

BEFORE THE MERIDIAN CITY COUNCIL

HEARING DATE: 7/25/2023
ORDER APPROVAL DATE: 8/8/2023

IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 43 BUILDING)
LOTS AND SEVEN (7) COMMON)
LOTS ON 8.80-ACRES OF LAND IN)
THE R-15 AND C-C ZONING)
DISTRICTS FOR LENNON POINTE)
SUBDIVISION)
)
BY: RODNEY EVANS +)
PARTNERS, LLC)
APPLICANT)
_____)

CASE NO. FP-2023-0004

ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT

This matter coming before the City Council on July 25, 2023 for final plat approval pursuant to Unified Development Code (UDC) 11-6B-3 and the Council finding that the Administrative Review is complete by the Planning and Development Services Divisions of the Community Development Department, to the Mayor and Council, and the Council having considered the requirements of the preliminary plat, the Council takes the following action:

IT IS HEREBY ORDERED THAT:

1. The Final Plat of “PLAT SHOWING LENNON POINTE SUBDIVISION, SITUATE IN GOVERNMENT LOT 4, SECTION 1 TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2023, HANDWRITTEN DATE: 7/18/2023, by RONALD M. HODGE,

ORDER OF CONDITIONAL APPROVAL OF FINAL PLAT
FOR LENNON POINTE SUBDIVISION FP-2023-0004

PLS, SHEET 1 OF 6,” is conditionally approved subject to those conditions of Staff as set forth in the staff report to the Mayor and City Council from the Planning and Development Services divisions of the Community Development Department dated July 25, 2023, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from Ben Semple, Rodney Evans + Partners, LLC, a true and correct copy of which is attached hereto marked “Exhibit B” and by this reference incorporated herein.

2. The final plat upon which there is contained the certification and signature of the City Clerk and the City Engineer verifying that the plat meets the City’s requirements shall be signed only at such time as:
 - 2.1 The plat dimensions are approved by the City Engineer; and
 - 2.2 The City Engineer has verified that all off-site improvements are completed and/or the appropriate letter of credit or cash surety has been issued guaranteeing the completion of off-site and required on-site improvements.

NOTICE OF FINAL ACTION

AND RIGHT TO REGULATORY TAKINGS ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code § 67-8003, the Owner may request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at

issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that this is a final action of the governing body of the City of Meridian, pursuant to Idaho Code § 67-6521. An affected person being a person who has an interest in real property which may be adversely affected by this decision may, within twenty-eight (28) days after the date of this decision and order, seek a judicial review pursuant to Idaho Code§ 67-52.

By action of the City Council at its regular meeting held on the _____ day of _____, 2023.

By:

Robert Simison
Mayor, City of Meridian

Attest:

Chris Johnson
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By:_____ Dated:_____

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



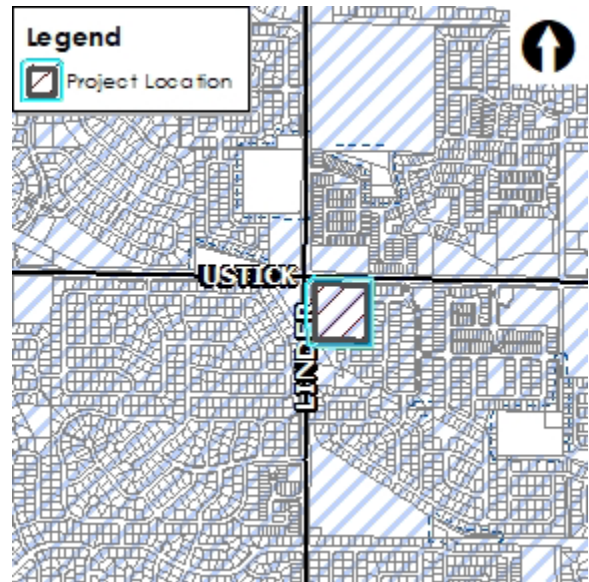
HEARING DATE: 7/25/2023

TO: Mayor & City Council

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

SUBJECT: Lennon Pointe Subdivision – FP
[FP-2023-0004](#)

LOCATION: Southeast corner of N. Linder Rd. and W. Ustick Rd., in the NW 1/4 of Section 1, T.3N., R.1W.



I. PROJECT DESCRIPTION

Final Plat consisting of 43 buildable lots (41 single-family, 1 multi-family and 1 commercial) and 7 common lots on 8.80 acres of land in the C-C and R-15 zoning districts.

Alternative Compliance is requested to UDC 11-3B-7C, which requires a minimum density of one (1) tree per 35 linear feet to be planted within the street buffer along N. Linder Rd.; and UDC 11-3B-12C, which requires a minimum of one (1) tree per 100 linear feet of pathway, to allow trees to be located outside of the Kellog Drain & Creason Lateral easements in which trees are prohibited.

II. APPLICANT INFORMATION

A. Applicant:

Benjamin Semple, Rodney Evans + Partners, LLC – 1450 W. Bannock St., Boise, ID 83702

B. Owner

Lane Development, LLC – P.O. Box 608, Eagle, ID 83616

C. Applicant Representative:

Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat ([H-2021-0071](#) DA Inst. #[2022-041093](#)) as required by UDC 11-6B-3C.2. The submitted final plat includes one (1) fewer building lot than approved with the preliminary plat and a greater amount

of common open space than approved with the preliminary plat; therefore, the proposed plat is in substantial compliance with the approved preliminary plat as required.

