

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



In the Matter of the Request for Modification to the Existing Development Agreement (Inst. #2024-063338), Provision #5.1(e), for Burnside Ridge Estates Subdivision to Allow a 5-Foot-Wide Detached Sidewalk instead of a 10-Foot-Wide Detached Multi-Use Pathway along the East Side of the Northern Portion of the Collector Street (S. Farmyard Ave.) Connecting to W. Victory Rd., by Givens Pursley.

Case No(s). H-2026-0019

For the City Council Hearing Date of: July 28, 2026 (Findings on August 11, 2026)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 28, 2026, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 28, 2026, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 28, 2026, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 28, 2026, incorporated by reference)

B. Conclusions of Law

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

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 28, 2026, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for a modification to the existing development agreement is hereby approved per the conditions of approval in the Staff Report for the hearing date of July 28, 2026, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of July 28, 2026

By action of the City Council at its regular meeting held on the _____ day of _____, 2026.

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

Mayor Robert E. Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



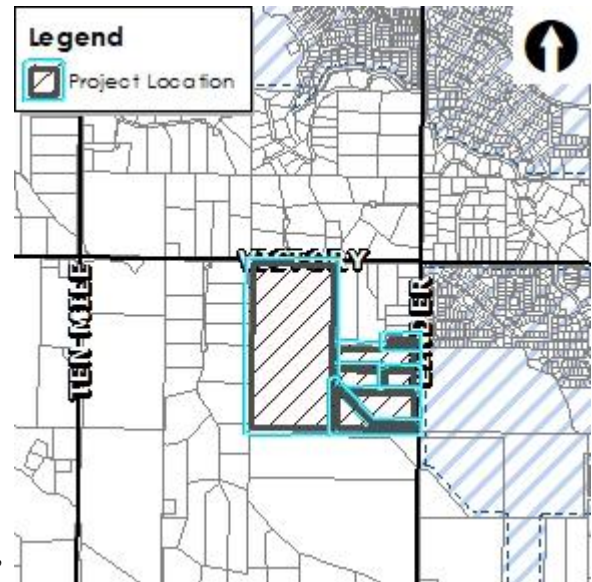
HEARING DATE: July 28, 2026

TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2026-0019
Burnside Ridge Estates

APPLICANT: Givens Pursley

LOCATION: Generally located a 1/4 mile west of S. Linder Rd. on the south side of W. Victory Rd., in the NE 1/4 of Section 26, T.3N., R.1W.



I. PROJECT OVERVIEW

A. Summary

Modification to the existing Development Agreement (Inst. #2024-063338), provision #5.1(e), to allow a 5-foot-wide detached sidewalk instead of a 10-foot-wide detached multi-use pathway along the east side of the northern portion of the collector street (S. Farmyard Ave.) connecting to W. Victory Rd.

B. Recommendation

Staff: Approval

C. Decision

City Council: Approved

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II. COMMUNITY METRICS

Table 1: Land Use

Description	Details
Acreage	121.31
Future Land Use Designation	Low Density Residential (LDR) (41.2-acres) & Medium Density Residential (MDR) (80-acres)
Current Zoning	R-2, R-4 and R-8
Existing/Proposed Land Use(s)	Rural residential/agricultural (existing); single-family detached dwellings (proposed)
History (previous approvals)	H-2023-0055 Burnside Ridge Estates Subdivision (AZ, PP); FP-2025-0013 (phase 1); FP-2025-0021 (phase 2); FP-2026-0012 (phase 3); and FP-2026-0013 (phase 4)

Table 2: Process Facts

Description	Details
Preapplication Meeting date	3/24/2026 (PREAPP-2026-0041)
Neighborhood Meeting	4/2/2026

Note: See section IV. City/Agency Comments & Conditions for comments received or see the public record.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. History

Burnside Ridge Estates Subdivision was annexed and received preliminary plat approval in 2024, followed by subsequent final plat approvals in 2025 and 2026.

As part of the annexation process, the applicant entered into a Development Agreement (DA) (recorded as Inst. #2024-063338) that includes provisions governing future development of the property. Among other provisions, future development is required to incorporate 10-foot-wide detached sidewalks/multi-use pathways within required street buffers along all collector and arterial streets within and abutting the site.

