

Project Name - Apex Zenith

Hearing Date - December 19, 2024

Planner - Nick Napoli

Request(s) -

Rezone of 71.44-acres from R-4 (Low to Medium Density Residential) to C-G (General Retail and Service Commercial District) zoning district.

Annexation of 77.71-acres from RUT zoning in Ada County to C-G (19.19 acres) and R-15 (58.52 acres) zoning districts.

A development agreement modification to replace the current DA (#2016-007072) to include a general concept plan and transportation network in a new DA, by Brighton Corporation.

Project Location - Generally located at the southeast corner of S. Meridian Road and E. Lake Hazel Road in the east $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of Section 6, T.2N., R.1E.



Type of Review Requested

Hearing

File number:	H-2024-0052
Assigned Planner:	_____
Related Files:	_____

Applicant Information

Applicant name: AMANDA MCNUTT, BRIGHTON CORP Phone: _____
 Applicant address: 2929 W NAVIGATOR DR. SUITE 400, MERIDIAN, ID 83642 Email: amcnutt@brightoncorp.com

Owner name: JON WARDLE, BRIGHTON DEVELOPMENT INC Phone: 2083784000 Fax: _____
 Owner address: 12601 W EXPLORER DR, SUITE 200, BOISE, ID 83713 Email: _____

Agent name (e.g. architect, engineer, developer, representative): AMANDA MCNUTT
 Firm name: BRIGHTON CORP Phone: _____ Fax: _____
 Address: 2929 W NAVIGATOR DR. SUITE 400 Email: amcnutt@brightoncorp.com

Contact name: _____ Phone: _____ Fax: _____
 Contact address: _____ Email: _____

Subject Property Information

Location/street address: _____
 Assessor's parcel number(s): S1406223153
 Township, range, section: 2N1E6

Project Description

Project/Application Name: Apex Zenith - AZ, RZ
 Description of Work: Annexation & Zoning of 77.71 acres with C-G and R-15 zoning, Rezone of 71.7 acres from R-4 to C-G, and Development Agreement to supersede a portion of the South Meridian Annexation H-2015-0019, Instrument #2016-007072.

Application Information

APPLICATION TYPES	
Is this application exempt from fees?:	No
Annexation and Zoning - AZ:	CHECKED
Rezone - RZ:	CHECKED
ADDRESS VERIFICATION	
Address Verification Permit Number:	LDAV-2024-0728
TYPE OF USE PROPOSED	
Commercial:	CHECKED
Multi-Family:	CHECKED
PROPERTY INFORMATION	
General Location:	SEC Meridian Rd and Lake Hazel
Current Land Use:	R-4
Total Acreage:	141.66
Prior Approvals (File Numbers):	PREAPP-2024-0131
Traffic Study Required per ACHD:	Yes
Has a traffic study been accepted by ACHD:	Yes
ZONING DISTRICT(S)	
R-4:	CHECKED
County:	CHECKED
PROJECT INFORMATION	
What was the date of your pre-application meeting?:	08/20/2024
Pre-Application Permit Number (ex PREAPP-2021-0001):	PREAPP-2024-0131
What was the date of your neighborhood meeting?:	09/19/2024
In Reclaimed Water Buffer:	No
PROPERTY POSTING	
I agree to comply with the Commitment of Property Posting regulations per UDC 11-5A-6D:	CHECKED
AZ / RZ ONLY	
R-15:	CHECKED
Acreage - R-15:	58.52
C-G:	CHECKED
Acreage - C-G:	71.44, 19.19
TIME EXTENSION INFORMATION	
Number of months extension:	24
PLAN REVIEW	
Verified submittal standards and checklist items:	CHECKED
Verify that all drawings/documents will be uploaded in Project Dox as Individual PDF's:	CHECKED

APPLICATION DISCLAIMER	
I have read and accept the above terms:	CHECKED
Your signature:	Amanda McNutt
MISC	
Is new record:	No

October 8, 2024 (*UP-DATED GRAPHICS*)

C. Caleb Hood, Deputy Director
Community Development Services
Meridian City Hall

RE: Apex Zenith – Annexation, Rezoning, Development Agreement & Access Waiver

Dear Mr. Hood:

Apex Zenith, a regionally scaled mixed-use commercial, retail/service, and residential project located at the southeast corner of Meridian Road and Lake Hazel Road will be the principal commercial component of Brighton’s *Pinnacle* community (*see Attachments A & B, narrative pages 10 & 11*).



