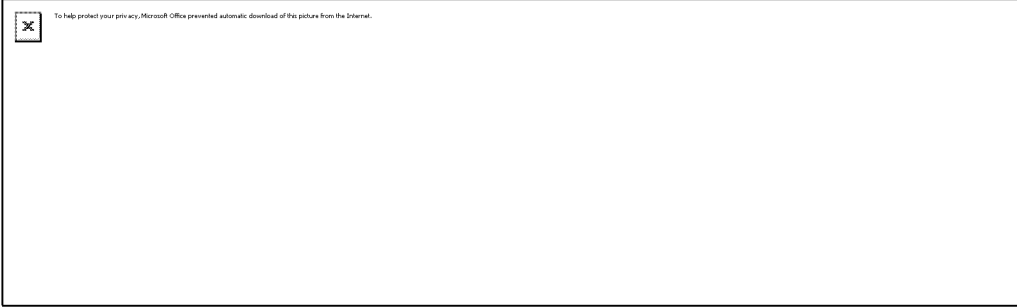


Charlene Way

From: clerk@meridiancity.org
Sent: Thursday, June 04, 2020 7:48 AM
To: Charlene Way
Subject: Development Application Transmittals - Apex Northwest PP H-2020-0056

	
Development Application Transmittal	
Link to Project Application: Apex Northwest PP H-2020-0056	
Transmittal Date: 6-4-2020	Hearing Date: July 9, 2020
Assigned Planner: Sonya Allen	
<i>To view the City of Meridian Public Records Repository, Click Here</i>	

The above "Link to Project Application" will provide you with any further information on the project.

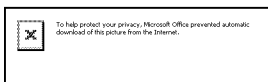
The City of Meridian is requesting comments and recommendations on the application referenced above. To review the application and project information please click on the application link above. The City of Meridian values transparency and makes a variety of information available to the public online through our public records repository.

We request that you submit your comments or recommendations prior to the hearing date specified above. When responding, please reference the file number of the project. If responding by email, please send comments to cityclerk@meridiancity.org.

For additional information associated with this application please contact the City of Meridian Planner identified above at 208-884-5533.

Thank you,

City Clerk's Office
33 E. Broadway Ave., Meridian, Idaho 83642
Phone: 208.888.4433 | Email: cityclerk@meridiancity.org



Built for Business, Designed for Living

All e-mail messages sent to or received by City of Meridian e-mail accounts are subject to the Idaho law, in regards to both release and retention, and may be released upon request, unless exempt from disclosure by law.

Commission Hearing Date: July 9, 2020

Planner: Sonya

File No.: H-2020-0066

Project Name: Apex

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;
- Annexation of 40.09 acres of land with an R-2 zoning district; and,
- 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.

Location: The site is generally located east of S. Meridian Rd. and north of E. Columbia Rd., in Sections 31 (S. $\frac{1}{2}$ and NW $\frac{1}{4}$) and 32 (SW $\frac{1}{4}$), Township 3N., Range 1E; and Sections 5 (NW $\frac{1}{4}$) and 6 (NE $\frac{1}{4}$), T.2N., R.1E.

File No.: H-2020-0056

Project Name: Apex Northwest

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, by Brighton, Murgoitio et al.

Location: The site is located at the northwest corner of S. Locust Grove Rd. and E. Lake Hazel Rd., in the SE $\frac{1}{4}$ of Section 31, T.3N., R.1E.

File No.: H-2020-0057

Project Name: Apex Southeast

Request:

- 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, by Brighton, Murgoitio et al.

Location: The site is located at the southeast corner of S. Locust Grove Rd. and E. Lake Hazel Rd., in the NW $\frac{1}{4}$ of Section 5, T.2N., R.1E.



STAFF USE ONLY:
Project name: _____
File number(s): _____
Assigned Planner: _____ **Related files:** _____

Type of Review Requested (check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Accessory Use (check only 1) | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Daycare | <input type="checkbox"/> Final Plat Modification |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Landscape Plan Modification |
| <input type="checkbox"/> Home Occupation/Instruction for 7 or more | <input checked="" type="checkbox"/> Preliminary Plat two pre-plats |
| <input type="checkbox"/> Administrative Design Review | <input type="checkbox"/> Private Street |
| <input type="checkbox"/> DR Modification | <input type="checkbox"/> Property Boundary Adjustment |
| <input type="checkbox"/> Alternative Compliance | <input checked="" type="checkbox"/> Rezone |
| <input checked="" type="checkbox"/> Annexation and Zoning | <input type="checkbox"/> Short Plat |
| <input type="checkbox"/> Certificate of Zoning Compliance | <input type="checkbox"/> Time Extension (check only 1) |
| <input type="checkbox"/> CZC Modification | <input type="checkbox"/> Director |
| <input type="checkbox"/> City Council Review | <input type="checkbox"/> Commission |
| <input type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Council |
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> UDC Text Amendment |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Vacation (check only 1) |
| <input type="checkbox"/> Conditional Use Permit Modification (<input checked="" type="checkbox"/> only 1) | <input type="checkbox"/> Director |
| <input type="checkbox"/> Director | <input type="checkbox"/> Commission |
| <input type="checkbox"/> Commission | <input type="checkbox"/> Variance |
| <input checked="" type="checkbox"/> Development Agreement Modification | <input type="checkbox"/> Other _____ |

Applicant Information

Applicant name: BRIGHTON, MURGOTTIO ET AL Phone: —
 Applicant address: 2929 W NAVIGATOR #400 Email: —
 City: MERIDIAN State: ID Zip: 83642

Applicant's interest in property: Own Rent Optioned Other _____

Owner name: _____ Phone: _____

Owner address: _____ Email: _____

City: _____ State: _____ Zip: _____

Agent/Contact name (e.g., architect, engineer, developer, representative): MICHAEL D. WARDLE
 Firm name: BRIGHTON CORPORATION Phone: 208.287.0512
 Agent address: 2929 W NAVIGATOR #400 Email: mwardle@brightoncorp.com
 City: MERIDIAN State: ID Zip: 83642

