- you know, we could not submit it that way and it -- and it just makes more sense. It's been that way for -- it's consistent with the other -- the development that's already happened in the area, that this area -- and it wouldn't be exactly -- you know, it's not necessarily where you could walk back in there, it's -- it's in the -- in the creek easement. But I mean we could do either one, but we would prefer to keep it consistent, because it is open space along this side. So, this is a building lot. It would need to have the lower visibility fence in that area, so -- so, it wouldn't just be blocked off from that home's view.

Holland: One more follow-up question for you, too. So, if you follow that easement strip down -- and you mentioned that those townhomes will face Ten Mile Creek. Is there any sort of pathway in front of those homes that they will be opened up into from their front doors or is it just basically the grassy area and the creek? On that side.

Thompson: Madam Chair, there would -- there would be a pathway that walks through here. What you are seeing is the -- the parcel lines, but there would be a pathway for -- to get to the front doors.

Holland: Thank you for clarifying that. Any other questions for Tamara before we open up for public testimony?

Cassinelli: Madam Mayor?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Tamara, just -- with regards to that -- Condition 3-B, you -- you said that that is not accessible. I'm assuming if that's -- if you -- if it is held in a common lot it will be accessible for maintenance from the HOA, mowing and that sort of thing; is that correct?

Thompson: Madam Chair, Commissioner Cassinelli, correct. It would be -- there is not going to be a path or anything like that, someone would be invited to go back into that area, but it -- it is accessible for maintenance.

Cassinelli: Thank you.

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: Thank you. So, my question is -- of course, Lisa asked one of them, which was the pathways to the front of the home. So, these are garage loaded in the alleyway. Are there like a common area for -- for garbage or -- I mean will they have -- be enough for five-plexes? How -- how is the trash handled with that alleyway?

Thompson: Yeah. Madam Chair, Commissioner Pitzer, on these alleys -- and for single family homes typically the trash is in your garage. So, these are the garages, so this is an alley that runs through here and each of the units would have their standard minimum of 20 foot pad out in front of their garage and, then, the -- the garage would be here in the building and, typically, for single family -- so, this isn't multi-family per se, that typically you have those -- the trash, you would have your receptacles that you would pull out into the alley and Republic would pick those up in the center -- in the alleyway. So, we don't have a trash enclosure. Is that what you are asking?

Pitzer: Well, yeah, I was just curious. I mean if you have trash cans lining both sides of the street if -- if Republic is -- is having enough room. I'm concerned about parking with so many trash receptacles coming out down that alley. Same thing with the end where you have four homes at the end of the core -- this reflects --

Thompson: Yeah. So -- Madam Chair, Commissioner Pitzer, this is a very typical application with a common drive and with this alley and, in fact, these five-plexes are -- are constructed in Eagle -- in the Eagle River area and -- and there is a -- there is quite a bit of room. You can see how big this -- this area is in there. There really is quite a bit of room that there isn't -- there isn't any trouble picking up trash.

Pitzer: Okay. Okay. Thank you.

Seal: Madam Chair? I think you called on me, but you are -- you are muted.

Holland: I did. Sorry. I turned it on mute. Go ahead, Commissioner Seal.

Seal: That's okay. I -- I also am -- I have some concerns over the layout of this. One from the -- the townhouse -- townhome, the five plexes here. When people come over to visit folks in there where -- where are they going to park? Because they can't park in the alley. You know, I mean is it all supposed to go in the cul-de-sac or to the street? I'm not quite sure where people would park to come visit there. And, then, I have got to say this is the first time that I have seen a full cul-de-sac that incorporates a common drive. So, I'm really scratching my head on that one as to why a difference -- I understand it's a triangle and it's difficult, but that's -- that's -- that's a pretty crazy one there for me. Trying to wrap my head around that one. And, then, the -- the common area there -- I mean is

there any reason that this -- you know, it looks like this common area is going to be developed in the first part of it. Is there any reason that that wouldn't come down all the way to the -- to the street and -- I mean is there a reason that that's only going to be that big? Because -- because to me that kind of looks like it's -- we are just trying to hit a minimum here and -- and that -- this right here was carved out to hit the minimum.

Thompson: Madam Chair, Commissioner Seal, I'm not sure I understand the last part of your question, but let me answer the first ones first. As far as parking their -- basically each unit has -- has area for four -- four cars to park. So, they have their garage, plus they have their garage apron. There is parking along the streets on both sides of the streets. This one will be a little difficult -- difficult because you will have the garages there and they are in their own driveways, but on both sides of the streets there are parking. And, then, those -- there is also going to be overflow parking at the church, where they have their -- on Sundays and -- and some during the days for funerals and those types of things. But, otherwise, the churches sent their overflow parking is -- is fine for -- for residents to use, so -- and -- and then -- okay. So -- and, then, let me -- help me explain what you were asking and maybe if I go to the --

Holland: Tamara, I think if you went to the -- if you went to the master plan that you have got I think that would help, too.

Thompson: Oh. Okay. Perfect. There we go.

Seal: Yeah, I'm just -- the -- the common area there, yeah, Lot 2, Block 2, where it's just notched out, is there any reason that wouldn't come all the way out to the -- to, essentially, you know, down to where the road is going to come in there or -- I mean to me it just looks like it's a slice that was put in there in order to meet the minimums, so why not develop that more to -- you know, as a more usable common area instead of just a big piece of grass that meets the minimum requirements.

Thompson: Madam Chair -- I see -- okay. I -- I do understand now. This -- and this is the -- the first phase of build out for Calvary Chapel and with a CUP we will have an expansion plan as well, so with that expansion plan this -- the building expands into this area. Parking expands into this and so we needed that. If you saw the full expansion plan it would make more sense and, I apologize, I should have attached that one, but this -- this area does have some parking in it and this -- this park is -- is planned for some programming. You know, there will be some -- some amenities in here that will be shared.

Holland: Can you give anymore description of what type of amenities, Tamara, they are looking at?

Thompson: No, we haven't -- we haven't decided. We needed one amenity for the -- for the -- for the residential portion and they really wanted to do this nice walk feature as a focal point and so we spent the time on this -- on this area and we will be working with the church on what that amenity will look like, but they definitely want to leave some open

for, you know, soccer games and -- and soccer practices, that kind of thing. So, they do want it to be an open field and not just filled with -- with a tot lot or something like that.

Holland: Okay. Hey, I have got one other question. So, being located next to Boise Ranch Golf Club, if you golf like I do it can be a challenge when you are next to a residential strip and especially since all of these homes are all in a row. Is there any plans for -- I don't know if there is netting or -- or something to kind of protect the back windows of some of these homes from getting hit with golf balls? I don't know if you have got any thoughts there.

Thompson: Madam Chair, that's -- that's a good question. I don't have an answer for you right now. I think the way this -- I think the way the hole is the -- the green is up on the road and it would need to be something right along in this area where those trees already -- already exist. We will have to look closer into that for sure.

Holland: Yeah. I know I lived near a golf course and there is -- there is a lot of times where there is -- there is big nets that help protect the homes and I think they are very appreciative of those nets, especially when someone like me goes golfing.

Thompson: Yes. I am a member of Plantation and I do not tee off on the first hole, because I hit a house every time, but --

Holland: All right. Any other questions for Tamara?

Grove: Madam Chair?

Holland: Commissioner Grove, go ahead.

Grove: Good call on the netting I believe, because my hook would definitely hit at least one of those. I got a question for Tamara. With lot or -- yeah, Lot 34 having such a weird configuration in there, what -- what is that? Is that planned to be a unit that's similar to all the others or is it going to be different in its build out? Because it is such a bigger lot in comparison to the other lots.

Thompson: Madam Chair, Commissioner Grove, the -- the building -- the home in that could -- could be a little larger, because of the -- of the area and I want -- I wish I -- I could have given you probably 20 different layouts that we did. We tried to pull this cul-de-sac down into here and cul-de-sacs, frankly, take up a ton of room and they are very very difficult, but we -- so, we have looked at it and we have looked at flipping this thing around, we looked at all kinds of different ways and this is the most efficient for the lots. We needed to keep the lot for the -- for the comp plan and -- but this lot will probably be unique. It won't look exactly like these others, because it is a larger lot.

Grove: So, follow-up question for you. Was that considered as open space? I'm just looking at it as -- in terms of you haven't -- that easement that's down there already and

now you have a large lot that's coming off of a cul-de-sac and a shared drive, it just seems like a -- an opportunity to use as an open lot. So, was that considered?

Thompson: Madam Chair, Commissioner Grove, it most definitely was. In fact, that was one of our first layouts that we had a pre-app with and the Fire -- or the Police Department did not like that, because it gets back there where they can't see it very well and so we had -- we rearranged some things and had to reconfigure open space to be more visible.

Holland: Tamara, did you consider losing either one of the 31, 32, or 33 and just making a couple of bigger parcels there, instead of doing four lots there?

Thompson: Madam Chair, we -- you know, we have had -- you know, we have been going round and round. We had a different layout that we initially submitted and we weren't meeting the minimum or -- of the -- for the Comprehensive Plan and so these -- these center lots were more of these patio homes and we had to change those in order to get more density. So, we really -- we really can't lose lots and be consistent with -- with Meridian's Comprehensive Plan.

Holland: Thanks, Tamara. Any other questions for Tamara right now? I know we will come back to her. Let's take a break here and see if there is anyone signed up for public testimony. Madam Clerk, is there anyone signed in for public testimony?

Weatherly: Madam Chair, there is not.

Holland: Okay. We will pause a second. If anybody would like to speak tonight raise your hand on the Zoom app or hit star nine and we will buzz you in.

Weatherly: Madam Chair, it looks like there is one person that has raised their hand thus far. It is Daryl Zachman and I am getting Daryl over for permission to speak. Daryl, you are on mute, but you should be able to unmute yourself and the floor is yours, sir.

Zachman: Okay. I am the pastor of the church.

Holland: Hey, Daryl, I'm sorry to cut you off. If you wouldn't mind saying your name and address for the record that would be great. We would appreciate it.

Zachman: I'm sorry, Madam Chair. Daryl Zachman. My address is 12596 West Macumbo Street in Boise, Idaho, which is very close to this and I'm the pastor of the church and just to speak to the concern about why that area where the -- the turnabout is -- is temporarily put on that Street B, you know, as it will stub up to the creek, eventually as we build this out. We would like to look at that being a driveway into the church. There is another access point so that the traffic -- especially with the subdivisions that are going to be west of the -- of the property, you know, it would give them access to the church as well and that's one of the reasons why, you know, we want to keep that space not a common area and not a grassy area. What we had talked about is doing probably a playground or something in that whole common area, as well as a grassy field. So, that's

-- you know, that's why that's the case. And also, you know, ACHD -- I mean the staff said that ACHD wants us to maintain an emergency access on the west side of the property for emergency vehicles and so, you know, I just -- I guess that's not so much the issue, but that was mainly the issue with -- with the -- the turnabout and that turnabout that they are requiring, that would go away when the subdivision to the west is, you know, completed. So, that's all I wanted to share.

Holland: Thank you. We appreciate you joining us.

Zachman: Thank you. Appreciate the opportunity. Thanks.

Holland: All right. And I think if there is no one else signed up to testify we are -- we are back to Tamara. If you have a few more closing thoughts you would like to make or we can certainly just keep hammering more questions at you if you would like.

Thompson: Thank you, Madam Chair. I will just wrap up real quick. We appreciate your time tonight and your consideration. We respectfully request your approval tonight and, again, with the three modifications to the staff report that I will put here on the screen, 1.D, 1.F and 3.B with the modifications that I described before. Again, the project complies with the city's Comprehensive Plan and the R-15 zone and we respectfully request your approval tonight. Thank you.

Holland: Thanks, Tamara. Any other final questions for Tamara before we move to deliberate?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just for clarification does the church own the entire parcel or is the church -- or is the church a tenant?

Thompson: Is it okay if I answer that, Madam Chair?

Holland: Yeah. Go ahead.

Seal: Yes. Yes, it was --

Thompson: Okay. Okay. I wasn't sure if it was -- Madam Chair, Commissioner, I didn't see who asked that.

Holland: It was Commissioner Seal.

Seal: Uh-huh.

Thompson: The -- the Calvary Chapel of Treasure Valley owns the entire property and they are partnering with a developer to develop the residential portion and, then, they will -- and those -- those will be for sale product and, then, they will retain their -- their parcel for their church.

Seal: Okay. Thank you.

Holland: Any last questions? With that I would be happy to take a motion to close the public hearing for deliberation, if anyone would like to make that motion.

Dodson: Madam Chair?

Holland: Commissioner Cassinelli.

Dodson: Sorry. This is Joe.

Holland: Oh. Sorry, Joe. You sounded like Commissioner Cassinelli.

Dodson: No worries. I just wanted to clarify a couple things before we close the public hearing regarding code and a couple of the requests by the applicant. For the provision 1.D, the -- this project is not phased and code dictates that when a project is annexed that the frontage improvements are required and because of that that is why I put in the condition to require the frontage, regardless of the church site having -- you know, coming in in a month or two months. Because this isn't a phased project overall for the parcel being annexed it -- it is going to be required by code, so it's not something that I could request differently. Secondly, open space in our code also is required to be in a common lot maintained by the HOA and 11-3G-3 -- I can't remember the specific portion, but it's towards the bottom of it, I know that. So, that is also for this 1-F. That's why I put that in there as well and to ensure that it stays with the HOA and not the church site. Just wanted to clarify those things before we close the public hearing.

Holland: Thanks, Joe. Okay. Commissioners, I will wait for a --

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: This time it's Commissioner Cassinelli. Joe, as long as you were addressing those, can you address your -- your thoughts on that 3-B-2 I guess while we are still in open?

Dodson: Commissioner Cassinelli, sure. Yeah. The -- again, my thoughts on that were just kind of like what Tamara alluded to. Having that whole lot as an open space lot couldn't be any less safe than having the little piece which is going to be fenced off somewhat. So, even if it is semi-privacy fence, it's still going to be tucked away and I -- I'm just worried that it's going to make some CPTED issues and in our open space -- even

if it's not qualified, our open space code, you know, talks about it needs to be seen, it needs to be visible and maintained. I just figured it would be better to have that as part of that building lot, rather than tucked away in the corner. Yes, it will be eventually visible from the far side of the creek if that development to the west gets developed and there will be a multi-use pathway. But, again, it's -- it's -- it's all the way on the other side of the creek, so it's still not going to be something that's going to be easily visible for quite some time.

Holland: Thanks, Joe.

Cassinelli: Thank you.

Holland: Okay. Any other final questions? I will still wait for -- if someone would like to make a motion to close the public hearing for deliberation.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: I move we closed the public hearing for file number H-2020-0035, Poiema Subdivision.

McCarvel: Second.

Holland: I have a motion and a second. All those in favor. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: All right. Thanks, Tamara. We appreciate you being here. So, to kick us off, I -- you know, I think the development itself is a nice development. It's a difficult piece to design when you have got a triangle, but overall I like that the church is there, because I think it makes it -- if it was just all medium to high density residential and full of townhomes in there I think it would look a lot different and feel a lot more crowded. But I think having a church helps a little bit for me with the parking situation, because churches typically use a lot of parking on Sundays, but not as much throughout the rest of the week, so that makes me feel a little bit better about that. I think the -- the open spread -- I think Joe kind of touched on why we need to have condition 1.D and 1.F in there, because code requires it. I'm not really too concerned if -- if the church is coming closely behind the rest of the development on when they do the frontage landscaping, but if that's what code requires I think we have got to kind of stick with that. Same with the open space piece. I think we can make a motion that, you know, the HOA can work with the church on a shared use agreement and maintenance agreement, but that that needs to be allocated as a common lot that's an unbuildable open space in perpetuity. That's what I would say on that one. I would like to make a condition that they consider some sort of netting for the back of those townhomes, because I really do think that golf balls could become a challenge there. I know that's a minor thing, but something for them to consider. And I'm

going to stop there and see what else you guys have to say first. Commissioner McCarvel.

McCarvel: Madam Chair? You were quick on that one. Yeah. I -- I think that open space is probably going to be better maintained with it being the property of the church and so whatever agreement, you know, they can come to that, I think it's actually probably going to be better maintained that way, but, yeah, I just worry about, you know, who is pastor 20 years from now and says I, you know, don't want these people on our property, you know, there has got to be some sort of agreement in there and this common driveway I guess doesn't bother me quite as much, just because there is not houses all the way around that cul-de-sac, which would -- will give a little bit more elbow room down around there and, yeah, that open space tucked back there in the corner, I think they are asking for trouble. You know, not that they are asking for trouble, but it is just harder to control what goes on back there if that's just a little sliver open to anybody. I think that's probably better suited as part of a buildable lot.

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: I'm in favor of this subdivision. However, I think that sliver --

Cassinelli: I can't hear.

Holland: Yeah. You're cutting in and out, Commissioner Pitzer. You're in favor of the subdivision, but --

Pitzer: But the sliver of land down there at 34 I think needs to go with the lot. I think that's -- it being an open space is going to create more problems as an open space with -- with having public access. But I do like the -- the -- the duet homes being there, being staggered, whatever, and -- and the elevations are nice. So, I think with those few changes I would be in favor.

Holland: Well, the stagger is already in the staff report and all of the conditions that they have requested changes are in the staff report, too. So, if we don't include a motion they would be required to have that common -- that little strip to be a part of a building lot. That's what's in the staff report.

Grove: Madam Chair?

Holland: Commissioner Grove.

Grove: I think anytime -- just so I'm somewhat consistent with this general area, I have some major concerns when we are starting to add more properties out here when there is not a very good solution for schools in this area with the schools being pretty overloaded. I see that, you know, they are saying what the Mary McPherson is going to

have a much higher capacity, but it still worries me. This is a relatively small project, so it's not as worrisome as some of the larger ones that have come through for this area, but it definitely gives me pause and the -- the difficulties with the open space on this project are -- it just seems very disjointed from a usability standpoint for people who move into this to be their open space as part of the church property. Basically it just feels like it's not going to function as planned for some reason and I can't really put my finger on why, but I have some -- some questions on how that's going to work down the road. So, even with agreements I -- I just have some concerns.

Holland: And I don't disagree. I wish that the CUP for the church came through as the same applications to make it a lot easier to consider as a whole project, instead of just the piece that we know is coming.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just to kind of add on what -- what Commissioner Grove and you were just commenting on this, to me it seems like they have -- they have made room for a church that we can't see yet and kind of built stuff around it and that -- that to me is -- is worrisome. So, I -- I think if they would have went about it the opposite way, then, the housing piece of this would fit better. We probably wouldn't have some of the concerns or issues that we are running into right now. I mean the first thing I can think of is slide the whole thing over to -- to the east, the church piece of this, and, then, but the residential on the west portion of it would be a big help to the whole thing. So, as far as the sliver that's -- you know, of open space that's considered there is to be part of a Lot 34 or not, the only thing I can see about that is the Ten Mile Creek crossing, there is an actual crossing right there where you can get across that, you know, ditch, canal, and whatever it's termed there. So, when the subdivision develops to the west of this that might be an actual nice place to put in, you know, a crossing, a pathway, something that would allow for, you know, people to get from one subdivision to another. So, I mean I -- I don't like that it's back there and it's on its own, but it is open on the other side, it's not like there is buildings back there. It is -- you know, it's something that can be seen from a distance. So, it's something just to take in consideration of that. But overall the layout of it is just -- like I said, to me it seems like they decided where to put a church and they put everything else around it and tried to make the best of it, where I think the approach should be different, meaning that let's figure out how to put residences in there and, then, we can figure out where the church is best suited to go and I understand they got to sell the houses in order to build the church, which is another concern that, you know, it's going to take time to raise the money to do all that properly, so the church may not come in at the speed that they want it to come in at, so those -- those are my concerns. To me it just -- it just doesn't quite fit.

Holland: One more comment back to Commissioner Grove. You made some comments about education. I think it is always a challenge, but one -- one thing to keep in mind is my experience with townhome products or -- or duplexes, they don't tend to have as many kids in them either. So, I don't think you have as much of a pressure on the school age

system there. I mean they certainly will have some kids, but they don't tend to have as many kids as a single family neighborhood would. Other Commissioner's thoughts? So, they are a little bit divided. Commissioner McCarvel.

McCarvel: Madam Chair?

Cassinelli: Madam Chair? Madam Chair, Commissioner Cassinelli. Can you hear me?

Holland: Everybody at once. We will start with Commissioner McCarvel.

McCarvel: Would -- would it be easier to look at this as all in one project after the traffic study is done and we can tie it all together?

Holland: That's certainly an option if that's the way the Commission would like to go. I mean we could also request that we wait to approve this project until the conditional use permit comes in for the church, so we can holistically look at it.

McCarvel: Yeah. I'm just wondering if -- since it is so tied with the open space, I mean to me it's like having those homes with a park across the street, but, obviously, it's not public, so you are kind of tied into, you know, the future generations at church still agreeing that it's okay for public to use it -- or the immediate surrounding public.

Holland: And I'm struggling, because I -- I like this development itself. I mean I think it's -- they have put a lot of work into it and a lot of thought into it and there are some nice features to it. I like that the church is integrated in there. So, I always hate pushing it off, because I see why they are doing it the way that they are doing it, but we are still missing a few details to the story. But I see where everybody is coming from. Commissioner Cassinelli, you had comments? You are on mute, sir.

Weatherly: Madam Chair?

Holland: Yes. Go ahead, Adrienne.

Weatherly: Sorry. I just wanted to let you know that Tamara Thompson has raised her hand. I know that you have closed the public hearing, but I just wanted to bring that to your attention.

Holland: If we decide to keep going on the conversation towards continuance we would have to reopen the public hearing, so if we do that we will make sure we can talk to Tamara first.

Parsons: Madam -- Madam Chair?

Cassinelli: Madam Chair?

Holland: Go ahead, Bill.

Parsons: Which one?

Holland: Oh. Sorry. Go ahead staff Bill.

Parsons: All right. Thank you, Madam Chair, Members of the Commission. Certainly if you want all the pieces Tamara alluded to that she had a better master concept plan for the church property, I would probably recommend if you want to see that in its entirety that the applicant continue this out, have them provide that detail for you. This is an annexation and typically with annexations we want a conceptual plan for the portion of the property that's not been part -- not being developed at this time. She showed you a portion of the church with -- in her testimony this evening she said she had the overall build out of that church site. So, I would really put it back on the applicant and open up this public hearing and see if they are willing to provide us those additional details, bring this back a week, two weeks from now, or three weeks on the 9th, just open it up to see the revised concept plan so you can see how it's integrated with the church and, then, maybe put this one to bed in three weeks. But I will go ahead and let -- let you guys deliberate that -- my comments and, then, consider whether or not you want to continue this and get some feedback from the applicant.

Holland: Thanks, Bill. Commissioner Cassinelli, go ahead. I think he's frozen. Commissioner Seal, I think you also had comments. We will go with you first.

Seal: So, I --

Holland: Bill, your reception is failing you. Bill, maybe one suggestion. Try turning off your camera so your WiFi bandwidth is a little bit better and, then, maybe we can hear you better. I don't know if you -- if he left us or if he is still here, but -- Commissioner Seal, did you have something you wanted to say?

Seal: Not really. I'm kind of in agreement with where -- where Bill Parsons was kind of taken us there for a continuance. I mean there is -- hopefully, there is more to this, so I would like to see more. I mean I'm in agreement with that, so I -- I mean if nobody has an issue with that, I would move that we open the public hearing back up.

Holland: Is that a motion?

Seal: Madam Chair, I move that we open public hearing for H-2020-0035, speak to a continuance.

Pitzer: Second.

Holland: Okay. We just had a motion and a second. Commissioner Seal, do you want to clarify that we are only reopening that the application -- just to speak with the applicant, not for public testimony.

Seal: That's correct.

Holland: Just clarifying. All those in favor. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: Madam Clerk, can you, please, bring Tamara back on to speak with us.

Weatherly: Madam Chair, I'm going to go ahead and let her in. One moment, please.

Holland: Hi, Tamara. Welcome back. Thanks for -- for joining us and making a few more seconds to chat with us a little bit. I think you have heard our deliberation and the biggest challenge is just kind of making sure we have got a holistic picture of what's going to happen with the church and if you would be open to us continuing it, so that we can continue that conversation and see more of a -- the master plan you talked about with the full build out. Or it looks like he might have something already.

Thompson: Madam Chair, Members of the Commission, so as I mentioned before, we -- we have looked at this site 20 different ways and for multiple reasons access from ACHD, where that needs to take place, and deciding that the -- the patio homes being adjacent to the golf course is something that the real estate brokers have told us is very desirable, that the out -- that -- the layout that we have proposed doesn't change with -- with the full CUP and -- and, frankly, what we were going to submit for the CUP is just the phase one with some areas for expansion, because those -- those really haven't been programmed at this point. But we do have a concept plan and -- am I sharing my screen?

Holland: Yeah. We can see it.

Thompson: Okay. So -- so, you can see that -- and, unfortunately, these are -- maybe I can -- let me see if I can rotate this so we are looking at them in the same.

Holland: I think we can get the idea of where it's at.

Thompson: Okay. Yeah. Sometimes it's difficult when your brain is trying to flip back and forth. So, just -- you, know there is -- there is an expansion of the building that goes a little bit to the west here. This little -- little area -- open area stays and, then, this area gets filled in with some -- with some parking. And, then, I want to clarify that this is -- this open space here is a lot in the subdivision. It's -- it's a lot and block and if it makes you more comfortable that the homeowners association owns that, they can definitely do that. It was just something that we were hoping that it could be an either/or. If there is a perpetual use and maintenance agreement or the HOA owns it, just having that flexibility, but if that makes you more comfortable they can definitely do that. But it is a lot and block. It's not part of -- just because it's contiguous to the church lot it's not part of the church parcel. That is completely separate. We were just going to make it that it was something that could be utilized by both, because there may be some children or like a soccer team or something like that that -- that may want to -- want to utilize that. So, I hope that helps clarify some things. And we would very much appreciate your -- your recommendation for approval tonight and to send us on to City Council.

Holland: Any other thoughts for Tamara that anyone would like to throw out there?

Pitzer: Yes, Madam Chair.

Holland: Commissioner Pitzer.

Pitzer: So, the biggest difference that I see between these two is next to the -- that common lot or the lot for the open area -- open space on -- on the one to the right it has more -- more open space, yet the one on the left shows that's all parking on this. So, I --

Thompson: So, Madam Chair, Commissioner Pitzer, the -- this is the -- the initial build out, so it will have this as that open space, but they have plans that they could expand and who knows what that time frame is. Ten years down the road, 20 years down the road, and for that expansion this -- that's how it would lay out, so -- but this open space here is not part of the subdivision open space calculations. You know, we didn't count the -- the frontage improvements for this lot within the calculations for the open space, nor any of these open space, just this one common lot and it is in a common lot and not -- and not part -- I felt like maybe you guys were confused that it was part of the church parcel and it is not, it is -- it is in its own lot as a common lot.

Holland: Tamara, would -- I think my biggest concern is looking at the full build out is -- and, obviously, there is -- there is plenty of parking which you need for a church, especially like Calvary Chapel Center that they bring a lot of people. One thing that might make me feel a little bit better -- and I know Commissioner Seal has suggested this, but is there -- would there be consideration or willingness to carry that common load down to -- towards Ten Mile Creek and eliminate that future parking area and just have a bigger shared common space between the two? Because I think that would give a little bit more of a -- a bigger amenity space where maybe you could have a tot lot and a soccer field or you could have a little bit more of kind of that connectivity for the green space, where ever that -- it looks like a baseball or a diamond of some sort that they have got there, but it might integrate better. Just a thought.

Thompson: Madam Chair, this -- this is actually a little amphitheater -- an outdoor amphitheater, not a -- not a baseball diamond.

Holland: Okay.

Thompson: So, this is a -- this is a concept plan. The future plan -- you know, just to show how the church could expand in the future and that they are planning for an expansion, but the initial build out will be -- will be this area. I don't know that I can -- that I can say that -- that there won't be parking right here in the -- in the future right now, because that hasn't been programmed and I don't know the number of seats and how many parking we would have, but in the -- in the near foreseeable future that's -- this is how the -- the site will lay out.

Holland: Okay. Commissioners, you are all quiet on me, but I know you have got thoughts.

Cassinelli: Madam Chair?

Holland: Go ahead, Commission Cassinelli.

Cassinelli: I think I'm back online here. Is there a -- maybe more of a question to staff, but is there a -- some sort of a development agreement or an agreement in place between the church and the residents to -- for the residents to be able to park and -- and share what green space is available at the church? Because there was a concern about that, that, you know, 15, 20 years from now with -- with, you know, change of staff at the church that that might change.

Dodson: Commissioner Cassinelli, thank you for your question there. No, there is not anything in the DA, though I appreciate that comment. I think that is a good addition of something to -- you know, shared parking agreement, as well as some type of use agreement between them to ensure that this space and potentially the amphitheater and those types of things are shared, you know, for a long time between the two.

Cassinelli: And is -- and is that amenable to the applicant?

Thompson: Madam Chair, Commissioner Cassinelli, what I would like to remind you of is that there is on-street parking on both sides around all of this and I guess staff said that this area right here doesn't count as an open space. So, we could add some -- some parking in that area as well. I do know that they have -- between the residential developer and the church they do have an agreement and I'm not sure right now if that covers both and I'm not where they are right now to -- to be able to ask them that question. We are all in our respective homes. So, I don't know the answer to that. But I do know that there is -- there is a lot of parking here, like you said, on -- on both sides of the street we have parking and everyone has garages -- two car garages with the -- with the pads in front of their -- of their garages as well.

Holland: Tamara, I think the main question was would they be willing to have a -- just a note in the development agreement that says there could be a shared access agreement for parking -- overflow parking if needed with the church. I don't know if that's something you can speak to or if you need to get back to us on it, but I know several of the Commissioners seemed like they were leaning towards wanting to continue this to the future. I don't know where we -- where we all stand now, but, Commissioners, if you want to give a thumbs up or thumbs down to hear that, if you want to continue it or if you want to go back to close deliberation.

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: I will say I'm -- I'm less thrilled with this now than I was before.

Holland: Commissioner Grove, thoughts?

Grove: I would be in favor of continuing, but I don't really know what I would be continuing, so I don't have a clear thought yet.

Seal: Yeah. Madam Chair?

Holland: Commissioner Seal.

Seal: I gave my thoughts on what I was hoping a continuance might lead to. I mean in seeing this it seems like -- you know, again, I shared my remarks on it and it seems like they, you know, made room for a church and, then, they put houses around it. So, I don't mean to say that as an insult, it's just that's what it looks like to me looking -- looking at it from the outside in and not being somebody that has to do this for a living. So, unfortunately, I don't know that we can give them enough detail or -- you know, or actionable comments to have them come back with anything different. You know, it sounds like ACHD is mandating where the ingress is going to happen into the subdivision and that's for the most part going to push them into this kind of design that they have right here. Understand wanting to put all the -- you know, everything, you know, essentially facing -- or the backyards facing out into the golf course and that would be something that would be, you know, highly desirable, but just the way that it's forced into this, you know, end of the cul-de-sac, into the -- the bottom of the triangle there just doesn't mesh up very well. So, again, it -- it just doesn't flow well, it doesn't look like it's very conducive to, you know, what we are trying to do with, you know, making things a little bit more open and accessible.

Holland: Well -- and I know staff had asked them to actually increase the density from the original products, that they were going to do more townhomes throughout the whole project. So, I think they were trying to meet the density of what that medium high density should be, which -- which causes some challenges. My biggest concern is where the open space is and having it be shared between the church and the resident uses, it could be a very popular space to play. I do like that it's next to the golf course, because I think that does give a nice amenity and can see why the homes are backed up to the golf course. I think it's -- it's -- it's pretty. I don't know. It's -- it's a tough project, because I think that Commissioner Grove hit on it, they have -- they have given us kind of the view of what we would have asked for of what the master plan would look like, so if we were to continue it we would have to have some specific requests of why we would want to continue it. Is there things we could ask for that would make anyone feel better about moving this forward with a recommendation of approval? Are there is some conditions that we would like to throw out there for consideration or are you leaning towards --

Dodson: Madam Chair?

Holland: Yes. Go ahead.

Dodson: This is -- this is staff. Joe. Just to clarify on the access since this has come up a couple of times now. ACHD normally wouldn't allow access to this because of where it's located. However, the -- they wanted -- or if it was a perfect world they would have the access further to the west and match up with the quarter mile access that is on the north side of Lake Hazel. However, this parcel does not abut that in an appropriate manner, so they couldn't do it. So, in order to meet -- well, it doesn't -- even now this doesn't meet ACHD policy for curb cuts, so they let them go as far east as they possibly could and amended their -- their policies in order to allow this to happen. So, I will commend the applicant for that, for working with what they were given on that. ACHD did allow the emergency only access and I discussed that in my staff report as well that maybe at a future date it could be used as a right-in, right-out only for the church, so, you know, to help us on the traffic. But other than that the applicants did work with what ACHD gave them on the access.

Holland: Thanks, Joe. Commissioner Cassinelli, did you have a thought?

Cassinelli: Yeah. I -- you know, we look at -- at these in-fills and -- which essentially this is what this is and they are always tough. Throwing the triangular shape of it and for what they have done is it -- is it perfect? You know, from the comments I'm hearing no. As a -- if I was going to buy a home down there I would much rather back up to the golf course than back up to another -- another house or back up to the backside of the church. So, I think from that standpoint that's -- that's the best -- you know, that -- that makes that one of the better layouts. I also think that -- you know, that lot -- Lot 2, Block 2, although it seems -- you know, it's weird, it kind of puts it centrally located with all the -- all the residential properties, it's -- it's in the middle. So many times we see things come before us where, you know, all the -- all the open space is on one end and that's great for somebody that lives, you know, a block away, but when you are -- when you are clear across the subdivision from the open space it's -- it's not so great. So, at least that's in the middle. So, I like that. And, then, you know, I mean they had another design that we are not getting the opportunity to see, but they -- they had to scrap it because it was -- the density was actually too low. We don't -- you know, we don't usually get that. So, all in all trying to work with this -- to me I -- I mean I don't know -- if you go back to the drawing board, redraw this thing to try and meet the density and get the homes in there, then, you might pull them away from the golf course, which is a -- which is a bonus and that's where I'd want to -- you know, that's where I would want to be. The other comment I want to make is, you know, this is a fairly low impact footprint, if I'm saying that right. I mean there is -- you know, there is -- there is not a ton of homes there. One of the comments that -- that you made, Madam Chair, was that in these type of properties we are probably not looking -- we are looking at maybe older families, retired, empty nesters just in these -- you know, in kind of the patio homes and townhomes. So, probably fewer kids, so we are not going to have -- we may not have as much impact. There will be some kids no doubt, but it may not have as much impact on the school system and, then, traffic, this isn't going to be a -- this isn't going to be a huge impact on the local traffic, unlike, you know, some other subdivisions. So, given what they have to work with with the shape, it's -- and the fact that they are -- you know, that that ACHD has told them what they can and can't do, what -- what the city's told them what they can and can't do, I don't know if

we can get something that is going to make everybody super happy. I think it -- it works and I don't -- so, those are my comments. I would like to move forward and -- and vote on it, instead of continuing it.

Holland: I think I'm in the same boat for the same comments you just made, Commissioner Cassinelli. I think they have done a pretty thorough job and, you know, it -- it's nice to be able to plan for contingencies in parking. It's not likely that they would remove all of that green space all at the same time, it would be over kind of a growth period and, hopefully, they would be able to maintain more of that green space than just eliminating it. That's -- that's the basis. But at the same time there are regional parks close by. There is a YMCA not too far away. There is the green space in the backyards of most of these homes. I think I could be -- I think I could be ready to move it forward to Council for their deliberation. It's a tough piece and I think they have -- they have tried to make a good effort here. Commissioner McCarvel I know you started to say something. Do you want to go next?

McCarvel: Oh. Yeah. I was just -- I mean I don't think I have ever had an issue with the layout. I think having those homes lined up against a golf course and, then, you have got virtually all that open space in front of them and, like I said, as some -- yeah, as a common drive goes this one gives me probably the least heartburn just because, you know, they just come out of there and there is not a whole bunch of homes lined up, you know, going to the west there. I -- you know, my only thought was to see it all together just so we get those agreements in place, but I think Tamara kind of helped that along, but, you know, reiterating that that is a separate lot and block, that whole area might stay a nice soccer field or, you know, whatever. Just open space. And even if it does -- you know, the tip of it becomes parking lot years later if they expand, you know, at least that part stays, because it is a separate lot and block.

Holland: Well, hearing at least three of us that are wanting to make a motion of some sort, I -- it would take a motion to reclose the public hearing if we want to deliberate and make some sort of motion.

Seal: Madam Chair, I got a quick question. We have touched on it a couple times for the applicant.

Holland: Sure. Go ahead, Commissioner Seal.

Seal: We -- we have talked about putting up netting on the backside of the houses that run along the golf course. Is that something you are amenable to?

Holland: Tamara, you are on mute.

Thompson: Luckily it comes up and tells you that, too. Madam Chair, Commissioner Seal, I think those -- I don't think that whole entire run needs to be a big net. I think they could be strategically placed and I think -- I think that needs to be worked out, but -- so I don't know how you -- how you craft that language, but I think definitely having -- you

know, where most of the landing is -- could be something. The good news is is most people go to the right when they hit and this is off to the left.

Holland: You haven't golfed with me, Tamara.

Thompson: Oh, yeah. Are you a lefter?

Holland: I go where ever the --

Thompson: Yeah, I -- yeah, I don't know how you got that one, but -- but definitely there would need to be some strategically placed panels, but I would hate to see a whole -- the whole thing just netted off. You know, there goes your view.

Holland: Yeah. I think it would be fine to just put a condition that you would work to mitigate some of the golf ball concerns for houses in the backyard and you can work on whatever that plan was. I don't think we have to net the entire backyard. Any other last questions for Tamara or does someone have a motion to close the public hearing again?

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: I move that we close the public hearing for H-2020-0035.

Cassinelli: Second.