The “First Step”

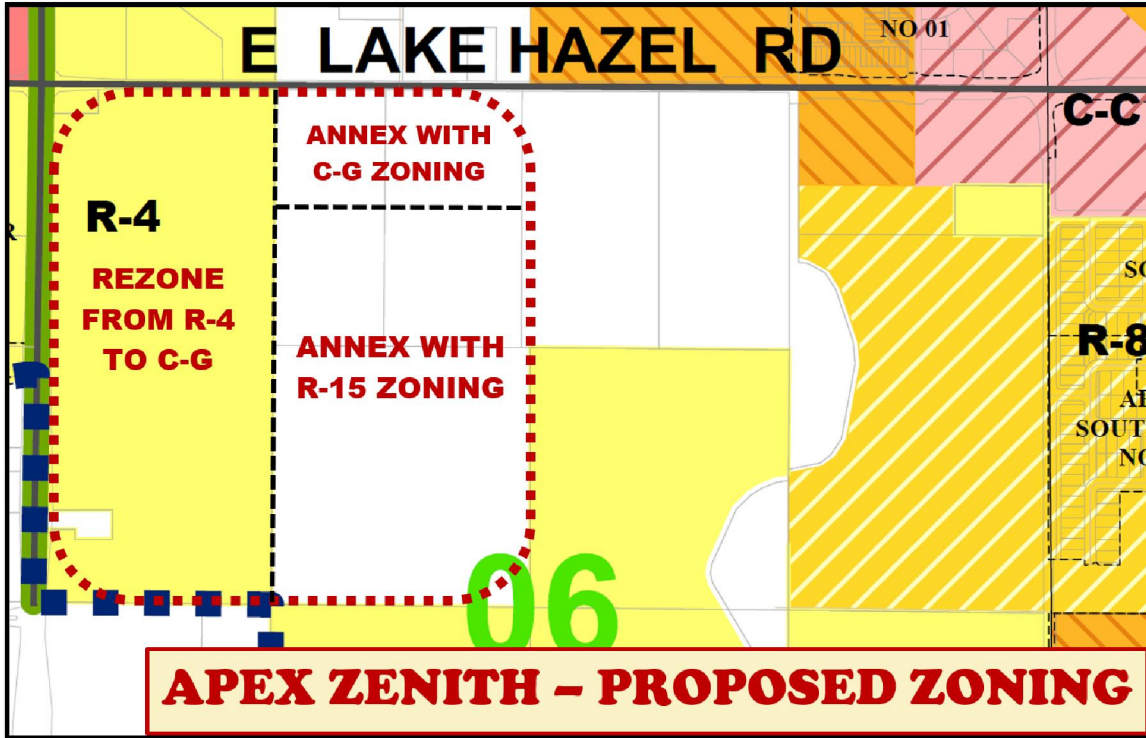
The *Apex Zenith* development process begins with rezoning and annexation applications, a new development agreement, and arterial access waivers:

- Rezoning of the 71.7-acres annexed in 2016 from R-4 to C-G;
 - *South Meridian Annexation H-2015-0019; DA Instr. #2016-007072, recorded 01/27/2016*
 - Annexation of three parcels encompassing 77.71 acres with C-G & R-15 zoning;
 - City Council approval of a new Development Agreement to supersede a portion of the DA noted above, with a conceptual plan denoting land uses and transportation network.
 - City Council approval of access waivers for the proposed Meridian Road and Lake Hazel Road public street and private drive aisle intersections. (*See Street and Drive Aisle graphic, page 6*)
- ... followed by Property Boundary Adjustments to create the initial commercial building sites.

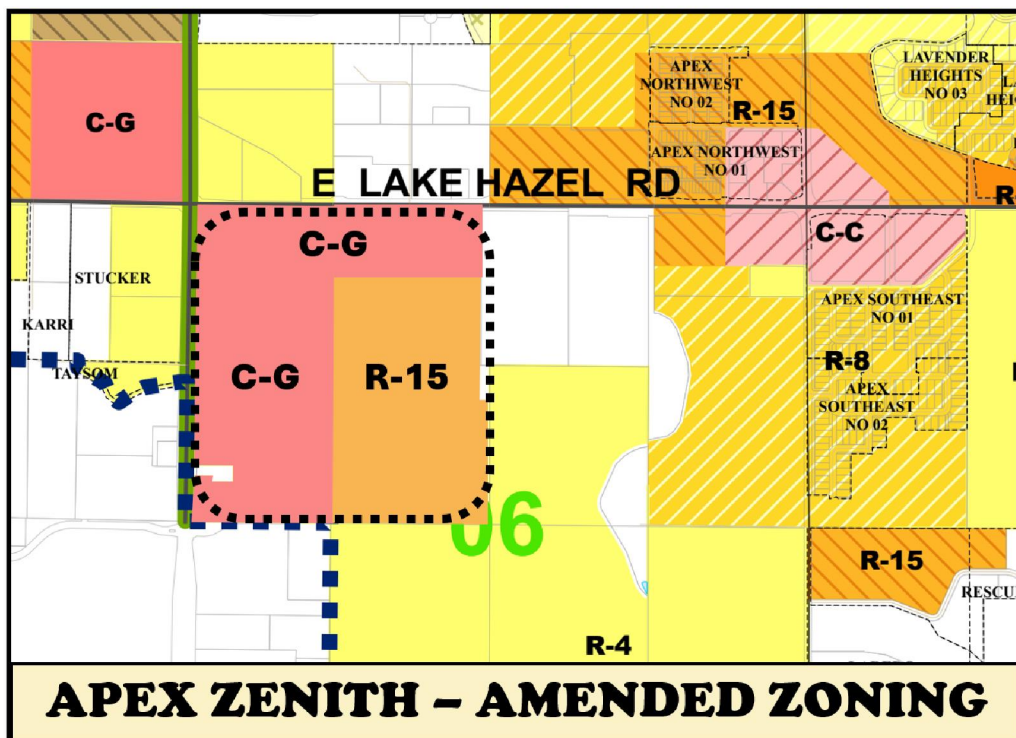
“Second Step” site planning and subdivision platting—encompassing the entire project—will follow the PBA process (*pgs. 4-6*) through subsequent development applications and DA modification.