Primary contact is: Applicant Owner Agent/Contact

Subject Property Information

Location/street address: LAKE HAZEL / LOCUST GROVE Township, range, section: SEE ATTACHED PARCEL LIST
 Assessor's parcel number(s): ATTACHED PARCEL VERIFICATION LIST Total acreage: 407 +/- Zoning district: RUT/R-4

SEE ZING.
DATA TABLE
P.5 NARR

Project/subdivision name: APEX SUBDIVISION: NORTHWEST & SOUTHEAST

General description of proposed project/request: OVERALL PROJECT ZONING WITH TWO PRELIMINARY PLATS FOR 357 DWELLINGS AND COMMERCIAL

Proposed zoning district(s): R-2, R-4, R-8, R-15, C-C

Acres of each zone proposed: R2: 40.79; R4: 22.23; R8: 264.06; R15: 76.93; CC: 43.28

Type of use proposed (check all that apply):

Residential Office Commercial Employment Industrial Other _____

Who will own & maintain the pressurized irrigation system in this development? OWNERS ASSN

Which irrigation district does this property lie within? BOISE PROJECT

Primary irrigation source: SURFACE Secondary: _____

Square footage of landscaped areas to be irrigated (if primary or secondary point of connection is City water): 0

Residential Project Summary (if applicable)

Number of residential units: 357 Number of building lots: 370

Number of common lots: 44 Number of other lots: 10 SHARED DRIVES

Proposed number of dwelling units and square footage of living area (for multi-family developments only):

1 bedroom: _____ 2-3 bedrooms: _____ 4 or more bedrooms: _____
(up to: 500 sq. feet) (up to: 250-500 sq. feet) (up to: 500 up to 1200 sq. feet)

Minimum square footage of structure (excl. garage): _____ Maximum building height: _____

Minimum property size (s.f.): SEE DATA TABLE, P.6 NARRATIVE Average property size (s.f.): _____

Gross density (Per UDC 11-1A-1): 4.22 Net density (Per UDC 11-1A-1): 7.27

Acreage of qualified open space: 17.12 Percentage of qualified open space: 13.88

Type and calculations of qualified open space provided in acres (Per UDC 11-3G-3B): SEE OPEN SPACE EXHIBITS AND PRE-PLAT DATA TABLES

Amenities provided with this development (if applicable): SEE PROJECT NARRATIVE

Type of dwelling(s) proposed: Single-family Detached Single-family Attached Townhouse
 Duplex Multi-family Vertically Integrated Other _____

Non-residential Project Summary (if applicable) COMMERCIAL LOTS

Number of building lots: 13 Common lots: _____ Other lots: _____

Gross floor area proposed: TBD Existing (if applicable): N/A

Hours of operation (days and hours): TBD Building height: TBD

Total number of parking spaces provided: TBD Number of compact spaces provided: TBD

Authorization

Print applicant name: MICHAEL D. WARDLE

Applicant signature: [Signature] Date: 4.30.2020

Mike Wardle

From: Mike Wardle
Sent: Friday, March 20, 2020 10:11 AM
To: Mike Wardle
Subject: Apex Address Verification Complete

Address verification is complete for record LDAV-2020-0070
Project: Apex Subdivision
Address: 6575 S LOCUST GROVE RD, MERIDIAN, ID 83642

Parcels

S1406110110
S1406110015
S1406110350
Subdivision: 2N 1E 06

R7824220042
R7824220044
S1131244500
S1131131675
S1131417200
S1131417251
S1131438400
S1131438900
Subdivision: 3N 1E 31

S1132325800
Subdivision: 3N 1E 32

S1405223000
Subdivision: 2N 1E 05

Parcel verification City of Meridian
33 E. Broadway Ave., Meridian, Idaho 83642
Phone: 208-888-4433
www.meridiancity.org

April 3, 2020

[Revised April 30, 2020]