B. General Overview

The Applicant requests approval of a modification to the existing Development Agreement (Inst. # 2024-063338), provision #5.1(e), to allow a 5-foot-wide detached sidewalk instead of a 10-foot-wide detached sidewalk/multi-use pathway along the east side of the northern portion of the collector street (S. Farmyard Ave.) connecting to W. Victory Rd. The Applicant's proposed amendment is as follows:

A 10-foot-wide detached sidewalk/multiuse pathway shall be provided within the required street buffers along all collector and arterial streets within and abutting the site. Except that, along the east side of the northern segment of South Farmyard Avenue, a 5-foot-wide sidewalk shall be permitted. The northern segment is that portion of South Farmyard Avenue from West Victory Road south until South Farmyard Road curves to the west and is no longer adjacent to Ada County Tax Parcel No. S1226110255.

The Applicant originally proposed street sections consistent with that proposed with this application; however, Staff required a 10-foot-wide detached sidewalk/pathway consistent with

standard policy along collector and arterial streets. The intent of the requirement is to preserve public safety by providing an off-street area for bicycles in lieu of on-street bicycle lanes, as well as for pedestrians.

The Applicant is proposing to construct the full collector street section on the northern portion of the site rather than only the half + 12-foot street section typically required by ACHD because they want to provide safe pedestrian facilities on both sides of the street and a tree-lined entry to the subdivision. On-street dedicated striped bicycle travel lanes are proposed. The area where the 5-foot-wide sidewalk is proposed along the northern portion of the collector street and the area where the 10-foot-wide sidewalk is proposed along the southern portion of the collector street is delineated on the exhibit below in Section VI.A along with the proposed street sections in each area. Minimum 20-foot-wide travel lanes are required on either side of the planter islands at the entry of the subdivision to meet Fire Dept. access requirements, which may include 5-foot-wide bicycle travel lanes, per ACHD's report.

A landscape plan is included below in Section VI.B, which depicts the proposed street section improvements. As noted in the Applicant's narrative, when the property to the east redevelops, the City could require an additional 5-foot-wide sidewalk to be provided to widen the sidewalk to a total of 10 feet. Because there is approximately 2 feet between the sidewalk and the east property line, this would require permission from the subject property owner or the homeowner's association, as applicable, to accomplish this unless an easement is required to be granted to that property owner to do so.

To comply with the requirement, the Applicant states the collector street would need to shift to the west, reducing the depth of the lots along the west property boundary, which have 144' lot depths to act as a buffer to the existing adjacent rural residential properties. The lots along the west side of the collector street would also be reduced in depth, which would put the homes closer to the collector street.

Staff is amenable to the requested modification if determined appropriate by City Council since the Applicant has proposed to construct the full-street section, rather than a half street section.

Alternatively, the 10-foot-wide center planter island in the entry section of Farmyard Ave. and the on-street bicycle lanes could be removed to provide the sidewalk/pathway as required, while providing 20-foot-wide travel lanes to meet Fire Dept. access requirements. City Council may require this option if they deem it's not in the best interest of the City to approve the modification.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

- 1.1 The amended Development Agreement shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council approval of the Findings. The addendum shall incorporate the following change to provision #5.1e – all other provisions remain the same:

A 10-foot-wide detached sidewalk/multi-use pathway shall be provided within the required street buffers along all collector and arterial streets within and abutting the site. Except that, along the east side of the northern segment of South Farmyard Avenue, a 5-foot-wide sidewalk shall be permitted. The northern segment is that portion of South Farmyard Avenue from West Victory Road south until South Farmyard Road curves to the west and is no longer adjacent to Ada County Tax Parcel No. S1226110255.

B. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=448991&dbid=0&repo=MeridianCity>

V. ACTION

A. Staff:

Staff recommends approval of the requested Development Agreement Modification per the provisions included above in Section IV.