Staff has also reviewed the Applicant's request for alternative compliance to the landscape standards listed in UDC [11-3B-7C.3b](#), which requires a minimum of one (1) tree per 35 linear feet within the street buffer along N. Linder Rd.; and UDC [11-3B-12C.2](#), which requires a minimum of one (1) tree per 100 linear feet of pathway, to allow the required trees to be located outside of the irrigation district easements. Strict compliance with these UDC standards isn't feasible due to the location of the Kellogg Drain and Creason Lateral and associated easements across the southwest portion of this site in which trees are prohibited. Staff finds the Applicant's proposed alternative means of compliance provides an equal means of compliance as the trees are still being provided on the site outside of the easement areas. Further, the placement of the access driveway to Linder Rd. and the separation of the townhome units from Linder offer appropriate and adequate landscaping and buffering (see Findings in Section VII for more information).

Internal private streets (i.e. NW 15th Ln., W. Sindon Ln., W. Pebblestone Ln. and N. Zion Park Ave.) were tentatively approved with the preliminary plat application subject to completion of the tasks listed in UDC [11-3F-3B](#). ***Note: Per the approved preliminary plat, the access to Linder Road was approved as a temporary full-access driveway and not part of the private street network. Exhibit B below has been highlighted with a red box delineating the portion of the driveway that is to be removed as part of common lot 4. Applicable conditions of approval are included in Section VI. below. Documentation verifying completion of these tasks is required to be submitted to the Planning Division prior to issuance of any building permits for structures using a private street for access to a public street.*** The private streets are depicted in a common lot (i.e. Lot 4, Block 1) within an easement on the final plat and approval of the private street names has been granted by the Ada County Street Name Committee. A common mew is provided within the development.

The remaining tasks to be completed are as follows: 1) contact the transportation authority (ACHD) to install an approved street name sign that complies with the regulations of the Ada County uniform street name ordinance; and 2) provide documentation of a binding contract that establishes the party or parties responsible for the repair and maintenance of the private street, including regulations for the funding thereof.

IV. DECISION

A. Staff:

Staff recommends approval of the proposed final plat with the conditions of approval in Section VI of this report.

A. Preliminary Plat (date: 3/23/2022)

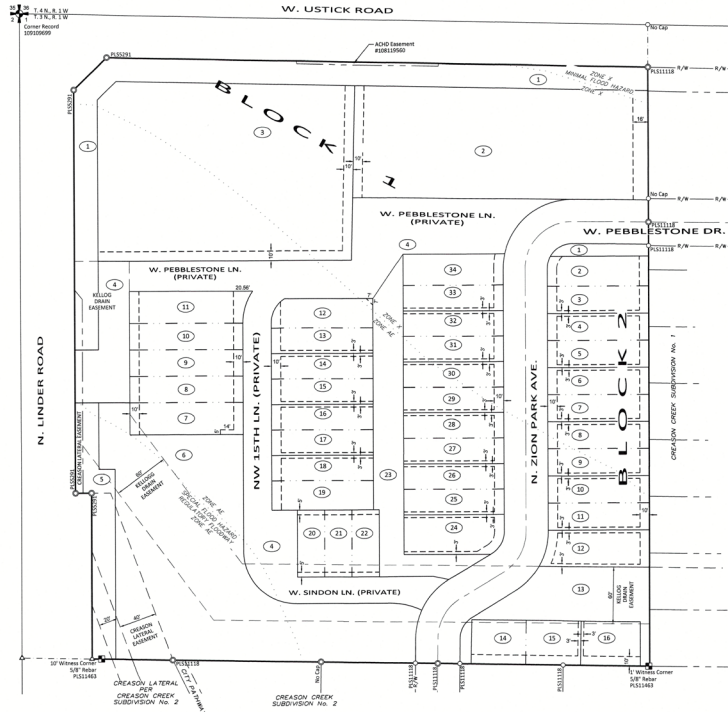


PLAT BOOK _____ PAGE _____



Lennon Pointe Subdivision 2023

PLAT BOOK _____ PAGE _____



FOR INFORMATIONAL
PURPOSES ONLY
ORIGINAL SIGNED BY
RONALD M. HODGE, PLS
DATE ORIGINAL SIGNED
07-18-2023
ORIGINAL ON FILE
AT THE OFFICE OF
HMH ENGINEERING

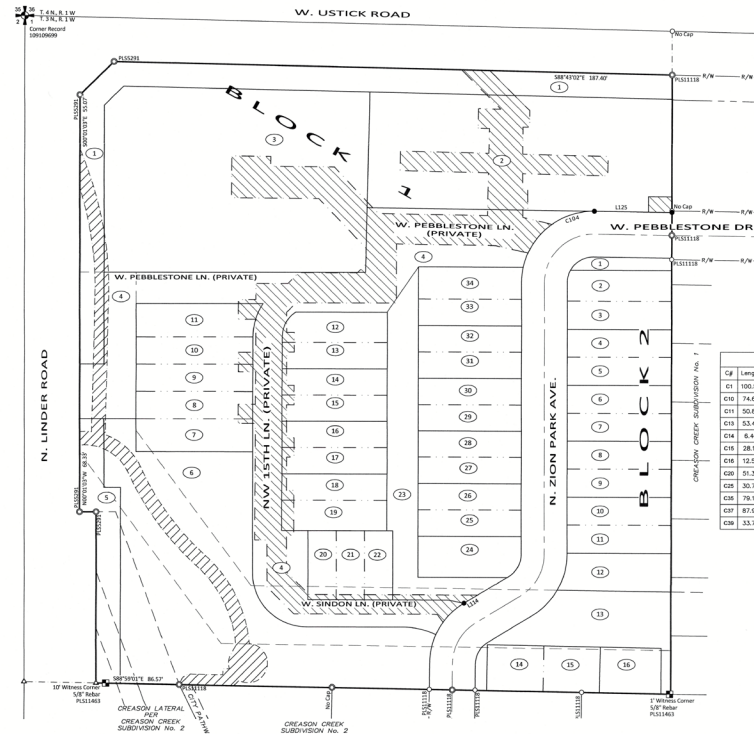


HMH engineering 680 #2B S. Progress Avenue
Meridian, ID 83642
(208) 342-7957

SHEET 4 OF 4

Lennon Pointe Subdivision 2023

PLAT BOOK _____ PAGE _____



Line & Curve Tables for Plot Lines

Line #	Length	Direction
L1	26.62	S0736°53'W
L2	26.20	N0736°53'E
L3	1.87	S88°51'51"E
L4	26.41	S0736°53'W
L10	53.48	S58°51'21"W
L12	56.42	S34°35'47"W