Holland: I have got a motion and a second. All those in favor? Any opposed? All right. We are closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: So, I think we are at the point -- and thank you, Tamara, again, for jumping back on with us. We appreciate you showing us that context. I think we are at the point where, you know, the -- the conditions that were requested I think we can't really do much with 1-B. That was the frontage landscaping to be constructed with the church. That we have got to follow what code requires for us there. I think we could make the modification to 1-F that says the church and the HOA will work out a maintenance and operation use agreement, but that it will be a common lot that's an unbuildable open space in perpetuity. Something like that. And I think that we need to leave condition 3-B related to that sliver common lot to be a buildable lot. So, I would say the only modification I see from their request would be 1-F and, then, also the addition of looking at some golf ball mitigation for the backyards of homes or there is certainly the conversation of whether somebody would like to make a motion to expand the open space down towards the roadway. That's something we could ask them to consider, but I'm going to leave it open if somebody would like to make a motion or would like to keep deliberating.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Yeah. Back when I was losing my internet previously I wanted to make a comment. I didn't get a chance. On that -- the 3-B, I would actually -- I -- I would be okay with making that a common lot for the reason of -- if the HOA maintains it and mows it and that sort of thing, whether or not it's part of the building lot or common lot, it's still a piece of land down there that -- that is -- would be somewhat visible -- or minimal visibility and I get that if it's -- if it's part of Lot 34 it's private property, people aren't going to be walking down there, but I don't think a whole lot of people are going to be walking down that far anyway. They might be if there is a crossing down there, but I don't see it as -- as a safety concern or anything and -- and on the flip side if you maintain that whole strip there along that easement where the HOA comes in there, maintains it, mows it and that sort of thing, I think it's actually -- I think it's better as a common lot and, then, when we get to all issues with the open space, I look back here and it's -- they still meet the minimums. I know I personally like to see, you know, going above the minimums, but even if you take out some of the -- the unqualified and unusable they are still at that. But, keep in mind, there will be open spaces that -- and green space in there that -- that isn't designated as usable. So, that does bump that number up even though we are -- I mean right when you see that one, you see all the green space with the church, and eventual will come to a parking lot, but that's -- that's its own separate thing and what it says in here is that the church doesn't require the open space. I think there is -- you know, they meeting the minimums on that, so that's my two cents on that. But I would be -- I would be okay with giving them that 3-B and doing it -- doing that common lot, just because it could be maintained on a regular basis by the HOA and it's not going to change that land down there and whether or not you can see it or can't see it. So, that's it.

Holland: Yeah. I'm on the fence about it, but it doesn't bother me one way or another. I was just going off of what Joe's comments were.

Cassinelli: But the others -- the other two I think are the -- you know, I agree with the way -- you know, phrasing it the way -- a couple ways you said, but I mean we definitely need to stick to those, because those are code.

Holland: So, Commissioner Cassinelli, does that mean you would like to make the motion here or --

Cassinelli: How do you want to -- how did you want to phrase that lot -- Block 2, Lot 2, on 1-F to -- separate maintenance agreement between the two?

Holland: Yeah. I think I -- I just said that we would allow a shared maintenance agreement between the church and the HOA. A maintenance and use agreement. But that it would be a common lot in the subdivision. Let's say an unbuildable open space lot for perpetuity.

Cassinelli: Okay. All right. Well, in that case since you put me on the spot, after considering all staff, applicant, and public testimony I move to recommend approval to City Council of file number H-2020-0035 as presented in the staff report for the hearing date of June 18th, 2020, with the following modifications: That we change condition 1-F -- modify condition 1-F on that common lot to -- to -- that the applicant will develop a -- an agreement between the HOA and the church for maintenance. That that common lot will be unbuildable in perpetuity. I'm going to go ahead and say strike condition 3-B, that we require that sliver of land to be part of the -- part of that building lot number 34, and also require the applicant to look at some sort of netting to prevent broken windows.

Pitzer: Second.

Holland: I have a motion and a second. I don't know if we need to take roll, but I will ask all in favor? Any opposed? All right. Motion passes unanimously.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: We are at the point of the evening -- at one of our last Commission meetings we had made the note that we would not go past 10:00 o'clock for a meeting. So, we still have two applications left on the agenda and I know that Penelope I'm sure has been sitting patiently for her subdivision to come forward, but I'm going to ask the Commission what you would all like to do. If you want to keep going or if you would like to hear these last two items or request a continuance for them. I know staff's Item G I think there is a fairly quick item. They -- they would like to just make some changes to their checklist because of the digital process that they are in, because they are not having as many people come in in person to submit applications, they just need to simplify some things. So, I will leave that open if we want to open both of those items, if you want to ask for us to consider continuing or what we would like to do here.

Cassinelli: I would be in favor of just keep rolling here.

Seal: I would agree.

Cassinelli: Because it's not going to make the future date any better.

Grove: I'm on board with that.

Pitzer: Another long night.

**F. Public Hearing for Lupine Cove (H-2019-0133) by
Penelope Constantikes, Riley Planning Services,
Located at 4000 N. McDermott Rd.**

1. Request: Annexation of 7.09 acres of land with an R-8 zoning district; and,



MEMORANDUM

August 10, 2020

To: Mayor and City Council
From: Bruce Freckleton, Development Services Manager
Re: Poiema AZ, PP (H-2020-0035) Staff Report

Good evening Mayor and City Council,

The application before you for the Poiema Subdivision contained a Site Specific Condition that required the applicant to submit updated GeoTechnical information for the site prior to the application being considered by the City Council. The applicant did submit the requested information, and I have revised Site Specific Condition of Approval #1.6 accordingly. Below is the condition as it reads in the original staff report, and the revised condition for your consideration and insertion into the record.

Original Condition:

- 1.6 The geotechnical investigative report prepared by MTI (Materials Testing & Inspection) dated March 7, 2003, indicates some very significant groundwater and soils concerns, and specific construction considerations and recommendations. The applicant shall be responsible for the strict adherence of these considerations and recommendations to help ensure that homes are constructed upon suitable bearing soils, and that shallow groundwater does not become a problem with home construction. **Prior to this application being considered by the Meridian City Council, the applicant shall be required to submit up to date ground water monitoring data based upon current adopted building codes, as well as any other updated geotechnical information or recommendations since the initial work by MTI back in 2003.**

Revised Condition:

- 1.6 The geotechnical investigative report prepared by MTI (Materials Testing & Inspection) dated March 7, 2003, and updated July 24, 2020, indicates some significant groundwater and soils concerns, and specific construction considerations and recommendations. The applicant shall be responsible for the strict adherence of these considerations and recommendations to help ensure that homes are constructed upon suitable bearing soils, and that shallow groundwater does not become a problem with home construction.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Generally Located East of S. Meridian Rd. and North of E. Columbia Rd.

A. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan. B. Request: Annexation of 40.09 acres of land with an R-2 zoning district. C. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 (144.78+ 119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 11, 2020

Topic: **Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Located generally located east of S. Meridian Rd. and north of E. Columbia Rd.**

- A. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
- B. Request: Annexation of 40.09 acres of land with an R-2 zoning district.
- C. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 (144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020

TO: Mayor & City Council

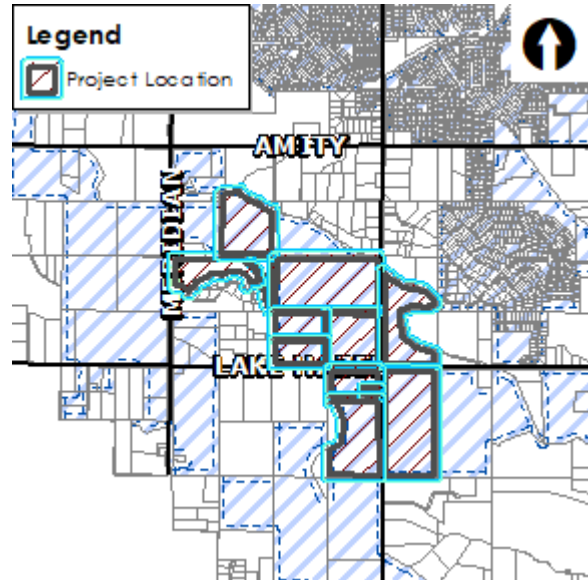
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbia Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1.E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.

PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E

PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

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

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

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

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

II. SUMMARY OF REPORT

A. Project Summary

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

B. Community Metrics

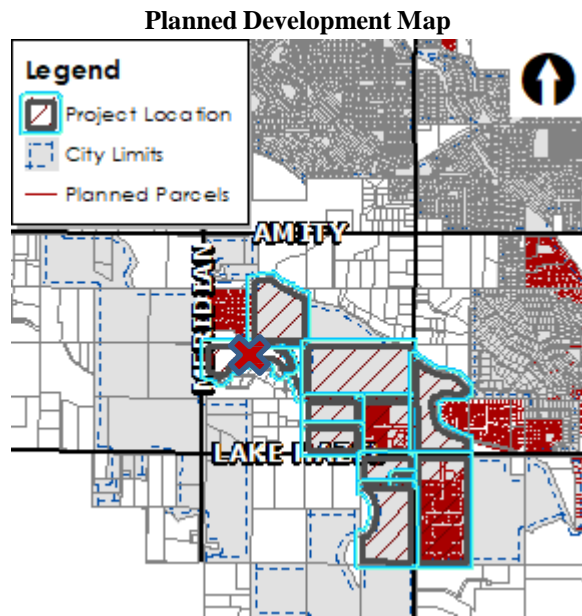
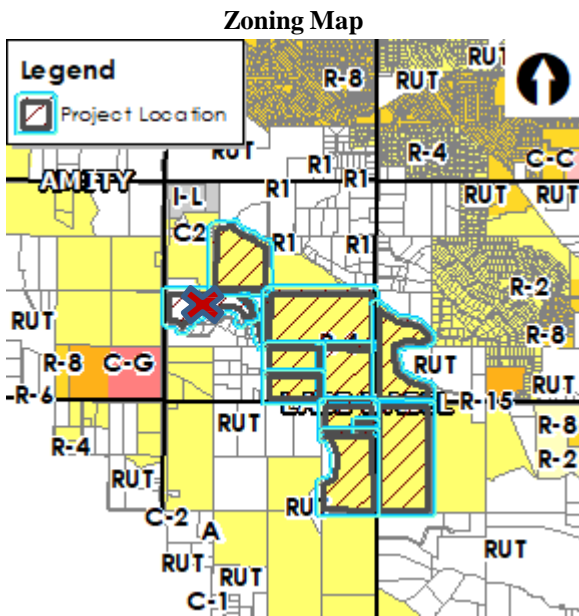
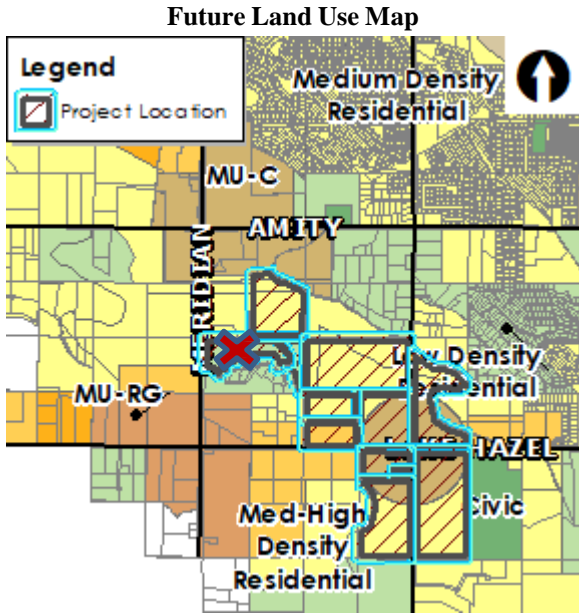
Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes (PP, draft); Yes (AZ, RZ)	
• Requires ACHD Commission Action (yes/no)	Yes (consent agenda on 8/5/20)	
Traffic Impact Study (yes/no)	Yes	

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

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

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

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Same as Applicant

C. Representative:

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

IV. NOTICING

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

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

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

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

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

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

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

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

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

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



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

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

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

The following Comprehensive Plan Policies are applicable to this development:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”

The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.

- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.

- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”

A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

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

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

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

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

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

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

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

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

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

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

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

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

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

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

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

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

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

C. Rezone (RZ):

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

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

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

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

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

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such should be submitted to the Planning Division with a future subdivision application for the surrounding property.

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

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

D. Preliminary Plats:

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

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

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

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

Existing Structures/Site Improvements:

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

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

Proposed Use Analysis:

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

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

Dimensional Standards (UDC 11-2):

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

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

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

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

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

Access (UDC 11-3A-3)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Storm Drainage:

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

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

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

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

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

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

VII. DECISION

A. Staff:

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

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

1. Summary of Commission public hearing:

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

2. Key issue(s) of public testimony:

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

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

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

VIII. EXHIBITS

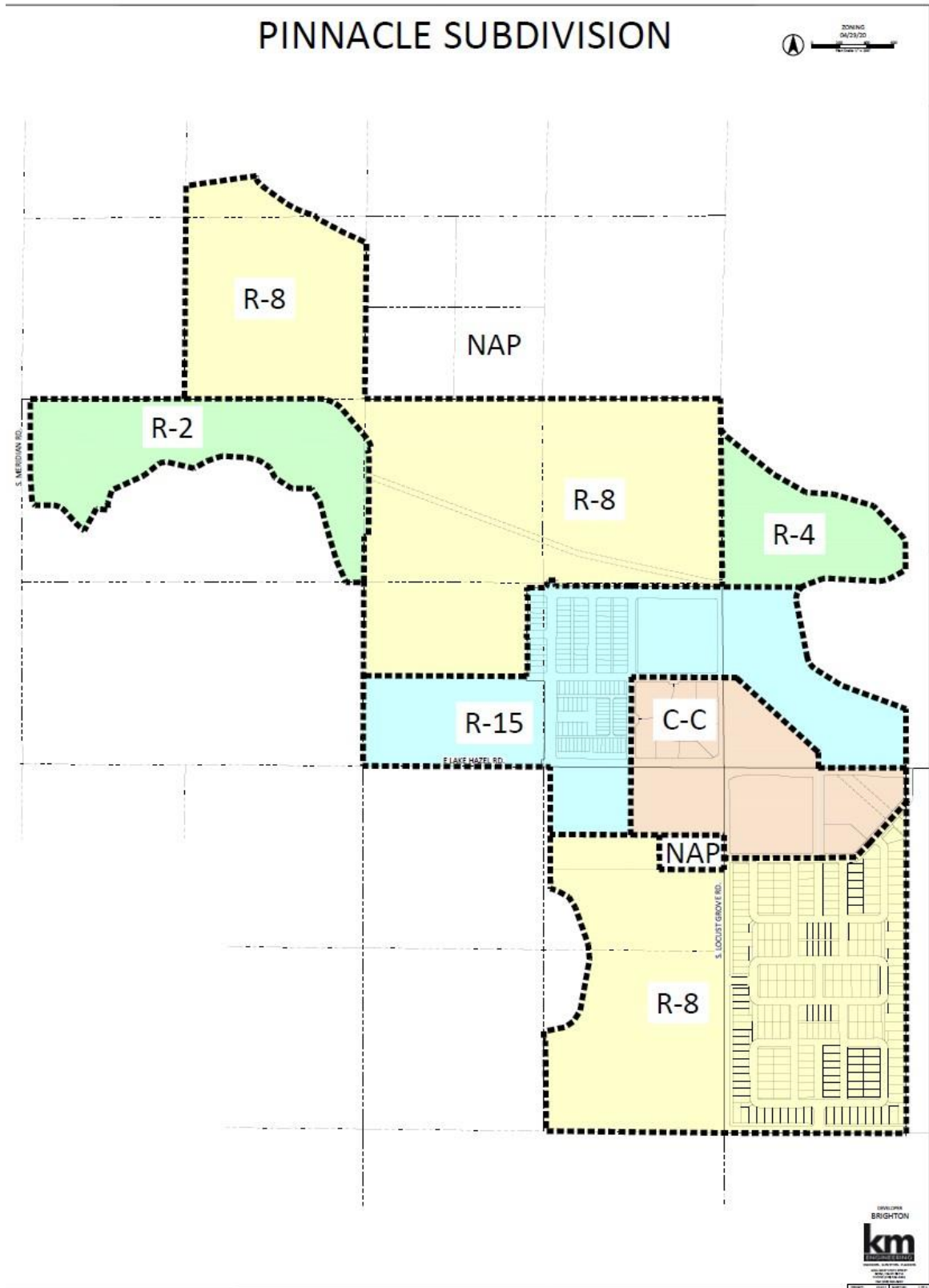
A. Master Plan (Revised)



Item #4.

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

C. Rezone Legal Description & Exhibit Map





March 23, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Zone R-4
Apex Subdivision**

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

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

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

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

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

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

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

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

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

Item #4.

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

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

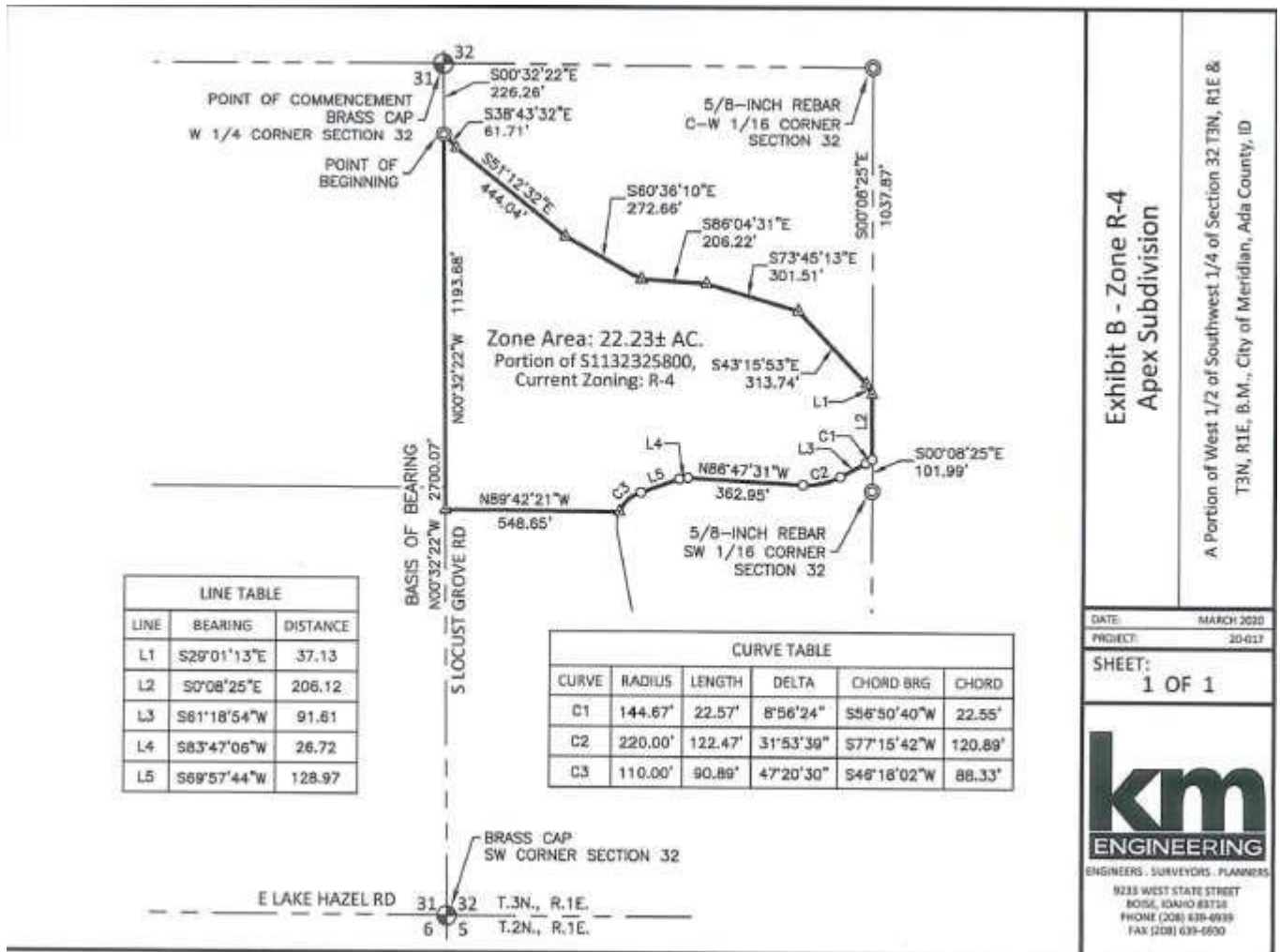


Exhibit B - Zone R-4
 Apex Subdivision

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

DATE: MARCH 2020
 PROJECT: 20-017
 SHEET: 1 OF 1



April 2, 2020
Project No. 20-017

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

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

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

Item #4.

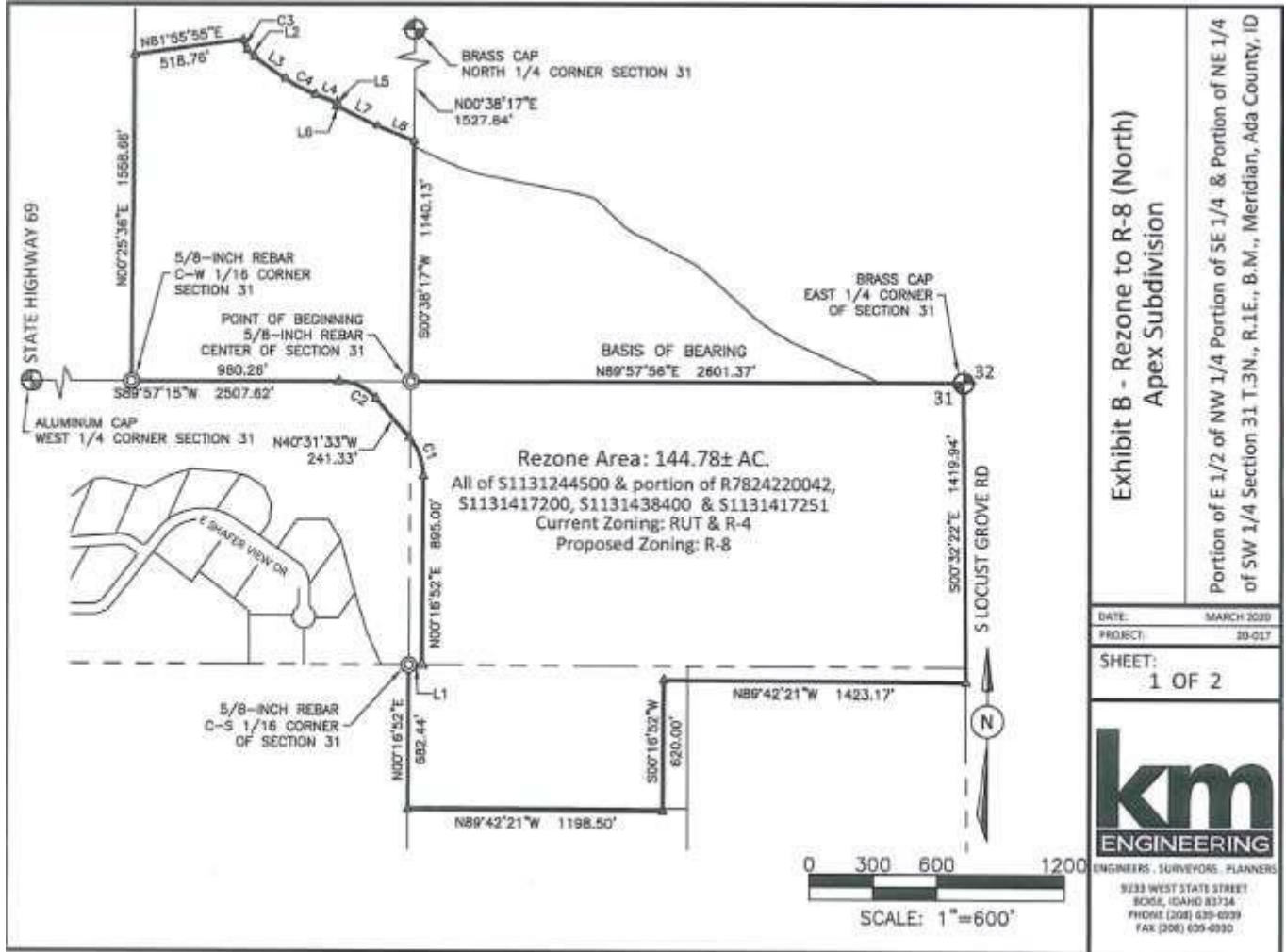
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the POINT OF BEGINNING.

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

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



4.2.2020



**Exhibit B - Rezone to R-8 (North)
 Apex Subdivision**

Portion of E 1/2 of NW 1/4 Portion of SE 1/4 & Portion of NE 1/4
 of SW 1/4 Section 31 T.3N., R.1E., B.M., Meridian, Ada County, ID

DATE: MARCH 2020
 PROJECT: 20-017

SHEET:
 1 OF 2

km
ENGINEERING
 ENGINEERS, SURVEYORS, PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83724
 PHONE (208) 639-0239
 FAX (208) 639-0930



April 29, 2020
Project No. 20-017

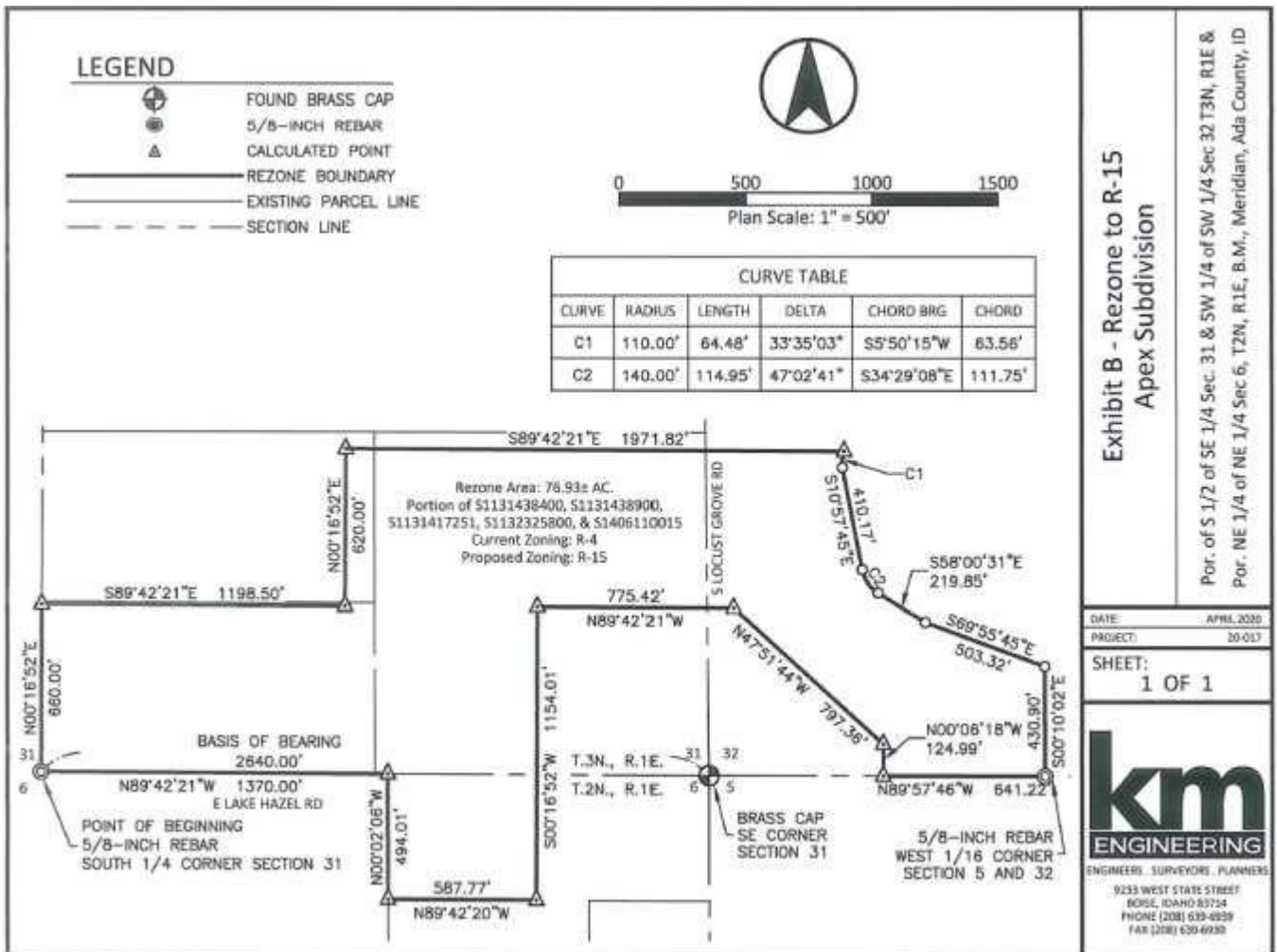
**Exhibit A
Legal Description for
Rezone to R-15
Apex Subdivision**

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

BEGINNING at a 5/8-inch rebar marking the corner common to Section 31, Township 3 North, Range 1 East, and Section 6, Township 2 North, Range 1 East, which bears N89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the Southeast 1/4 corner of said Section 31;
Thence following the westerly line of the Southeast 1/4 of the Southeast 1/4 of Section 31, N00°16'52"E a distance of 660.00 feet;
Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;
Thence N00°16'52"E a distance of 620.00 feet;
Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;
Thence following said easterly boundary the following courses:
1. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and a chord distance of 63.56 feet to a 1/2-inch rebar;
2. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
3. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
4. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
5. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of said Southwest 1/4 of the Southwest 1/4 of Section 32;
Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;
Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;
Thence N00°06'18"W a distance of 124.99 feet;
Thence N47°51'44"W a distance of 797.36 feet;
Thence N89°42'21"W a distance of 775.42 feet;
Thence S00°16'52"W a distance of 1,154.01 feet;
Thence N89°42'20"W a distance of 587.77 feet;
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;
Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF BEGINNING**.

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

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



**Exhibit B - Rezone to R-15
 Apex Subdivision**

DATE: APRIL 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

km ENGINEERING
 ENGINEERS, SURVEYORS, PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83724
 PHONE (208) 633-8899
 FAX (208) 630-6930

Por. of S 1/2 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec 32 T3N, R1E &
 Por. NE 1/4 of NE 1/4 Sec 6, T2N, R1E, B.M., Meridian, Ada County, ID



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

April 29, 2020
Project No. 20-017

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

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

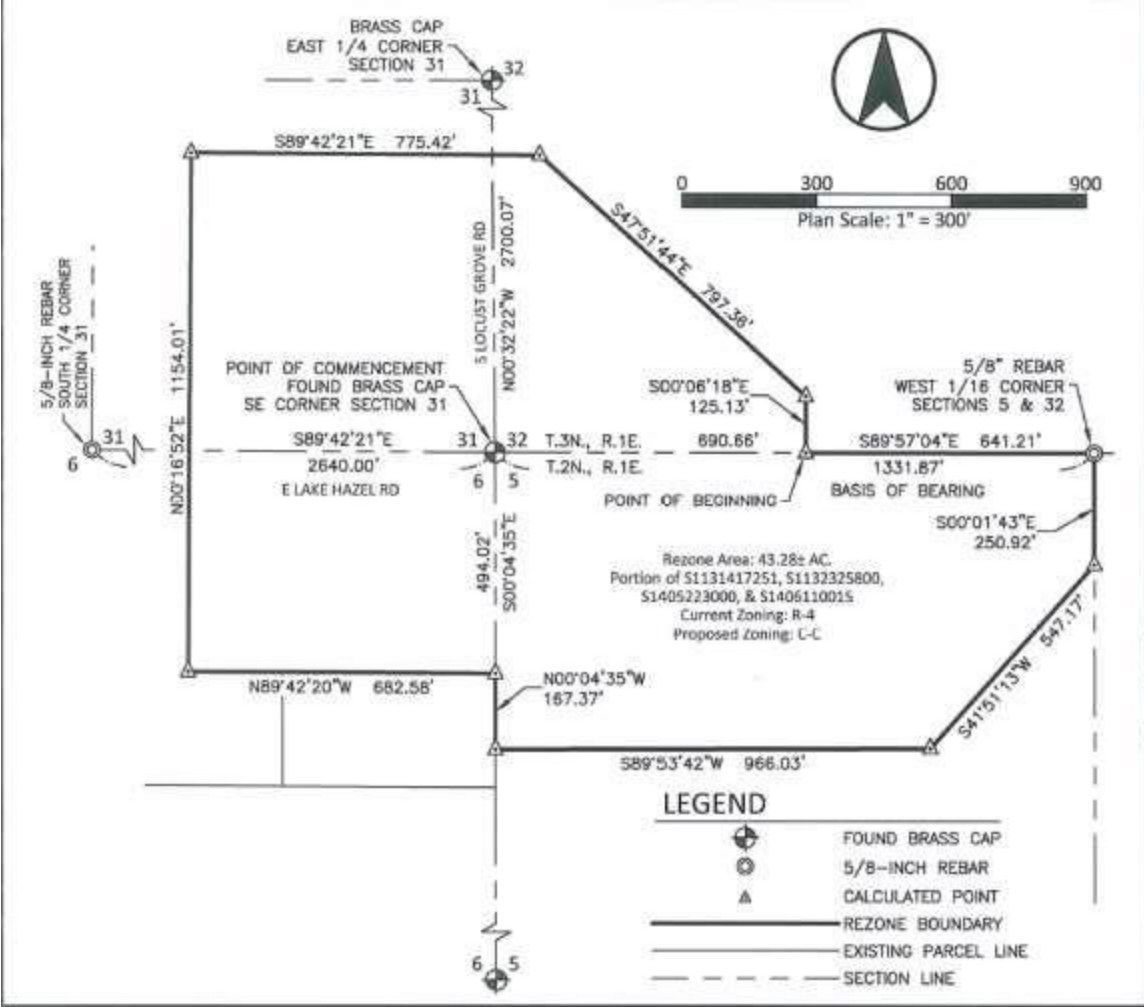
Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E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

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

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

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





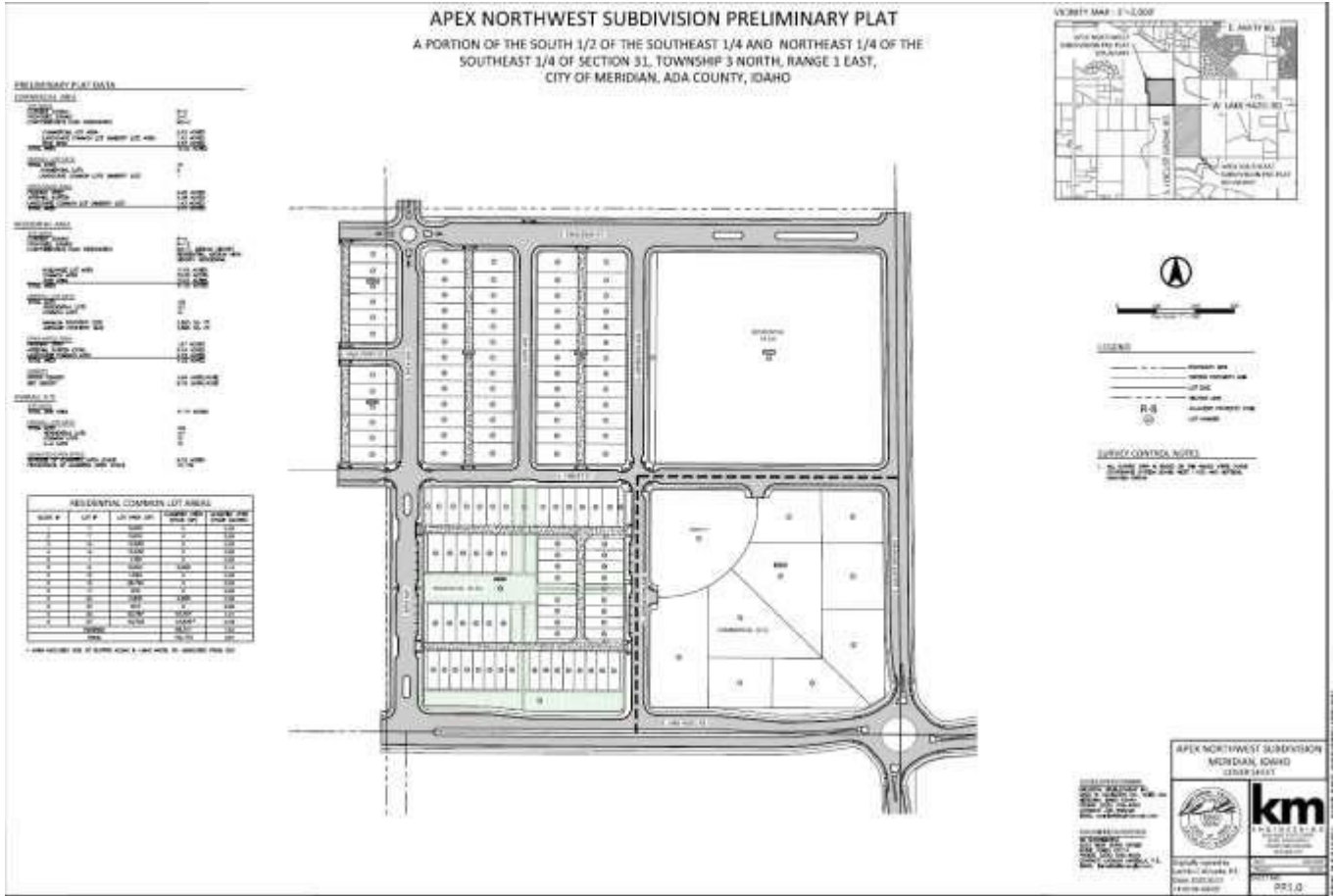
**Exhibit B - Rezone to C-C
 Apex Subdivision**