C. Caleb Hood, Planning Division Manager
Community Development Services
Meridian City Hall

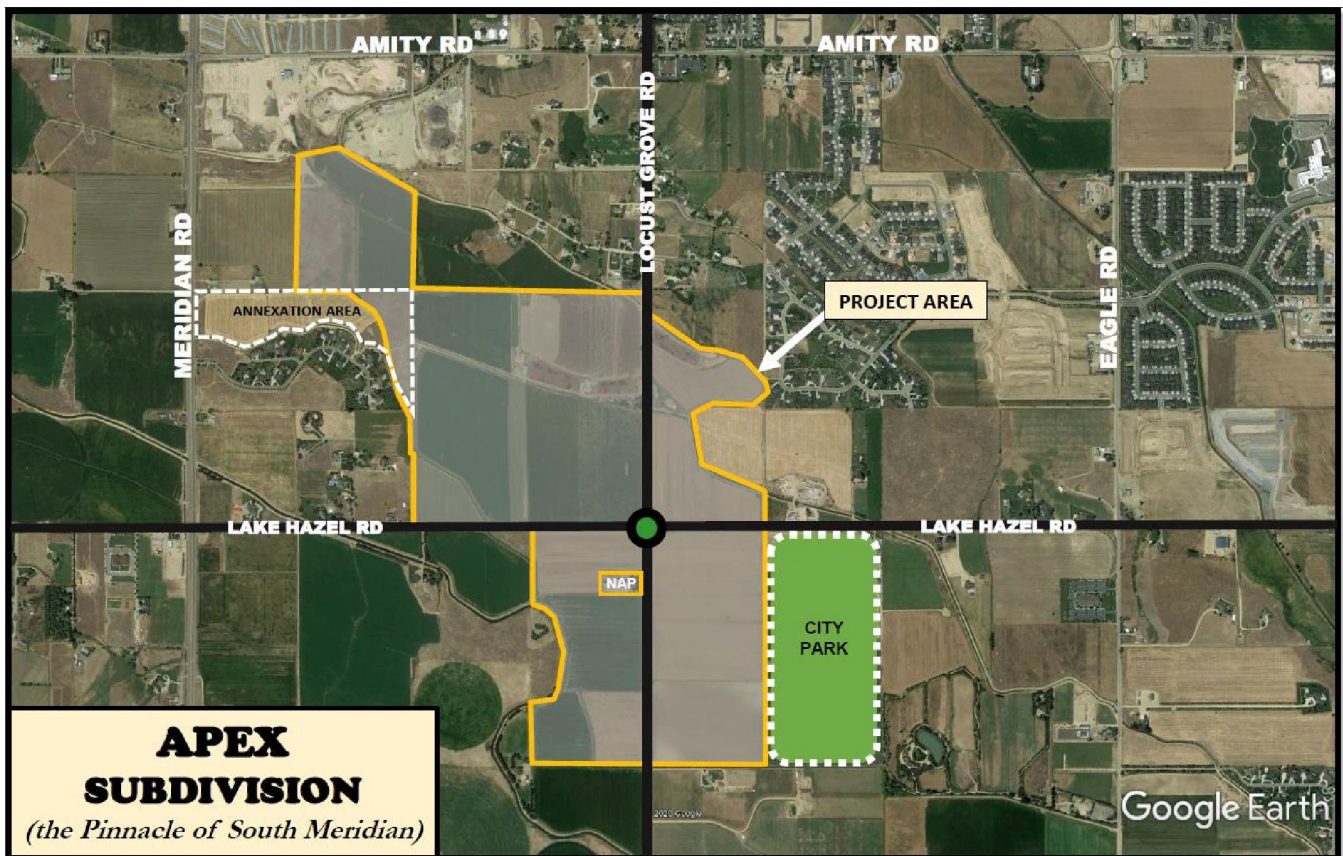
RE: Apex Subdivision – Annexation, Rezoning, Preliminary Plat, and DA Modification Applications

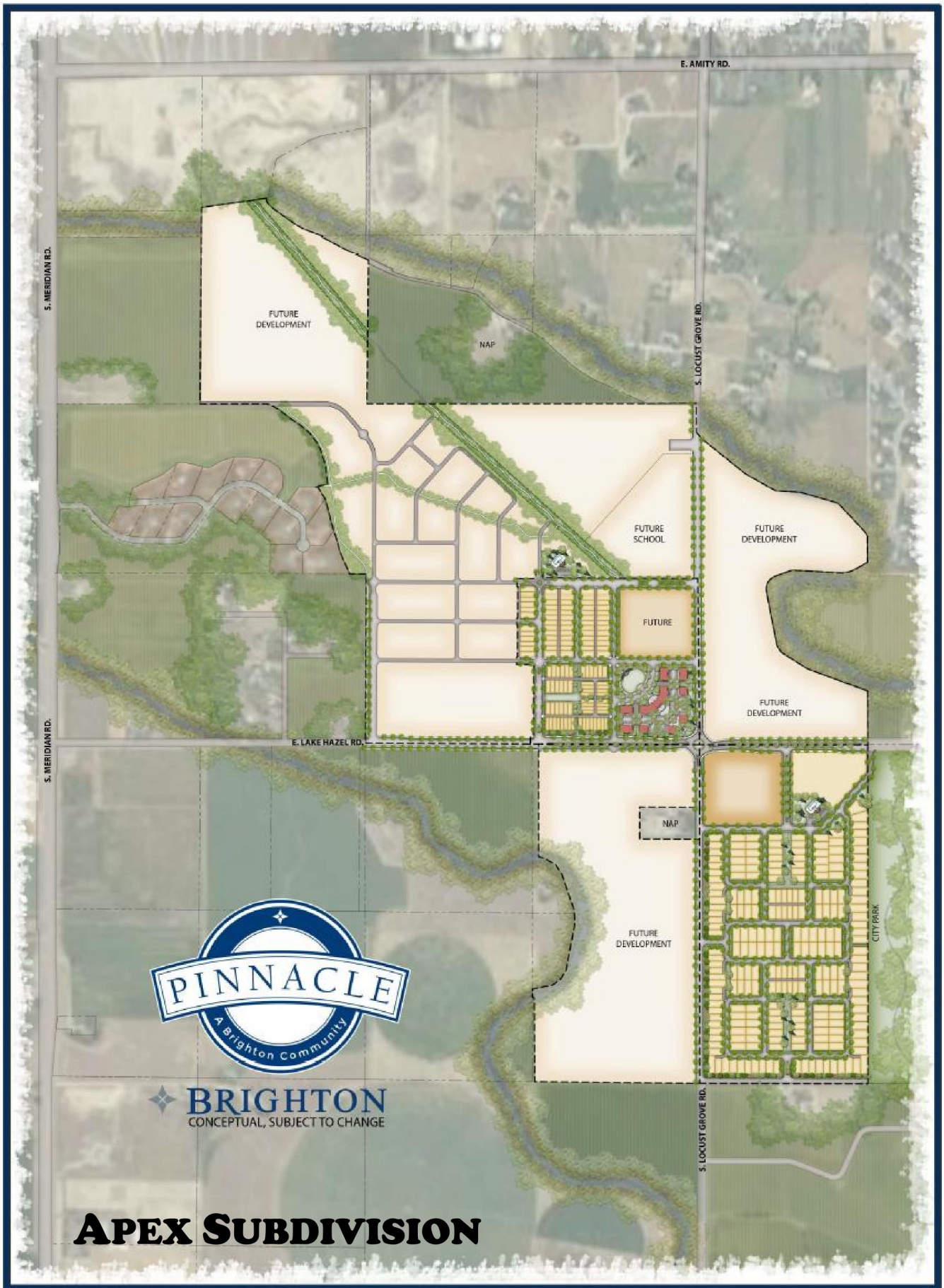
Dear Mr. Hood:

Enclosed are the referenced applications for ***Apex Subdivision*** (because the project is to be known and marketed as “***Pinnacle***”, that name may be found occasionally in application graphics and narrative).