Ch	Length	Radius	Delta	Ch Len	Ch Btg
C1	100.50	73.50	19°23'01"	82.89	S07°57'01"W
C10	74.89	73.51	58°12'38"	71.52	S29°33'03"W
C11	50.80	50.01	58°12'38"	48.65	S29°30'42"W
C13	53.44	73.50	41°39'18"	52.27	S89°54'10"W
C14	6.40	73.50	4°59'31"	6.40	S46°24'46"W
C16	28.18	73.50	27°56'28"	26.02	S33°05'47"W
C16	12.52	73.50	9°40'45"	12.51	S17°15'40"W
C20	51.34	50.00	58°49'32"	49.11	S29°26'30"W
C25	30.72	73.51	23°56'28"	30.49	S12°24'48"W
C26	79.15	50.00	90°45'16"	71.14	S45°22'44"W
C27	87.86	56.00	90°00'00"	79.20	S44°57'15"E
C28	33.78	79.07	24°29'08"	33.53	S78°45'48"E

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Meridian, ID 83642
(208) 342-7957

SHEET 5 OF 4

Lennon Pointe Subdivision 2023

PLAT BOOK _____ PAGE _____



Line & Curve Tables for Easement Lines

Line Table			Line Table		
Line #	Length	Direction	Line #	Length	Direction
L100	22.96	N050°02'E	L132	94.65	S89°58'37"W
L101	49.21	N070°03'W	L133	62.82	S89°58'37"W
L102	50.83	N89°58'37"E	L134	42.24	S070°45'W
L103	8.11	S89°58'37"W	L135	16.00	S89°43'02"E
L104	93.70	N070°03'W	L136	41.79	S89°58'37"W
L105	2.25	N89°58'37"W	L200	7.84	S89°58'37"W
L106	46.05	N071°02'E	L201	10.86	S89°58'37"W
L107	25.34	S89°41'04"E	L202	238.14	N89°58'37"W
L108	17.60	N1°18'54"E	L203	133.79	N070°03'W
L109	10.00	S89°58'37"E	L204	62.79	N070°03'W
L110	17.40	S1°28'54"W	L205	164.08	N070°45'E
L111	6.55	S89°41'04"E	L206	258.87	S89°58'37"E
L112	45.80	S07°23'W	L207	310.81	S070°03'W
L113	66.48	S89°58'37"W	L208	44.28	S07°43'W
L114	16.38	N89°58'37"E	L209	113.19	N89°58'37"W
L115	233.34	N89°58'37"E	L210	35.13	S207°32'W
L116	36.32	N1°18'54"E	L211	38.52	S89°43'28"W
L117	265.39	S89°43'02"E	L212	207.60	N1°18'54"E
L118	36.49	S07°23'W	L213	58.33	N89°43'02"W
L119	68.29	S89°32'38"E	L214	48.99	S45°37'30"W
L120	60.91	N1°18'54"E	L215	231.82	S070°03'W
L121	34.00	S1°18'58"W	L216	25.00	N89°58'37"E
L122	32.06	N89°58'37"W	L217	62.74	N89°58'37"E
L123	13.67	N89°43'02"W	L218	424.34	S070°03'W
L124	55.51	N89°58'37"W	L219	179.13	N89°58'37"W
L125	10.00	N1°18'54"E	L220	34.02	N1°00'58"E
L126	26.32	S89°43'02"E	L221	25.00	N1°18'54"E
L127	7.49	N1°18'54"E	L222	5.74	S89°58'37"E
L128	8.56	N89°43'02"W	L223	115.98	S070°45'W
L129	24.74	N1°18'54"E			
L130	5.00	N89°43'02"W			

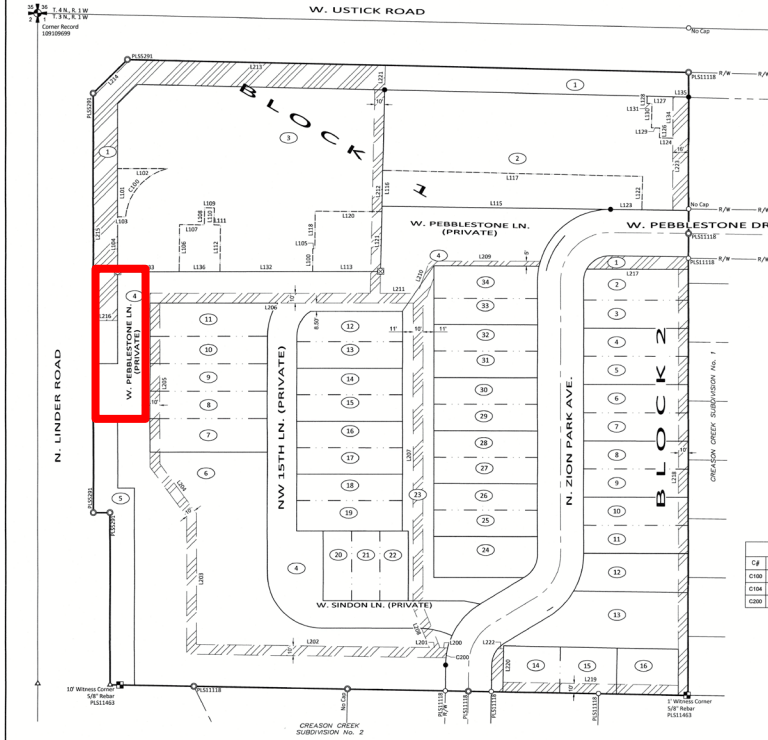
Curve Table					
CF	Length	Radius	Delta	Chd Len	Chd Brg
C188	89.43	37.09	89°46'44"	60.23	S41°07'38"W
C194	46.30	73.50	36°07'48"	40.58	S72°39'54"W
C200	17.72	73.51	13°48'46"	17.68	S72°03'57"W

