

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



In the Matter of the Request for Annexation of 0.675 acres of land with the C-G zoning district for the purpose of complying with the terms outlined in the consent to annex agreement for the existing commercial building that is already connected to City utilities., by Jason Nienhouse.

Case No(s). H-2026-0034

For the City Council Hearing Date of: September 22nd, 2026 (Findings on October 6th, 2026)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of September 22nd, 2026, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of September 22nd, 2026, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of September 22nd, 2026, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of September 22nd, 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 September 22nd, 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 annexation is hereby approved per the conditions of approval in the Staff Report for the hearing date of September 22nd, 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 September 22nd, 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

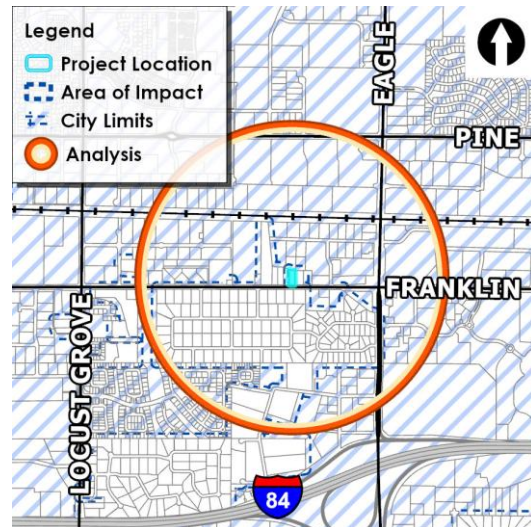
Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

COMMUNITY DEVELOPMENT
DEPARTMENT REPORT



HEARING 9/22/2026
 DATE:
 TO: Mayor & City Council
 FROM: Nick Napoli, Associate Planner
 208-884-5533
 nnapoli@meridianscity.org
 APPLICANT: Jason Nienhouse
 SUBJECT: 2730 Franklin Annexation
 H-2026-0034
 LOCATION: 2730 E. Franklin Road in the S ½ of the SE
 ¼ of Section 8, T.3N., R.1E.



I. PROJECT OVERVIEW

A. Summary

Annexation of 0.675 acres of land with the C-G zoning district for the purpose of complying with the terms outlined in the consent to annex agreement for the existing commercial building that is already connected to City utilities.

B. Issues/Waivers

- Since the site was approved in Ada County, there are a significant number of nonconformities including parking lot landscaping, landscape buffers along streets, drive aisle widths, parking stall placement, and pedestrian connections.

C. Recommendation

Planning Division: Approval with a development agreement.

Planning and Zoning Commission: Approval

D. Decision

City Council: Approval

E. Table of Contents

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COMMUNITY METRICS

Table 1: Land Use

II.	Description	Details	Map Ref.
	Existing Land Use(s)	Commercial in Ada County	-
	Proposed Land Use(s)	Commercial	-
	Existing Zoning	C2 in Ada County	VII.A.1
	Proposed Zoning	C-G	
	Adopted FLUM Designation	Commercial	VII.A.2

Table 2: Project Overview

Description	Details
History	In 2026, the applicant entered into a consent to annex agreement for emergency hook up to City water services.
Physical Features	Snider Lateral
Acreage	0.675 acres

Table 3: Process Facts

Description	Details
Preapplication Meeting date	5/18/2026
Neighborhood Meeting	6/2/2026
Site posting date	9/11/2026

Note: See section IV. City/Agency Comments & Conditions for comments received or see the public record. Paste the following link into your browser to access the public record:
<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=448012&dbid=0&repo=MeridianCity>

STAFF ANALYSIS

A. General Overview

This property is designated as Commercial on the Future Land Use Map (FLUM).

The purpose of this designation is to provide a full range of commercial uses to serve area residents and visitors. Desired uses include retail, restaurants, personal and professional services, and office uses.

III.

The property was developed in Ada County prior to the request for annexation into the city. This approval was completed in 2007.

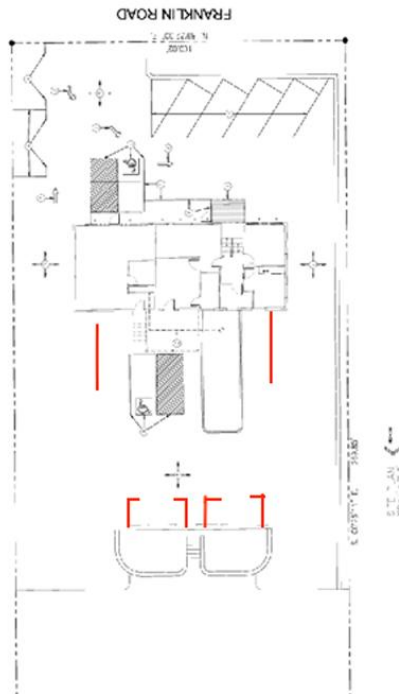
In 2026, the applicant entered into an agreement with the City for extension of domestic water and sewer service outside Meridian city limits for the subject property (Inst. #2026-012330). This agreement allowed the property to hook up to City water and sanitary sewer service with disconnection from the private well and septic system. A provision of the agreement requires the property owner to apply for annexation of the property into the City as proposed with this application.

The site currently operates as a commercial property with three (3) commercial tenants on site consisting of different professional services. In addition, there is an approved car dealer lot at the rear of the property. The applicant has indicated that they have no intention of redeveloping the property at this time and would like it to remain as is.