ANNEXATION & ZONING

In 2016, the western half of *Apex Zenith* was zoned R-4 at annexation. It is now proposed to be rezoned C-G in compliance with the *Mixed Use-Regional* land-use designation. Annexation of the eastern half is proposed with C-G and R-15 zoning: The northern portion spanning the Rawson Canal (approximately 11 developable acres) will be zoned C-G, with remainder zoned R-15.



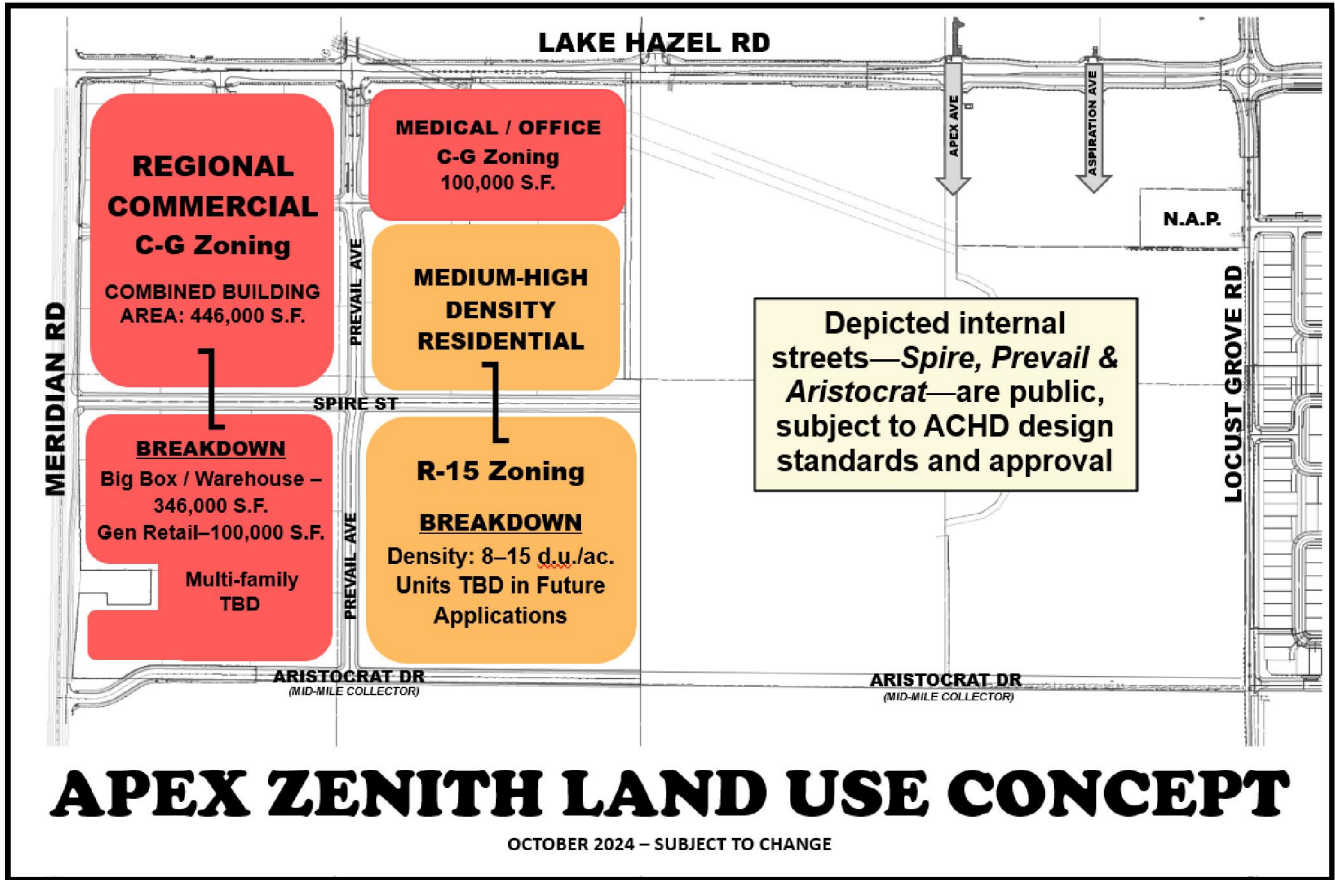
Proposed zoning is generally depicted by the following (see accompanying legal descriptions):