FOR INFORMATIONAL
PURPOSES ONLY
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RONALD M. HODGE, PLS
DATE ORIGINAL SIGNED:
07-18-2023
ORIGINAL ON FILE
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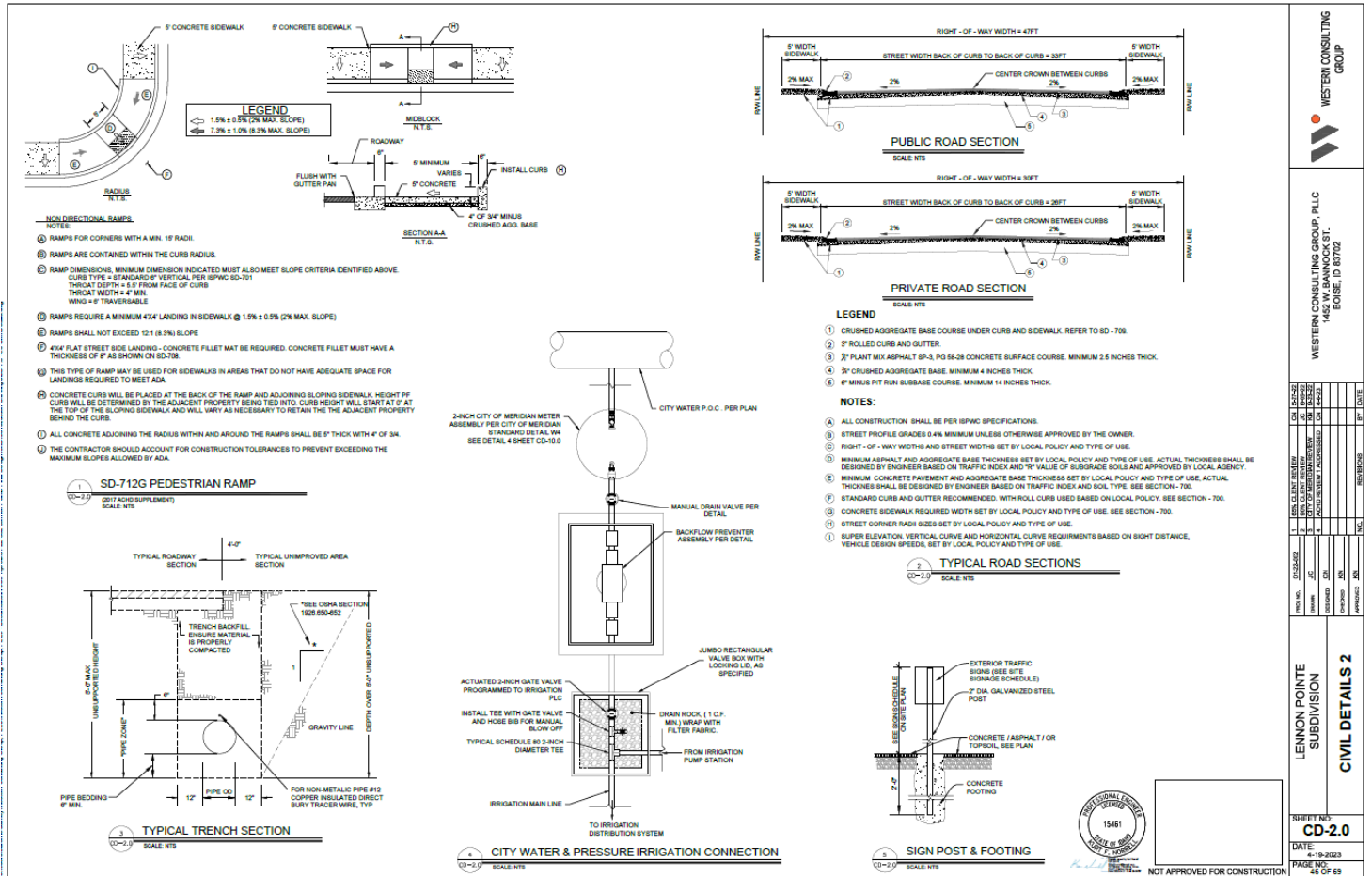


HMH engineering
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Meridian, ID 83642
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SHEET 6 OF 6