Apex is a mixed-use residential project with neighborhood-scaled services centered at the intersection of Locust Grove and Lake Hazel Grove Roads within the area below, and depicted conceptually on the following page with the detailed initial preliminary plat development phases.

Apex will be developed as a single, integrated project. However, because the initial phases connect only at the point of intersection of Lake Hazel and Locust Grove, separate preliminary plats—***Apex Northwest*** and ***Apex Southeast***—are proposed.

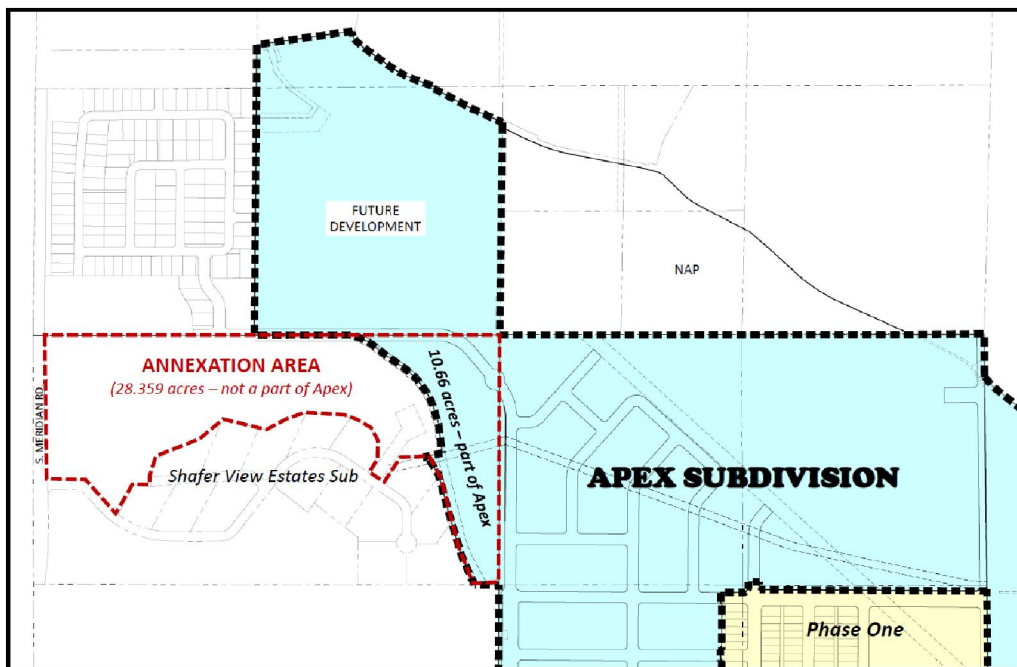




The Applications in Brief

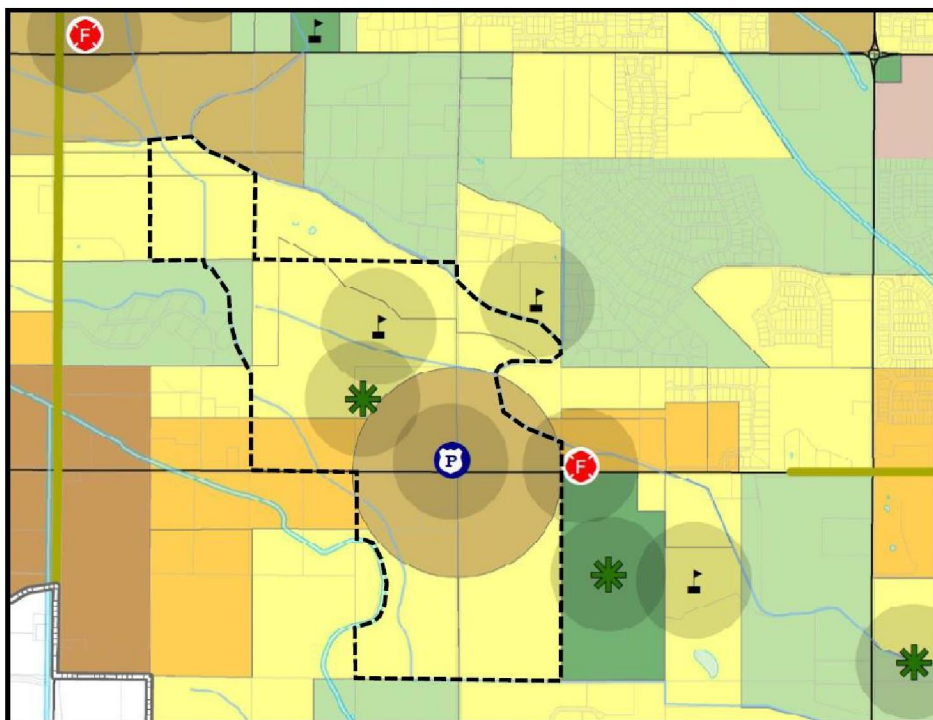
Annexation

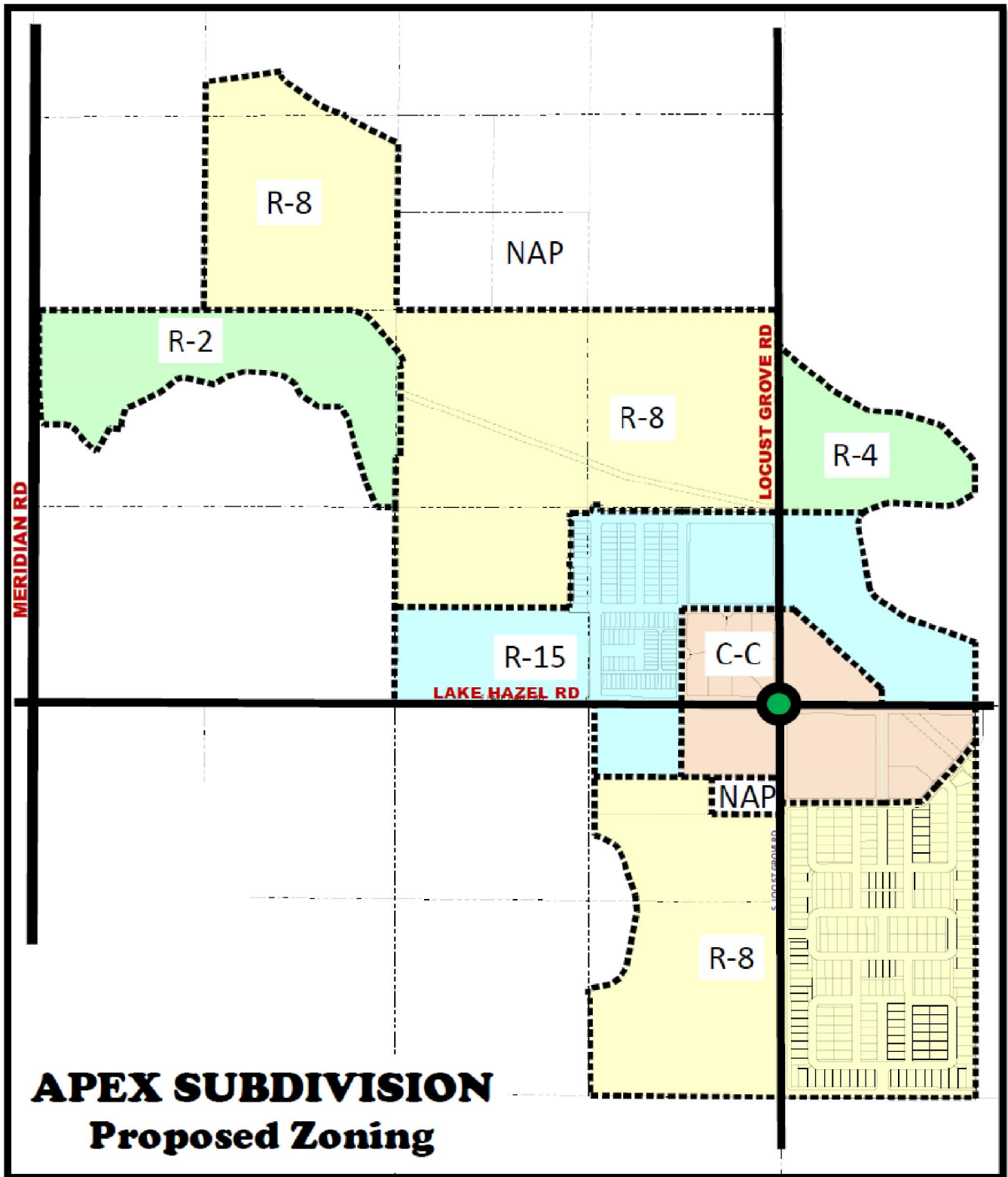
Lot 4, Block 1, Shafer View Estates Subdivision, below, will be annexed with this application; however, only the easterly 10.66 acres of that lot will be incorporated into a future phase of *Apex Subdivision*.



Zoning & Rezoning

The “*proposed zoning*” exhibit (*next page*) denotes the R-2 request for the accompanying Shafer View annexation, and the rezoning of the R-4 zoned properties annexed by the City of Meridian in early 2016. The requested rezoning complies with the December 2019 Comprehensive Plan FLUM update, below.