DEVELOPMENT AGREEMENT

The western half of *Apex Zenith* was one of four Brighton parcels subject to the DA executed by the City’s 2015 South Meridian annexation (*H-2015-0019 DA; Brighton Investments, LLC – Parcel No. 1; Instrument No. 2016-007072, Recorded 01/27/2016*).

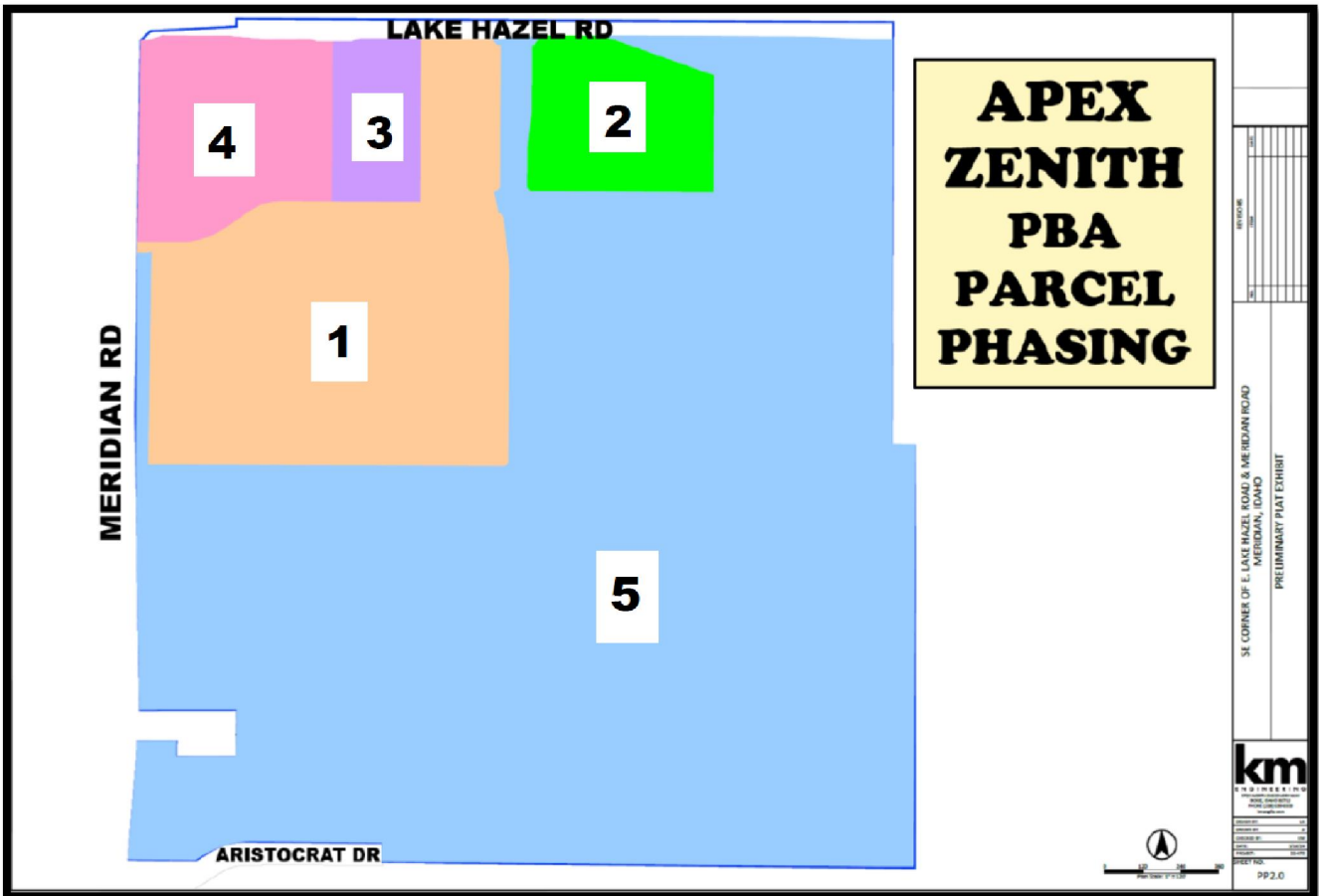
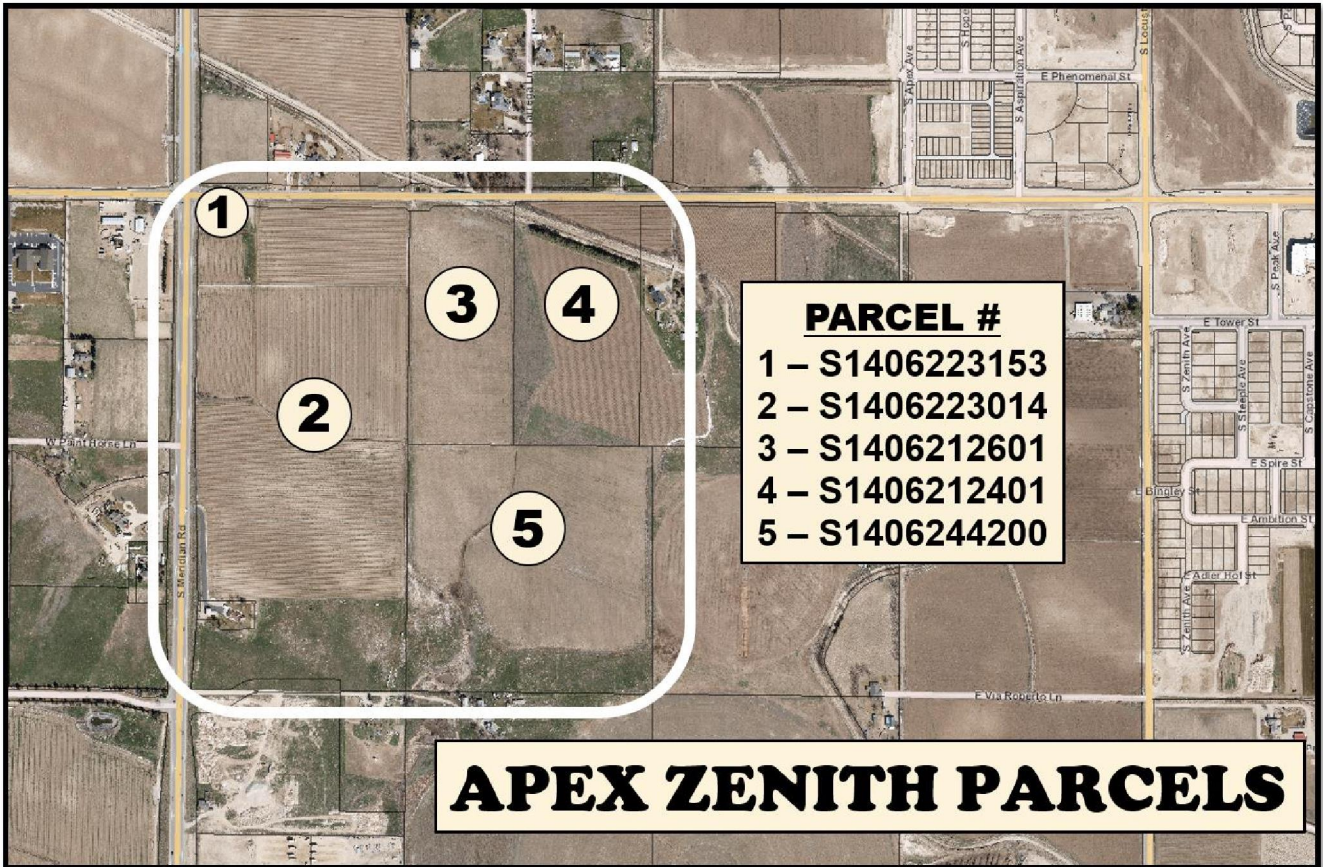
A “new” *Apex Zenith* development agreement—for a single mixed-use project encompassing the entire *MU-RG/MHDR Apex Zenith footprint*—is proposed to supersede the existing DA by combining the previously-annexed parcel with the three 77.71-acre annexation parcels. The *Apex Zenith* Land Use Concept’s proposed uses, intensities and densities will be the new DA’s guide for the subsequent planning process and subdivision platting approvals for the mixed-use project.