C. Private Street Cross-Section (dated: 4/19/23)



WESTERN CONSULTING GROUP

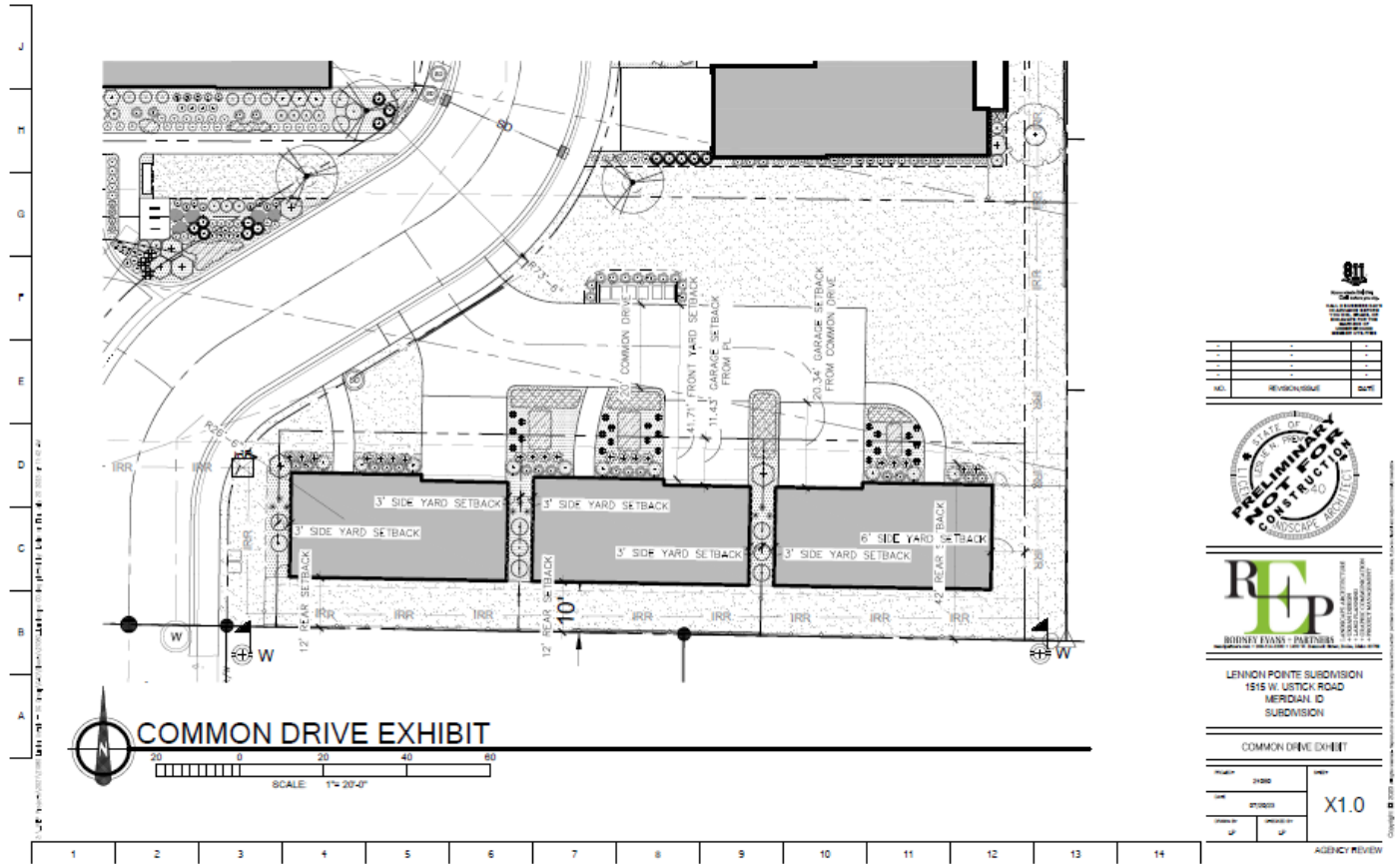
WESTERN CONSULTING GROUP, PLLC
1445 N. 10TH ST.
BOISE, ID 83702

NO.	DATE	BY	CHKD.	APP'D.	REVISION
1	4/19/23	JL			ISSUED FOR PERMIT
2	4/19/23	JL			ISSUED FOR CONSTRUCTION
3	4/19/23	JL			ISSUED FOR CONSTRUCTION
4	4/19/23	JL			ISSUED FOR CONSTRUCTION

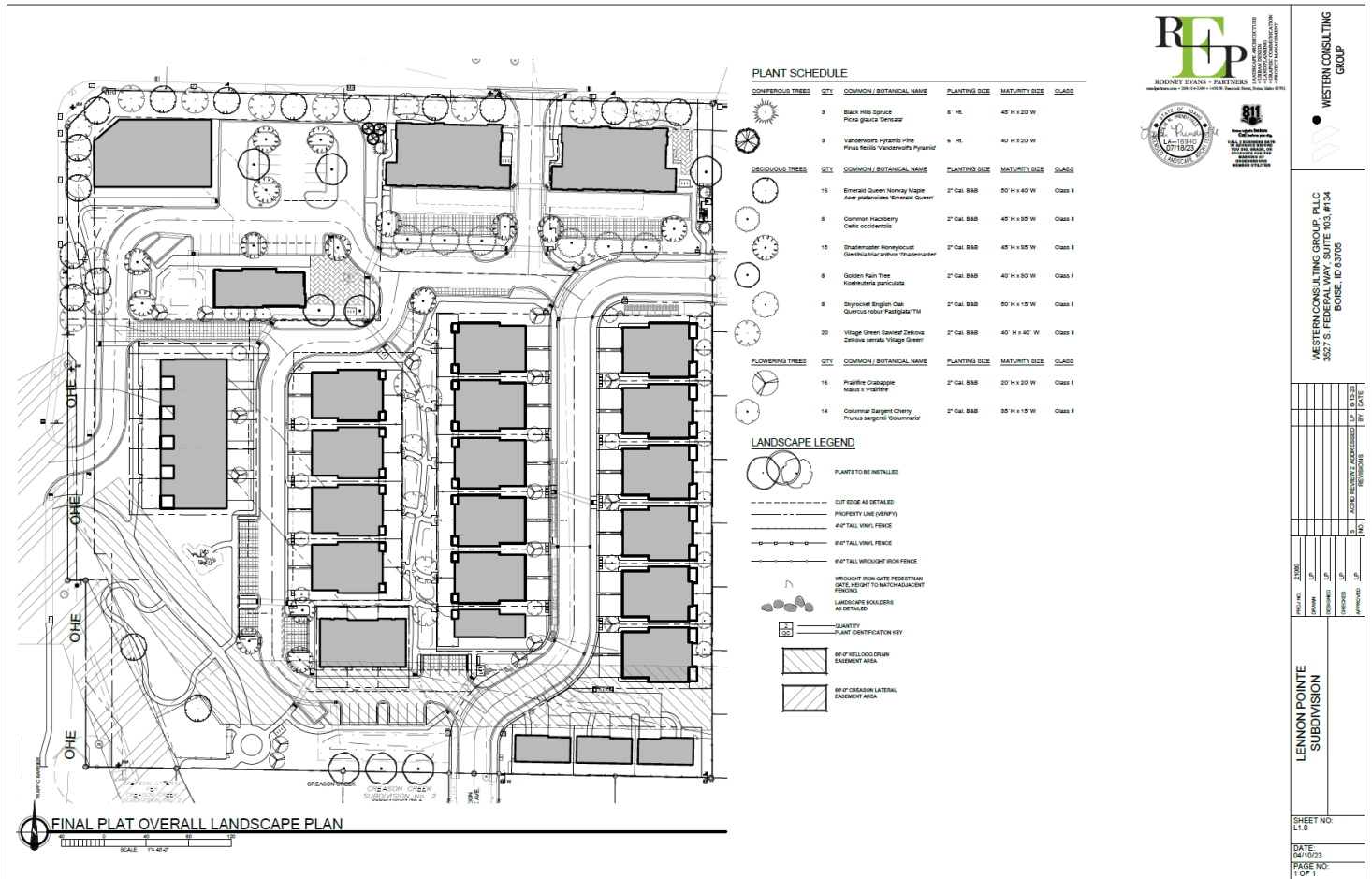
LENNON POINTE SUBDIVISION
CIVIL DETAILS 2