B. City Council:

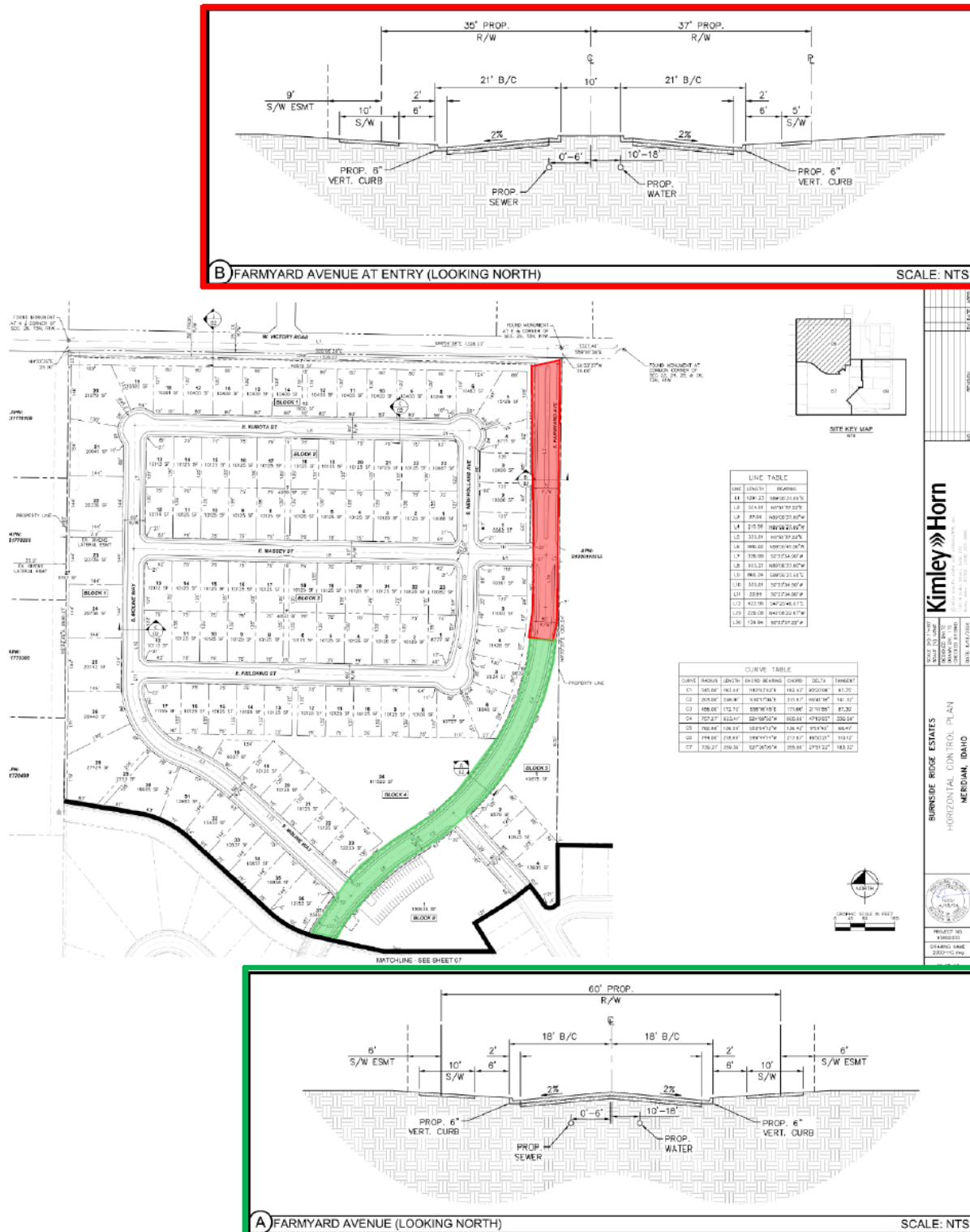
The Meridian City Council heard this item on July 28, 2026. At the public hearing, the Council moved to approve the subject MDA request.

1. Summary of the City Council public hearing:
 - a. In favor: Jeff Bower, Givens Pursley (Applicant's Representative)
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Jeff Bower, Givens Pursley (Applicant's Representative)
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. None
3. Key issue(s) of discussion by City Council:
 - a. None
4. City Council change(s) to Commission recommendation:
 - a. None

VI. EXHIBITS

A. Preliminary Plat and Street Sections

Exhibit A – Preliminary Plat and Street Sections



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