One project, two preliminary plats: *Apex Northwest (A-NW)* and *Apex Southeast (A-SE)*. The two preliminary plats combine for a 357 single-family residential-unit subdivision with 13 commercial lots and 54 common lots, including ten (10) shared driveways, landscaped commons, street buffers, and active open space areas.

Development Agreement Modification

With the exception of the *Shafer View Subdivision* parcel proposed for annexation with this application, the remainder of the project’s 406.5 acres are subject to development agreements executed in early 2016, the result of the City-initiated annexation (*South Meridian H-2015-0019DA*). Specifically, the DA’s listed immediately below and detailed later in this narrative:

- Brighton Investments LLC – Instrument No. 2016-007072
- SCS Brighton LLC - Instrument No. 2016-007073
- Murgoitio Limited Partnership - Instrument No. 2016-007074

The Applications in Detail

ANNEXATION & ZONING

The combined area of Lot 4, Block 1, Shafer View Estates proposed for annexation, including public ROW—a portion of which will be included in *Apex*—is 40.09 acres. The northeasterly “tip” of that parcel created by the residential collector roadway that veers from its north/south alignment westerly toward Meridian Road, will be zoned R-8 with the contiguous “future development” areas to the north and east.

The future lots, when platted between the collector and the adjoining Shafer View Subdivision, are anticipated to be one-acre in size as a transition and buffer to the existing neighborhood.