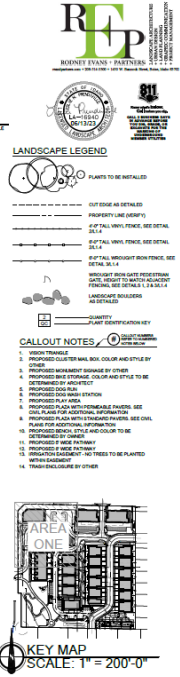
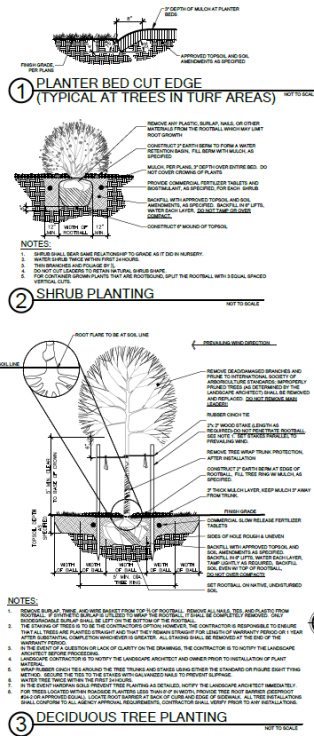
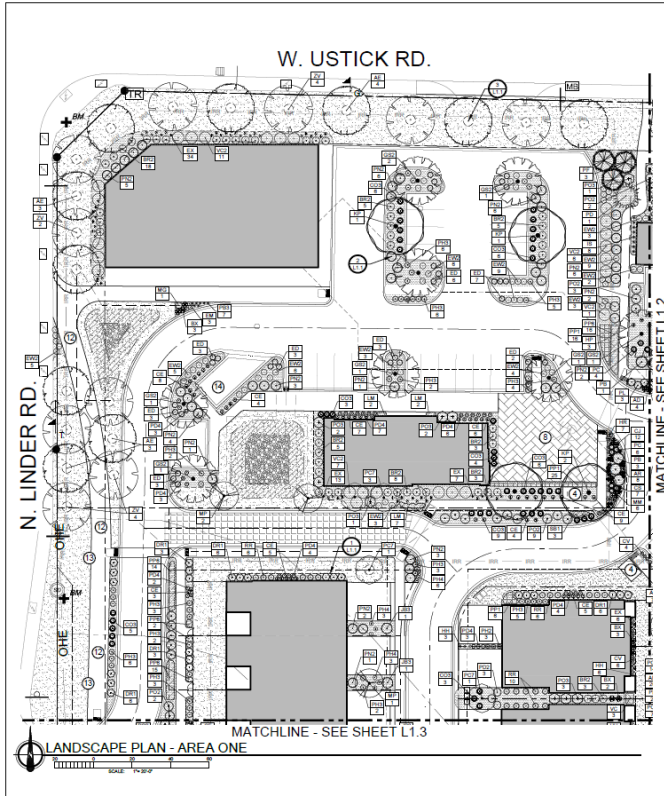
SHEET NO. CD-2.0
DATE: 4-19-2023
PAGE NO. 45 OF 65