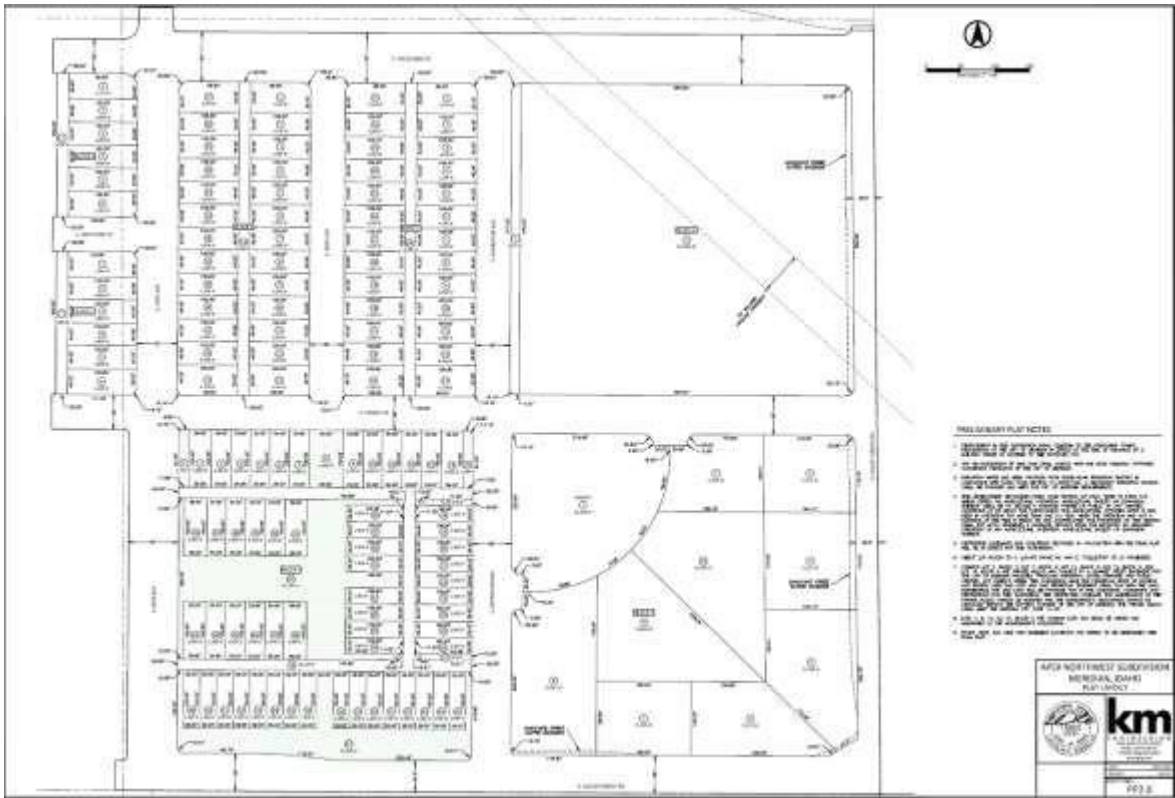
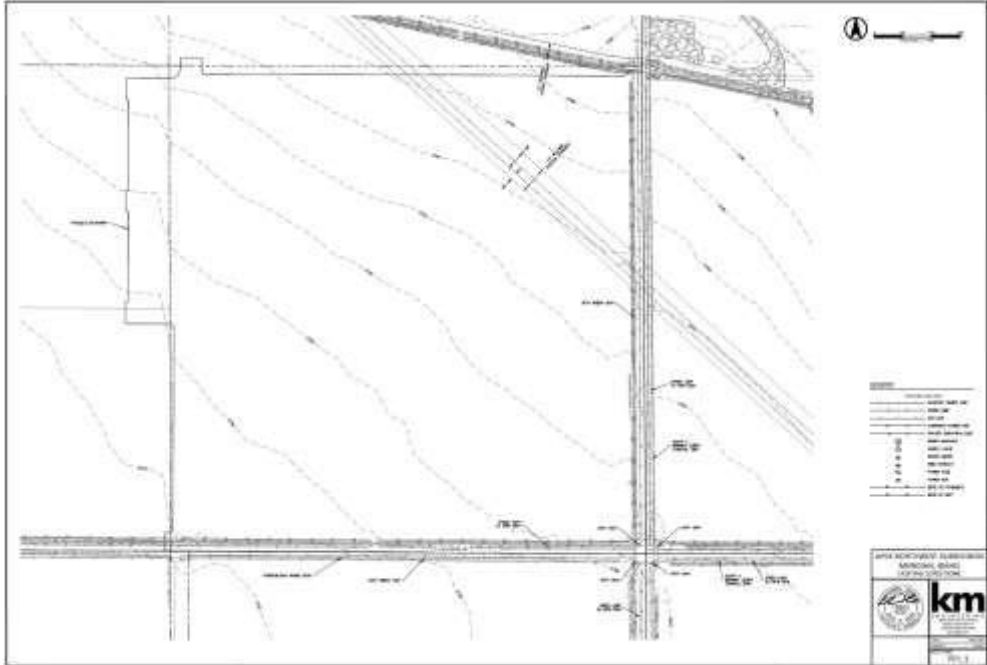
Por. of SE 1/4 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec. 32 T3N, R1E &
 Por. NW 1/4 of NW 1/4 of Sec. 5 & NE 1/4 of NE 1/4 Sec. 6, T2N, R1E
 B.M., Meridian, Ada County, ID

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



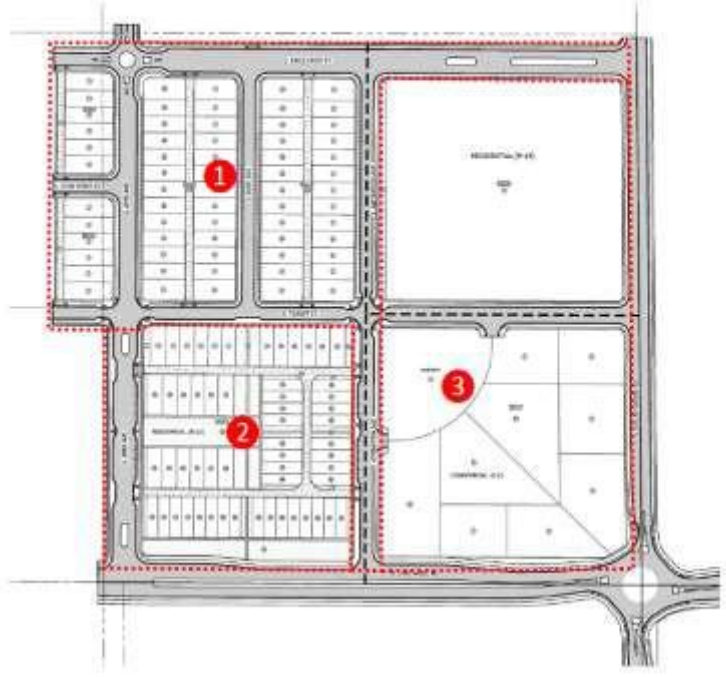
Northwest:





Phasing Plan:

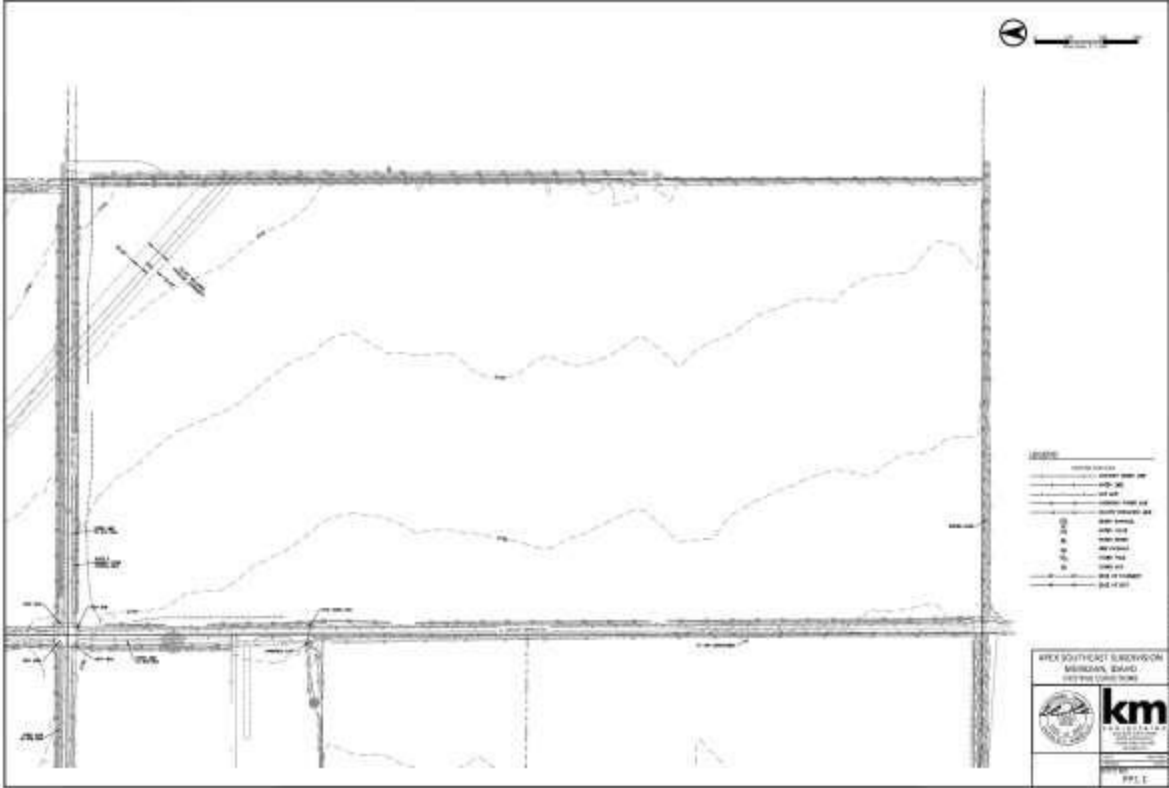
APEX Northwest Phasing
Conceptual / Subject to Change

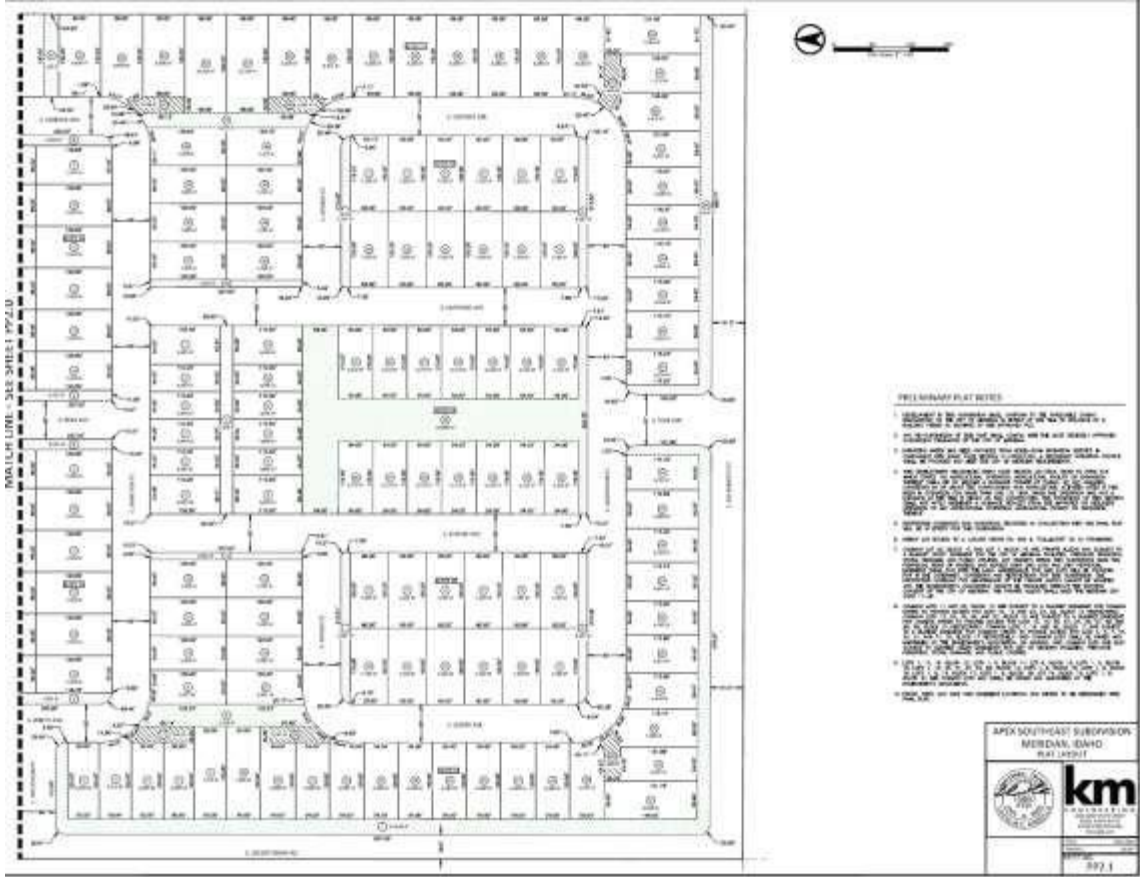


Southeast:

APEX SOUTHEAST SUBDIVISION PRELIMINARY PLAT
A PARCEL OF LAND SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 3,
TOWNSHIP 2 NORTH, RANGE 3 EAST, CITY OF MERIDIAN, ADA COUNTY, IDAHO

This block contains a detailed preliminary plat for the Apex Southeast Subdivision. On the left side, there is a table titled "SUBDIVISION PLAT DATA" which lists various project details such as "PROJECT NAME", "OWNER", "DATE OF PLAT", and "AREA OF PLAT". Below this table is another table titled "SUBDIVISION LOT AREA" with columns for "LOT NO.", "AREA (SQ. FT.)", and "AREA (AC.)". The central part of the block is a detailed site plan showing the layout of lots, streets, and easements. On the right side, there is a "LEGEND" section with symbols for "PROPERTY LINE", "EASEMENT", "UTAS", "WATER", "STREET", and "ADJACENT PROPERTY". Below the legend is a north arrow and a scale bar. At the bottom right, there is a logo for "km" (Keller & Associates) and a "CERTIFICATE OF PRELIMINARY PLAT" section.

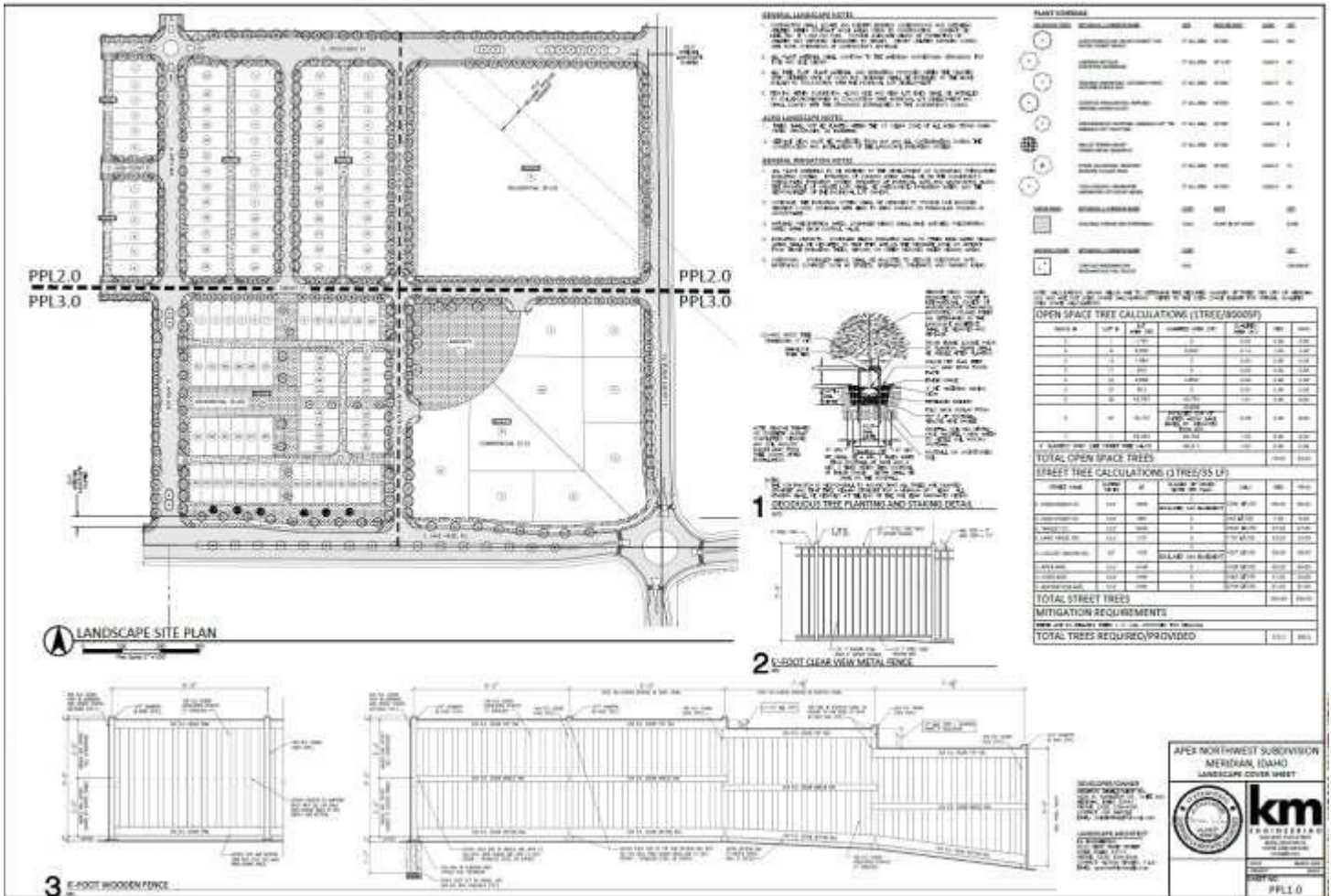




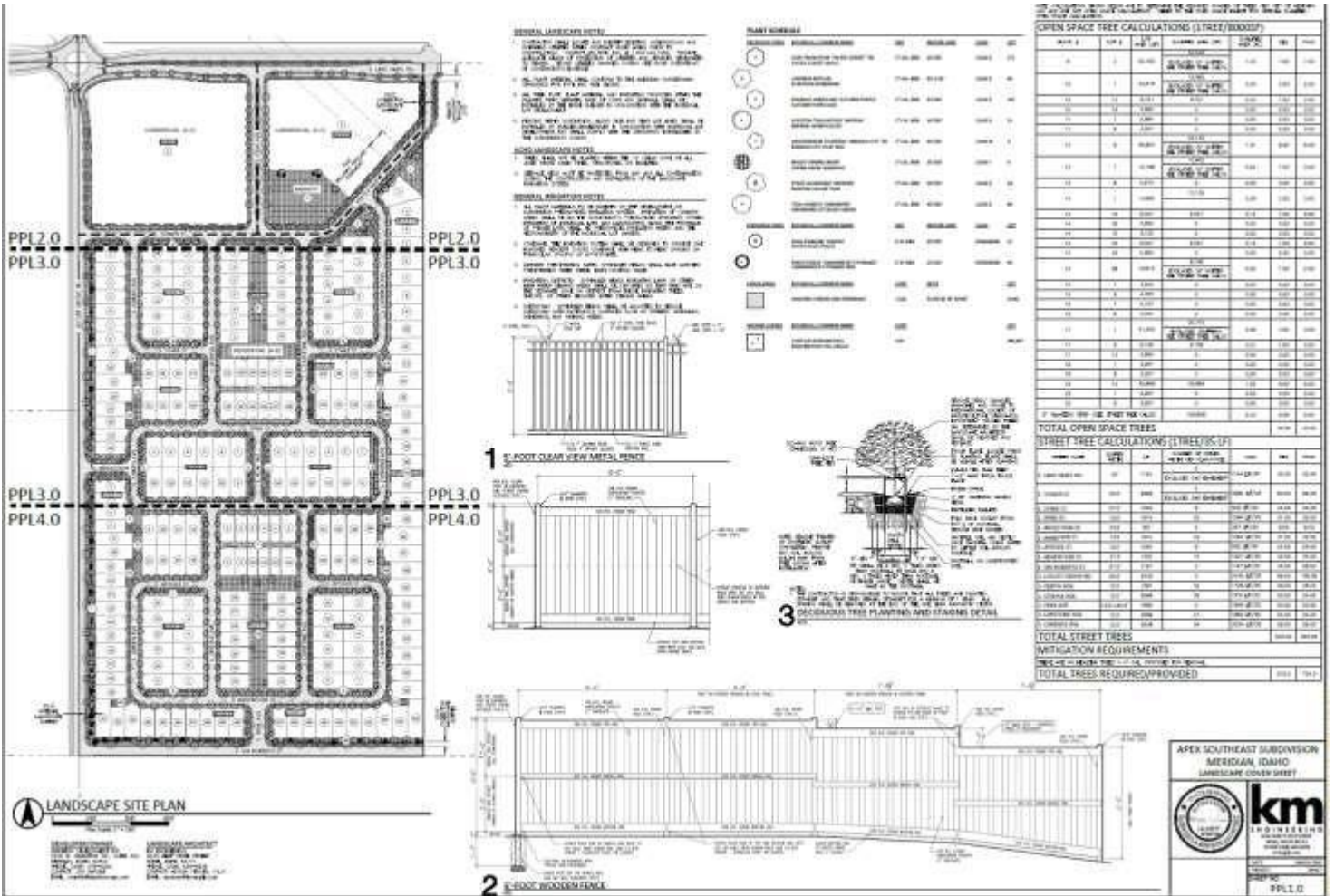
Phasing Plan:

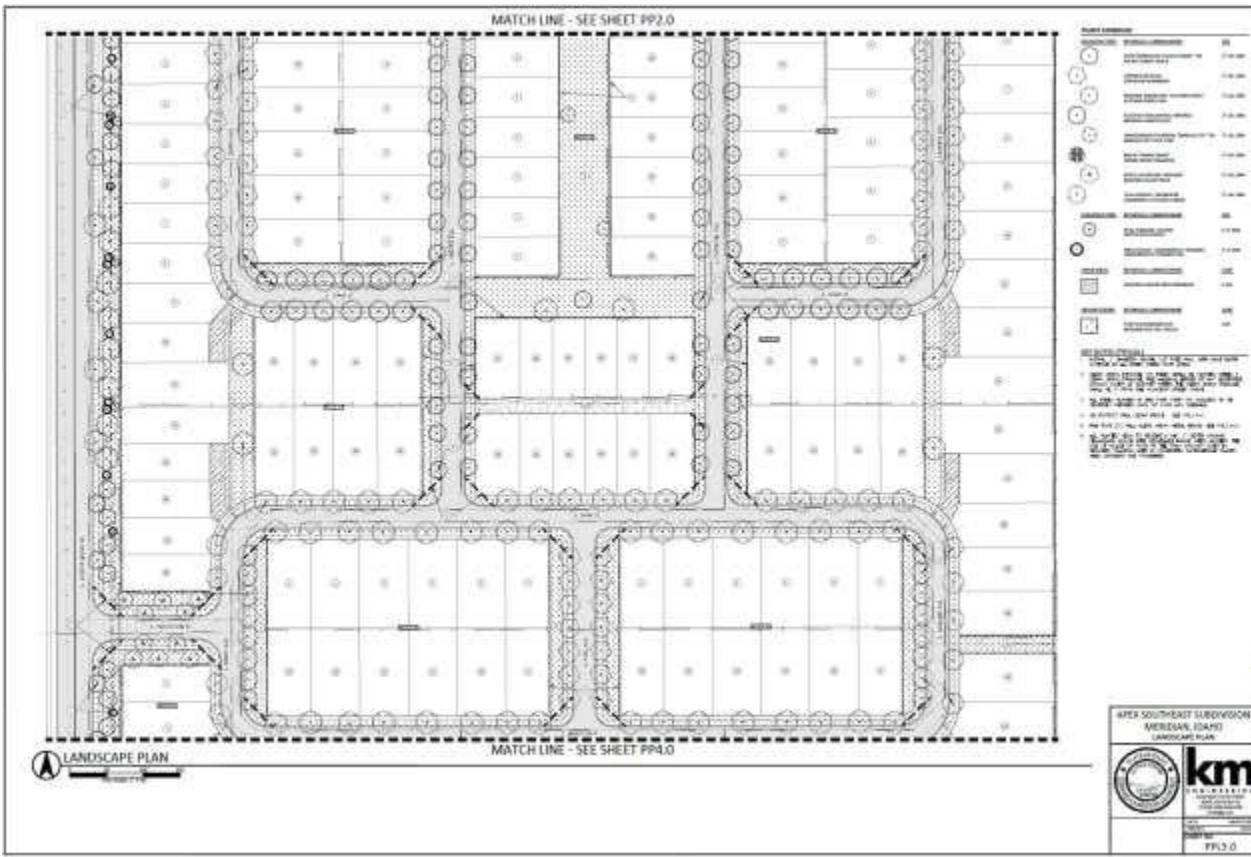
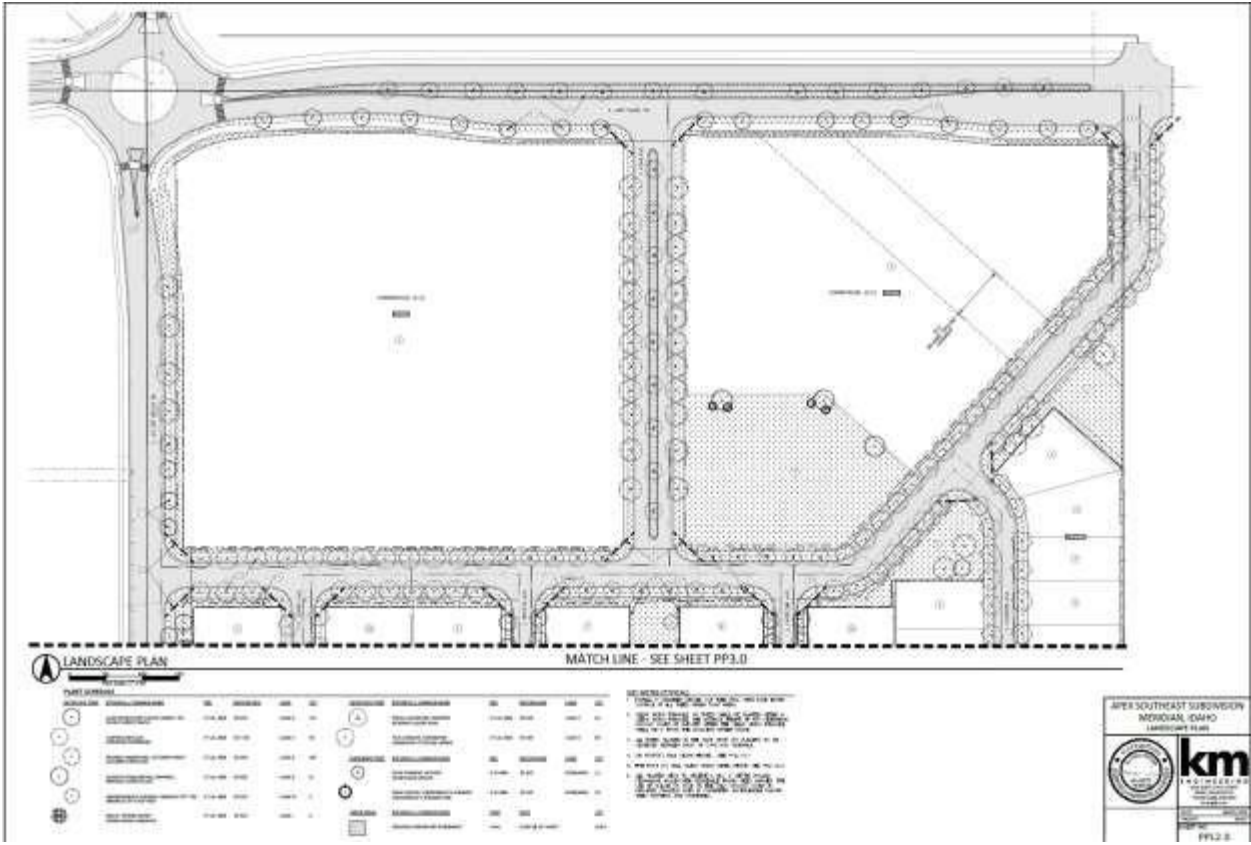


E. Landscape Plan (date: 4/30/2020)
Northwest:

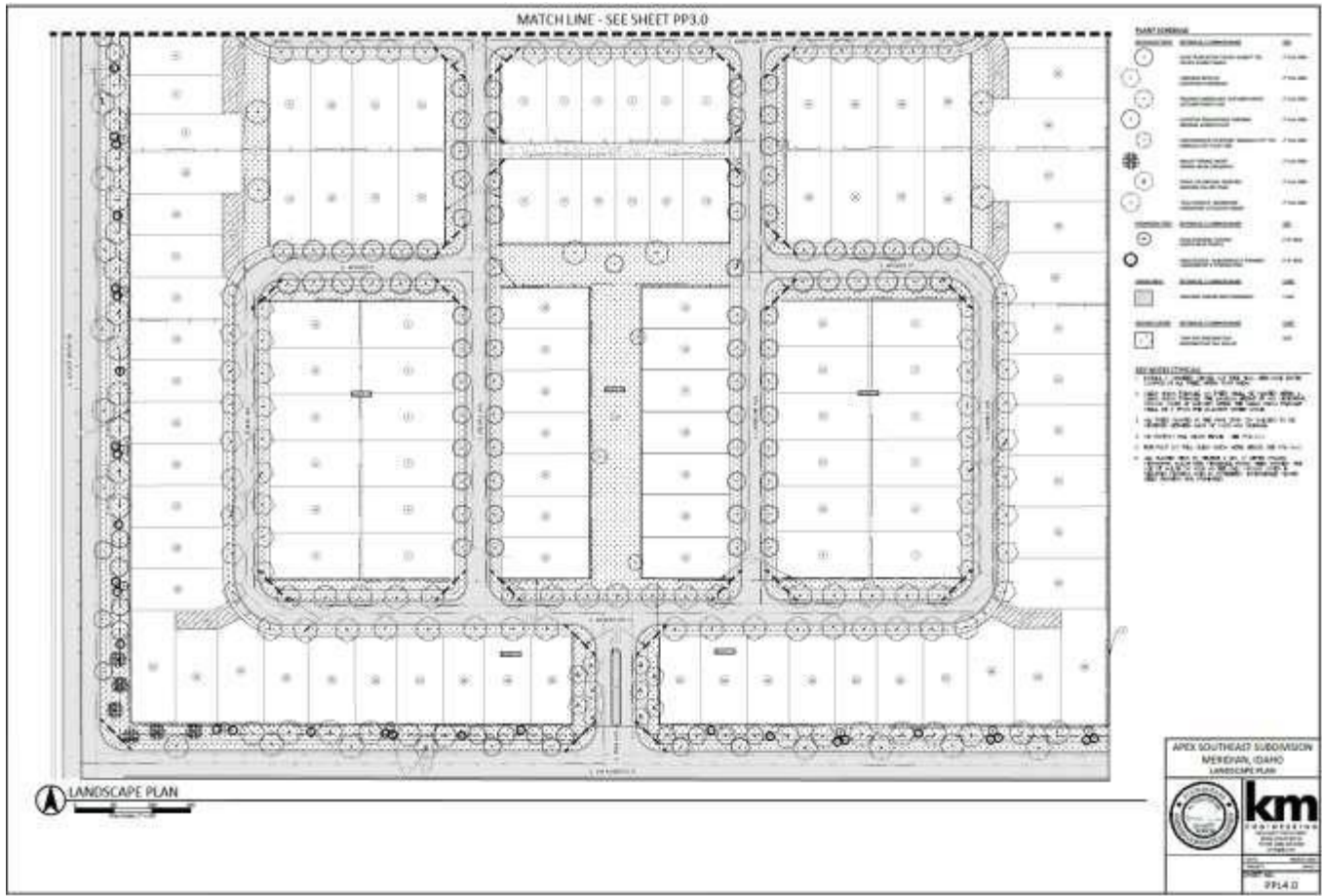


Southeast:





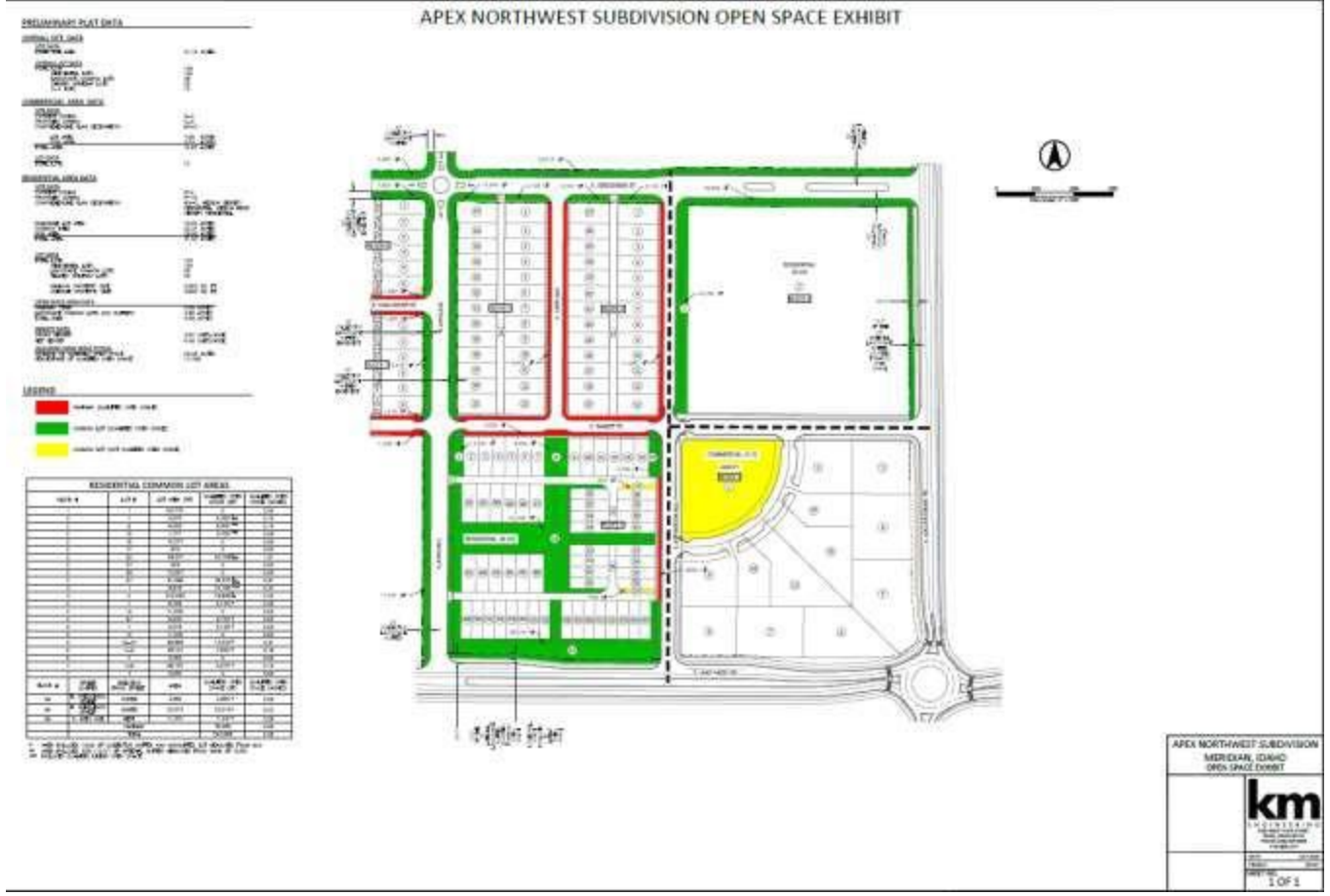
Item #4.



Item #4.

F. Qualified Open Space Exhibit (dated: ~~March~~ May 2020) – REVISED

Northwest:



Southeast:



G. Conceptual Building Elevations/Renderings

Residential:





Commercial:



Item #4.



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).
 - e. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.
 - i. ~~The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

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

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

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

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

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

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

2. General Conditions of Approval

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

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

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

C. FIRE DEPARTMENT

Northwest:

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

Southeast:

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

D. POLICE DEPARTMENT

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

E. PARK'S DEPARTMENT

Northeast:

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

Southeast:

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

F. WEST ADA SCHOOL DISTRICT (WASD)

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

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

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

Southeast:

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

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

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

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

Southeast: (Draft)

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

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

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

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

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

Southeast:

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

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

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

Southeast:

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

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

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

X. FINDINGS

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

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

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

B. Preliminary Plat Findings:

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

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

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

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

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

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

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

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Glen, thank you for being here tonight and good luck. I wish you guys the best.

Walker: All right. Thank you, Commissioners.

Fitzgerald: Does anyone need to take a break for any reason or you want to keep plowing forward and we get into a --

Parsons: That's -- Mr. Chair, that's up to you. If you want -- your purview. If you guys need a five minute break, happy to do that while we get set up for the next presentation.

Fitzgerald: Okay. Let's do that real quick. We are going to take a bio break.

(Recess: 8:35 p.m. to 8:44 p.m.)

Weatherly: Mr. Chair, we are all here and ready to go.

C. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Located generally located east of S. Meridian Rd. and north of E. Columbia Rd.

1. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. # 2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. # 2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
2. Request: Annexation of 40.09 acres of land with an R-2 zoning district. Request Continued to a Future Date to be Determined
3. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

D. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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

E. Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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

Fitzgerald: Thank you, Madam Clerk. So, moving on to the next three items on our agenda, we are going to open these in order all at the same time, so at this time I would like to open the public hearing for Apex by Brighton, File No. H-2020-0066, File No. H-2020-0056 and H-2020-0057 and start with the staff report. Sonya, it's all you, ma'am.