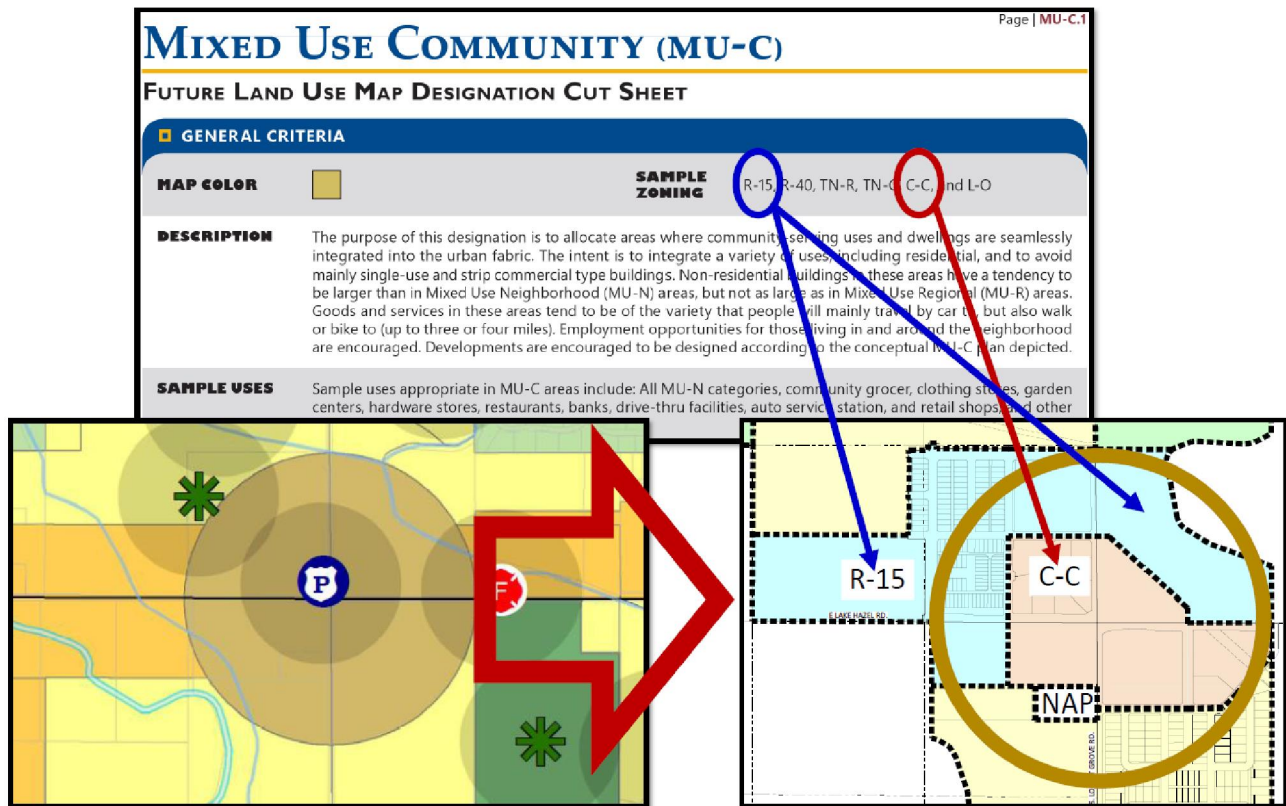
The current R-4 zoning on the east side of Locust Grove Road, one-quarter mile north of Lake Hazel will remain unchanged. The balance of the property—both in the two preliminary plats and “future development” areas—will be zoned R-8, R-15 and C-C, as denoted in the zoning exhibit on the prior page, and in the table below.

ANNEXATION & ZONING DATA	ZONE	ACREAGE
Annexation of Lot 4, Block 1, Shafer View Estates	----	40.09
Annexation Parcel Zoning (<i>westerly portion NAP of Apex Sub</i>)	R-2	40.79
Existing R-4 Zoning to Remain Unchanged	R-4	22.23
Rezoning of Previously-Annexed R-4 Parcels	R-8 (<i>North & South</i>)	264.06
	R-15	76.93
	C-C	43.28

Rezoning from the existing R-4 to R-15 and R-8 is proposed for the *A-NW* and *A-SE* preliminary plat residential development areas, respectively.

- R-15 is required for the proposed *A-NW* lot sizing and setback standards of the alley-loaded units of which 32 are “paired,” i.e., attached.
- The 24 alley-loaded lots in *A-SE* comply with the R-8 zone’s area, dimensional and setback standards; thus, they will be developed with the same zoning as the surrounding conventional single-family lots.

The remainder of the project’s Mixed-Use Community “core” will be zoned C-C, with the uses anticipated in the City’s Comprehensive Plan FLUM MU-C Cut Sheet. Rezoning of “Future Development” areas not detailed in this application (*graphics on pages 2 and 4, above*) is also proposed in anticipation of forthcoming subdivision and development proposals.



THE PRELIMINARY PLATS

The following Site Data Table provides specific information for the *Apex Northwest* and *Southeast* preliminary plats depicted on the following page, as well as a combined summary. From the applicant’s perspective, they are a single project, and will be marketed as such—as *Pinnacle*. A conceptual phasing plan is provided along with the appended project drawings and exhibits listed on page 12.

SITE DATA TABLE	APEX-NW	APEX-SE	COMBINED PRE-PLATS
Residential Lots	120	237	357
Commercial Lots	11	2	13
Common Lots	14	30	44
Shared Driveway Lots	---	10	10
Minimum Residential Lot Size	2,863 sf	4,840 sf	---
Average Residential Lot Size	3,885 sf	7,058 sf	---
Total Site Area	41.74 acres	81.64 acres	123.38 acres
Acreage of Qualified Open Space	6.33 acres	10.79 acres	17.12 acres
Percentage of Qualified Open Space	15.17% *	13.22% *	13.88% *
Gross Density	5.62 du/ac	3.75 du/ac	4.22 du/ac
Net Density	11.21 du/ac	6.17 du/ac	7.27 du/ac