D. Common Driveway Exhibit

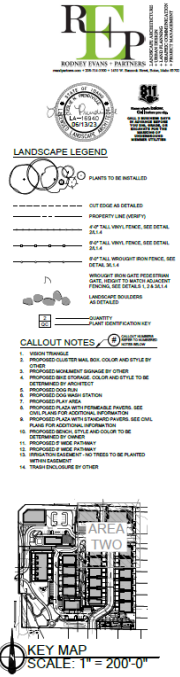
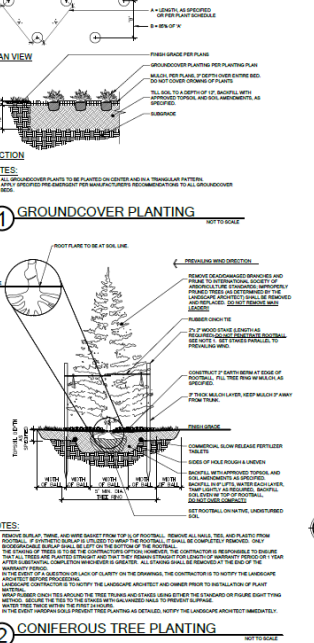
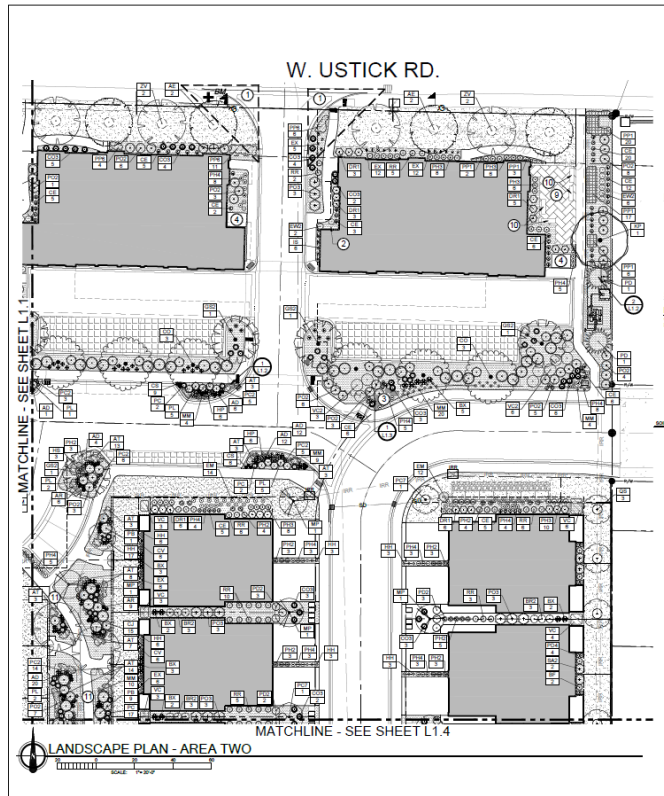


E. Landscape Plan (date: 7/18/23)





WESTERN CONSULTING GROUP, PLLC 3527 S. FEDERAL HWY. SUITE 103, #134 DENVER, CO 80202		WESTERN CONSULTING GROUP	
PROJECT NO.	2008	DATE	11/11/11
DESIGNER	J.P.	DATE	11/11/11
DRIVER	J.P.	DATE	11/11/11
PLANTING	J.P.	DATE	11/11/11
LENNON POINTE SUBDIVISION		SHEET NO. L1.1	
DATE 11/11/11		PAGE NO. 1 OF 6	



WESTERN CONSULTING GROUP, PLLC 3527 S. FEDERAL HWY. SUITE 103, #134 DENVER, CO 80202		WESTERN CONSULTING GROUP	
PROJECT NO.	2008	DATE	11/11/11
DESIGNER	J.P.	DATE	11/11/11
DRIVER	J.P.	DATE	11/11/11
PLANTING	J.P.	DATE	11/11/11
LENNON POINTE SUBDIVISION		SHEET NO. L1.2	
DATE 11/11/11		PAGE NO. 2 OF 6	

VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall comply with all previous conditions of approval associated with this development: [H-2021-0071](#) (Preliminary Plat) and Development Agreement Inst. #[2022-041093](#)).
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of City Council's approval of the preliminary plat (by March 8, 2024), in accord with UDC 11-6B-7, in order for the preliminary plat to remain valid; or, a time extension may be requested.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat shown in Section V.B, prepared by HMH Engineering, stamped on 04/18/23 by Ronald M. Hodge, shall be revised prior to signature on the final plat by the City Engineer, as follows:

Plat Notes:

- a. Note #8: "Direct lot access to W. Ustick Road and N. Linder Road is prohibited except for the access points approved by the Ada County Highway District and the City of Meridian and as shown on the approved site plan. A copy of the recorded cross access agreement is required OR a noted added to the final plat.
- b. Note #9: ". . . It contains a common driveway and landscaping that will be maintained . . ."
- c. Note #11: Include the recorded instrument number of the license agreement with NMID.

Easement Notes:

- d. Note #3: ". . . Lots 1 and 5, Block 1 ~~is~~ are a permanent landscape buffers depicted along W. Ustick Rd. . . ."
- e. Note #4: Include the recorded instrument number of the City of Meridian sewer and water easements.
- f. Graphically depict the storm drainage easements referenced in Easement Note #5.
- g. Note #6: "~~are private roads within easements~~ a common lot (i.e. Lot 4, Block 1) to be owned and maintained by the Lennon Pointe Homeowner's Association and impacts Lots 1, 2, 3, 4, 18, 19 and 20 of Block 1. You may include the specific lots that are accessed via the private streets.
- h. Delete Note #7 pertaining to Lot 4, Block 1 (the previous note includes this information as amended).
- i. Note #8: "~~Lots 1, 2, 3, 4, 5 & 6~~ of Block 1 are subject to a 60-foot wide easement for the Creason Lateral . . ."
- j. Note #9: Include the recorded instrument number of the City of Meridian pathway easement.
- k. Note #10: Include the recorded instrument number of the Kellogg Drain easement. Revise lot numbers consistent with revised plat.