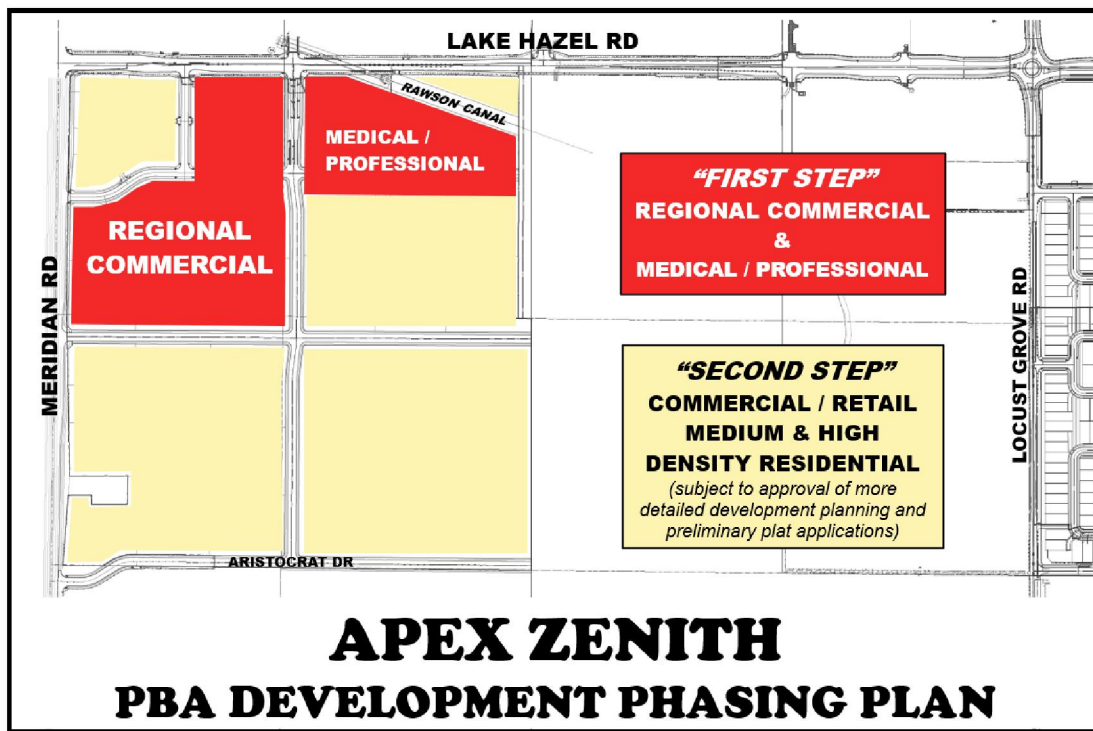
REGIONAL COMMERCIAL / PROPERTY BOUNDARY ADJUSTMENT

The requested C-G rezoning of the western half of *Apex Zenith*, plus the limited MU-R “float” to the east, will enable the permitting of the first significant commercial development to serve the *Pinnacle* community, and surrounding area. Following annexation of the eastern half of the project, the five existing parcels of record (*listed below and graphically on the following page*) will be modified through the *Property Boundary Adjustment (PBA)* process to configure the site for the proposed uses (*see PBA Parcel Phasing exhibit, next page*).

- Previously annexed parcels: S1406223153 & S1406223014
- Proposed annexation parcels: S1406212601, S1406212401 & S1406244200