Allen: I see that, thank you. You always know, but it's after you say it. Thank you, Mr. Chair, Members of the Commission. We did have a request by the property owner late today that they would like to change the request for annexation and zoning of that westernmost green parcel you see on the map here, that was proposed to be zoned R-2, 40 acres of land, they want to actually continue this portion of the project to a later commission hearing date in order to re-notice the application to include R-4 and R-2 zoning. So, the annexation portion is being broken out of this application tonight and will be on a later agenda. So, the annexation will not be part of your motion tonight, Commissioners. The applications before you are a request for a development agreement modification, a rezone, and two preliminary plats. The rezone area consists of 384.97 acres of land. It's just generally located east of South Meridian Road, State Highway 69, half mile north of East Columbia Road and a quarter mile south of East Amity Road. This property is surrounded primarily by rural residential and agricultural uses, zoned R-4, RUT, C-2 and R-1. This property was annexed as part of the south Meridian annexation initiated by the city in 2015. The purpose of the annexation was to obtain easements and construct infrastructure for extension of city water and sewer service in the southern portion of the city. A placeholder zoning of R-4 was given to these properties and a development agreement was required as a provision of annexation that is required to be modified upon development of these properties. Two hundred and six approximate acres are designated medium density residential on the future land use map. Approximately 21 acres are designated medium high density residential. And approximately 120 acres are designated mixed use commercial. A future school site and city park is designated in the general area northwest of the Locust Grove-Lake Hazel intersection, north of the MUC designated area. Another school site is designated on the east side of North Locust Grove Road north of Lake Hazel Road just north of the subject rezone area. A rezone of 384.97 acres of land from the R-4 to the R-2 zone -- actually, that portion is being stricken, as I mentioned earlier. Two hundred and sixty-four point zero six acres to R-8. Approximately 77 acres to R-15 and 43 acres to C-C zoning districts is proposed, consistent with the associated medium density residential, medium high density residential, and mixed use community future land use designations. Only 123.38 acres of land to be rezoned is proposed to be sub -- subdivided with this application. The remainder will be developed at a later date. A master plan was submitted as shown on

the right that depicts how the property is proposed to develop with single family residential homes, two swimming pools, commercial office uses, a community center, amphitheater, two school sites, a charter and an elementary school, and future development areas with a conceptual street layout. A modification to the existing development agreements is requested to replace the agreements with a new agreement based on the master plan proposed with this application. In the mixed use community designated areas where a concept plan isn't depicted, the development agreement is required to be modified to include a concept plan prior to development of those areas to ensure future development is consistent with the general mixed use guidelines and the mixed use community guidelines in the comp plan. Two separate preliminary plats are proposed due to the right of way for Lake Hazel and Locust Grove Roads separating the sites. The preliminary plat for Apex Northwest -- and that is the area -- if you can see my cursor right here on the northwest corner of Lake Hazel and Locust Grove, consists of 120 single family residential buildable lots for the development of 88 detached and 32 attached dwelling units, all alley loaded, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the R-15 and C-C zoning districts. The minimum lot size proposed is 2,863 square feet, with an average lot size of 3,885 square feet. The gross density proposed is 5.62 units per acre, with a net density of 11.21 units per acre. The subdivision is proposed to develop in three phases as shown on the phasing plan. The preliminary plat for Apex Southeast, located at the southeast corner of Lake Hazel and Locust Grove Roads here where my cursor is at, consists of 237 single family residential buildable lots, front and alley loaded, two commercial buildable lots, 30 common lots and ten other shared driveway lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet, with an average lot size of 7,058 square feet. The gross density proposed is 3.75 units per acre, with a net density of 6.17 units per acre. The subdivision is proposed to develop in five phases as shown on the phasing plan on the right. Overall a total of 357 single family residential buildable lots, 13 commercial buildable lots, 44 common lots and ten other lots are proposed between the two subdivisions at a gross overall density of 4.22 units per acre and a net overall density of 7.27 units per acre. There are no existing structures within the boundaries of the proposed plats. The Northwest Williams Gas Pipeline crosses the northeast corners of both subdivisions. Development within this area should comply with the Williams Developers Handbook. No structures should be located within the easement. In Apex Northwest two public street accesses are proposed via East Lake Hazel Road and two public street accesses are proposed via Locust Grove Road, both arterial streets. Collector streets, East Crescendo Street and South Apex Avenue, are proposed in accord with the master street map. In Apex Southeast three public street accesses are proposed via Locust Grove and two public street accesses are proposed via Lake Hazel Road. Collector streets, Tower Street, Vertex Way and Via Roberto Street, are proposed in accord with the master street map. Alleys are proposed for access to homes in Apex Northwest and local streets, alleys, and common driveways are proposed for access in Apex Southeast. Cross-access ingress-egress easements are required to be provided between all commercial lots. The applicant has proposed to enter into a cooperative development agreement with ACHD to improve Lake Hazel and Locust Grove Roads abutting the site with additional travel lanes, curb, gutter, planter strips and sidewalk with the first phase of development. Multi-use pathways are required to be provided with development along the south side of

Lake Hazel Road, connecting Locust Grove Road to the pathway and in Discovery Park within the Williams Pipeline Easement and as otherwise required by the Parks Department in accord with the pathways master plan. A minimum of ten percent qualified open space is required to be provided in each subdivision. Open space exhibits were submitted that appear to meet the minimum standards. However, some areas were included that don't qualify, such as common areas in the C-C zoning district. To ensure the developments comply with the minimum standard staff is recommending the exhibits are revised prior to the Council hearing. If additional open space is needed it should be provided. Based on the area of the Apex Northwest plat a minimum of one qualified site amenity is required. A gazebo is proposed as an amenity. Staff is recommending tables and benches are also provided to qualify as a picnic area amenity. Based on the area the Apex Southeast plat, a minimum of three qualified amenities are required. A swimming pool, children's play equipment, and multi- use pathways are proposed as amenities in accord with UDC standards. Several conceptual building elevations were submitted for their proposed single family homes and commercial structures planned to be constructed in this development. Homes are a mix of one and two story units, attached and detached, with building materials consisting of a variety of siding styles and stucco, with stone and brick veneer accents. Final design is required to comply with the design standards in the architectural standards manual. Single family detached dwellings are exempt from design review standards. Because two story home elevations that face arterial and collector streets are highly visible, staff recommends the rear and/or side of structures on lots that face these streets incorporate articulation through various specific means or other integrated architectural elements to break up monotonous wall plains and roof lines that are visible from these streets. Single story structures are exempt from this requirement. No public comments have been received on this application. Staff is recommending approval with an amendment to the existing development agreements to include a new development agreement for the overall property per the provisions in the staff report. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. Are there any questions for staff? Anyone?

Allen: Mr. Chair, the clerk just told me --

Fitzgerald: Go ahead, ma'am.

Allen: Excuse me. The clerk just told me that there was one public comment received late today and it is in the public record.

Fitzgerald: Okay. Thank you for that.

Allen: Thank you.

Fitzgerald: Hearing no questions for staff at this time, Mr. Wardle, would you like to take it from here, sir.

Wardle: Thank you, Mr. Chair. First off can you hear me okay?

Fitzgerald: Yep. You're good.

Wardle: Great. Thank you. I'm going to share my screen here. Good evening, Mr. Chair. My name is Jon Wardle. My address is 2929 West Navigator, Suite 400, in Meridian, Idaho. 83642. With me tonight I have David Turnbull, Lars Hansen and Mike Wardle, all representing the Brighton team and I wanted to take an opportunity to let you know that they are here available for questions at the end should you have any specific to the project. We are really excited about the opportunity to bring this project Pinnacle to you tonight. Pinnacle is a -- is a mixed use community. It's not often that we have an opportunity to develop four corners. It's often one side of the street or the other, but in this case we actually have an opportunity to develop all four corners at the intersection of Lake Hazel and Locust Grove. Even though we are divided by these roads, it will be developed as a single project and in multiple phases over time. We are very excited about the opportunity to develop Pinnacle and create not -- not only an identity for Pinnacle, but also an anchor for south Meridian, provide services and other things that will be a community asset and a value to everybody that lives out in the area that is also on a broader range. Pinnacle was designed as a mixed use planned community. When we began looking at this we wanted to identify some key components, living, education services and outdoor opportunities and so as we go through our presentation tonight I will give you a little bit more detail on all of those. As mentioned just a minute ago, there was an annexation request for 40 acres on the west side adjacent to Meridian Road. At the request of the co-applicant of that, they have asked that that be continued. So, that tonight has been pulled off the table, but it doesn't have any impact on the rest of the project that will be in front of you. We are asking for rezone to match up with the overall master plan that's in front of you. We do have -- now, it is one project, but we do have two plats, because we are split by public roads, Apex Northwest and Apex Southeast, and there is also a request to modify the development agreement, which Council will hear in the future. As I mentioned just a couple of minutes ago, when we started looking at Pinnacle we were looking at the -- the items and elements that really make up a planned community. As I put up here on the screen here they really are living options, education, services that are at appropriate scale and also recreation. In addition, because we are on this intersection of Lake Hazel and Locust Grove, we have a great opportunity to provide additional services to the broader community, not just the residents that will live in Pinnacle. Starting off the first element are living options. We have identified in the first two plats a couple of different living options. In Pinnacle Northwest we have alley and also row homes. In Pinnacle Southeast we have conventional homes that you -- that we see everywhere. But in combination these are a mix of residential uses which complement each other and provide an opportunity for different type of lifestyle, attached or detached, but also a maintenance or no maintenance, meaning a homeowner would take care of his own or it would be taken care of for them. One key element that we know is important to our community is education. We have been working for some time with West -- West Ada School District. We have identified a future site for an elementary school and we will continue to work with them on that -- on those plans. But one of the items that we are real excited about that is shown here before you is a future charter school. We have been working with Gem Prep Academy. They are looking for additional opportunities to provide education in Meridian and we have identified this site in Pinnacle

Southeast. It's about a seven acre site. It would be a K through eight school. Public charter school. But we are really excited about that. They would come in with a future application through the conditional use process. Like their timeline and our timeline -- their intent would be to open fall of 2022. One of the things that's also important is to have services which residents and other community members can use. It's important to have services that are of an appropriate scale. Lake Hazel long term will have more traffic to it, as will Locust Grove. We really designed this first section in Pinnacle Northwest to be a small scale, a neighborhood scaled retail area. A couple of things that we are doing here that are unique is retail needs people and so in order to drive that we are going to put our community center here at the core of this and I will get into a little bit more about some of the services that will be there, but we think that having a very active community center surrounded by a similar scale to retail will provide an opportunity for success for those future retail users here. The retail we see will be a combination of small scale office, medical services, small retail services and those will be defined over time based on what neighbors and community needs here at this location. Of note as well this -- this area here identified in the corner, it's about ten acres, and seven acres of that is -- is combined for the community center and these office retail uses at this location. We are really excited about the opportunities that we have to provide -- to help people be outdoors, be social, but also have space. We know that having space is an important thing and so we feel like we are starting to provide some opportunities that will be both beneficial to the Pinnacle community, but also provide some valued connections to the greater south Meridian area. Some of the things that we are proposing with Pinnacle is an amphitheater and community center kind of at the center at Lake Hazel and Locust Grove, trails and pathways, and pools and parks. Really what this becomes -- it is a neighborhood town center for south Meridian. Not intense like you would find it at The Village, but of an appropriate scale and services that would be beneficial to this area. I'm going to zoom in here on a couple things. First talk about the amphitheater and community center here in the core on this ten acre corner piece. We have thought long and hard about the opportunities here and how to create a place where people will come and gather. As we started looking at this we really felt like there was value in not turning our back on a park, but making the park a center, a keystone of Pinnacle, not just for the residents, but it is surrounded by public streets. We really want to see people come here and gather here with this amphitheater. It could be for small concerts. It could be for farmers markets. We also see the opportunity on the streets that we could park food trucks so they can come there. It really becomes an activity center for the greater community. This is looking -- this is looking from the northwest to southeast towards the corner of Lake Hazel and Locust Grove. This perspective -- if you were standing in the community center you would be looking back into the commons and the amphitheater. Here is that same view, but elevated up above, so you kind of get the size and scope of this. The park element itself, we were calculating that earlier today, get to it right here really quick. Yeah. So, the park element and the community center is 3.25 acres. In context, City Hall here sits on 2.75 acres. City Hall and the parking lot. So, we are adding about a half acre more of a great park element, a community center, and associated retail uses and commercial uses around the site. This community center right here that I have shown here -- this will face both the park and also into the parking area, which we will see here in a second on how that works. The community center really is designed to provide ample outdoor spaces,

but also indoor spaces. We see that we will be doing -- all of our mail delivery will be at the community center. There will be places for package drop offs. We will also have a cafe in there. You talked about having a small library, either -- either a community library or something bigger than that. There will be a business center. It becomes the activity hub for both the residents and also the community at large at Pinnacle. Again, looking here back towards the northeast, this shot kind of gives you the perspective where the community center and amphitheater commons would be and how those two would relate. We really have an opportunity here to activate this area over time. When I say activate, bring people together. People are looking for that third place. They have work or school and they have home. They want that place where they can go, meet other people, but still have, you know, the ability to have some distance and we really feel like this provides a great cornerstone for south Meridian. And, finally, this picture right here, this is looking at the intersection, the roundabout, looking towards the northwest to kind of get a perspective of Locust Grove and Lake Hazel, how those buildings would relate to both of those arterial roadways. And, finally, just one last picture here looking towards the south and you see the back side of the community center, but it's not really backside, it's a four sided architectural building. We will have plaza spaces there as well. People can come in, pick up their mail, get some services and also participate in other activities that we will have programmed with an on-site community director. One of the things that we have heard a lot about south -- south Meridian -- what we hear in all of our communities is the importance of connections. We view connections as pathways and sidewalks. This graphic right here that's in front of you, these red lines represent new pathway systems, which would be ten feet in size or provide other connections to other neighborhoods like this. We are going to have ten foot detached sidewalks on both sides of Lake Hazel, along a mobility corridor that ultimately will connect into Discovery Park. You will also have a ten foot sidewalk heading north on Locust Grove and, then, as you see it goes on the diagonal, that's the Williams Pipeline. It creates both some challenges, but also an opportunity. We are going to activate that corridor, green it up. We can't build any structures -- buildings over the top of it, but we can bring pathways through there. We can create some common areas, and this ten foot pathway will connect the northwest part of our project and beyond down to Discovery Park for new pathways which are safe corridors to travel on. And, finally, one of the key elements, obviously, are parks and other -- other services. In the southeast area we are showing in our first phase a pool and playground area that we will be building. We have some micro path connections which will be built over to Discovery Park in the Pinnacle Northwest area. We will be building that community center and commons and amphitheater with our second phase. It will be the first phase up there, but with our second phase, so those elements are there right from the very beginning as well. We do have a variety of open spaces, gazebos, we have a future pool and other pathway connections planned to the northwest. That gives you an idea of what we are doing from the very beginning with these two plants, which are before you tonight. As Sonya mentioned, the applications before you -- really that first one, the annexation, has been continued. We are rezoning Pinnacle to match with the type of land uses which are now before you in this master plan. It is one project, but there are two preliminary plats, Apex Northwest and Apex southeast, and we will be modifying the development agreement. Just wanted to kind of give you an illustration of how the zoning here overlays the boundaries of the -- of the project in relationship to the

broader community. We have a variety of land uses here with R-8, R-15. We are maintaining R-4 over adjacent to the existing homes, which are shown there with that project area. We also have C-C designated areas, which allow for community scale and neighborhood scale retail, but also other type of residential uses in the future, depending on the demand and interest in the market. And, again, this is just a side by side of our land use map and the zoning which is proposed. And, finally, just in summary, like I said, we are presenting to you an overall concept plan for Pinnacle. It is divided into two subdivisions or plats before you, Apex Northwest, which was 120 residential lots with 11 commercial lots on 41 acres and Apex Southeast, 237 residential lots, two commercial lots with that future charter school there as well on 81.63 acres. Finally, we do agree with the conditions of approval, subject to some clarifications that we have been working with staff on some design elements, which -- which are not major, but we will address those prior to City Council. We do not have any modifications to the conditions that we are requesting this evening and we do request that the Planning and Zoning Commission recommend that these applications move forward to the Council, not for annexation, but for zoning and the preliminary plat as proposed by staff as we have given to you this evening in our public testimony. That's the end of my discussion or the end of my comments. I am willing to take any questions you have or for our team here as well.

Fitzgerald: Mr. Wardle, we appreciate you being here. I have a quick question. I know in -- in a -- you know, this is a big significant chunk of land. You all are doing a significant offsite in widening roads and adding signals; is that correct? Just so we have that on the record.

Wardle: Commission Fitzgerald, thank you. Yes. To let you know what we are doing currently, on this exhibit right now in the northwest corner where you see kind of some gravel pits up there close to Amity Road, that's where the city brought in its sewer line. We have actually picked up the sewer line and built about three quarters of a mile of it, but we are extending that trunk sewer line all the way down to the city park, so the future phase of the city park can -- next phase can bring -- be brought online as well. One of the other key elements that we are involved in as well is the ultimate construction of Lake Hazel and Locust Grove to match the long range plans that ACHD has for the area. We are going to enter into a cooperative development agreement with them. So, at the very beginning of the project or concurrent with these first phases we will be building a dual lane roundabout, we will be building Lake Hazel at least a quarter mile each way with these first phases as a five lane roadway system with a median that would allow for turn lanes and we will be rebuilding Locust Grove as well as a three lane roadway in cooperation with ACHD. So, we have made that commitment. We are going to do that the very beginning. We are invested already without any approvals on extending the long range planned sewer trunk line for this area. So, yes, those things we are involved in and are committing to with this project.

Fitzgerald: Thanks, sir. I appreciate the information, for sharing that. Is there questions for the applicant?

Seal: Mr. Chair?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead, ma'am.

Pitzer: Thank you. Yes. Just for clarification, where the amphitheater is, if you could bring that back up. You have a little -- you have the square right there that says future. What do you see for that future?

Wardle: Let me see here. Was it this one?

Pitzer: This one here. Yes.

Wardle: Yes.

Pitzer: North of the amphitheater.

Wardle: I don't think you can see my cursor, but, Commissioner Pitzer, you were -- you were mentioning that future square, it's about a ten acre site. We are zoning it as R-15. We don't have plans for it at this moment, but we do view it as residential in the future. One of the things if we were to draw a line through -- you see the red pathway to the northwest, that is the Williams Pipeline. The Williams Pipeline bisects that parcel, so we are just pausing at this moment in time as we are continuing to work with them on how design in and around that would be. It is a 70 foot easement that they have through there. Actually have a couple of pipelines that are in that easement. So, we do need to take care as we are going through there. But at this point in time we are not presenting any plans to the Commission and would come back at a future date with a new plat or plans for that future area.

Pitzer: Okay. Thank you. And follow up?

Fitzgerald: Go right ahead, ma'am.

Pitzer: Thank you. What -- are there any grocery stores, gas stations, anything like that within this area?

Wardle: Mr. Chair, Commissioner Pitzer, at this time we do not have anything planned at this intersection. We do have an opportunity in future. We have some other C-C zoning in there, but we want to make sure that the retail uses are of a scale which is appropriate. There are other locations which we think will end up being probably a little higher traffic, perhaps closer over to Meridian Road and State Highway 69. At this time the retail that we are proposing would be of small scale, probably in the ballpark of four to ten thousand square foot structures that would be services related to the community.

Pitzer: Okay. Thank you very much.

Wardle: Thank you.

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: Was that for me?

Fitzgerald: Yes.

Seal: Just a quick question on the school sites. Are the school sites something that you were working to donate fully, partially donate, or is that something where the school is going to buy the land and go from there?

Wardle: Mr. Chair, Commissioner Seal, Brighton has a long standing history of working with the schools. We have done this at other locations in most every one of our communities in Meridian. I don't want to get into the details on what that really means, other than we are committed to education and we -- we are working hard to make sure that education happens early here, just like we have in other communities. So, I don't really want to get into details on what those -- how the land would transfer, other than to say that we have a long term commitment to education in Pinnacle.

Seal: Okay. Thank you.

Fitzgerald: Follow up, Mr. Seal?

Seal: No. That's all. Thank you.

Fitzgerald: Okay. Commissioner Grove, were you unmuted?

Grove: Yes.

Fitzgerald: Sir, go right ahead. Thanks.

Grove: All right. Thank you, Mr. Chair. Mr. Wardle, a couple of -- I had two separate questions. First one is related to the improvements right there and -- for the street. This is something unique to our streetscape. Is this proposal something that would -- like was actually going to go through in terms of the median that is set up on -- which one is that? Lake Hazel. And I guess Locust Grove as well.

Wardle: Mr. Chair, give me a second here. Let me scroll back to a different graphic that pulls it down a little bit closer, just so you can kind of see here. There is a dark line here, so that -- that is over the top of a continuous median both east and west from Lake Hazel. As we know, Lake Hazel is a -- you know, is going to be a mobility corridor in the future. It's not carrying that currently, but we want to make sure that it's designed appropriately. But given the nature of the roundabout as well, we don't want to have too many conflicts coming in and out of the parcels and so when you get back to -- back to the amphitheater area, this is a continuous median that would come across Lake Hazel -- there would be

a turn lane -- a dedicated turn lane more to the west, so you would have the same treatment to the east, but, yes, we are -- we are committed to building those medians in those areas, both from an enhancement, but also to control access to the parcels north and south of that Lake Hazel area, given that we have a roundabout there.

Grove: Thank you. I like that. It gives some character to an otherwise flat piece of land, so that's kind of cool. The second question that I had was related to open space and how that is possibly impacting your decision on the northwest parcel. In regards to the -- if the civics aspect is not able to be calculated, does that impact your open space needs during this first phase and if it does are you able to accelerate the addition of the space surrounding the future pool?

Wardle: Mr. Chair, Commissioner Grove, let me just make sure I understand the question. You can just nod if I do. You are asking if we feel like we have sufficient open space in the northwest area if we can't count the amphitheater as -- within our common area. Okay. All right. We do believe that we do. There -- there is an area which is directly adjacent to the amphitheater to the west, which has a lot of common area. We have other buffers as well down here on Lake Hazel. We do believe that we -- the calculations are there for it. I would note, however, it is interesting -- the only reason we are not able to count it is because it's in a C-C zone. We very easily could have redrawn the zoning down the middle of the private drive between the amphitheater and the community center and bring it in and it would be more than -- more than -- way more than is needed, but because it is in the C-C zone as relates to commercial it, quote, isn't counted. I do think, however, if you look in the context of this community, the open space that's there, the amphitheater and the opportunity to bring in a lot of other residents and community members, we think it's a great asset. But your original question, we do think that we have sufficient open space in the other R-15 area, which is shown within the plat.

Fitzgerald: Mr. Grove, any -- additional questions for the applicant?

Grove: Not at this time.

Wardle: Can I just see if there is anything else that needs to be clarified? Okay. We are good on our end. Thank you.

Fitzgerald: Thanks, Mr. Wardle. We appreciate it. We will let you close if there is additional public testimony. I will give you an opportunity to close either way, but if there is -- we will come back to you in a moment. Madam Clerk, is there anyone signed up to testify on this application?

Weatherly: Mr. Chair, we had several people sign up, one who wished to testify in house and that is Stacia Morgan.

Fitzgerald: Okay.

Morgan: Okay. Hi, I'm Stacia Morgan. I live at 1130 East Tanya Lane here in Meridian and I guess I'm mostly here to say -- I mean it looks like that Pinnacle is an exciting addition to our community and I know that Brighton does a good job of bringing good things to our community. If it's approved I guess I'm mostly looking to -- not to approve a future R-15 designation for that one area. Plus I'm here for also a general plea to the Planning and Zoning Committee to continue to look out for our students. I know -- I was unaware of this charter school possibility, but it looks like as of now Victory Middle School is only -- is only 31 kids below capacity and I'm sure just this one Brighton development will bring more than 31 middle school children for that school, which will have it at capacity. Besides all the other communities that have been approved and are currently under construction. I know it's a duty of the Planning and Zoning Committee to do analysis -- analysis of public school capacity and transportation considerations and one question I have is do they do those and does the public have access to those analysis as they consider all these big communities that are coming in. According to the National Education Association a 15 kid class is ideal. That's totally and completely a dream. But 18 to 24 is more appropriate. Hillsdale in 20 -- 2018-2019 school year had fifth grade classes with 38 and 39 kids and another one of 39 and in the 2019-2020 all the -- all the third grade classes had -- had 31 kids in every first grade class. So, this is a huge concern. I mean I grew up here in Boise and Meridian and catch up has always been the game that we have played, but our growth is so much faster and we just can't keep playing the catch up game. The five kids that have -- are in the West Ada School District -- personal experiences I have had one teacher tell me I just don't know what to do with your daughter. She gets done with her work and I just have too many kids, so she can just read and maybe you can do things with her at home. She suggested I do some at home research project with her, because she just has too many kids to deal with and my kids at the high school have been really frustrated with -- every year we get the e-mail you cannot change classes. Whatever you get assigned to that is what you do, because we have too many kids to deal with all these schedule changes. So, unless it's some kind of emergency you just take what you get and that's really frustrating and, you know, not -- not good. I think we really have to plan for the education of these kids and part of the joy of Meridian community -- and they -- Pinnacle mentioned connection and that's -- that's the joy and beauty of living here is the connection with our neighbors and if these kids, which is currently happening, are bused to different schools and not going to school with their neighbors, they lose on that connection and that -- that's the beauty of the city. Kids should not have to be bused to far away schools because of the lack of planning on the city's part for educational purposes and also if we can kind of limit the number of step-ups or rezoning, we can limit the number of people in these communities. So, that's my plea, I guess, is just to, please, keep -- think about our kids and think about our future. I think that Pinnacle looks great, but we really have to be smart about how we are planning our community and planning for schools. It looks like there is some good selections with the elementary school level, but we still suffer in the middle school and, then, even the high school. So, thank you.

Fitzgerald: Thank you, ma'am. Appreciate you being here with us tonight. Madam Clerk, is there anyone else that would like to testify that hasn't signed up?

Weatherly: Mr. Chair, I'm getting one --

Fitzgerald: I have someone raising their hand.

Weatherly: I'm getting one hand raised online, so one moment. Annette, I'm going to move you over so you can speak. One moment, please.

Fitzgerald: Annette, if you would unmute yourself, you have joined us from the other side, so if you would, please, state your name and your address for the record and the floor is yours, ma'am.

Alonso: Okay. I'm Annette Alonso. I live at 2204 East Hyper Drive in Meridian and I live in Black Rock Subdivision, which will eventually back onto this development on -- off the canal to the northeast side and I have met with -- with Mr. Wardle and truly I think this is a beautiful development. It's really well planned. Spoken with Jon and we talked about this before. I'm representing the Southern Rim Coalition. And the only thing I have to say is we would like to make sure there is pathways connected through our development. We have a place where we can connect through -- over the canal. We have a walkway. Just so we have that thoroughfare going through and like the previous person who spoke just said, our education thing is quite a disaster at this point and I have tried many times through City Council -- Wendy Webb, who is my co-chair testified to City Council on a Linder Cedarbrook the other night and that was turned down by City Council because of the fact that we have no place to put our children and I love the fact that Brighton is including the school thing. I think the charter school is great. The problem is is that we are going to have houses before we have schools and we already have a thousand houses planned out here with no place for the children to go, because we are at capacity -- over capacity, so -- so, that's kind of just where we are is that we love this development, but schools have to come first before we can do anything else, because, you know, we wouldn't approve houses if we didn't have water. We wouldn't approve houses if we didn't have sewer. It's basic need and education is basic need. So, that's where we stand. Like I said, we love this development, we love what Brighton does, we love what they did with Century Farm. We love their contribution to community and the way they really help grow the community. We just have to have a school before we have more houses or we are going to be in real trouble. That's all I have.

Weatherly: Mr. Chair, at this time I don't see anybody else raising their hand in house or online.

Seal: You are muted, Mr. Chair.

Fitzgerald: Thank you very much. Thanks, Mr. Seal, for bringing that up. Ms. Alonso, thank you for being here with us tonight. We appreciate your perspective. And I have one more person that just raised their hand. Can we move Mr. Edwards -- or Mrs. Edwards -- the Edwards over and have him or her join us as a panelist.

Weatherly: Absolutely. I think it's Julie. Julie, if that's you you can unmute yourself.

Fitzgerald: And, Julie, if you hit the button down -- there you go. Julie, please, state your name and your address for the record. I think we got your testimony late today, but we appreciate your written testimony, too. So, hopefully, you can give us your take and go from there. So, the floor is yours, ma'am. Julie, we are not hearing you if you are speaking. Still having challenges. But I do know we have got Julie's testimony on the -- in written form, which is good. Madam Clerk or Chris, I'm not sure if we can help her.

Weatherly: Julie, if -- if you can check your -- you are unmuted on Zoom, but if you look on your computer and see if your volume is on and you are not muted on your computer. It sounds like you might be joining us, but you are really far away.

Allen: Mr. Chair, this is Sonya. If Mrs. Edwards is not able to communicate with us so we can hear, I am happy to hit the highlights of her written testimony if you would like.

Fitzgerald: Let's do that and she can --

Allen: Okay.

Fitzgerald: Yeah. That would be great. Sonya, if you will hit the highlights of her testimony and we can -- just to make sure everybody has that and, then, Mr. Wardle might be able to answer any questions that come up in that. That would be great.

Allen: Okay. Mrs. Edwards is opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Road between Meridian Road and Locust Grove Road. She is not against higher density around the commercial areas, though. She would like to see the zoning of the future development areas remain R-4, rather than be rezoned to R-8. She believes that farmland and open space should be preserved as much as possible. She is concerned the current school system does not have the capacity to accommodate all of the students from this development. She would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to reevaluate how we want to use our dwindling remaining open spaces and farmland. Hopefully I captured all that, Julie. If not, the Commissioners do have her entire letter in the public record for review.

Fitzgerald: Thanks, Sonya. Appreciate that. Is there anyone in the audience or remaining online that would like to testify on this application? So, please, raise your hand.

Seal: I'm seeing nobody in the audience, Mr. Chair.

Fitzgerald: Thanks, Commissioner Seal. Hearing none, Mr. Wardle, would you like to close, sir.

Wardle: Sure. Thank you very much for the opportunity to make a few comments here at the very end of this. We -- we are aware this is a large project and we -- we also are aware that a couple of the items are outside of the city's control, being the roads and schools, but we feel like we are stepping up to address those and be very proactive. The

school question came up about, you know, needing more capacity. We went out and we found a very creative way to create capacity almost at the very beginning of our project. This K through eight charter school, Gem Prep, they will have 550 new seats that weren't even anticipated in West Ada's plan. We also committed to West Ada for them to provide an elementary school here on site as well. We are frustrated as well with the schooling issue. We are very intimately aware of what's going on in Hillsdale where we have residents that are living in -- in Century Farm, a community we developed and worked with West Ada to build that school, but their kids are being bused out, while other kids several miles away are being bused in. We are frustrated by that, too, and we would like to see West Ada be a little bit more proactive on doing changes. Now, that's not -- that's not popular, because people want -- they want the kids to remain in a place long term. But one way to deal with the capacity issues in West Ada is to change boundaries more frequently and address those as growth is coming. We do feel that Pinnacle with the West Ada future school site for an elementary school, as well as his charter school, we are really bringing some resources sooner -- in particular with a charter school -- than West Ada would be able to provide in their normal course of business. There was a question regarding pathways and I just want to see if I have control here still. It says I do, but let's try this one more time. It is not moving forward here. The question was raised about pathways. One of the unique things that we have in -- in Meridian are a bunch of laterals, drains, irrigation areas. The area between us and Black Rock -- and I did meet with Annette. She came in. We met in probably February before we completely shut down here. There we go. Thank you, Chris. This plan right here on our eastern boundary, that pathway system is really designed to follow the Farr Lateral. There is a connection existing in Black Rock, which they talked to us about, about making a pedestrian connection out. We think that's great. The more pedestrian connections we have for opportunities for neighbors to cross back and forth without having to get in the car is better and we are committed to these as well. So, I think we can very easily provide new opportunities throughout all this area and get people safely to Discovery Park. Finally, there is a question about density and rezoning. I just want to go to the city's future land use map. It was on a smaller scale. It's right here. So, this is the current Comprehensive Plan that the city has adopted. We have been involved and active in this conversation. It went through a long review period with a lot of public outreach. As you will see, Lake Hazel is considered as a location for more -- more density. We are going to take a look at that long term, but we also are wanting to make sure that we can meet the residential needs and demands over time and our zoning is married up with the future land use map. Just in summary, let me go back here. We are -- we are really excited about Pinnacle. Not -- not just from a, hey, we are -- we have an opportunity to build some homes and put some -- some roads in the ground. That's beyond what we are considering here. We are excited because we have an opportunity at the intersections of Lake Hazel and Locust Grove to create a south Meridian town center. A destination. Provide connections to the new city park. Provide safe ways for people to move back and forth along these arterials. Provide additional pathways to and through Pinnacle. Provide services for not only the residents of Pinnacle, but all of south Meridian and, most importantly, provide educational opportunities which we all know are super important with a future charter school and a future elementary school. Like I said, our team here at Brighton, we are very excited to be before you to do a master planned community, which

is considering, you know, living, recreation, services and educational opportunities in a planned manner and we stand for any questions you might have tonight.

Fitzgerald: Mr. Wardle, we appreciate it. Are there questions for the applicant? See shaking heads. Hearing none at this time. Going once. Going twice. Can I get a motion to close public hearing?

Holland: So moved.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing on several different file numbers. All those in favor say aye. Opposed same?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay. Crew, the applications are properly before you. Who wants to lead off?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will jump in real quick.

Johnson: Mr. Chair, sorry. Can I interrupt him? I apologize. A member of the public raised their hand, but you have closed the public hearing. What would you like to us to do here?

Fitzgerald: I think we have moved on. That's kind of our policy, Chris, so -- appreciate that. We let Mr. Wardle close, so I think we are going to move forward. Go ahead, Commissioner Grove.

Grove: Just initial thoughts kind of on this. I like the -- the -- the thought process behind this project, especially trying to create a sense of community in this part of town, rather than just a -- you know, adding a subdivision to add a subdivision. Adding, you know, the elements that are in the comp plan in terms of creating that sense of community with more than homes, you know, having commercial and civic aspects to this with a variety of housing options. I like the overall concept that's been provided and, you know, the education piece is definitely hard. I would love to be able to make some -- you know, if we had a magic wand and change how we can get schools built in our state that would be awesome. I do appreciate how they have addressed education as part of their plan versus saying that, you know, it will come in somewhere close to them. They are actively doing that. I am really a fan of this amphitheater commons area in particular and first impressions on it are I like this project and I really like the treatment that they did on the street in the proposal as well.

Fitzgerald: Thank you, Commissioner Grove. Commissioner Holland.

Holland: Mr. Chair, I want to say I really like mixed use concepts where they think comprehensively about how all the elements integrate with each other, instead of just doing a series of tot lots and a series of pocket parks. They have got more of a centralized space that's really thinking about the future vision. So, I applaud their efforts in trying to think creatively and creating an amphitheater where gathering space in Meridian has been limited and a number of conversations on where do we have more concerts, where do we have more of these kind of closet events. So, I think they have done a tremendous job in trying to integrate some of those elements instead of just doing a series of pocket parks, which they certainly could have done. Overall I think they are following what the comp plan has. I don't see any big burning concerns on my side. I certainly understand the public's -- you know, it's -- it's tough with schools and it's hard, because the Commission doesn't really have the authority over the school district. Our job is to make sure that these projects fit the Comprehensive Plan and the -- the future use map and as far as development is going at least a step above, they have got two school sites within this master planned community and I think that that speaks volumes for their efforts in wanting to work with the school district to help solve some of the challenges in this area. So, in my mind I don't see any big glaring concerns.

Fitzgerald: Thank you, ma'am. Commissioner McCarvel, do you --

Seal: Mr. Chair?

Fitzgerald: Oh. Commissioner Seal, go ahead.

Seal: I echo Commissioner Holland's comments and -- and, you know, I -- when I read the ACHD report on this -- just commenting on the roads -- it was almost comical to me. It was -- I read it as them being kicked back on their heels like they want to do what, you know. These guys are going to -- they are going to build our roads and -- hold on a minute, you know. That's kind of the way that I -- and it's -- it's a really really long report and that's where I got kind of that -- that -- that picture in my head of them reading through it going, oh, my gosh, how do we handle this. So, I -- you know, I applaud their efforts in doing this and taking the responsibility and listening to, you know, the times and opportunities we have had to kind of beat up on them, you know, as well as other developers to bring something else to the community besides a bunch of houses, so -- I mean this is a really big development. It's a lot of houses. They just shot down -- you know, City Council just shot down a large development like this on the south side of the freeway and understandably, because, you know, the infrastructure isn't there and the schools aren't there. But seeing a developer coming in and being responsible about that and just taking -- basically taking the reins. I know we are short on schools. I know the roads and infrastructures, you know, isn't enough to handle what we are trying to do. So, we are going to -- we are going to do this. You know, I mean -- as basically kind of saying this -- you know, for other developers to -- to heed -- to heed to. I mean generally speaking I'm the commissioner that I looked at the ACHD -- or, sorry, the West Ada School District report first and if they are overcrowded you really really got to do something to make me,

you know, jump over that to where I -- I think maybe it might be a good idea to pack more kids into the schools that are around there. I'm very passionate about that. That said, the responsibility that's taken in this -- this development is above and beyond in my -- my view. The way that it's laid out, the concept plans, the ten foot paths to me -- my family and I -- we try and bike everywhere. We are a biking family and we constantly run into the fact that a five or six foot sidewalk isn't enough for you to responsibly get around people. I mean you come up against somebody with a baby stroller or something, you feel bad. You got to work your way through that. So, ten foot paths all the way around, that's -- that's remarkable. So, I mean there is -- you know, I have the same hesitations. I just went to pick my son up this morning at the -- at the south Y and I drove through this area and part of me is a little bit sad, because it's -- it's wide open spaces. It's farmland. It's all -- you know, it's the things that we kind of like to see here. That said, the responsibility is taken in my mind with developing this piece of property and the lengths they are going to in order to show that responsibility is -- is great. I hope we see a lot more of this from developers, big and small, because this -- this proves that they want to be a part of the community to me and the -- I mean I'm not even going to get into the amphitheater part of it. I love that. So, I -- I like everything about this and I really do applaud their -- their responsibility that they are taking and trying to help our community into bettering itself, both with infrastructure and with schools.

Fitzgerald: I -- I will hop in just real quick before -- because I -- I totally agree with everything you just said. It is showcasing by setting an example, taking a step forward and investing in those things. Taking what could be additional homes and, you know, providing that school and, then, building the roads. So, you are -- that you are taking that step forward I think is -- is exceptional and it should be an example for other developers. So, I wholeheartedly agree with what you just said and I can't really improve on what you said, so I -- I think you took the words right out of my mouth, because I had the same feeling, so -- Commissioner McCarvel.