* Includes area within R-15 and C-C zoned parcels



BRIGHTON
CONCEPTUAL, SUBJECT TO CHANGE

APEX SUBDIVISION

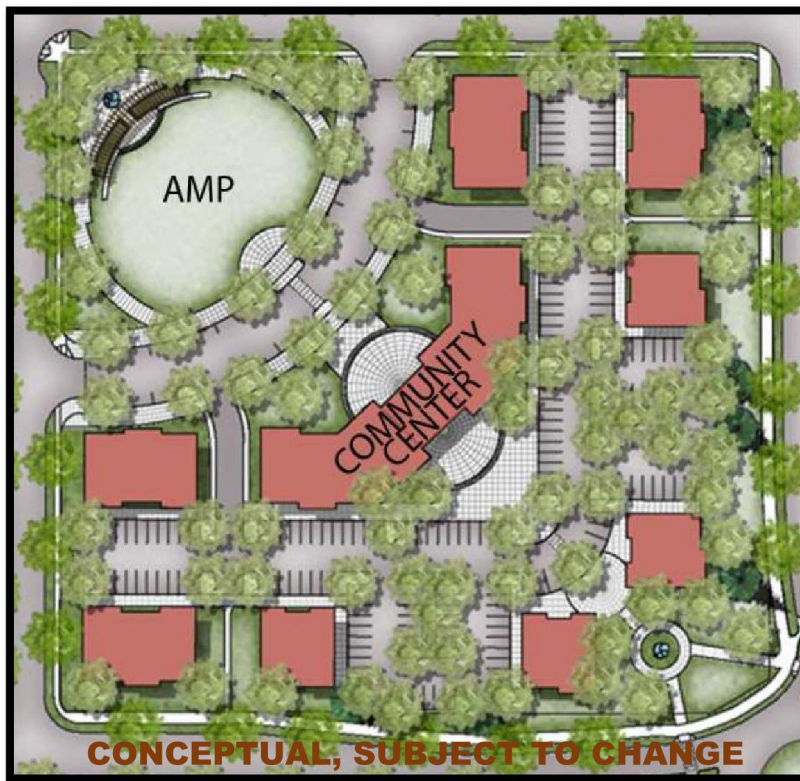
Open Space & Amenities

As noted in the Site Data Table on page 5, above, and depicted in the *A-NW* and *A-SE* Qualified Open Space composite on page 10, the combined “qualified open space” for this project is 13.88%, exceeding the UDC’s 10% requirement. The qualified open space calculation is for the entire 123.38-acre site, including the C-C-zoned parcels which are subject to future development applications.

In accordance with UDC Section 11-3G-3A, two project amenities are required for *A-NW* and four are required for *A-SW*. The following are proposed:

Apex Northwest

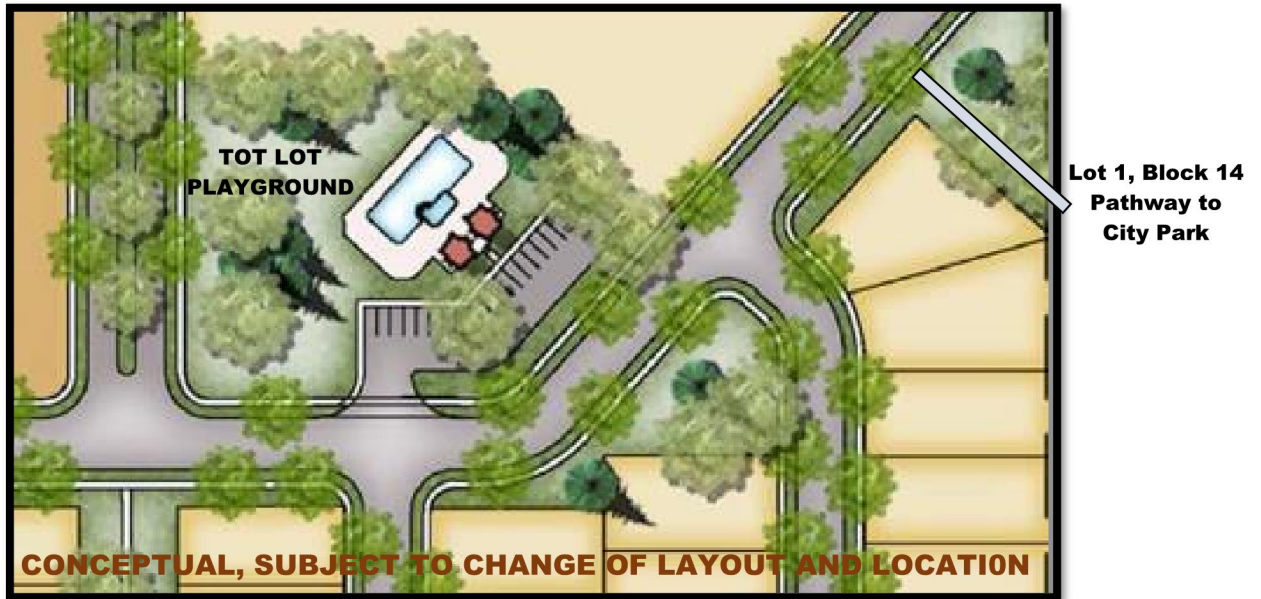
- Community Center for the overall project (*Lots 9-10, Block 7*)
 - Clubhouse
 - Central community post office
 - Café
 - Library/business center
 - ...and more—to be determined with design and programming prior to CZC/DR



- Community gathering amphitheater (*Lot 1, Block 7*) [*Conceptual, subject to change*]
 - Open lawn with perimeter hardscape
 - Performance platform
- Additional qualified open space
 - At 10%, a minimum of 4.174 acres is required; a total of 6.33 acres is provided
 - The 2.16-acre “excess” (94,090 s.f.) qualifies as an additional amenity (*UDC 11-3G-3C.1f*)

Apex Southeast

- Community pool – Lot 2, Block 9 (*UDC Section 11-3G-3C.2a*) [*Conceptual, subject to change of layout and location*]



- Tot lot playground – Lot 2, Block 9 (*UDC Section 11-3G-3C.2b*)
- Pathway accesses to City of Meridian’s Discovery Park – Lots 1, above, & 31, Block 14, below