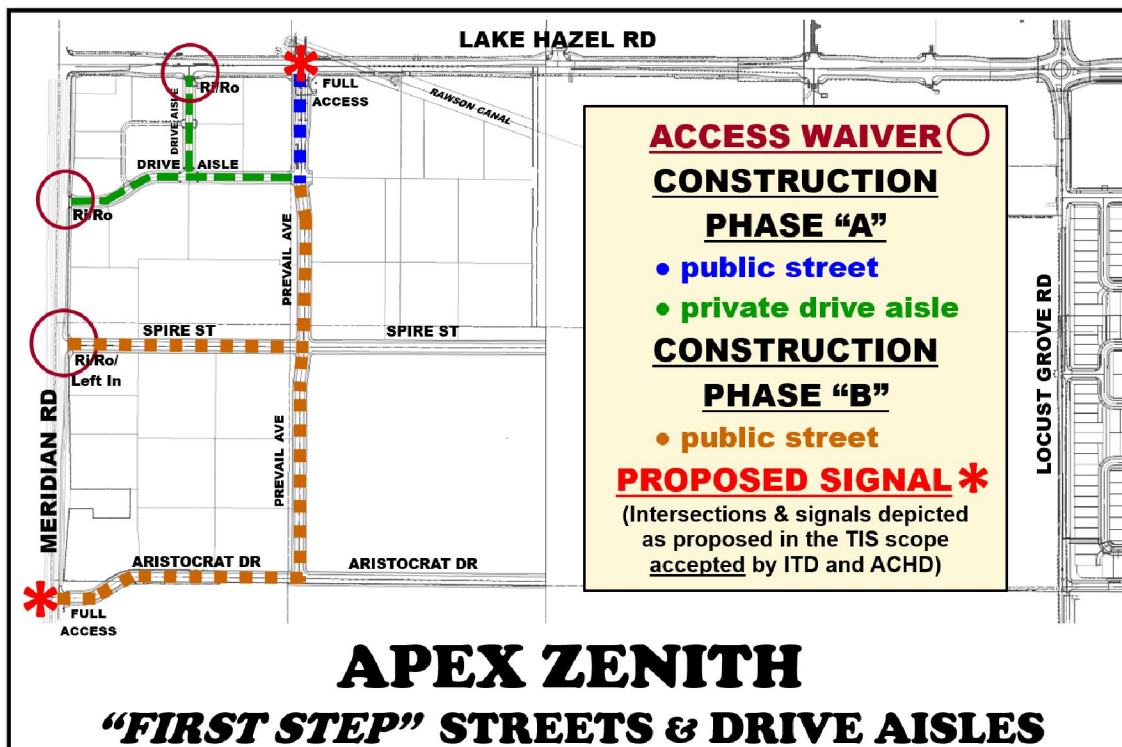


Approval of the rezoning and annexations applications, the new DA, and arterial access waiver—along with the PBA modifications noted on the prior pages—achieves the primary development objective: The creation of building sites for a regional commercial user (*construction to begin in 2025 for a 2026 opening*) with “*frontage*” toward Meridian Road, and a medical facility oriented to Lake Hazel, as depicted.



STREET SYSTEM & ACCESS WAIVERS

City Council waivers of UDC Sections 11-3A-3 & 11-3F-4A.2, as applicable, are requested for the project-essential public and private drive aisle intersections depicted in this “*First Step*” graphic:



The “**SECOND STEP**”

Detailed planning for the entirety of *Apex Zenith* will follow the “**First Step**” approvals. The MU-R & MHDR designations are to be combined, and designated as a single mixed-use project—by development agreement—as noted in the page 4 discussion.

The “**Second Step**” will focus on the implementation of the Comprehensive Plan’s *Mixed Use Regional* principles, including the following, directly from pages 3-22 and 3-23:

PURPOSE

“The purpose of this designation is to provide a mix of employment, retail, residential dwellings, and public uses near major arterial intersections.”

OBJECTIVE

“The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses.”

GOALS (underline emphasizes the Comprehensive Plan’s “guiding vision”—not absolutes)

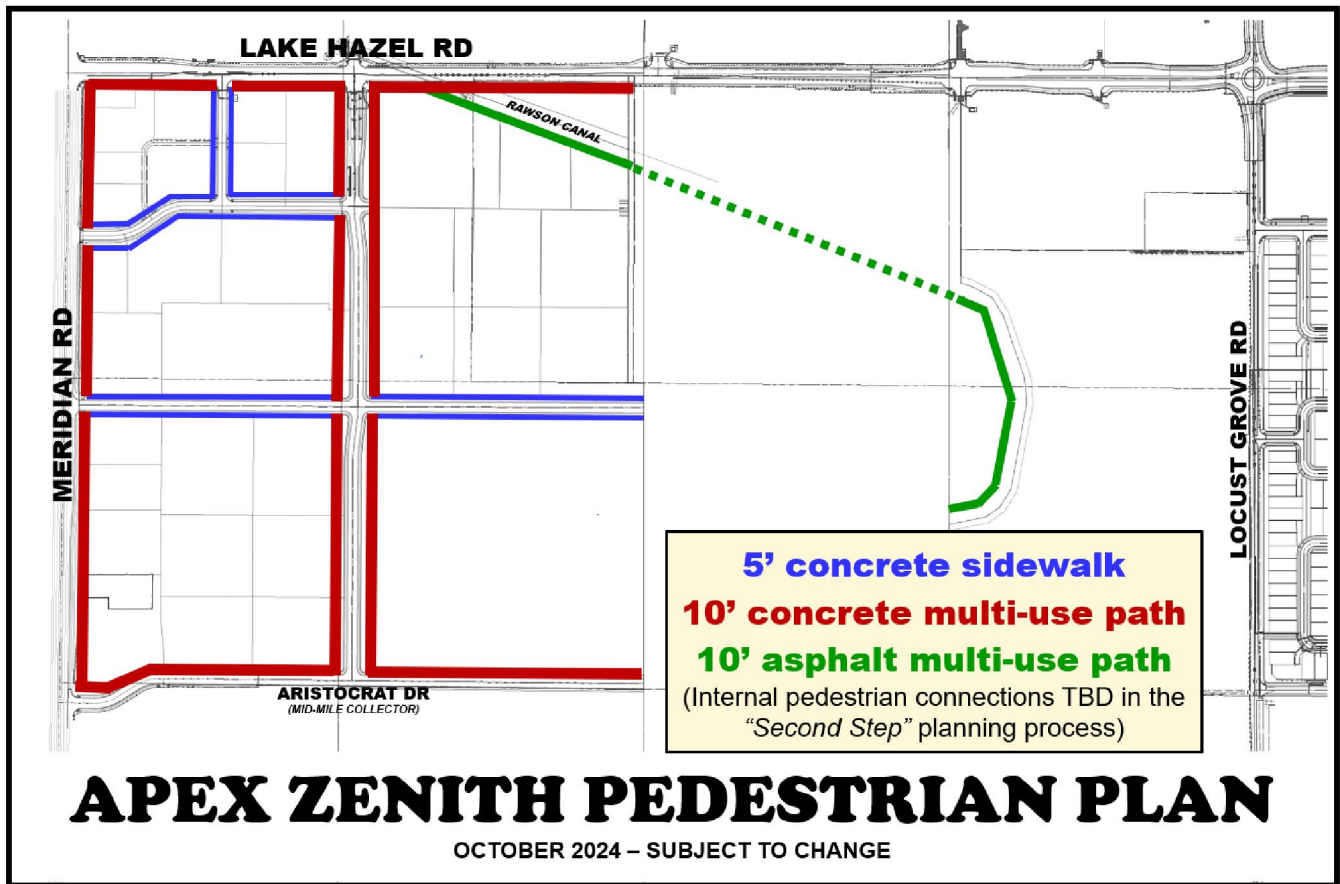
“Residential uses are expected to comprise between 10% and 30% of the development area, with gross densities ranging from 6 to 40 units/acre (of the residential area).”