McCarvel: I'm really glad you all used all those words to describe this, because as long as I have been on the Commission I have got to say I'm about speechless. This is beautiful. The traffic calming on -- coming up to the intersection on the roads, the open space and just the overall framed together, the R-2, R-4, R-8, all of it blended -- it looks like it's going together really well and I think that's what you want to see in these -- in these communities being able -- to ask for a mix of housing types and I think this is going to be a good blend and, like they said, it's not often they get a chance to do all four corners. So, I'm glad they got the opportunity, because this is -- like I said, if we could do more of this it would be a great thing to the City of Meridian.

Fitzgerald: Additional comment?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: Yeah. I -- I'm going to echo those comments, but also I just wanted to mention, you know, I -- I came from a very rural area that changed and transitioned and I went through all the hardships of the -- you know, the cows and the dairies and -- and all of that and -- and I did read the letter and I do listen to the public comments and I appreciate all of them, but I -- I think this is transitioning well. I know that the R-15 right now is -- seems high, but it's around the commercial area and I think if we look at the other zoning that they want to do, especially keeping R-2 and R-4 to the other areas, I think it's going to transition well and the fact that they have so much invested in the community as a whole and -- and I think that, you know, the grocery stores and the other commercial are going to follow. It's going to come. But, you know, they are not going to come out if there is no houses, so I think this is very well thought out. I think it's another great Brighton community and I do applaud the thoughtfulness that -- that has gone into this and -- and -- yeah. I think the transition is there.

Holland: Mr. Chair? I don't know if you are talking back, but I'm going to make a motion.

Fitzgerald: Sorry.

Holland: After hearing all the applicant and public testimony --

Seal: Commissioner Holland?

Holland: Yes.

Seal: Can I interject something here real quick? And there was a question as to the open space and whether or not that it would be able to accommodate by -- when they removed this area here. I would -- I mean I was going to try and do the motion, but you are way too quick at this, so -- but I -- honestly, I wouldn't mind having something stated in there that as long as they are close I -- whatever -- I mean if we have to do alternative compliance, whatever that is in order to let them know that, yes, even if the surrounding area doesn't quite make it, I'm okay with that and in this area specifically, in the -- in the -- in the northwest corner specifically. I don't know if that's something that we want to note in there, but I'm -- I think they have gone above and beyond with this concept to the point where I think it may be worth noting in a motion.

Holland: Commissioner Seal, I'm happy to have you make that motion. Go right ahead, sir.

Seal: Great. Now -- so, now I have to think of how to say that. Okay. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066 as presented in the staff report for the hearing date of July 9th, 2020, with the following modifications: That if open space -- after the removal of the amphitheater does not meet the criteria, that they are given credit for the amphitheater space in an alternative compliance.

McCarvel: Commissioner Seal --

Seal: Go ahead.

Fitzgerald: Yeah. Just for clarification, do we have to pull out the annexation?

McCarvel: Yeah.

Pogue: That's correct.

McCarvel: H-2020-0066.

Seal: We pulled out H-2020-0066?

Fitzgerald: Just the annexation.

McCarvel: Yeah.

Seal: But that is the number for it, 0066?

Fitzgerald: Yes.

Allen: Mr. Chair, if I may -- this is Sonya. That is the number, but that also represents the rezone and the development agreement modification applications as well. So, please, specify just the annexation associated with that file number. Thank you.

Seal: So, let me --

Fitzgerald: So, in addition to your motion --

Seal: Let me read this again. How is that? So, we -- we haven't had a second. After considering all staff, applicant, and public testimony I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066, with the exception of the --

Pogue: Annexation.

Seal: -- annexation. Presented in the staff report of the hearing date of July 9th, 2020, with the following modifications: That if the northwest parcel, after pulling out the amphitheater portion on -- of open space does not meet the criteria, that they are still granted approval through alternative compliance.

Holland: I will second.

Fitzgerald: I have a motion and a second to recommend approval of file H-2020-0056, 57 and 66 with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thanks, Mr. Wardle.

Wardle: Thank you very much.

Fitzgerald: Good luck. We appreciate it. This thing looks awesome. We look forward to seeing it.

Wardle: As are we. Thank you very much.

F. Public Hearing for Tara's Landing (H-2020-0048) by Mike Homan, Located at 5025 W. Larry Ln.

1. Request: Annexation of 6.34 acres of land with an R-8 zoning district; and,
2. Request: A Preliminary Plat consisting of 29 buildable lots and 2 common lots on 6.14 acres of land in the R-8 zoning district.

Fitzgerald: Have a good night. Okay, team. Plowing forward. Next item on our agenda is the public hearing for Tara's Landing, file H-2020-0048, and we will start with the staff report. Alan, are you with us, sir?

Tiefenbach: I am, Mr. Chair. We are keying up the PowerPoint.

Fitzgerald: Got you. Thank you.

Tiefenbach: All right. Good evening, Mr. Chair, Members of the Commission. This is a request for an annexation, a preliminary plat -- a preliminary plat and a zoning. It's -- the property is about six acres of land. It's zoned RUT within unincorporated Ada county and it's located at the end of West Larry Lane, which is near the southwest quadrant of Black Cat Road and West Chinden Boulevard. You can see the maps here. The future land use map recommends this property for a medium density residential. As I said, it's currently not within the city and you can see the development that's -- that has been approved around the area. Again, this is a proposal to -- for approximately six acres of land to be annexed and rezoned to R-8 and to plat out 29 buildable lots and two common lots. There is presently a single family residence on this property and the land to the -- to the south of the property was annexed, zoned, and planted for 30 lots recently. That's the Westward Subdivision and that is presently building out. To the north of the property is vacant and rural land and that's recommended by the future land use map as medium density residential and mixed use regional. This property, about 28 acres, was -- recently underwent a pre-app for commercial uses and about 250 single family and multi-family units. To the west of the property is 126 acres presently in the early development stages as the Prescott Ridge Subdivision and subdivision would allow about 380 single family attached and detached, as well as possible multi-family, a medical campus and an educational facility. Access is proposed via Larry Lane, which you can see with my cursor here. Also North Willowside Avenue -- when the Westridge Subdivision was built, this is



AGENDA ITEM

ITEM TOPIC: Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 11, 2020

Topic: **Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the northwest corner of S. Locust Grove Rd. and E. Lake Hazel Rd.**

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

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020

TO: Mayor & City Council

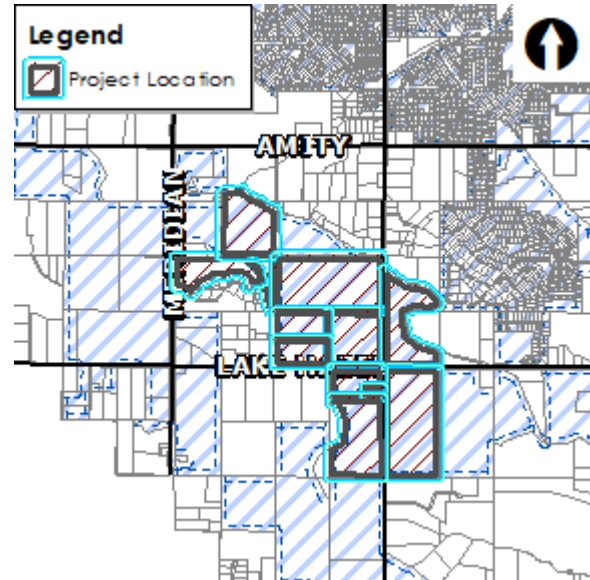
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbia Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1.E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.

PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E

PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

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

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

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

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

II. SUMMARY OF REPORT

A. Project Summary

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

B. Community Metrics

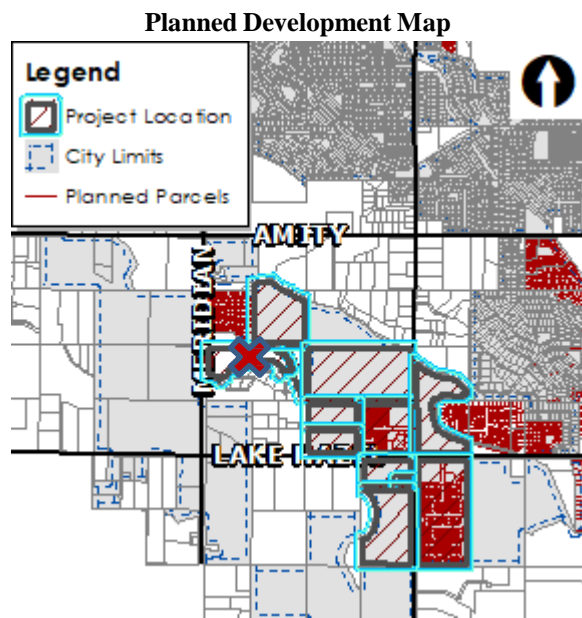
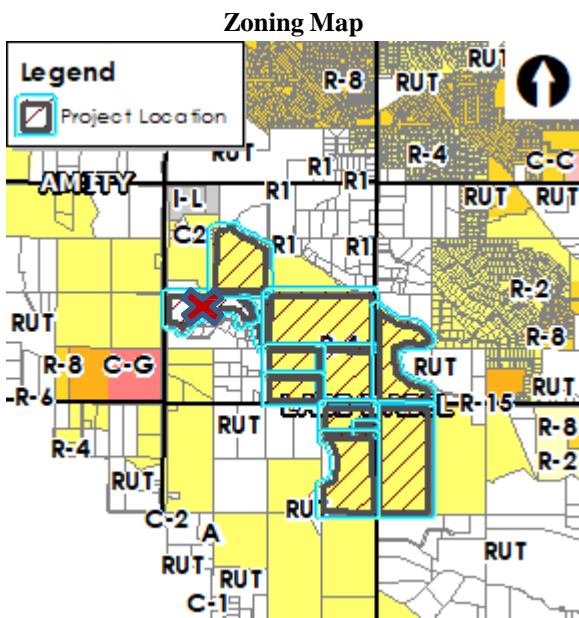
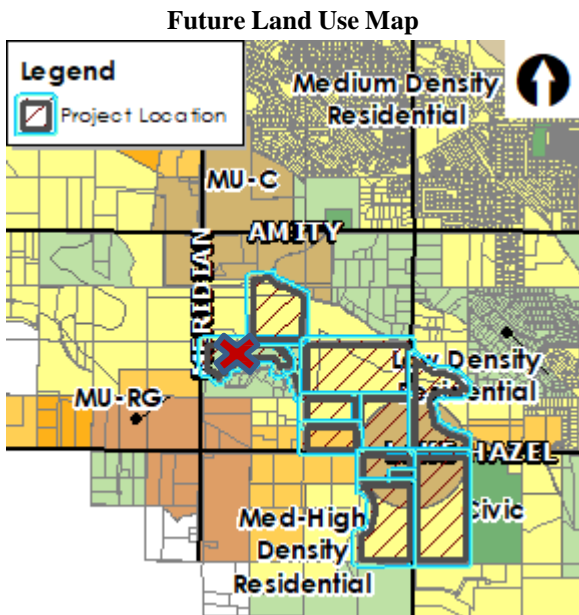
Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes (PP, draft); Yes (AZ, RZ)	
• Requires ACHD Commission Action (yes/no)	Yes (consent agenda on 8/5/20)	
Traffic Impact Study (yes/no)	Yes	

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

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

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

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Same as Applicant

C. Representative:

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

IV. NOTICING

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

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

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

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

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

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

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

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

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

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



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

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

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

The following Comprehensive Plan Policies are applicable to this development:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”

The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.

- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.

- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”

A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

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

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

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

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

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

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

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

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

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

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

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

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

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

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

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

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

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

C. Rezone (RZ):

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

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

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

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

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

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such should be submitted to the Planning Division with a future subdivision application for the surrounding property.

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

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

D. Preliminary Plats:

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

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

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

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

Existing Structures/Site Improvements:

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

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

Proposed Use Analysis:

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

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

Dimensional Standards (UDC 11-2):

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

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

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

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

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

Access (UDC 11-3A-3)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Storm Drainage:

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

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

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

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

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

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

VII. DECISION

A. Staff:

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

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

1. Summary of Commission public hearing:

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

2. Key issue(s) of public testimony:

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

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

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

VIII. EXHIBITS

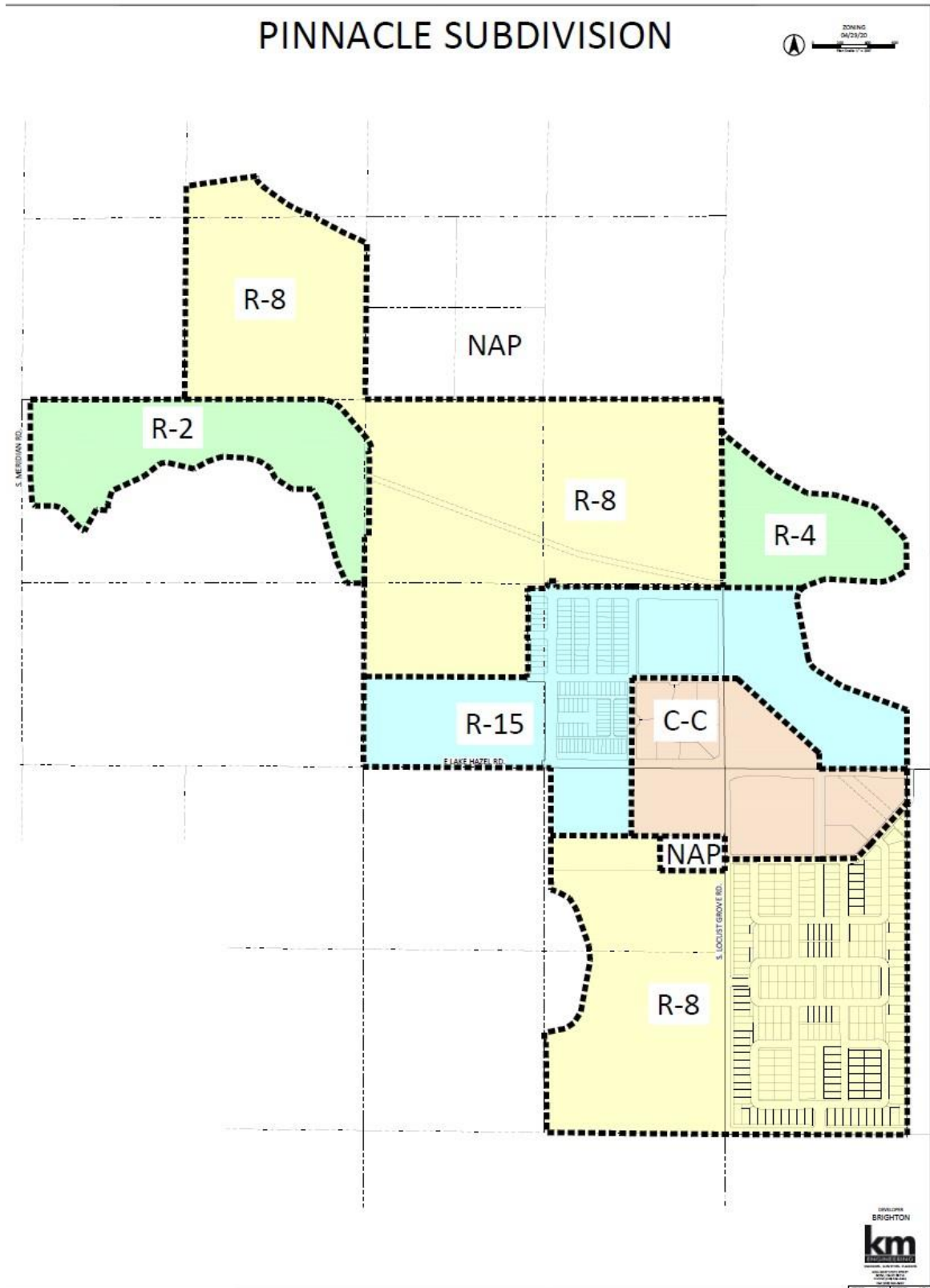
A. Master Plan (Revised)



Item #5.

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

C. Rezone Legal Description & Exhibit Map





March 23, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Zone R-4
Apex Subdivision**

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

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

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

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

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

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

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

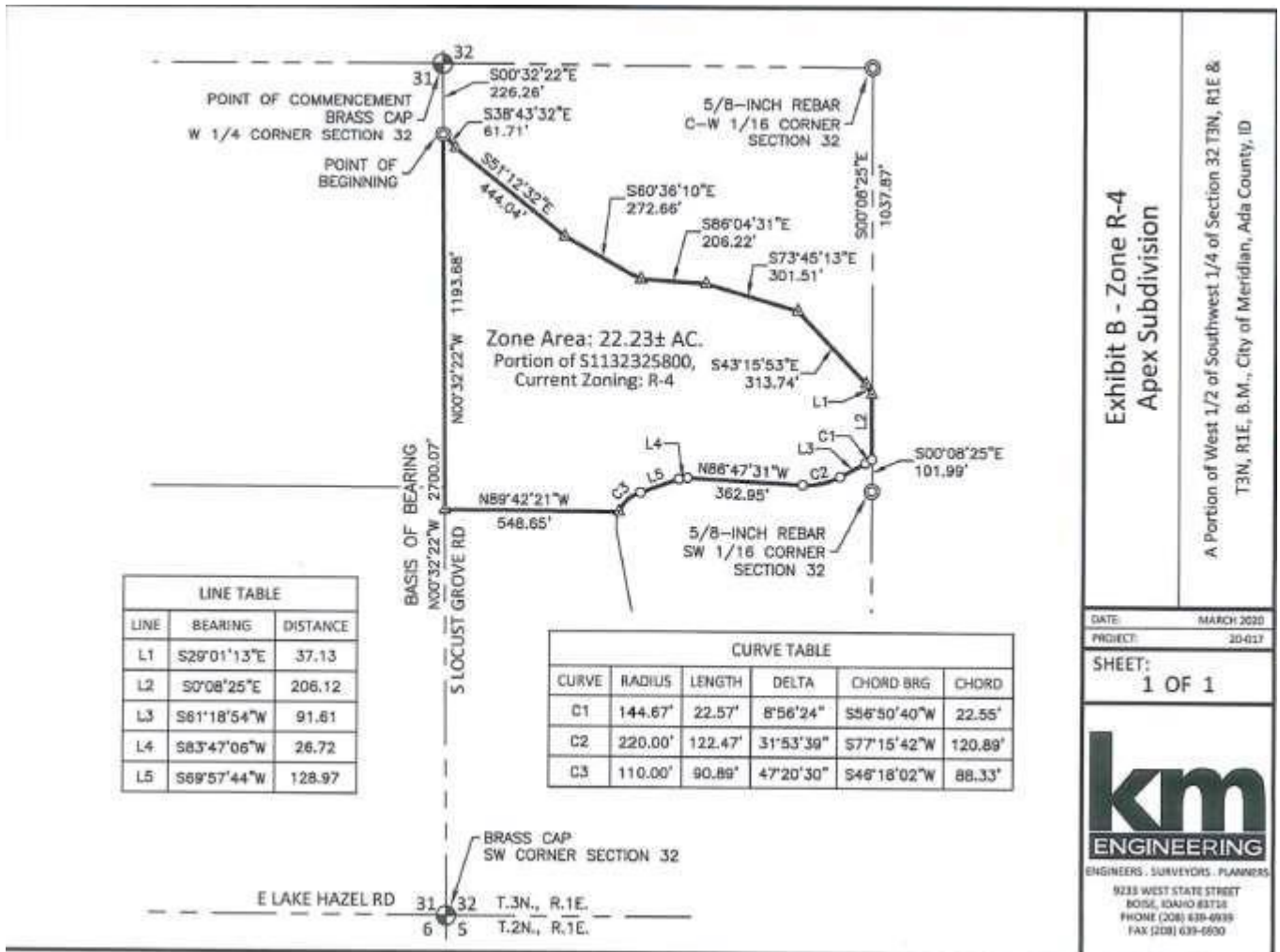
Thence leaving said easterly boundary, N89°42'21"W a distance of 548.65 feet to the westerly line of said Southwest 1/4 of Section 32;

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

Item #5.

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

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



**Exhibit B - Zone R-4
 Apex Subdivision**

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

DATE: MARCH 2020
 PROJECT: 20-017
 SHEET: 1 OF 1



April 2, 2020
Project No. 20-017

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

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

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

Item #5.

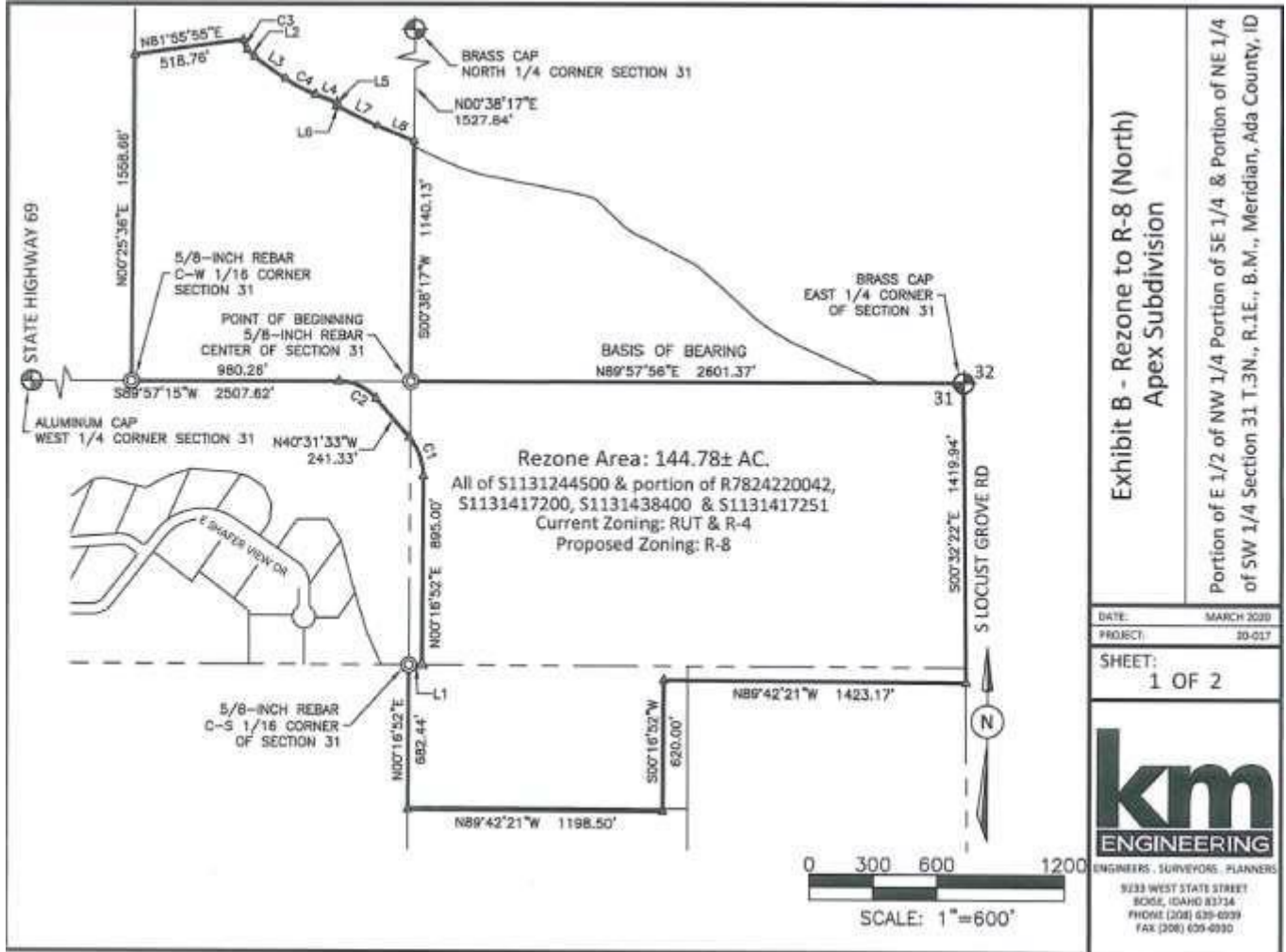
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the POINT OF BEGINNING.

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

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



4.2.2020





April 29, 2020
Project No. 20-017

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

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

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

Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;

Thence N00°16'52"E a distance of 620.00 feet;

Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;

Thence following said easterly boundary the following courses:

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

Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;

Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;

Thence N00°06'18"W a distance of 124.99 feet;

Thence N47°51'44"W a distance of 797.36 feet;

Thence N89°42'21"W a distance of 775.42 feet;

Thence S00°16'52"W a distance of 1,154.01 feet;

Thence N89°42'20"W a distance of 587.77 feet;

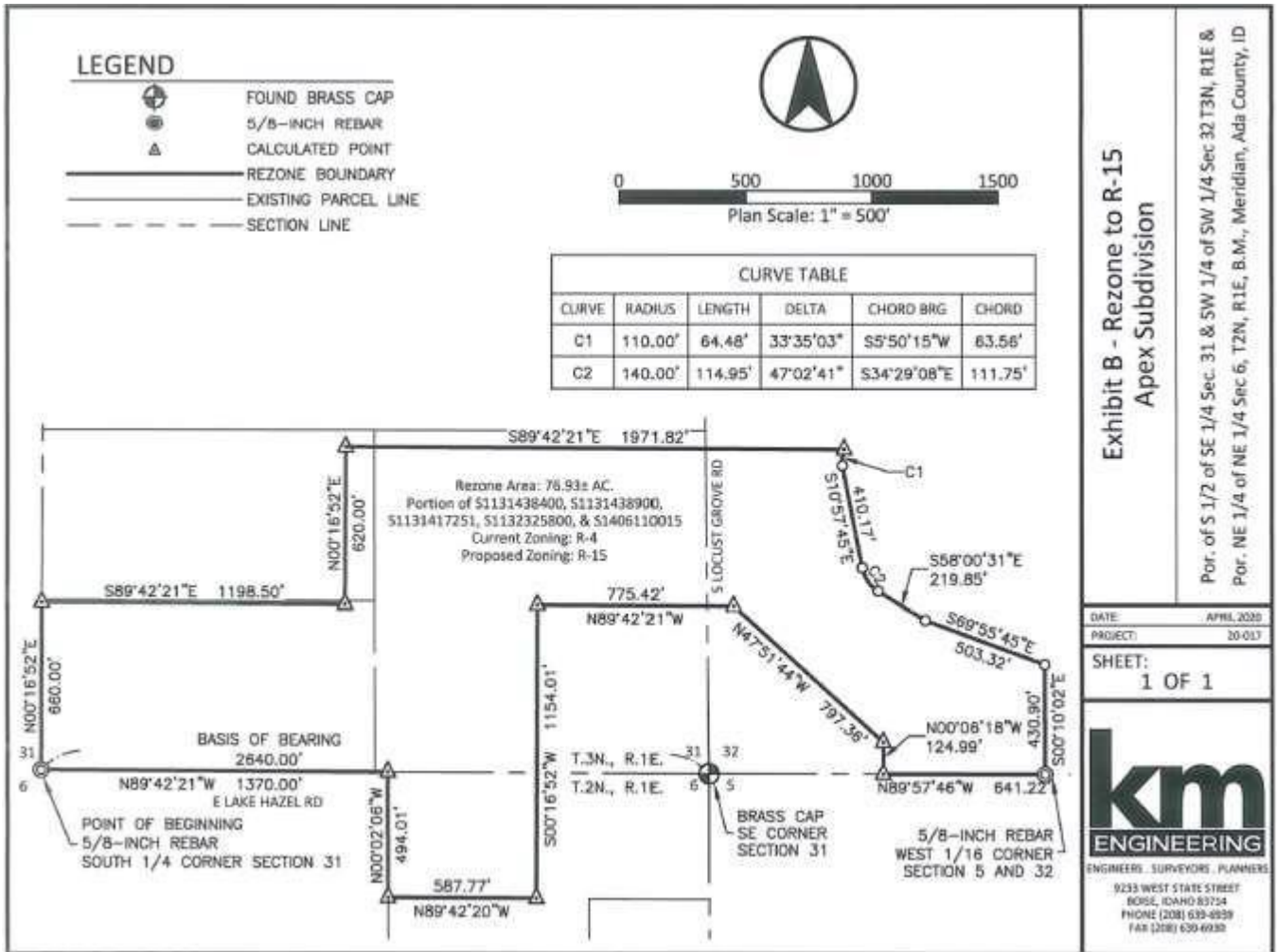
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;

Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF**

BEGINNING.

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

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



Por. of S 1/2 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec 32 T3N, R1E & Por. NE 1/4 of NE 1/4 Sec 6, T2N, R1E, B.M., Meridian, Ada County, ID



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

April 29, 2020
Project No. 20-017

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

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

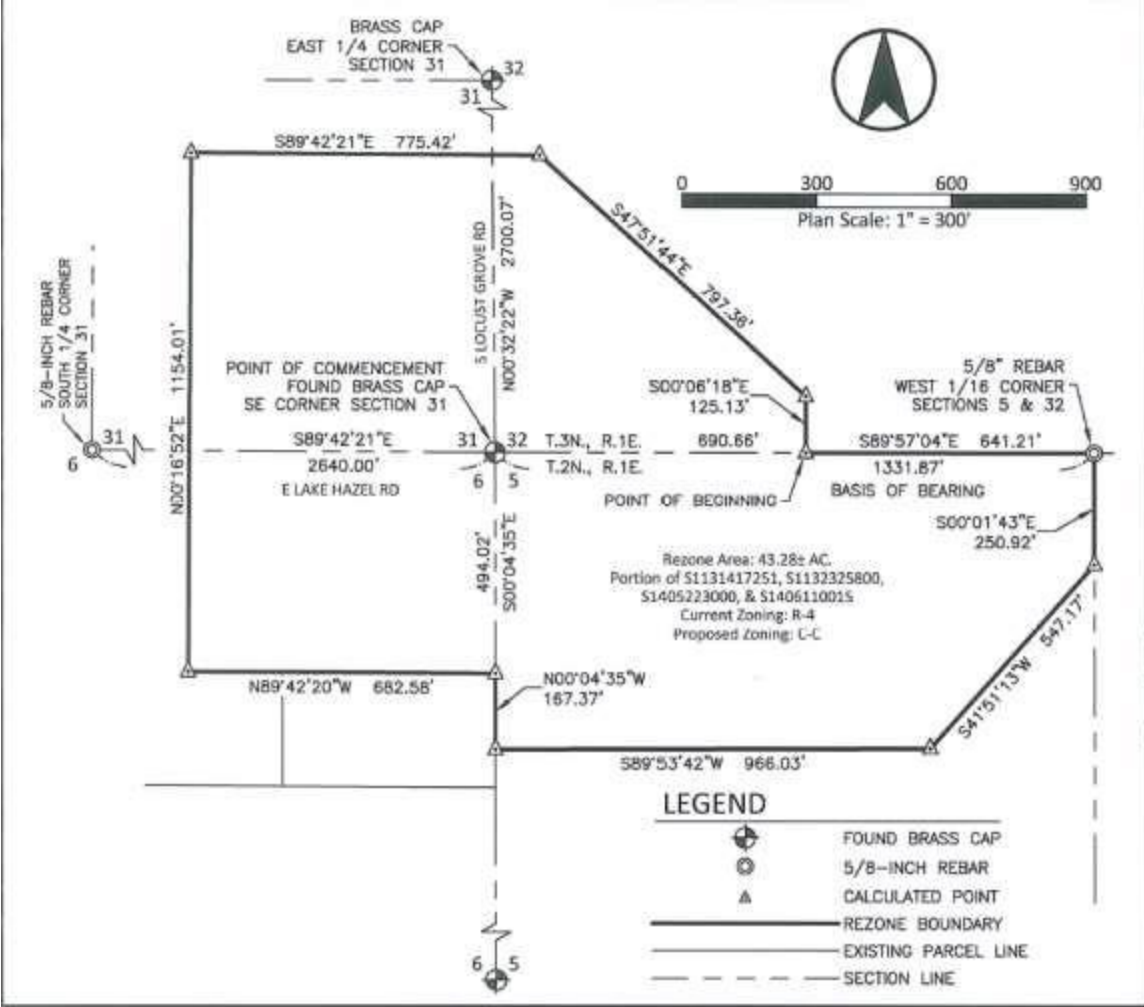
Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E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

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

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

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





**Exhibit B - Rezone to C-C
 Apex Subdivision**

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

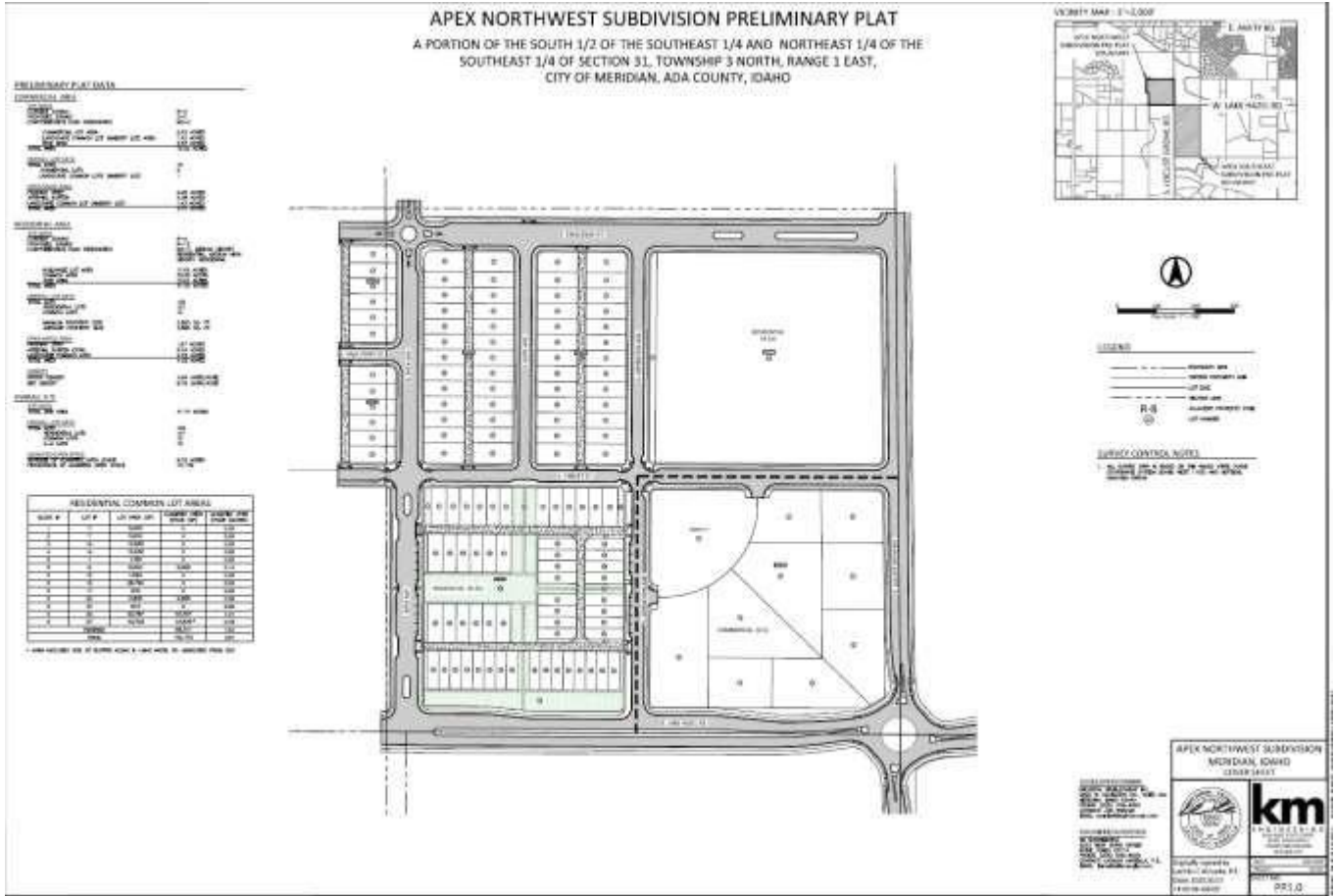
DATE: APRIL 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