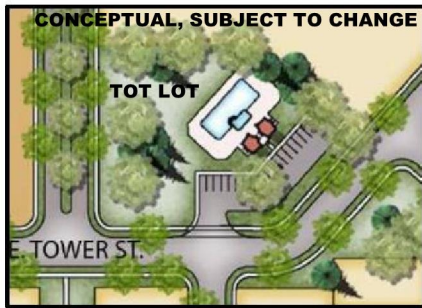


- Additional qualified open space (*UDC 11-3G-3C.1f*)
 - At 10%, a minimum of 8.16 acres is required; a total of 10.79 acres is provided
 - The 2.63-acre “*excess*” (114,562 s.f.) qualifies as an additional amenity (*UDC 11-3G-3C.1f*)

**(APEX NORTHWEST
COMMUNITY POOL
FUTURE PHASE)**

**FUTURE
SCHOOL
SITE**

COMMUNITY CENTER COMPLEX



**APEX SOUTHEAST
COMMUNITY POOL
AND TOT LOT
PLAYGROUND**



APEX SUBDIVISION Open Space Composite

Development Agreement Modification

The project is subject to the development agreements executed in early 2016 with the City-initiated annexation (*South Meridian H-2015-0019 DA*). That action anticipated amendment of the DA's "to approve any proposed development plan," (Section 5.1.4 of each DA, below) as well as the rezoning required by that development plan—rezoning, as cited on pages 3 and 4 of this narrative, which fully complies with the City's newly-adopted Comprehensive Plan FLUM.

- Brighton Investments LLC – Instrument No. 2016-007072
- SCS Brighton LLC – Instrument No. 2016-007073
- Murgoitio Limited Partnership – Instrument No. 2016-007074

(Property ownership information/addresses are the same as those in the original referenced DA's)

No specific DA Agreement language changes to the referenced DA's are proposed at this point in the process. However, changes are anticipated, potentially, to the provisions of Section 3. Definitions and Section 4. Uses Permitted by This Agreement, but definitely to the provisions of Section 5. Conditions Governing Development of the Property.

Subsequent to City Council approval of the project and the site-specific conditions of approval, the applicant will work with City planning and legal staff to craft the required modifications to each of the applicable development agreements. Those modifications will, following execution, be presented to the Council for approval.

Section 5.1.4 of all three development agreements states that the "first such" application for DA amendment is at no cost to the applicant. Thus, no fee is provided for the DA modifications.

Per **Section 5.1.5**, that "no cost" provision for re-zoning also applies to "the first such application" to the referenced Brighton Investments LLC and SCS Brighton LLC properties. However, there is no such section in the Murgoitio DA, whether by oversight or intent.

While there are no fees associated with the "first such" Brighton, and, possibly, Murgoitio, rezoning, annexation/rezone fees do apply to Lot 4, Block 1, Shafer View Estates Subdivision and are included.

"THE FUTURE"

Nearly three-quarters of the area depicted conceptually in this application is "future development." Even so, the rezoning proposed for that "future" is essential to assure development in context with the City's Comprehensive Plan FLUM. All project proposals and preliminary plats within those respective zones will be the subject of future neighborhood meetings and public hearings.

Significant "future" project elements will be schools (*Concept Plan/graphic, pages 2, 7 & 10*) and an extensive pedestrian circulation system (*Concept Plan, page 2*) connecting the larger community with the City's Discovery Park. The Williams Pipeline corridor is the heart of that system with appendages along canals which intersect that corridor. The pipeline passes through the northeast edges of the *A-NW* and *A-SE* preliminary plats within parcels not yet detailed for development.

A formal Pedestrian Circulation Plan will be developed in concert with the City's Pathways Manager and submitted with development proposals for either of those corridor parcels, or the larger "future development" area to the northwest.

IN CONCLUSION

Based on the foregoing, as supported by the accompanying applications and documentation, we request approval of *Apex Subdivision*; specifically, the proposed rezoning and *Apex Northwest* and *Apex Southeast* preliminary plats, and the annexation and zoning of Lot 4, Block 1, Shafer View Estates Subdivision.

If you or your staff have questions, or require additional information, please let me know for expedited response.

For Brighton et al

SIGNATURE NEXT PAGE

Michael D. Wardle
Director of Planning

APPENDED ELECTRONIC FILES, DRAWINGS & EXHIBITS

- Project Application Narrative
- Development Review Application
- Annexation/Rezone Application Checklist
- DA Modification Application Checklist
- Apex Northwest Preliminary Plat Checklist
- Apex Southwest Preliminary Plat Checklist
- Legal Descriptions – Annexation & Zoning (9)
- Deeds (10 Deeds Plus Key Map)
- Affidavits of Legal Interest (6)
- Vicinity Maps
 - Total Project Area/Zoning
 - Apex Northwest
 - Apex Southeast
- Drawings / Exhibits
 - Preliminary Plats (2 – A-NW & A-SE)
 - Landscape Plans (2 – A-NW & A-SE)
 - Qualified Open Space (2 – A-NW & A-SE)
 - Elevations – Residential & Commercial
 - Phasing Plan (2 – A-NW & A-SE)
 - Conceptual Master Plan (Overall & Core Area)
 - Conceptual Engineering Plans (Direct “Send” by KM Engineering)
- Miscellaneous
 - Pre-Application Meeting Notes
 - Neighborhood Meeting – 2 Sign-in Sheets & Meeting Invitation
 - Commitment to Post
 - Subdivision Name Approval
 - Seasonal Groundwater Information (2 Reports)
 - Traffic Impact Study

IN CONCLUSION

Based on the foregoing, as supported by the accompanying applications and documentation, we request approval of *Apex Subdivision*; specifically, the proposed rezoning and *Apex Northwest* and *Apex Southeast* preliminary plats, and the annexation and zoning of Lot 4, Block 1, Shafer View Estates Subdivision.

If you or your staff have questions, or require additional information, please let me know for expedited response.

For Brighton et al,



Michael D. Wardle
Director of Planning