“The minimum for non-retail commercial uses such as light-office, office, clean industry, or entertainment uses, is 20% of the mixed use area.”

“Retail commercial uses should comprise a maximum of 50% of the development area.”

The “**Second Step**” integration of commercial / retail, service, employment, civic, and residential uses will be applied over the entire *Apex Zenith* mixed-use footprint, as memorialized in the development agreement, taking into consideration the following:

- Retail commercial as the predominant use for the western half of the project.
- The C-G zone “float,” spanning the Rawson Canal, featuring medical / professional uses.
- The MHDR R-15-zoned area comprising approximately 40% of the project. Densities of the future medium- and high-density residential projects will range from 8 to 15 units per acre within that zone, and substantially greater densities yet to be determined within the C-G zone.
- Open space, arterial and collector landscape buffers, amenities, plazas, and public spaces.
- Retail / non-retail commercial use and residential density variations to the mixed-use standards.
- Project Design Elements—a “**Second step**” activity—will be addressed in a project-specific Design Guidelines document detailing use standards, site design, landscape / hardscape elements, signage, and building architecture.
- Pedestrian/pathway systems, beginning with the concept on the following page, will be expanded by internal pedestrian connections determined during the “**Second Step**” site planning process.



- Public infrastructure:
 - ITD and ACHD transportation system (See “**First Step**” Street and Drive Aisle graphic, page 6 for internal project roadway improvement phasing)
 - When ITD acquired additional Highway 69 right-of-way in 1998 (*Instrument No. 98110535, recorded November 17, 1998*) the conveyance granted “...three points of access to be located on the right (easterly) side...of said Highway...”
 - The TIS process has been initiated with ITD and ACHD based on the commercial and residential land uses and transportation system and intersections depicted in the Land Use Concept on page 4. That includes two of the three Highway 69 accesses granted by ITD south of Lake Hazel: A right-in/right-out/left-in 1/4 mile south; and a right-in/right-out approximately 1/8 mile south. (*Street and Drive Aisle graphic, page 6*)
 - Further, through ACHD’s CDA process, Brighton is currently improving Lake Hazel Road to its full five-lane build-out from Locust Grove to Meridian Road/SH 69 with two accesses: A right-in/right-out at the 1/8th mile, and a full access at the 1/4 mile. Completion: October 2024. (*Street and Drive Aisle graphic, page 6*)
 - Construction plans for the first phase of Aristocrat Drive, the mid-mile collector along the project’s south boundary have been completed, reviewed, and approved by both ACHD and ITD. The TIS specifically notes the proposed signalization of that full-access intersection in the future.

- Utility systems
 - Water and sewer system improvements required for the development of *Apex Zenith*, and surrounding properties, have been completed in conjunction with the Lake Hazel Road CDA. Both were sized to the City’s long-term system planning requirements.

IN CONCLUSION

Based on the foregoing, we respectfully request approval of *Apex Zenith’s “First Step”* applications, development agreement, and access waivers.

Specifically . . .

- Rezoning of the previously-annexed 71.7-acre property from R-4 to C-G.
- Annexation and zoning of an additional 77.71 acres with C-G and R-15 zoning.
 - *Total combined C-G zoning: 90.63 acres (to Meridian Road and Lake Hazel Road centerlines).*
 - *Total R-15 zoning: 58.52 acres.*
- City Council approval of the development agreement for a mixed-use project covering the entire 141.66-acre* site.
 - **Legal description to property line (excludes Meridian Road and Lake Hazel Road ROW).*
- City Council approval of access waivers for the proposed Meridian Road and Lake Hazel Road public street and private drive aisle intersections.

. . . *to be followed immediately by the PBA process discussed on pages 4–6.*

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

For Brighton Development, Inc.

Jonathan D. Wardle, President

Attachments: A – The Pinnacle Community
B – Apex Zenith

ATTACHMENT A – THE PINNACLE COMMUNITY



ATTACHMENT B - APEX ZENITH