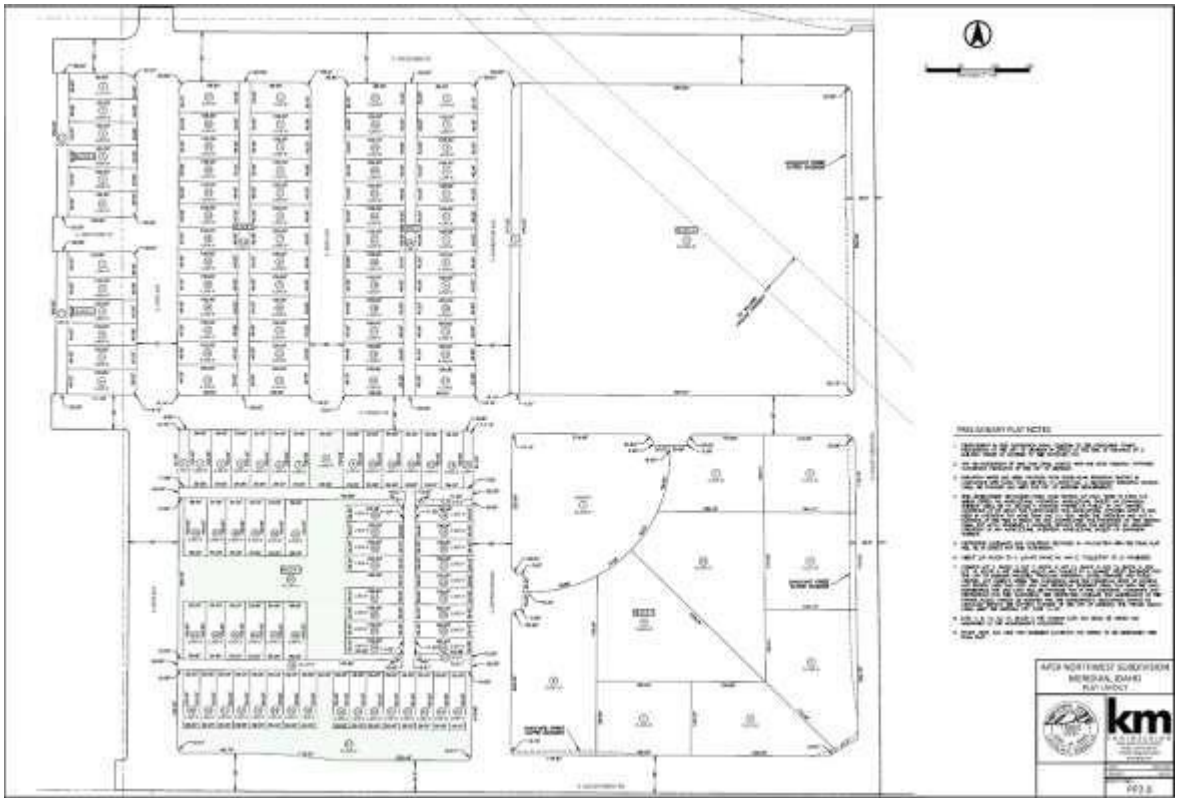
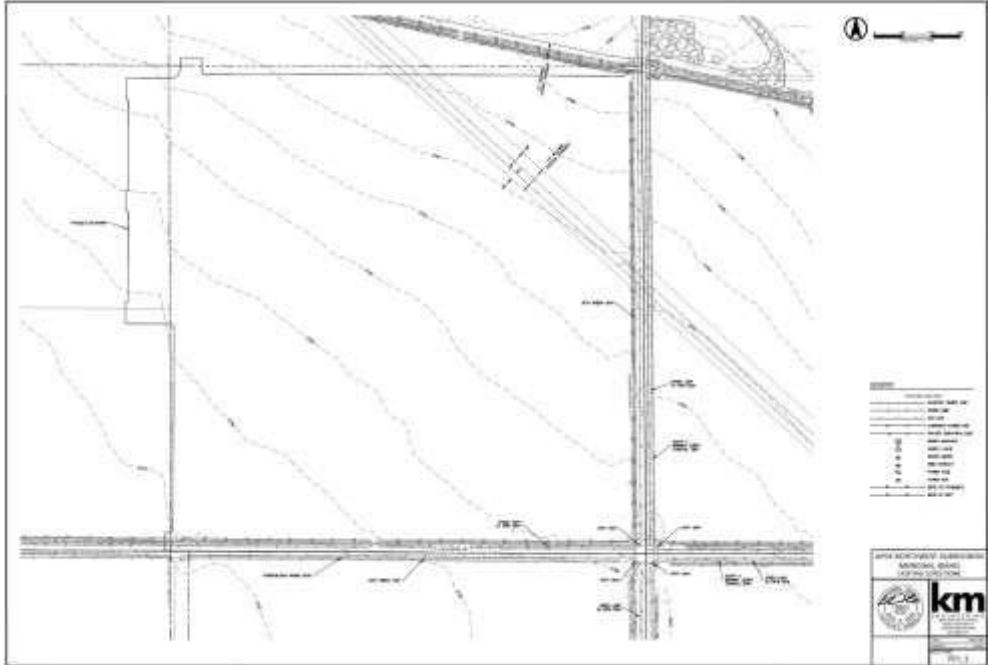
km ENGINEERING
 ENGINEERS · SURVEYORS · PLANNERS
 9228 WEST STATE STREET
 BOISE, IDAHO 83724
 PHONE (208) 639-0939
 FAX (208) 639-0930

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



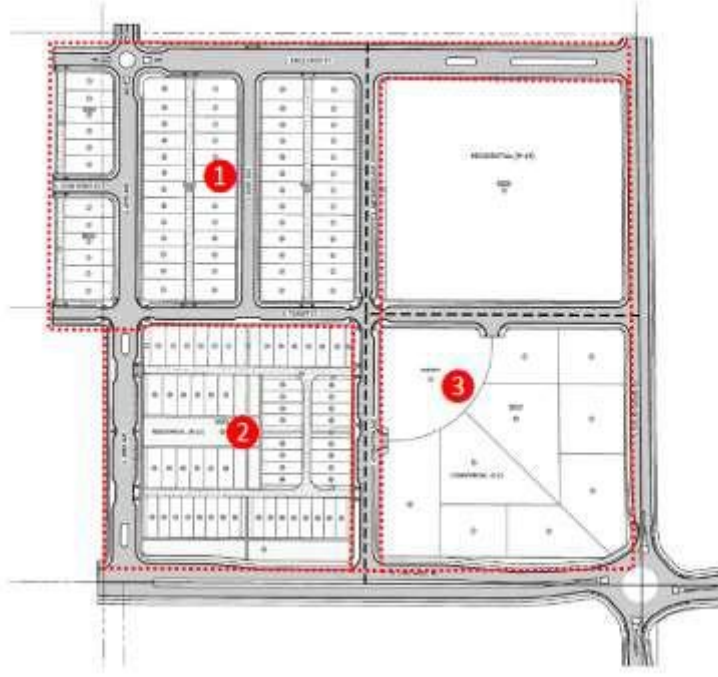
Northwest:





Phasing Plan:

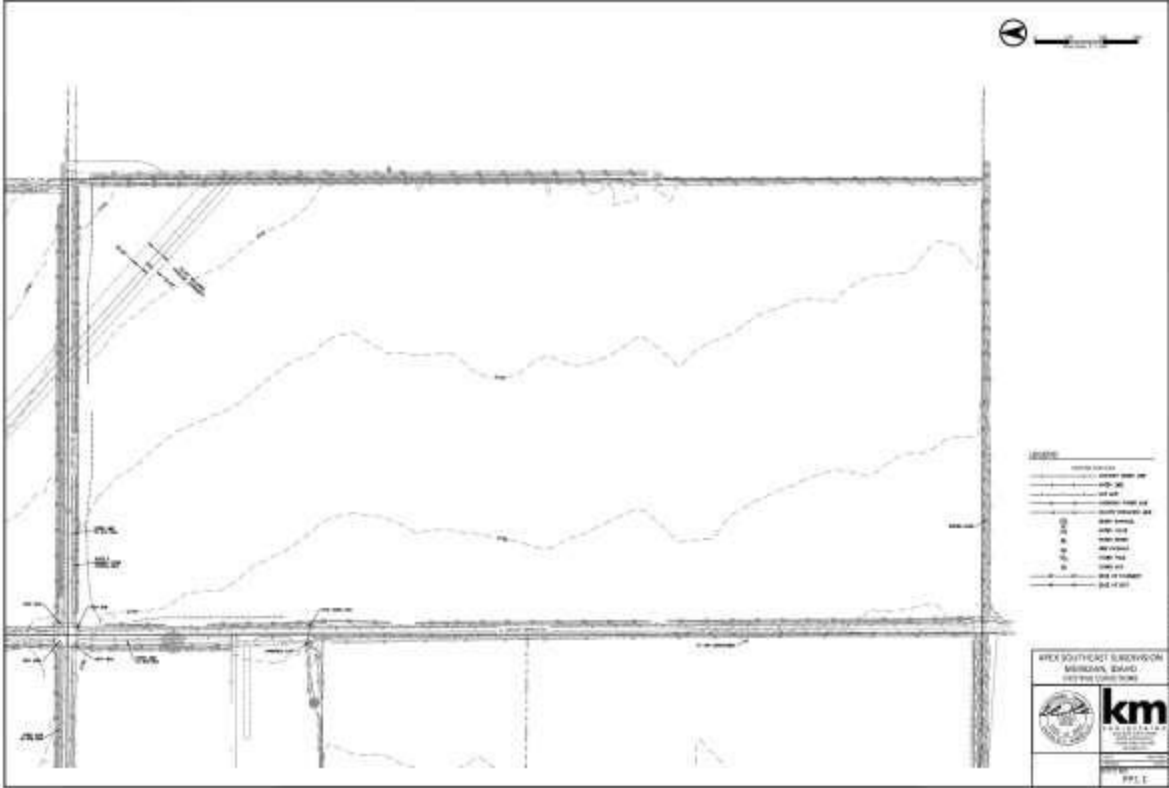
APEX Northwest Phasing
Conceptual / Subject to Change

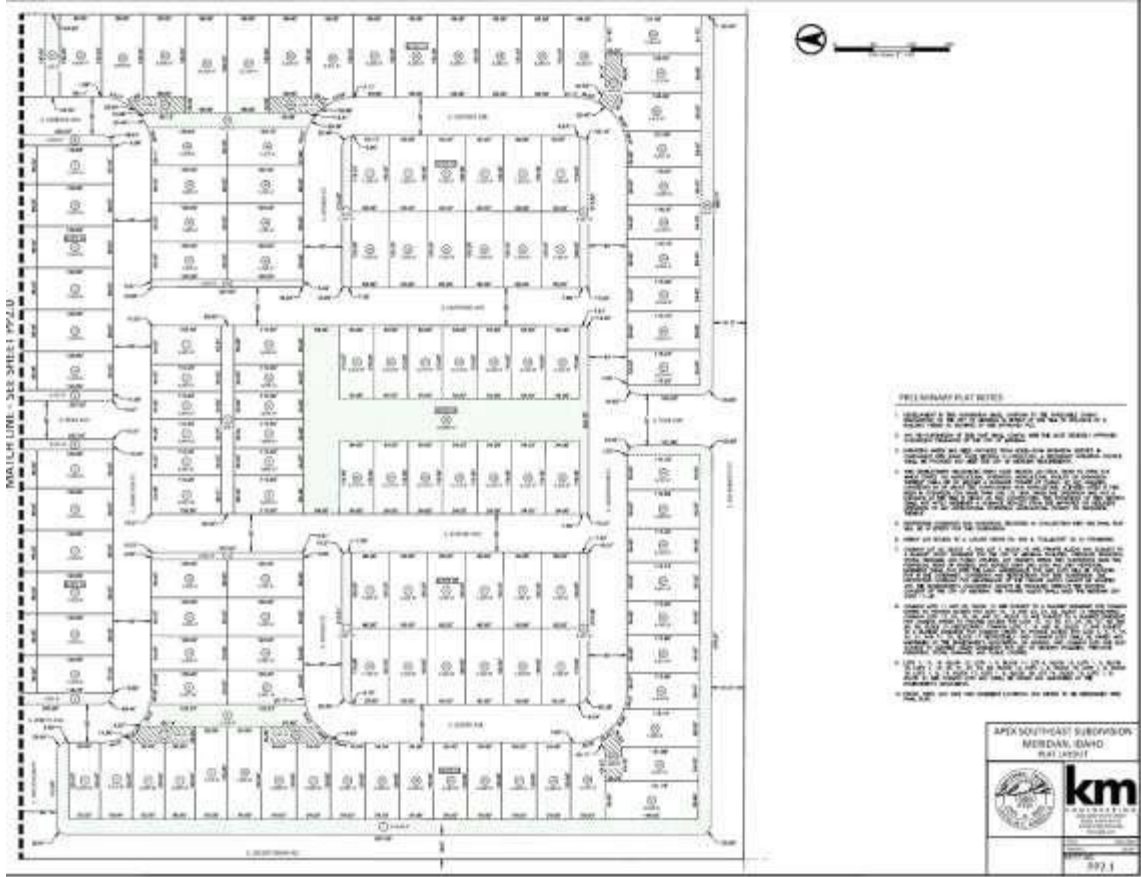


Southeast:

APEX SOUTHEAST SUBDIVISION PRELIMINARY PLAT
A PARCEL OF LAND SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 3,
TOWNSHIP 2 NORTH, RANGE 3 EAST, CITY OF MERIDIAN, ADA COUNTY, IDAHO

This block contains a detailed preliminary plat for the Apex Southeast Subdivision. On the left side, there is a table titled "SUBDIVISION PLAT DATA" which lists various project details such as "PROJECT NAME", "OWNER", "DATE OF PLAT", and "AREA OF PLAT". Below this table is another table titled "SUBDIVISION LOT AREA" with columns for "LOT NO.", "LOT AREA", "TOTAL LOT AREA", and "TOTAL PLAT AREA". The central part of the block features a detailed site plan showing the layout of lots, streets, and other site features. On the right side, there is a "LEGEND" section with symbols for "PROPERTY LINE", "STREET CENTERLINE", "STREET RIGHT-OF-WAY", "STREET RIGHT-OF-WAY", "STREET RIGHT-OF-WAY", and "STREET RIGHT-OF-WAY". Below the legend is a "NORTH ARROW" and a "SCALE" bar. At the bottom right, there is a "PLAT INFORMATION" section with a logo for "km" and the text "APEX SOUTHEAST SUBDIVISION MERIDIAN, IDAHO".

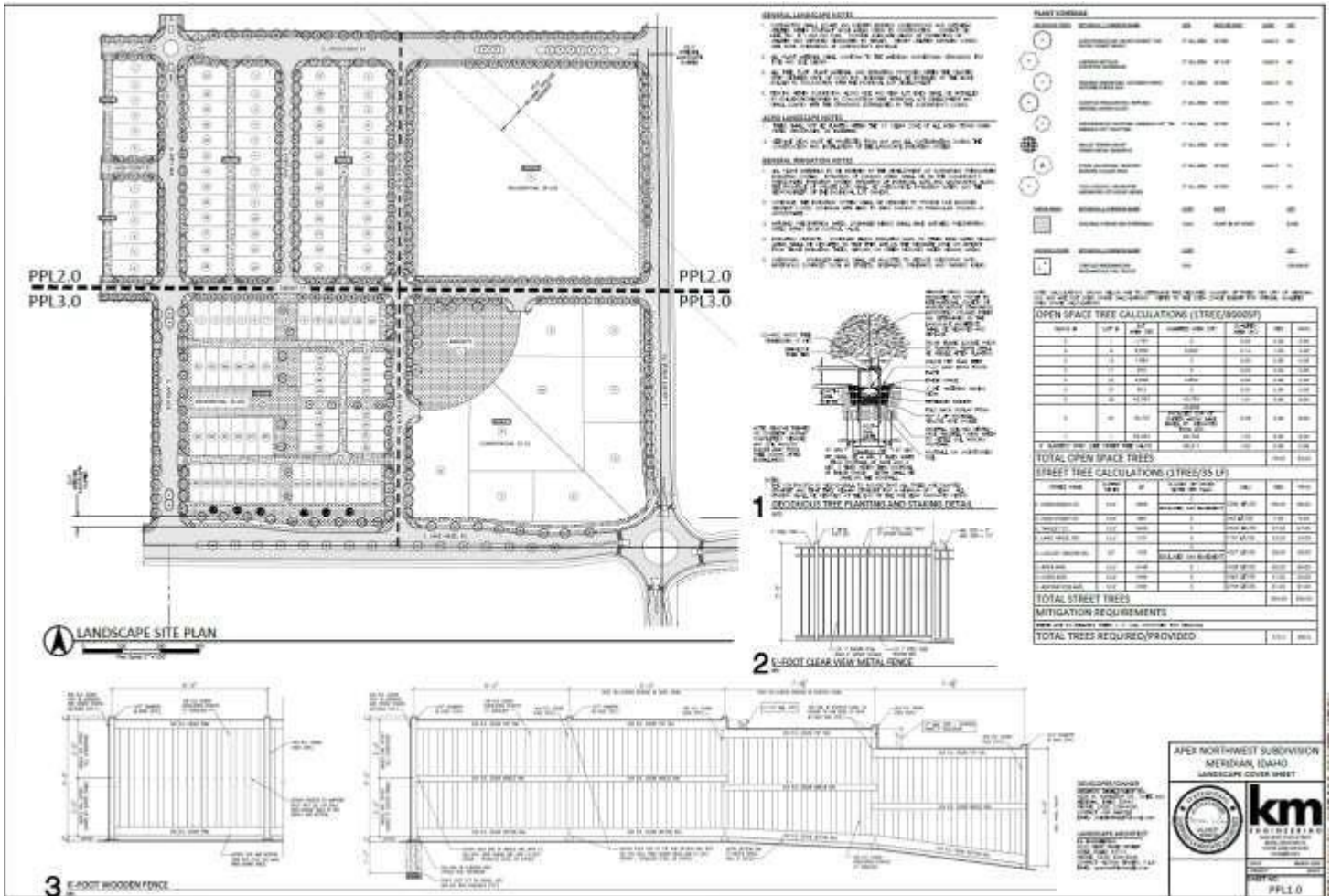


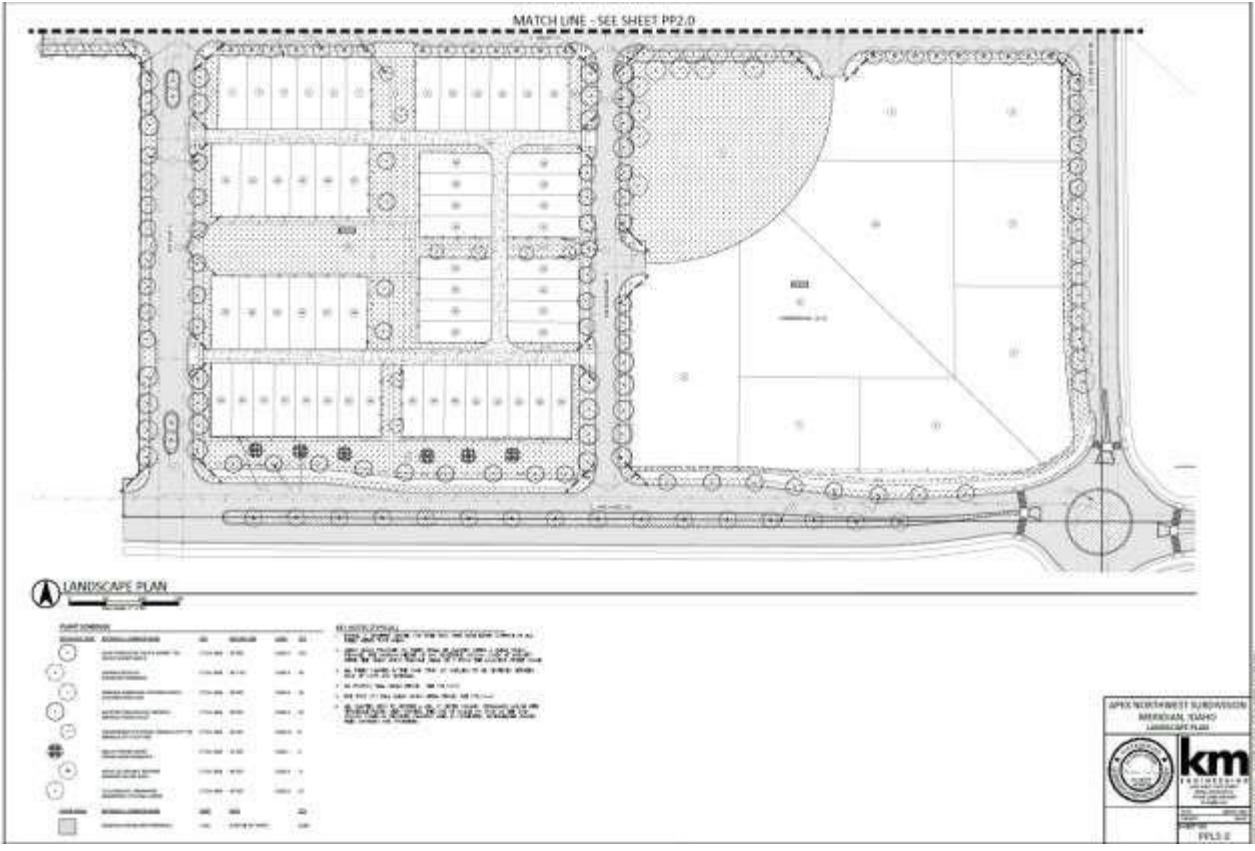
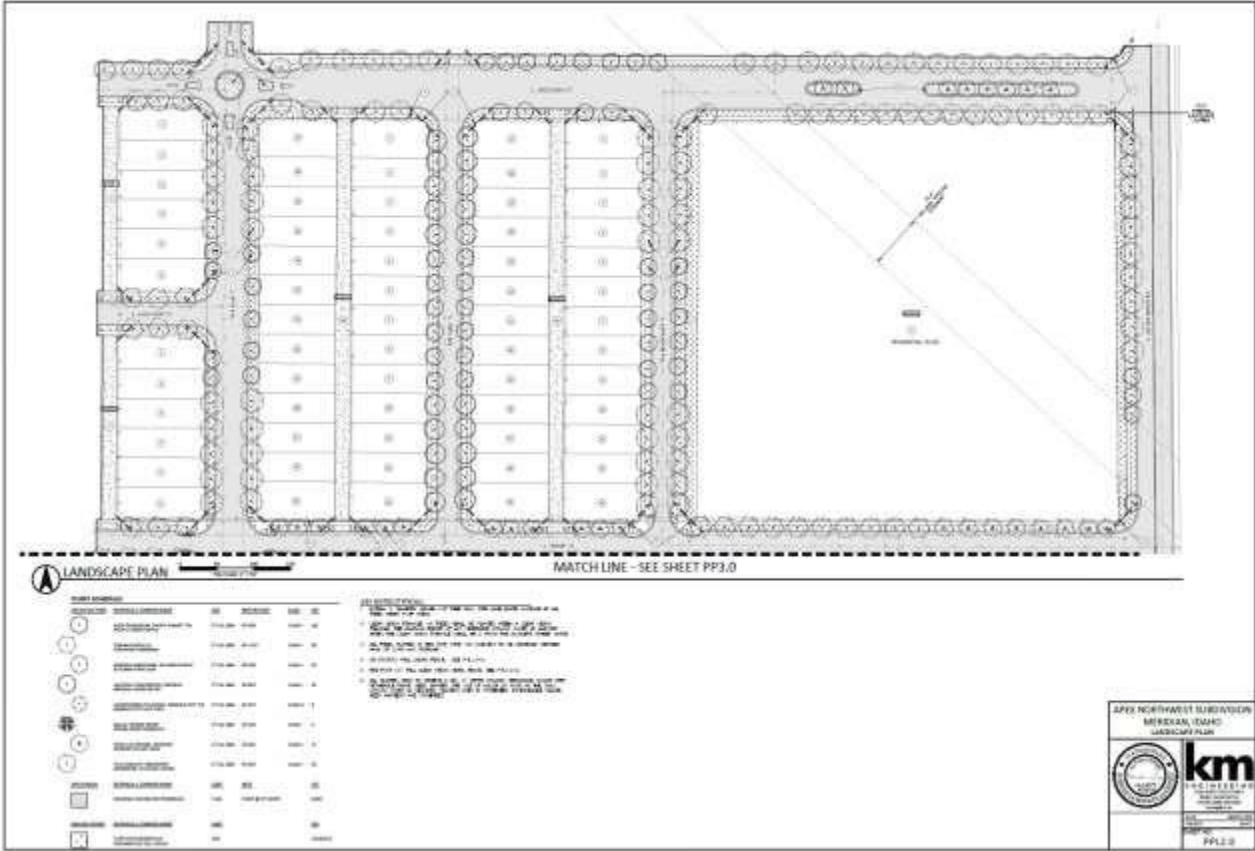


Phasing Plan:

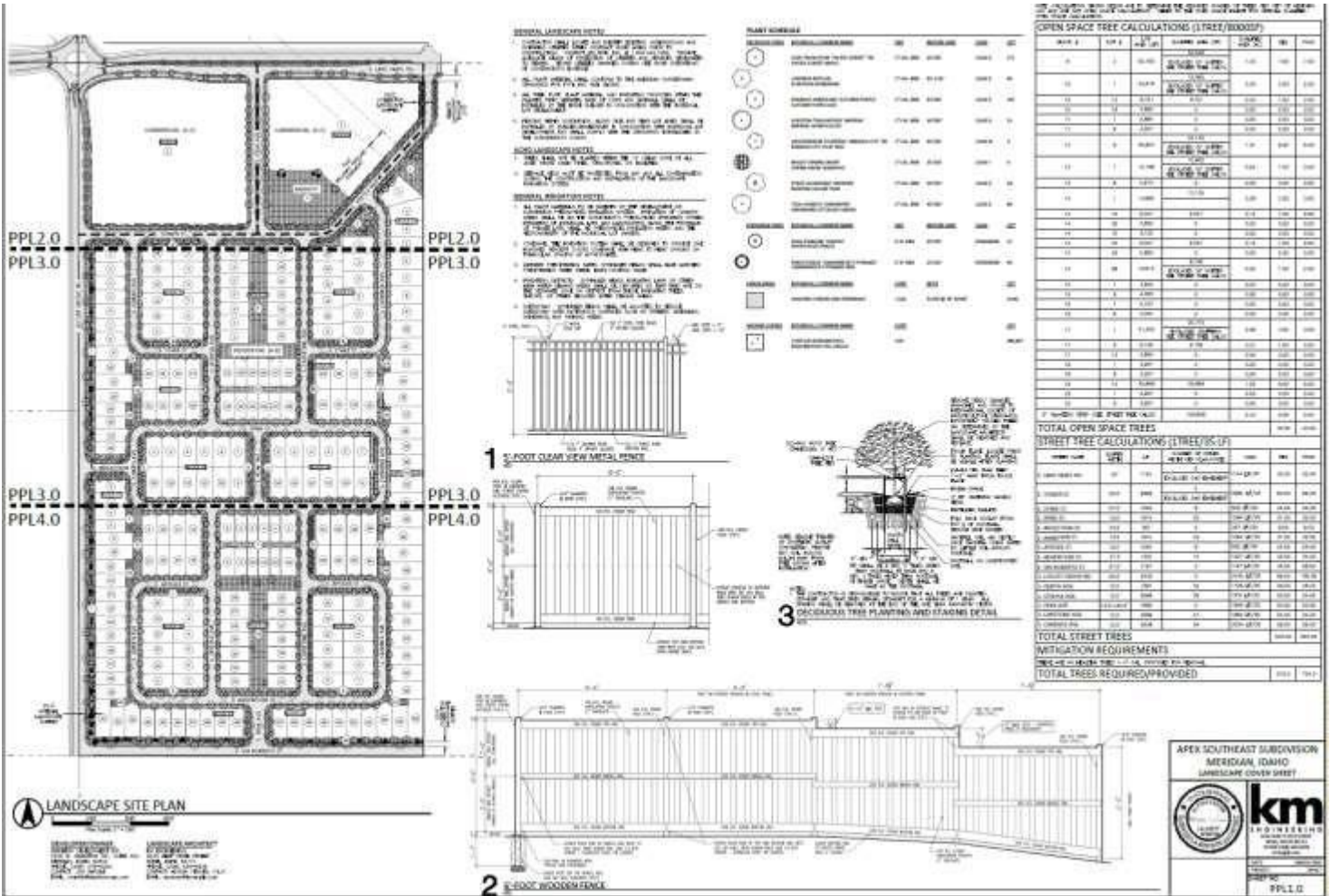


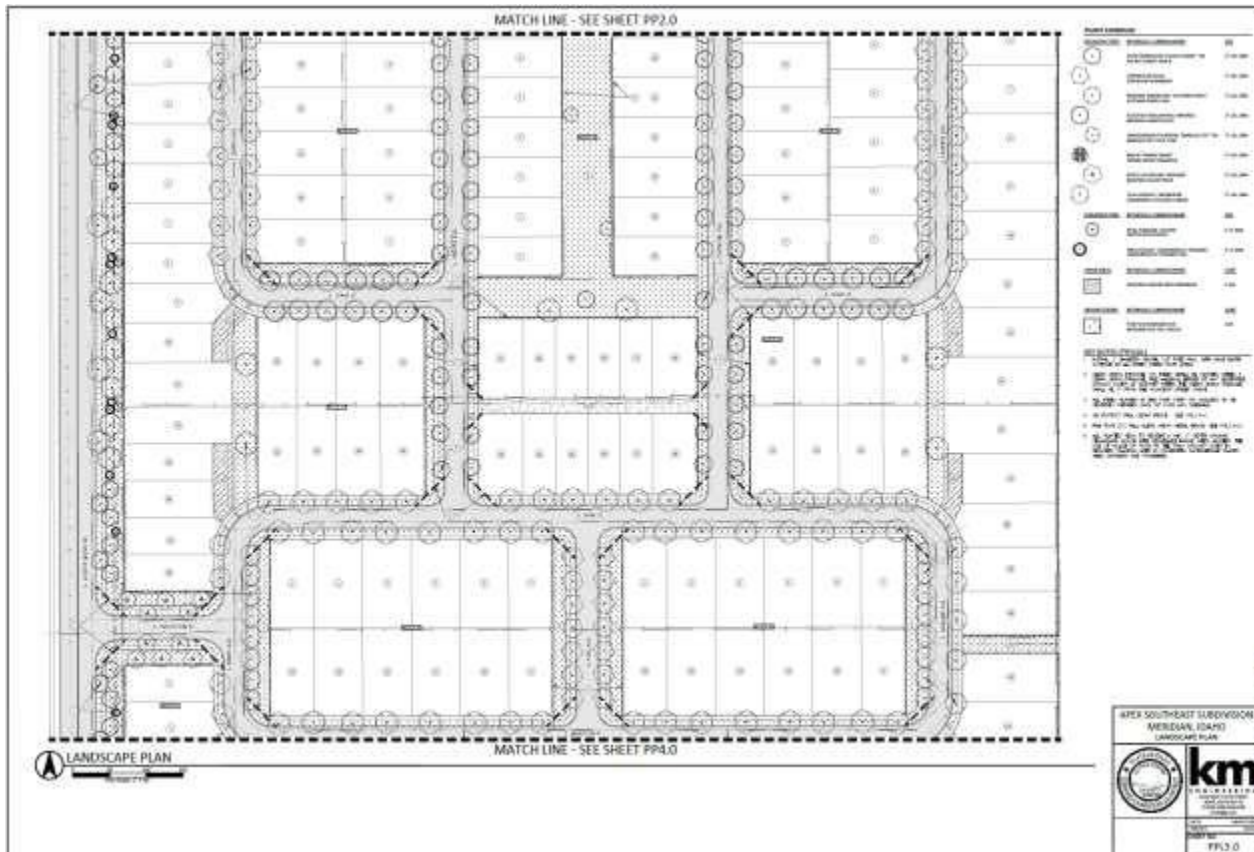
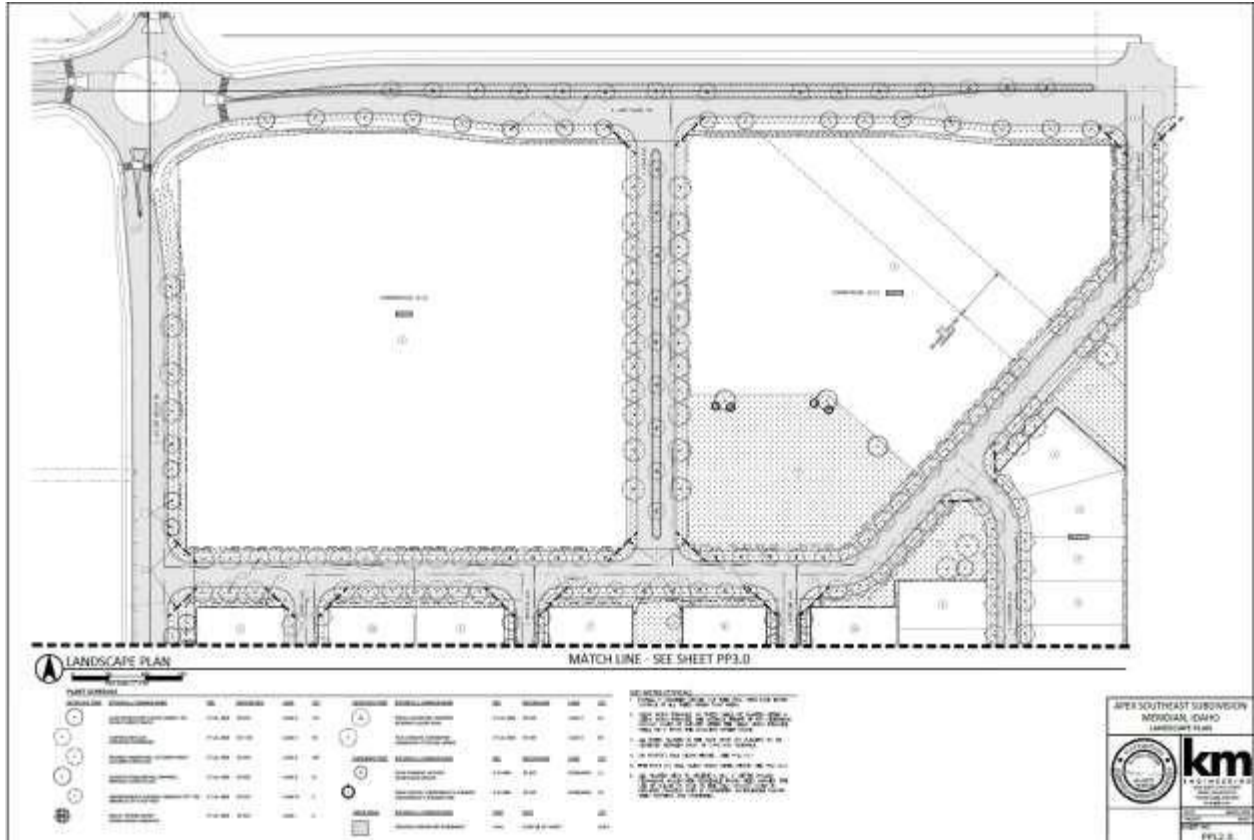
E. Landscape Plan (date: 4/30/2020)
Northwest:



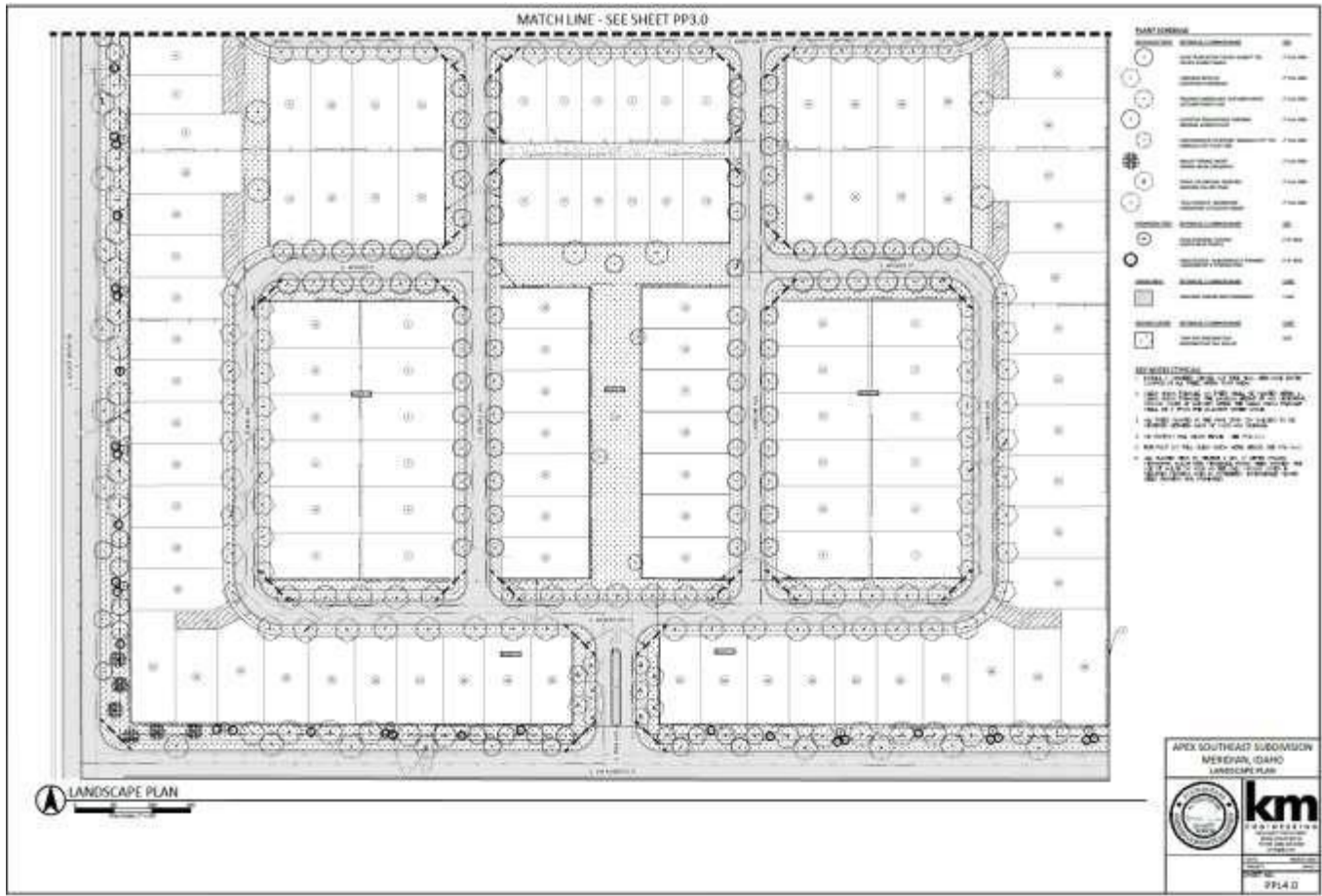


Southeast:



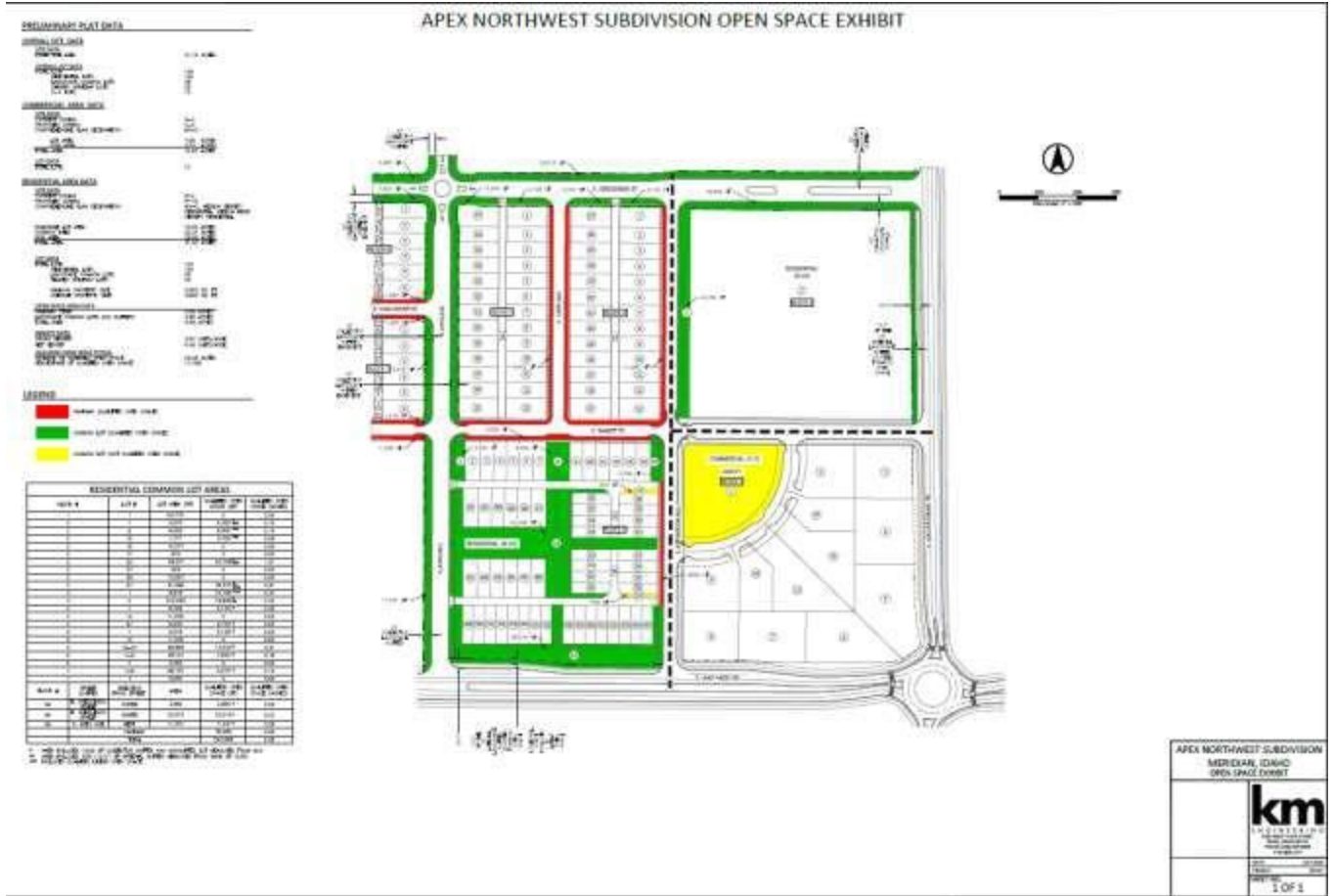


Item #5.