1. Depict raised curbing or similar within the Linder Road access adjacent to ACHD right-of-way to discourage any left-in or left-out traffic patterns per the development agreement; coordinate with ACHD as necessary.
5. The landscape plan shown in Section V.E, prepared by Rodney Evans + Partners, stamped on 06/13/23 by Leslie Prendiville, shall be revised prior to signature on the final plat by the City Engineer, as follows:
 - a. Depict landscaping within street buffers per the standards listed in UDC [11-3B-7C.3](#), *except* for the areas encompassed by the Kellogg Drain and Creason Lateral easements in which required trees shall be located outside of the easement areas as approved with alternative compliance. A variety of shrubs, lawn or other vegetative groundcover shall be provided within the buffer as allowed by NMID within the easement area.
 - b. Depict landscaping along the multi-use pathway per the standards listed in UDC [11-3B-12C](#), *except* for the areas encompassed by the Kellogg Drain and Creason Lateral easements in which required trees shall be located outside of the easement areas as approved with alternative compliance. Landscape strips shall be planted with a mix of shrubs, lawn and other vegetative groundcover as allowed by NMID within the easement area.
 - c. Include a calculations table that demonstrates compliance with the street buffer and pathway landscape standards listed in UDC [11-3B-7C.3b](#) and [11-3B-12C](#), respectively; include required vs. provided number of trees. *Alternative Compliance to the tree requirements in UDC 11-3B-7C.3b and 11-3B-12C was approved with this application to allow the required number of trees to be placed outside of the easement areas – these trees should be included in the calculations table as alternative compliance trees.*
 - d. All pedestrian crossings within the private street and drive aisle portions of the site shall be constructed with brick, pavers, stamped concrete, or equal to clearly delineate pedestrian facilities per the development agreement; depict crossings accordingly.
 - e. Depict raised curbing or similar within the Linder Road access adjacent to ACHD right-of-way to discourage any left-in or left-out traffic patterns per the development agreement; coordinate with ACHD as necessary.
 - f. Revise plan consistent with the revised final plat.
6. No structures shall encroach within the Kellogg Drain easement unless an encroachment/license agreement is approved by NMID to allow the encroachment. A copy of said encroachment agreement shall be submitted with the final plat for City Engineer signature.
7. The north/south portion of the driveway connecting to Linder Road and adjacent to the west boundary of Lots 7-11, Block 1 is approved as a driveway and not part of the private street network. Remove this area from common lot 4. If cross-access is proposed between the commercial lot (Lot 3, Block 1) and the 5-unit townhomes (Lots 7-11, Block 1), the Applicant shall submit a recorded cross-access agreement to the Planning Division at the time of final plat signature to ensure perpetual cross-access between the private street in the residential portion of the project and the commercial drive aisle, per the Development Agreement.
8. Future development shall be consistent with the minimum dimensional standards listed in UDC [Table 11-2A-7](#) for the R-15 zoning district and UDC [Table 11-2B-3](#) for the C-C zoning district.

9. The Applicant shall complete the tasks listed in UDC [11-3F-3B](#) in order to obtain final approval of the private streets within the development. The private streets are required to be depicted in a common lot on the final plat and approval of the private streets names has been granted by the Ada County Street Name Committee. **The remaining tasks to be completed are as follows: 1) contact the transportation authority (ACHD) to install an approved street name sign that complies with the regulations of the Ada County uniform street name ordinance; and 2) provide documentation of a binding contract that establishes the party or parties responsible for the repair and maintenance of the private street, including regulations for the funding thereof. Documentation verifying completion of these tasks shall be submitted to the Planning Division prior to any building permits being issued for structures using a private street for access to a public street.**
10. Private streets shall be constructed in accord with the design and construction standards listed in UDC [11-3F-4](#).
11. The common driveway on Lot 13, Block 2 shall be constructed in accord with the standards listed in UDC [11-6C.3D](#) and with the exhibit in Section VII.D.
12. A perpetual ingress/egress easement for the common driveway shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment per UDC 11-6C-3D.8; or, the easement may be depicted on the final plat and easement note #6 modified to include this information.
13. Prior to City Engineer signature on the final plat, a public access easement shall be submitted to the Planning Division for the multi-use pathway along the southern boundary of the site for approval by City Council and subsequent recordation.
14. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301891&dbid=0&repo=MeridianCity>

C. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301296&dbid=0&repo=MeridianCity>

D. PARKS DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301300&dbid=0&repo=MeridianCity>

E. IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=301386&dbid=0&repo=MeridianCity>

VII. FINDINGS

A. Alternative Compliance:

In order to grant approval for alternative compliance to allow Private Streets directly off an arterial, the director shall determine the following findings:

1. Strict adherence or application of the requirements is not feasible; OR

The Director finds that strict adherence to the landscape standards listed in UDC [11-3B-7C.3b](#), which requires a minimum of one (1) tree per 35 linear feet within the street buffer along N. Linder Rd.; and UDC [11-3B-12C.2](#), which requires a minimum of one (1) tree per 100 linear feet of pathway, isn't feasible due to the locations of the Kellogg Drain and Creason Lateral and associated easements across the southwest portion of this site in which trees are prohibited.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the alternative means of compliance consisting of the required number of trees planted outside of the easement areas along with the placement of the access driveway to Linder Rd. and the separation of the townhome units from Linder offer an equal means of meeting the intent of the requirement.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.

E EXHIBIT A

From: [Ben](#)
To: [Bill Parsons](#); [Clerks Comment](#)
Cc: [Sonya Allen](#); [Jackson Lane](#); [Tyson Lane](#)
Subject: RE: Updated Lennon Point FP Staff Report
Date: Monday, July 24, 2023 8:56:02 AM

External Sender - Please use caution with links or attachments.

Bill,

We are in agreement with the staff report. Please let me know if you need anything additional.

Thank you,

Ben Semple, PLA, ASLA
Principal, Senior Landscape Architect
O: 208.514.3300

From: Bill Parsons <bparsons@meridiancity.org>
Sent: Friday, July 21, 2023 1:14 PM
To: Clerks Comment <comment@meridiancity.org>
Cc: Sonya Allen <sallen@meridiancity.org>; Ben <ben@reandpartners.com>
Subject: Updated Lennon Point FP Staff Report

Hello Clerk Team,

Attached is the revised staff report for the Lennon Point project. Please upload to Laserfiche and delete any previous versions of the staff report.

Ben – If you are in agreement with the revised report please send an updated email in agreement.

Thank you,

Bill Parsons, AICP | Planning Supervisor
City of Meridian | Community Development Dept.
33 E. Broadway Ave., Ste. 102, Meridian, Idaho 83642
Phone: 208-884-5533 | Direct: 208-489-0571



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