F. Qualified Open Space Exhibit (dated: ~~March~~ May 2020) – REVISED

Northwest:



Southeast:



G. Conceptual Building Elevations/Renderings

Residential:





Commercial:



Item #5.



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).
 - e. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.
 - i. ~~The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

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

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

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

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

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

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

2. General Conditions of Approval

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

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

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

C. FIRE DEPARTMENT

Northwest:

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

Southeast:

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

D. POLICE DEPARTMENT

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

E. PARK'S DEPARTMENT

Northeast:

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

Southeast:

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

F. WEST ADA SCHOOL DISTRICT (WASD)

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

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

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

Southeast:

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

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

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

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

Southeast: (Draft)

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

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

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

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

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

Southeast:

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

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

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

Southeast:

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

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

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

X. FINDINGS

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

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

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

B. Preliminary Plat Findings:

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

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

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

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

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

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

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

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al.,
Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 11, 2020

Topic: **Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.**

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

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020

TO: Mayor & City Council

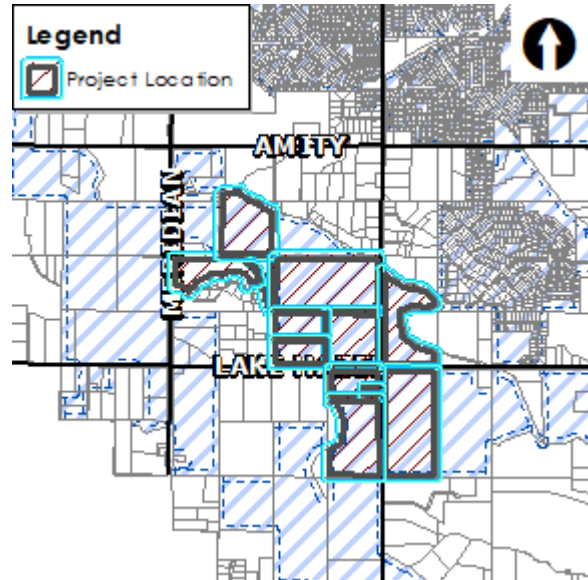
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbia Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1.E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.

PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E

PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

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

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

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

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

II. SUMMARY OF REPORT

A. Project Summary

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

B. Community Metrics

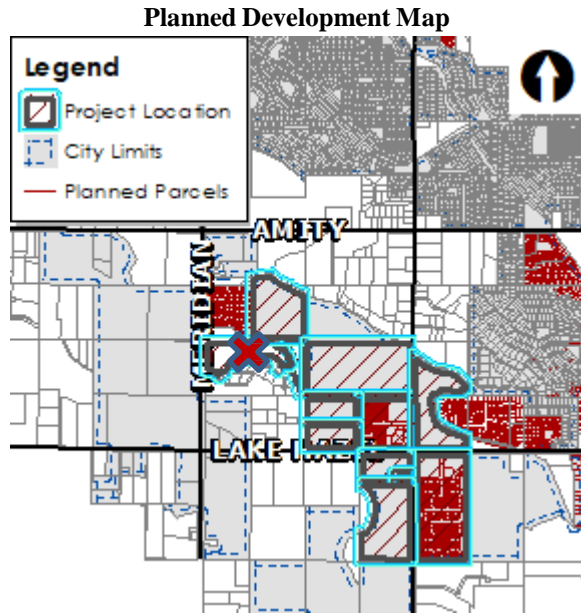
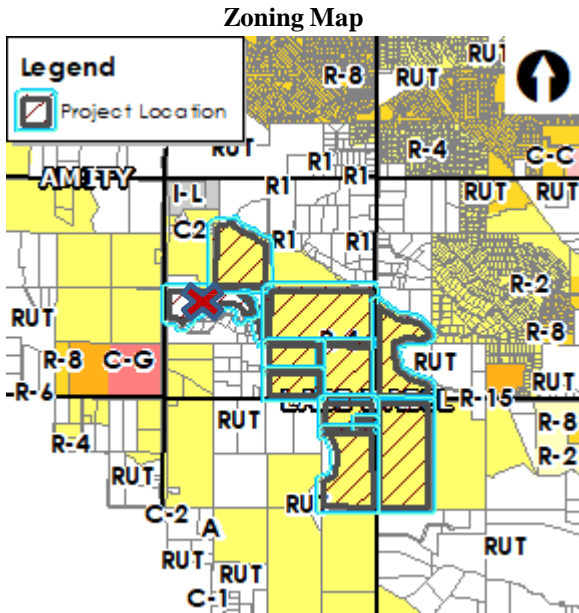
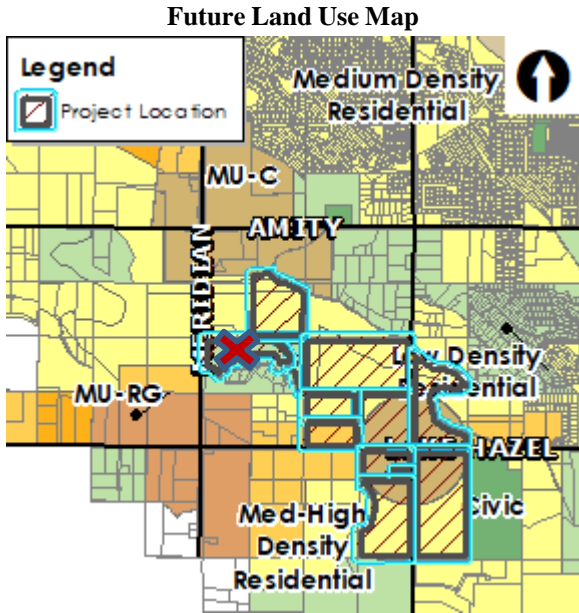
Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes (PP, draft); Yes (AZ, RZ)	
• Requires ACHD Commission Action (yes/no)	Yes (consent agenda on 8/5/20)	
Traffic Impact Study (yes/no)	Yes	

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

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

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

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Same as Applicant

C. Representative:

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

IV. NOTICING

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

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

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

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

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

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

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

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

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

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



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

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

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

The following Comprehensive Plan Policies are applicable to this development:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”

The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.

- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.

- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”

A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

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

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

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

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

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

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

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

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

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

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

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

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

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

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

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

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

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

C. Rezone (RZ):

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

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

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

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

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

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such should be submitted to the Planning Division with a future subdivision application for the surrounding property.

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

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

D. Preliminary Plats:

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

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

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

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

Existing Structures/Site Improvements:

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

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

Proposed Use Analysis:

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

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

Dimensional Standards (UDC 11-2):

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

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

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

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

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

Access (UDC 11-3A-3)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Storm Drainage:

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

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

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

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

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

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

VII. DECISION

A. Staff:

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

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

1. Summary of Commission public hearing:

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

2. Key issue(s) of public testimony:

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

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

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

VIII. EXHIBITS

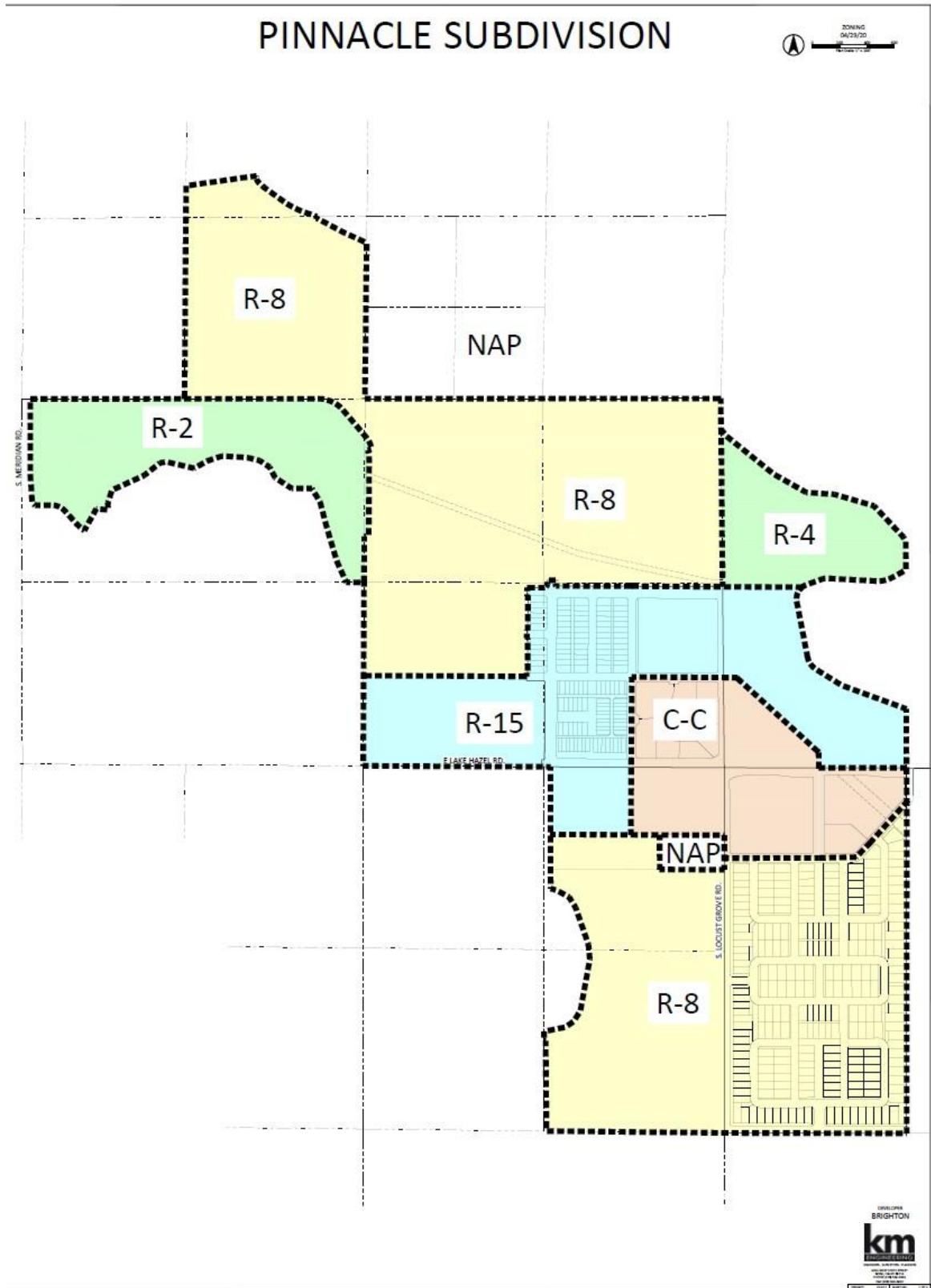
A. Master Plan (Revised)



Item #6.

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

C. Rezone Legal Description & Exhibit Map





March 23, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Zone R-4
Apex Subdivision**

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

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

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

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

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

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

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

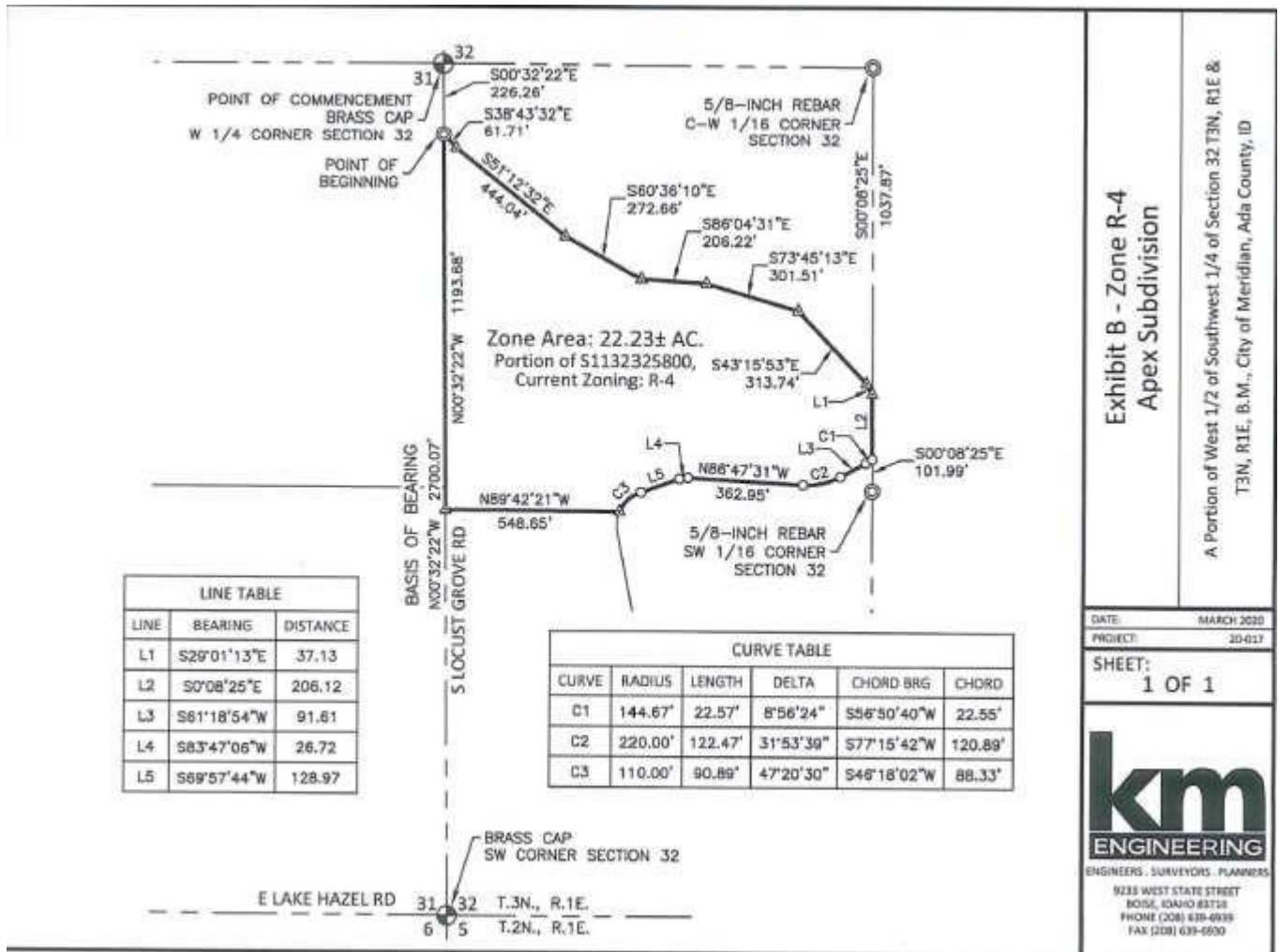
Thence leaving said easterly boundary, N89°42'21"W a distance of 548.65 feet to the westerly line of said Southwest 1/4 of Section 32;

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

Item #6.

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

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





April 2, 2020
Project No. 20-017

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

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

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

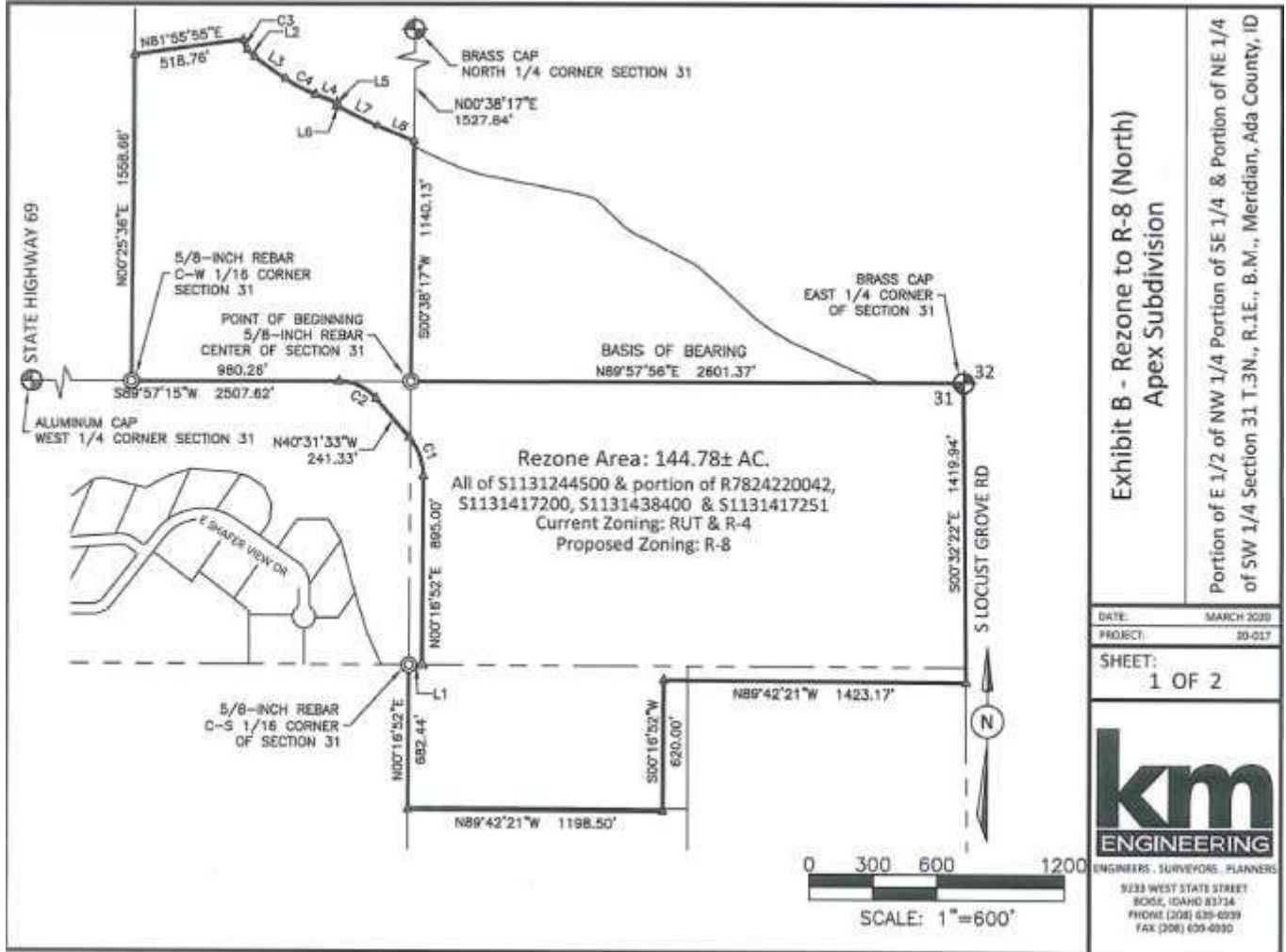
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

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

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



4.2.2020





April 29, 2020
Project No. 20-017

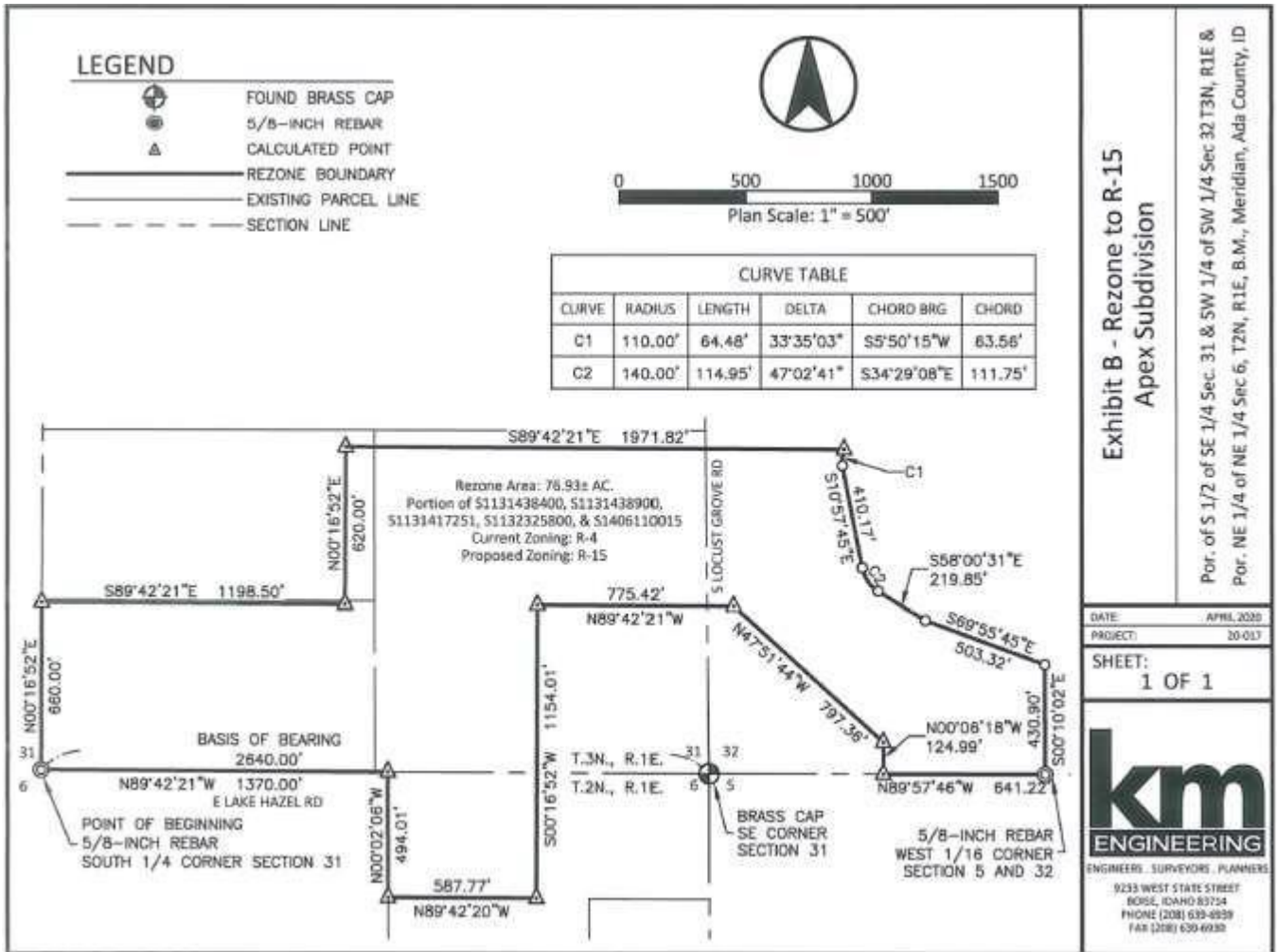
**Exhibit A
Legal Description for
Rezone to R-15
Apex Subdivision**

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

BEGINNING at a 5/8-inch rebar marking the corner common to Section 31, Township 3 North, Range 1 East, and Section 6, Township 2 North, Range 1 East, which bears N89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the Southeast 1/4 corner of said Section 31;
Thence following the westerly line of the Southeast 1/4 of the Southeast 1/4 of Section 31, N00°16'52"E a distance of 660.00 feet;
Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;
Thence N00°16'52"E a distance of 620.00 feet;
Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;
Thence following said easterly boundary the following courses:
1. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and a chord distance of 63.56 feet to a 1/2-inch rebar;
2. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
3. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
4. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
5. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of said Southwest 1/4 of the Southwest 1/4 of Section 32;
Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;
Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;
Thence N00°06'18"W a distance of 124.99 feet;
Thence N47°51'44"W a distance of 797.36 feet;
Thence N89°42'21"W a distance of 775.42 feet;
Thence S00°16'52"W a distance of 1,154.01 feet;
Thence N89°42'20"W a distance of 587.77 feet;
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;
Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF BEGINNING**.

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

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





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

April 29, 2020
Project No. 20-017

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

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

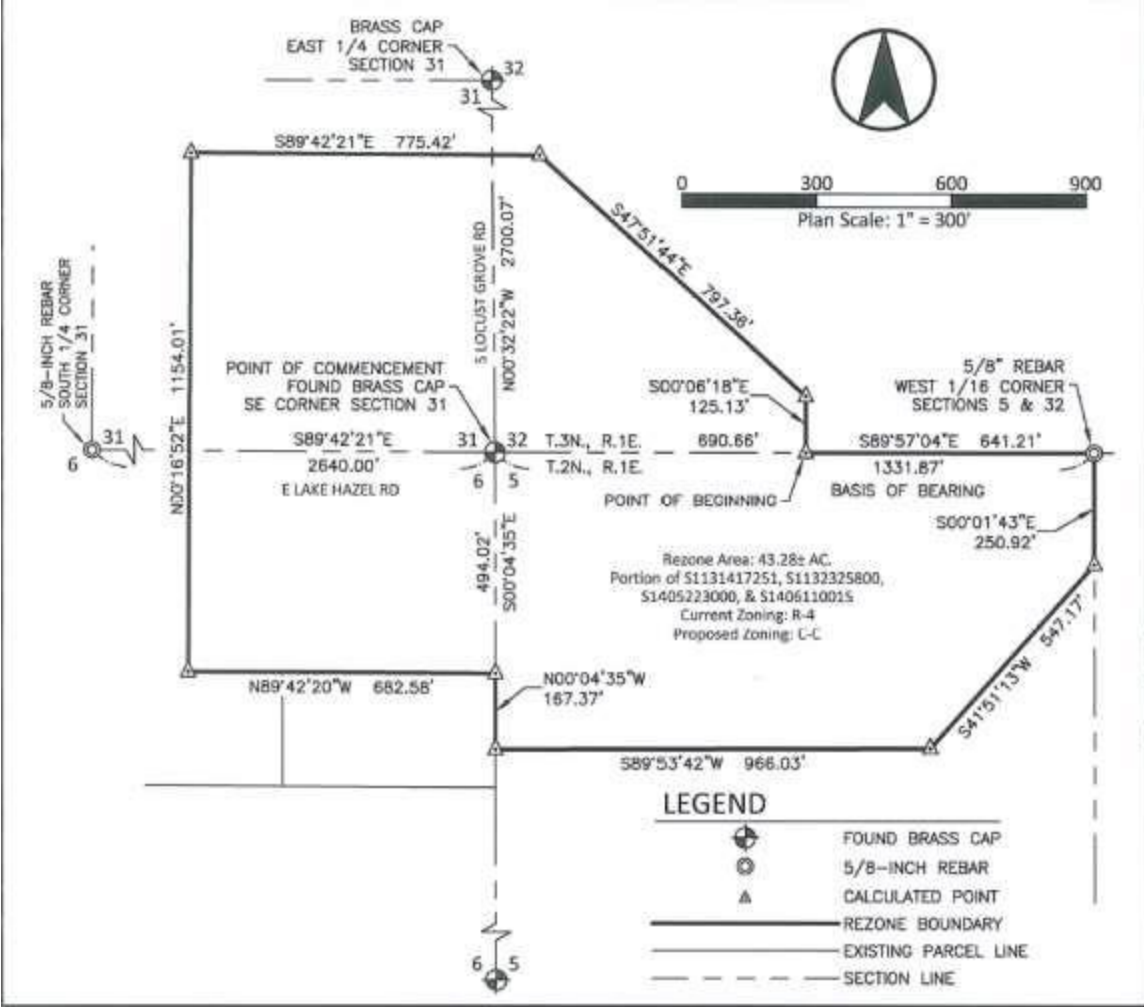
Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E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

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

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

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





**Exhibit B - Rezone to C-C
Apex Subdivision**

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

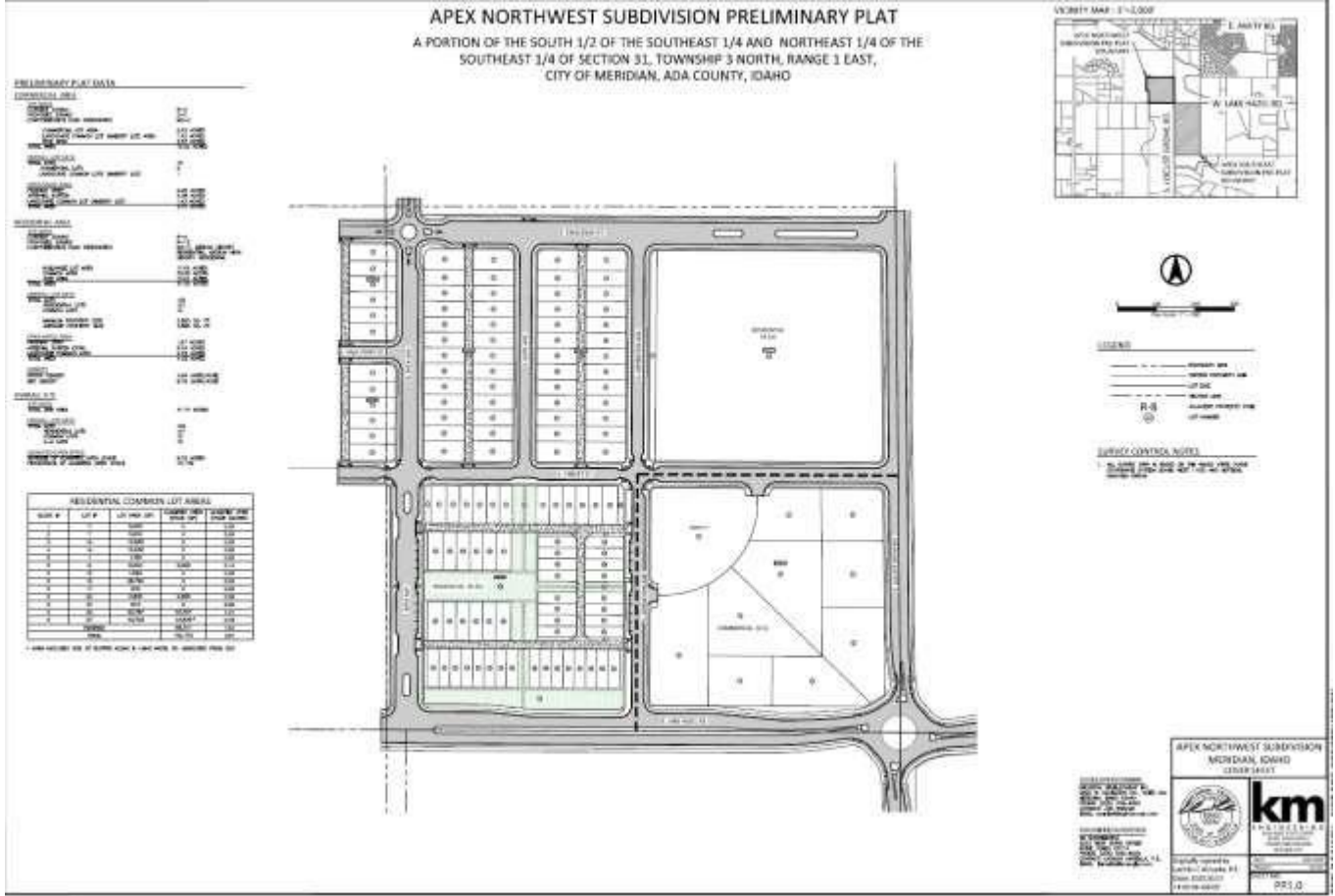
DATE: APRIL 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

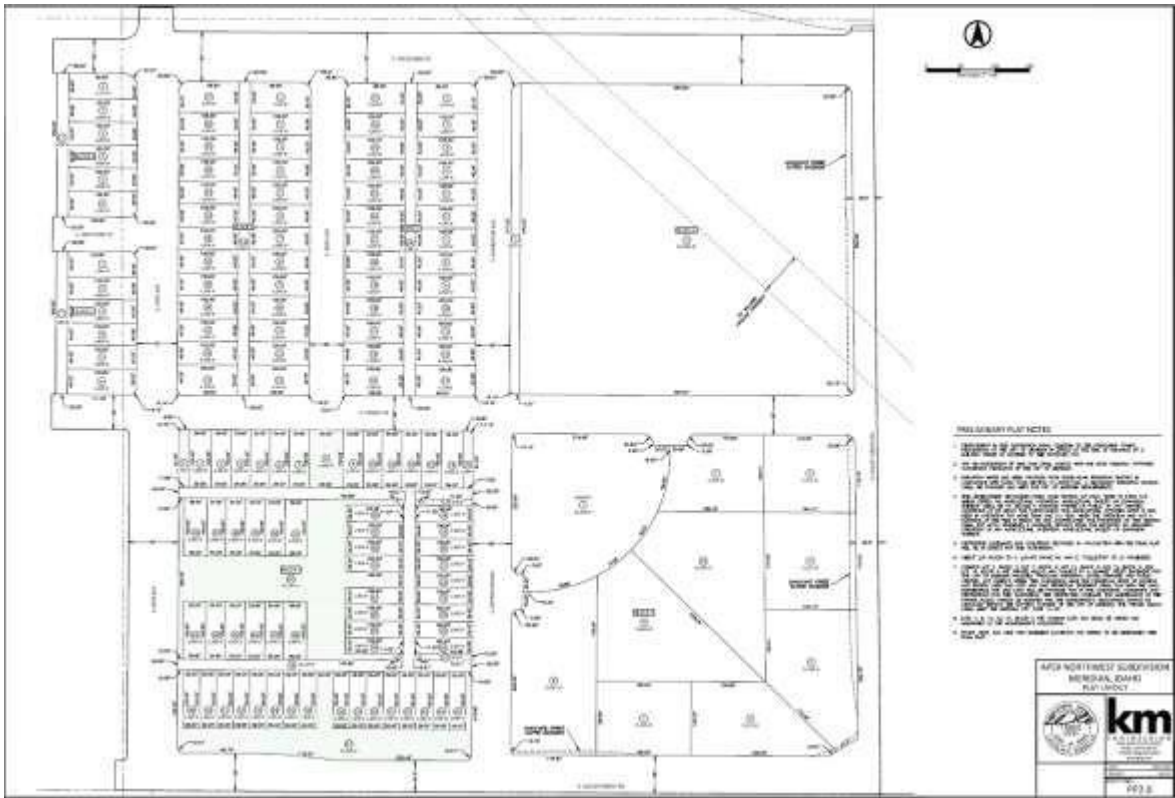
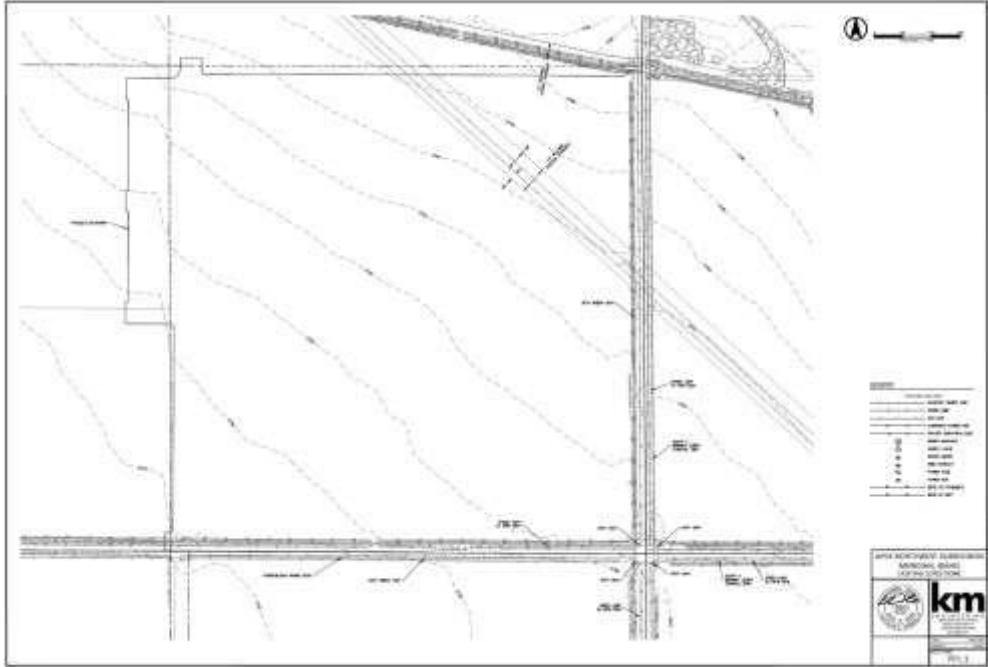
km
ENGINEERING
 ENGINEERS · SURVEYORS · PLANNERS
 9228 WEST STATE STREET
 BOISE, IDAHO 83724
 PHONE (208) 639-0939
 FAX (208) 639-0990

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



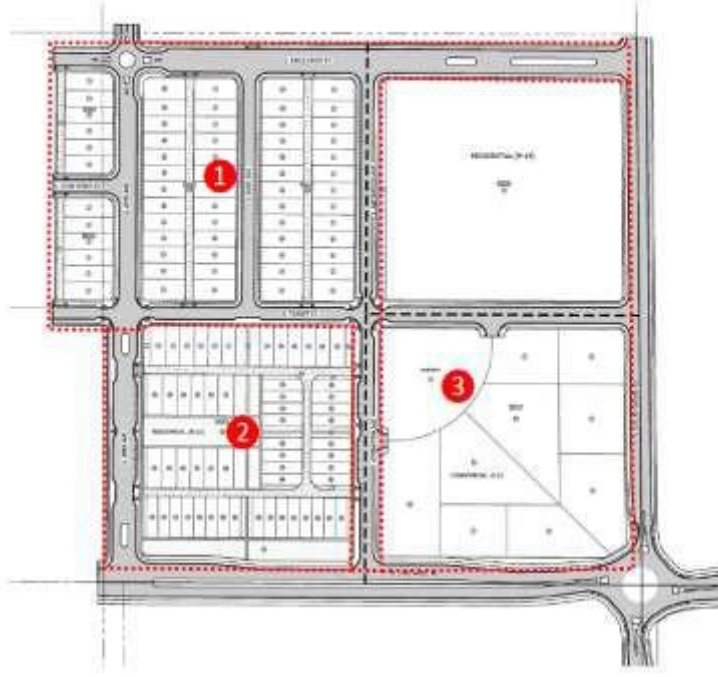
Northwest:





Phasing Plan:

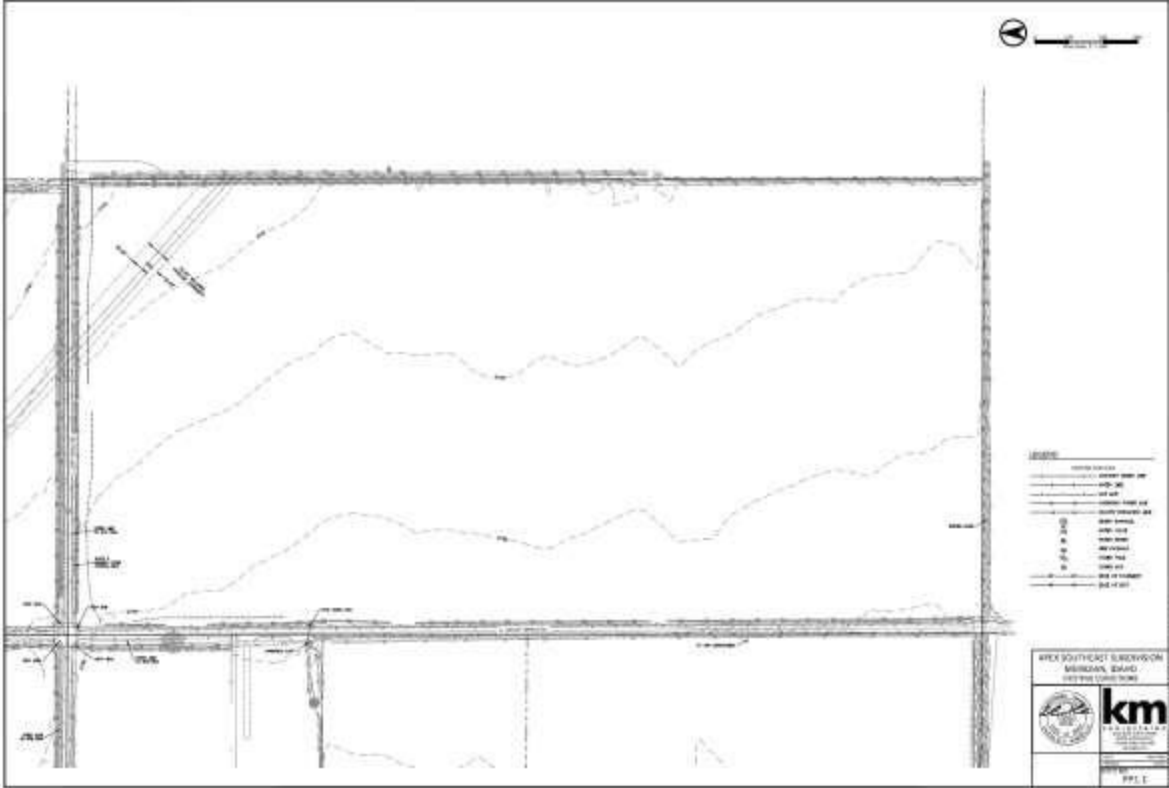
APEX Northwest Phasing
Conceptual / Subject to Change

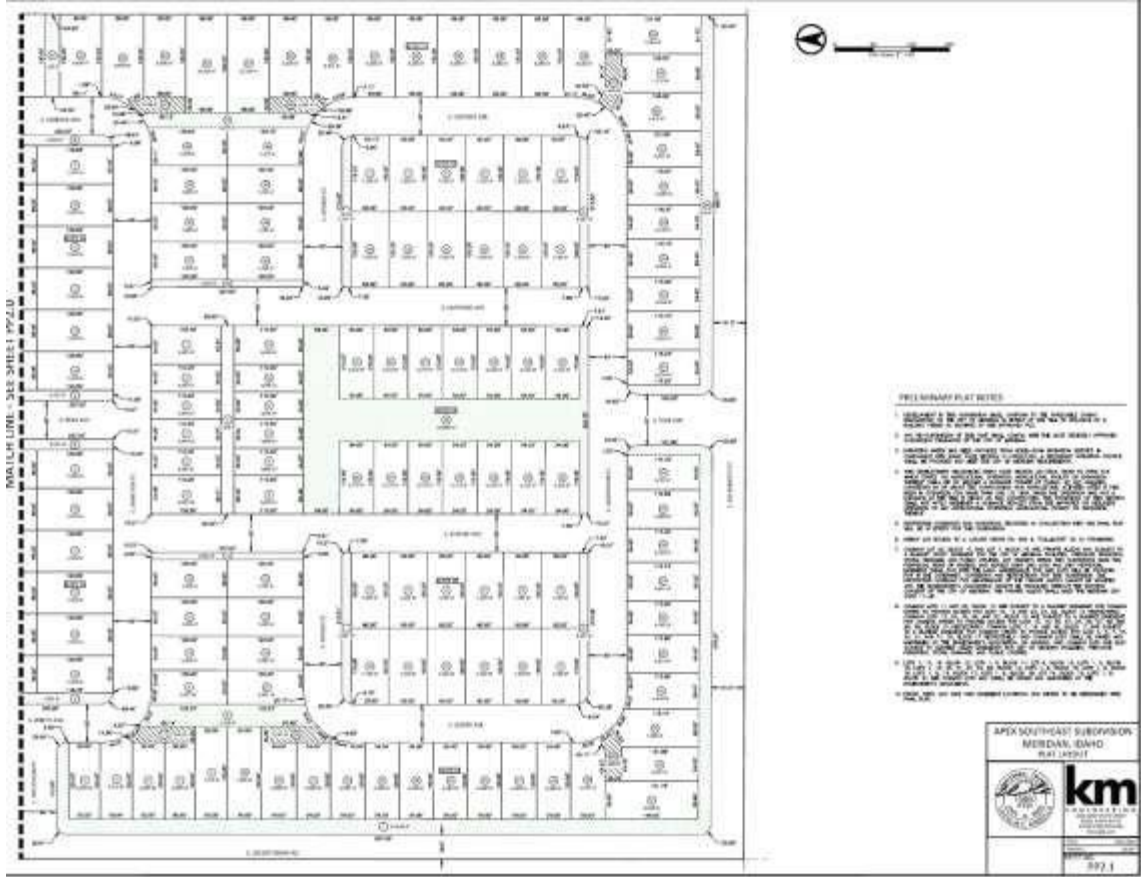


Southeast:

APEX SOUTHEAST SUBDIVISION PRELIMINARY PLAT
 A PARCEL OF LAND SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 3,
 TOWNSHIP 2 NORTH, RANGE 3 EAST, CITY OF MERIDIAN, ADA COUNTY, IDAHO

This block contains the detailed preliminary plat for the Apex Southeast Subdivision. On the left is a table titled 'SUBDIVISION PLAN DATA' with columns for 'NO.', 'AREA', 'PERCENTAGE', and 'TOTAL'. Below it is a table titled 'SUBDIVISION LOT AREA' with columns for 'LOT NO.', 'AREA', 'PERCENTAGE', and 'TOTAL'. The central part of the block is a detailed site plan showing individual lots, streets, and utility lines. On the right side, there is a 'COUNTY MAP' showing the location of the subdivision within Meridian, Idaho, and a 'LEGEND' defining symbols for various features. At the bottom right, there are signatures and stamps, including the 'km' logo and the text 'APEX SOUTHEAST SUBDIVISION MERIDIAN, IDAHO'.

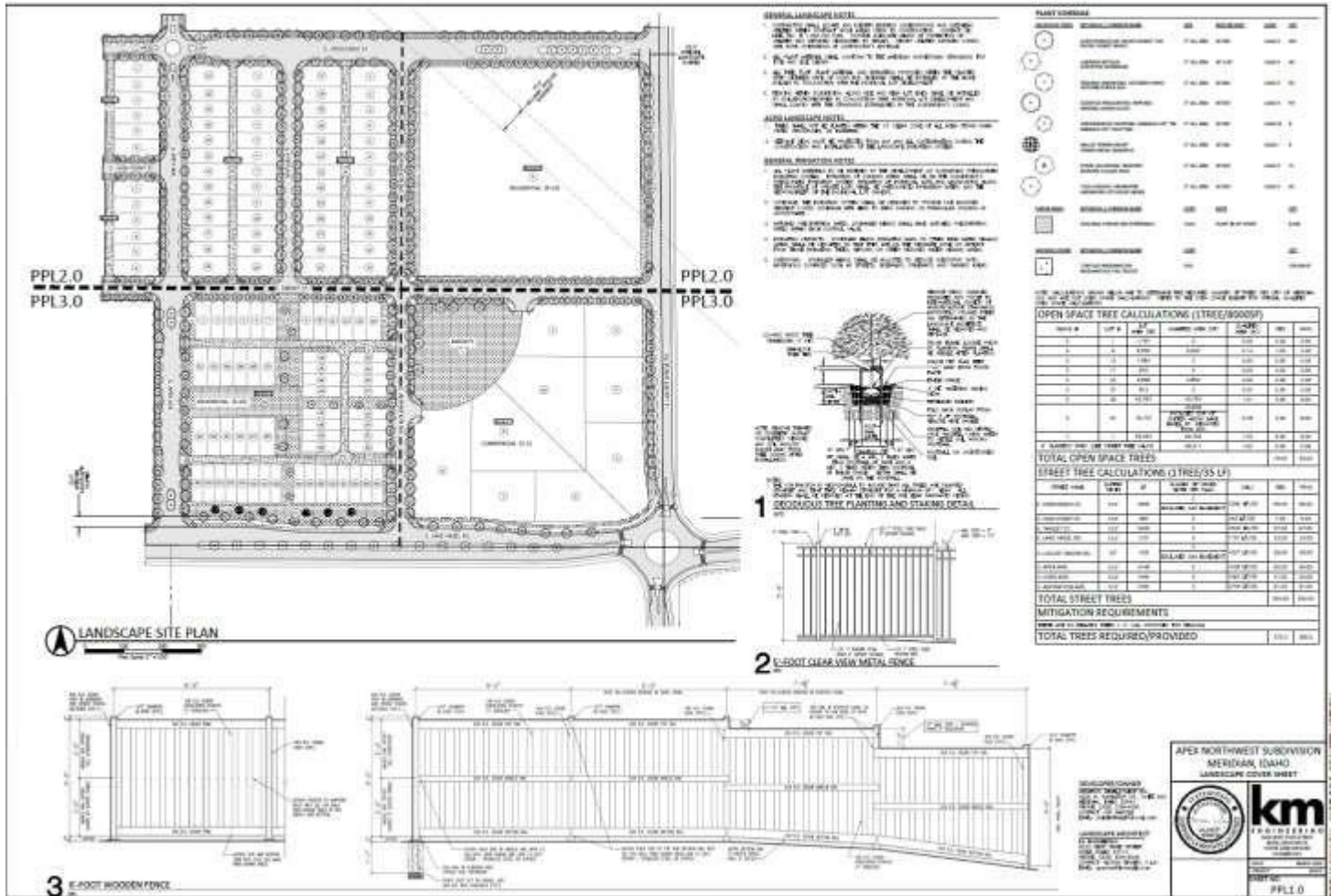


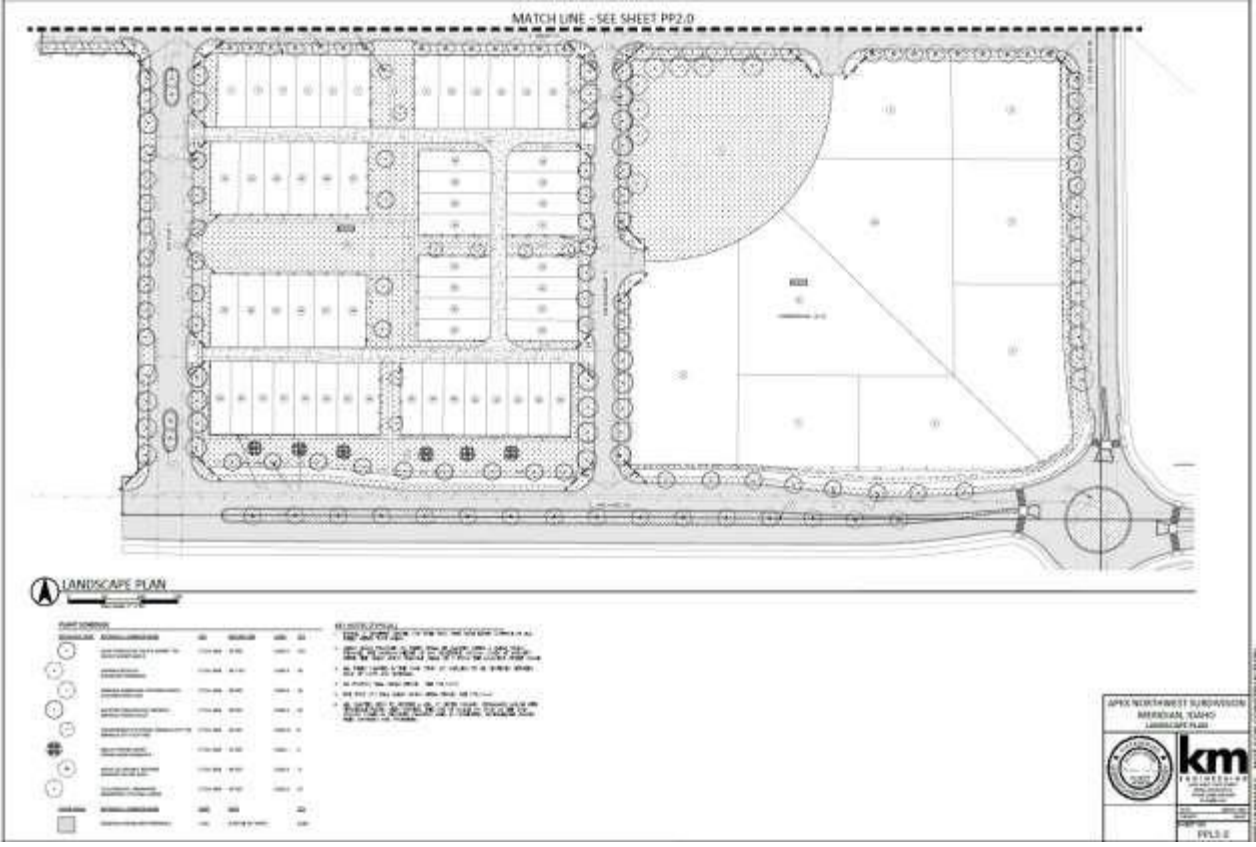
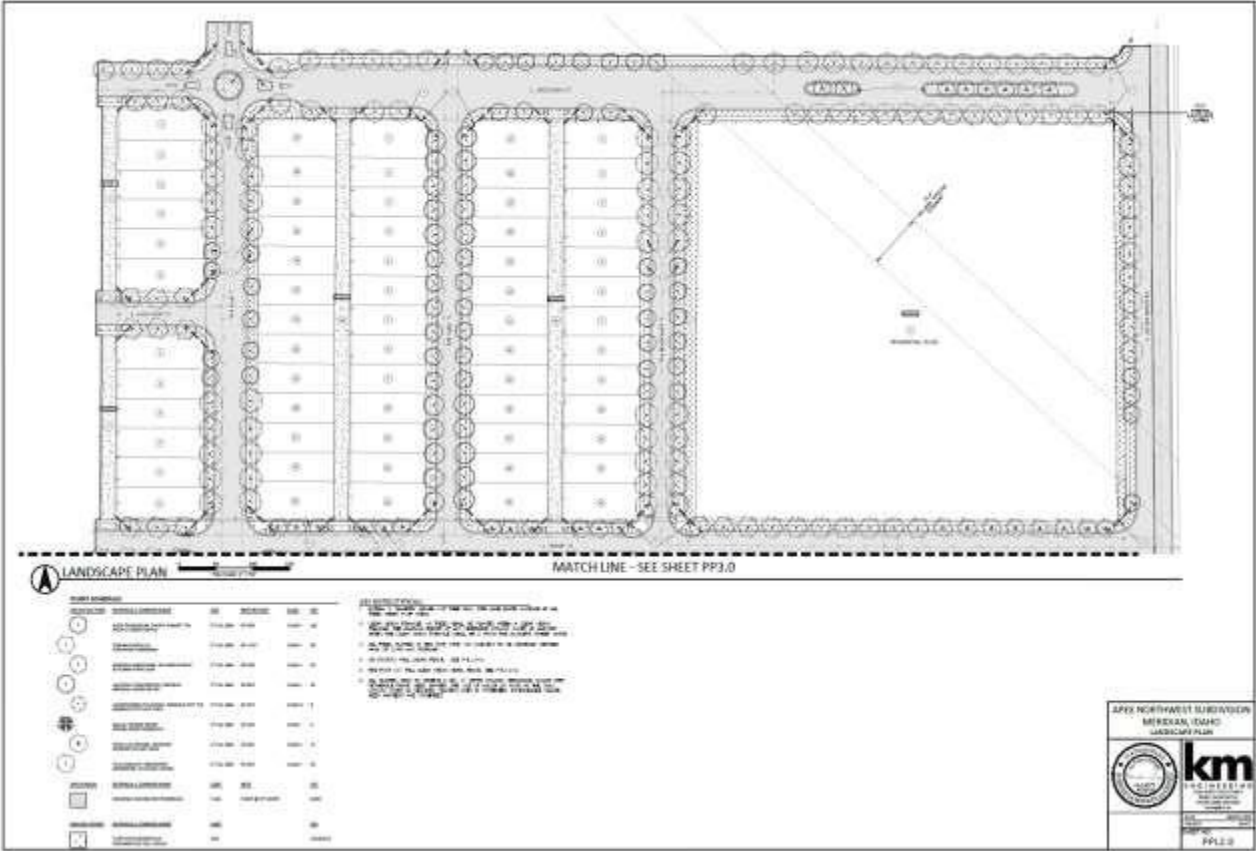


Phasing Plan:

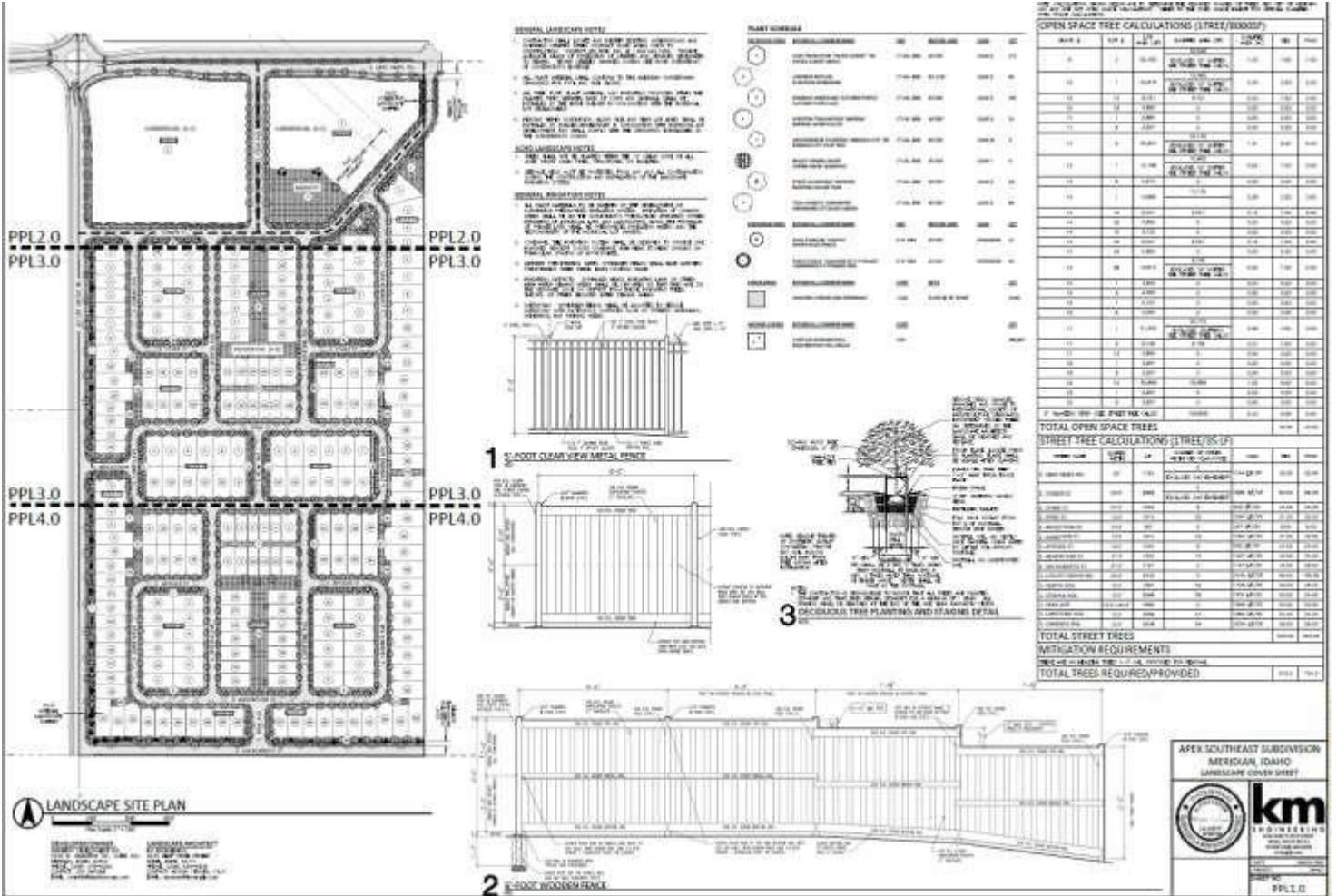


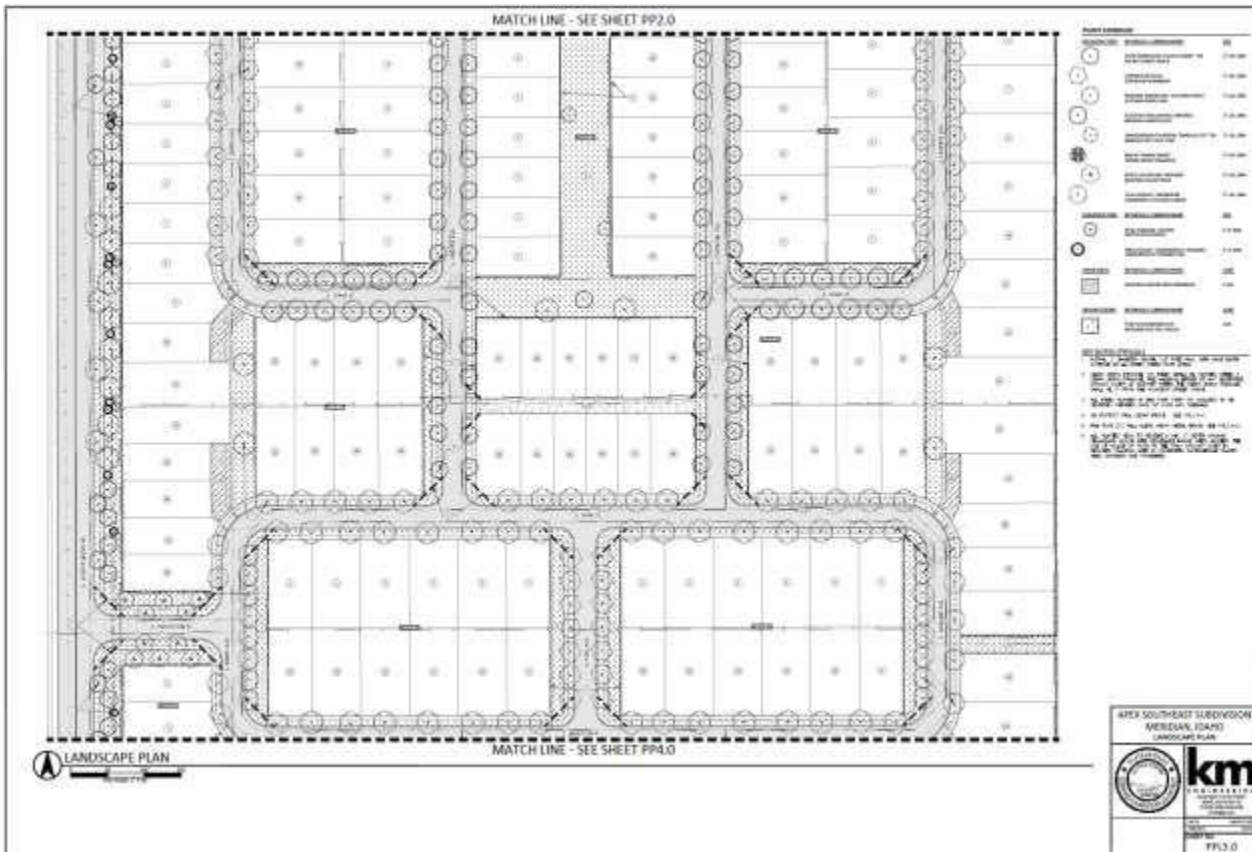
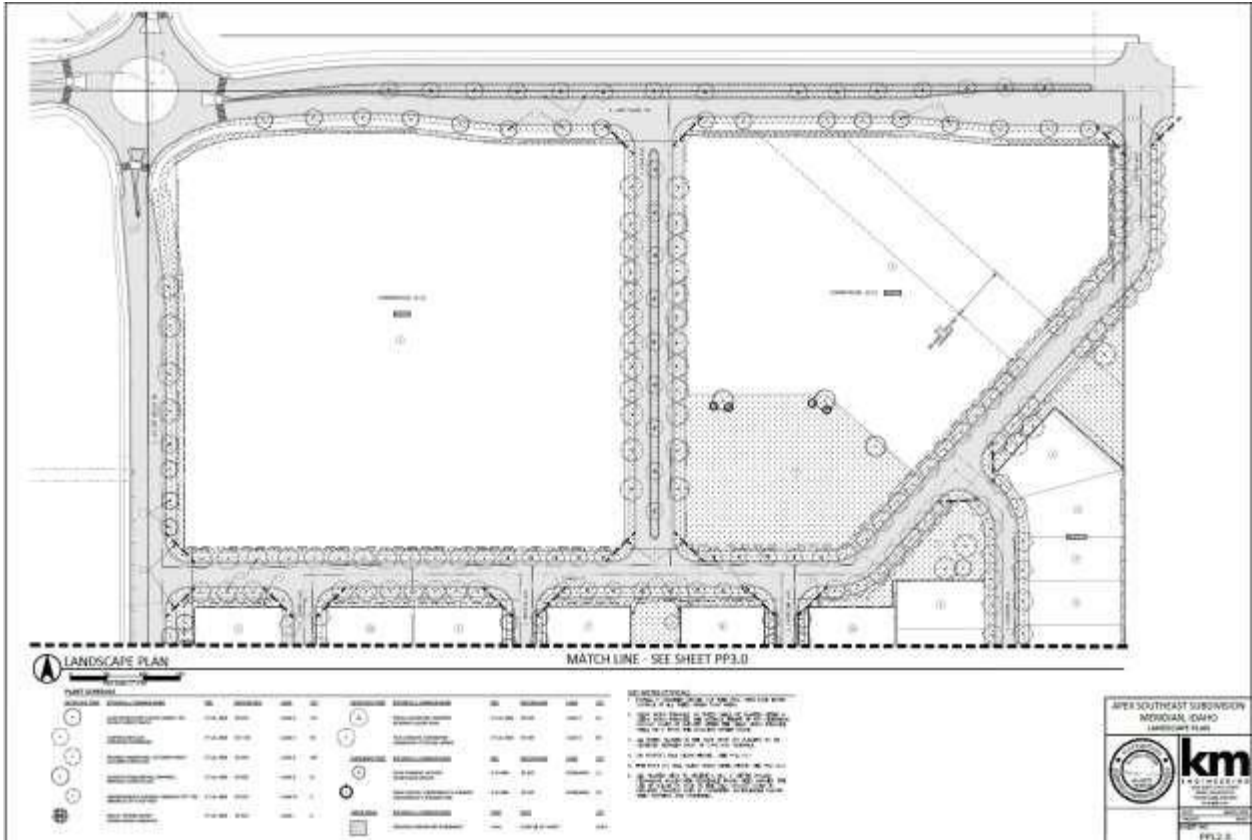
E. Landscape Plan (date: 4/30/2020)
Northwest:



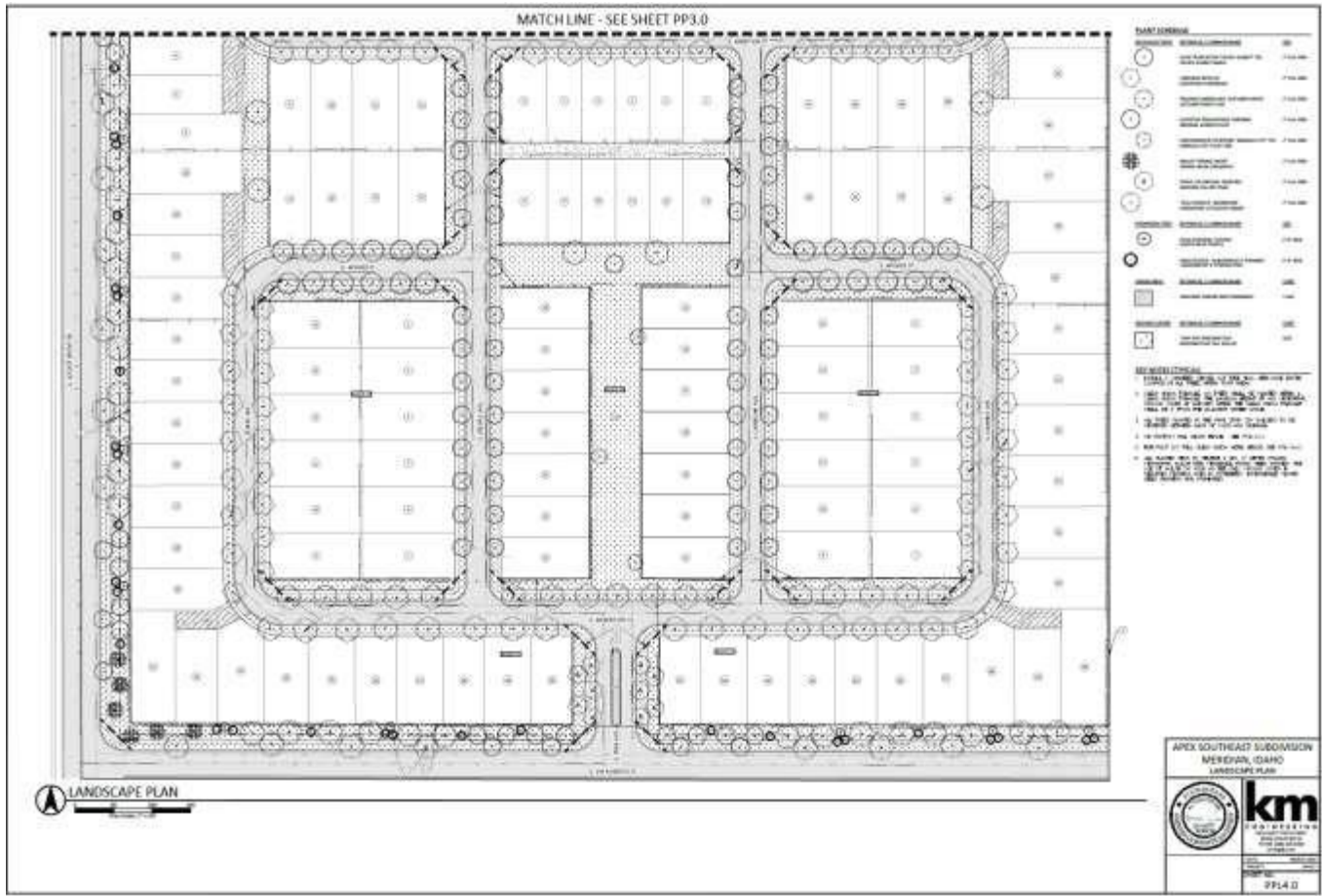


Southeast:



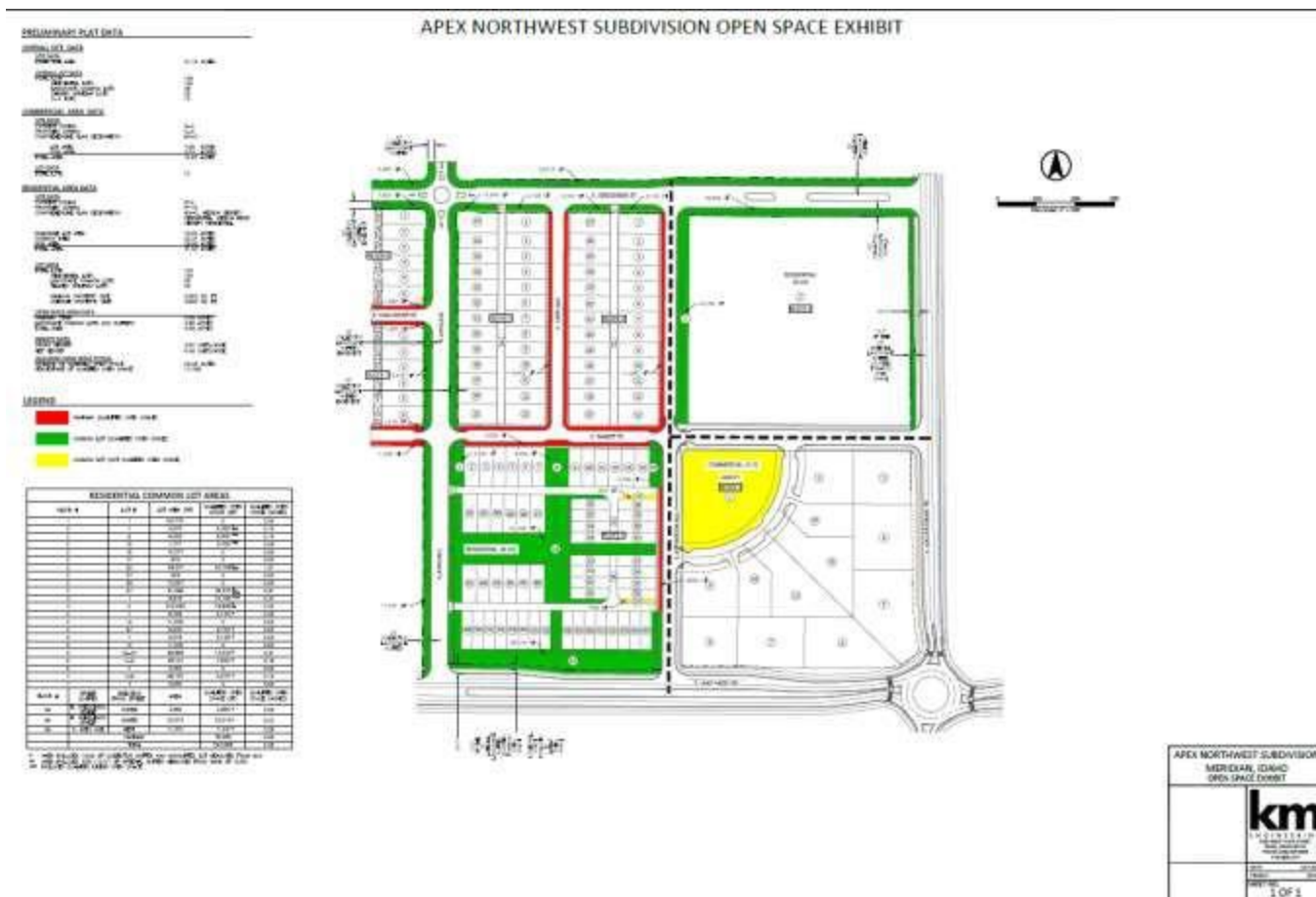


Item #6.



F. Qualified Open Space Exhibit (dated: ~~March~~ May 2020) – REVISED

Northwest:



Southeast:



G. Conceptual Building Elevations/Renderings

Residential:



Item #6.



Commercial:





IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).
 - e. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.
 - i. ~~The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

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

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

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

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

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

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

2. General Conditions of Approval

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

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

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

C. FIRE DEPARTMENT

Northwest:

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

Southeast:

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

D. POLICE DEPARTMENT

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

E. PARK'S DEPARTMENT

Northeast:

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

Southeast:

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

F. WEST ADA SCHOOL DISTRICT (WASD)

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

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

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

Southeast:

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

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

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

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

Southeast: (Draft)

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

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

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

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

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

Southeast:

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

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

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

Southeast:

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

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

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

X. FINDINGS

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

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

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

B. Preliminary Plat Findings:

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

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

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

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

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

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

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

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