Staff notes that the site contains several existing nonconformities resulting from development that occurred under Ada County jurisdiction prior to annexation. These nonconformities include deficiencies related to the landscape buffer along Franklin Road, parking lot landscaping, drive aisle widths, parking location, and an unpaved area currently utilized by the car dealership.

At this time, staff is not recommending that all existing nonconformities be brought into full compliance as part of the annexation. However, staff does recommend removing the ADA parking stall located on the southern side of the building and changing the direction of traffic flow to counterclockwise to improve ingress and egress circulation. Staff also recommends restriping the rear parking area to provide three additional parking stalls.

Example of parking changes:



B. Comprehensive Plan Policies

- “Eliminate existing private treatment and septic systems on properties annexed into the City and instead connect users to the City wastewater system; discourage the prolonged use of private treatment septic systems for enclave properties.”

The existing commercial building has already abandoned the existing septic system and is connected to the City wastewater system.

- “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 the existing home is already connected to City utilities in accordance with UDC 11-3A-21.

- “Require all development to be consistent with Future Land Use Map designations for the property.” (3.03.03D)

The FLUM designation for the property is commercial and the proposed zoning and uses are consistent with the designation.

- “Pursue economic development opportunities with technology, healthcare, environmentally-friendly manufacturing, light industrial, and professional service industries.” (2.08.02)

The proposed development was already approved in Ada County and is requesting hook up to city utilities which is the main reason for the annexation. The uses on the site currently exist, however, adding these into the city will help provide additional employment and economic opportunities within City limits.

- “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)
The applicant is required to provide cross access with both properties to the east and west. With future redevelopment of the properties, access points will be consolidated off of Franklin Road and shared access points will be utilized.

C. Site Development and Use Analysis

1. Existing Structures/Site Improvements (UDC 11-1):
The applicant is not proposing a change to the site. The applicant is requesting annexation due to his well failing and needing to hook up to city services.
2. Proposed Use Analysis (UDC 11-2):
The Applicant proposes to annex a 0.675-acre parcel, including the adjacent right-of-way to the section line of E. Franklin Road with the C-G zoning district. A legal description and exhibit map for the annexation area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary. The reason for annexation is the existing well on the property is currently failing, and the Applicant had to hook-up to City water and sewer services.

The Applicant entered into an agreement with the City for extension of domestic water and sewer service outside Meridian city limits for the subject property (Inst. #2026-012330). This agreement allowed the property to hook up to City water and sanitary sewer service with disconnection from the private well and septic system. A provision of the agreement requires the property owner to apply for annexation of the property into the City as proposed with this application.
3. Dimensional Standards (UDC 11-2):
The site does not conform with landscape buffer along Franklin Road dimensional standards. However, as this is an existing site and building with no planned improvements at this time, staff is not requiring this to be brought into conformity. The site is in conformity with all other dimensional standards in UDC 11-2B-3 for the C-G zoning district.

D. Design Standards Analysis

1. Landscaping (UDC 11-3B):

- i. Landscape buffers along streets

UDC Requirement	Proposed/Analysis
Arterial Road: 25 Feet	The existing site has an approximately 10-foot landscape buffer along Franklin. This is an existing nonconformity on the property.

- ii. Parking lot landscaping

Landscaping is required to be provided along all parking areas per the standards listed in UDC 11-3B-8. *The applicant is not in compliance with the parking lot landscaping standards. Since this project was approved in Ada County and is now requesting annexation, the parking lot landscaping is an existing non-conformity. The non-conformities include planter islands and drive aisle dimensions. As the applicant expands or redevelops the site, the non-conformities will be required to be brought into compliance.*

iii. Landscape buffers to adjoining uses

A minimum 25-foot-wide buffer is required adjacent to residential land uses in accordance with UDC Tables 11-2C-3, 11-2B-3, and 11-4-3-34F. The buffer shall be landscaped in compliance with the standards of UDC Section 11-3B-9C. *The applicant is not in compliance with the 25-foot landscape buffer to adjoining residential. Since this project was approved in Ada County and is now requesting annexation, the landscape buffer to the west is an existing non-conformity. As the applicant expands or redevelops the site, the non-conformities will be required to be brought into compliance per UDC 11-1B-3 and 11-1B-5. However, staff does not anticipate the property to the west being residential in the long term as it is designated as commercial on the future land use map.*

iv. Tree preservation

Per UDC 11-3B-10, Mitigation shall be required for all existing trees four-inch caliper or greater that are removed from the site with equal replacement of the total calipers lost on site up to an amount of one hundred (100) percent replacement (Example: Two (2) ten-inch caliper trees removed may be mitigated with four 5-inch caliper trees, five (5) four-inch caliper trees, or seven (7) three-inch caliper trees).

No redevelopment is proposed at this time.

v. Storm integration

An adequate storm drainage system shall be required in all developments in accord with the city's adopted standards, specifications and ordinances. Design and construction shall follow Best Management Practice as adopted by the city.

2. Parking (UDC 11-3C):

i. Nonresidential parking analysis

UDC Requirement	Proposed/Analysis
Commercial: 1 Parking Stall per 500 Square Feet of Gross Floor Area	The building is 2,777 square feet in total which would require 6 parking stalls. The applicant currently has 9 stalls on the site; however, several of them are non-conforming due to drive aisle widths. Staff is recommending the ADA parking stall in front of the building be removed to create a wider drive aisle and pave three (3) additional stalls in the rear of the building.

ii. Bicycle parking analysis

A minimum of one (1) bicycle parking space must be provided for every 25 vehicle spaces or portion thereof per UDC 11-3C-6G; bicycle parking facilities are required to comply with the location and design standards listed in UDC 11-3C-5C. *The existing development does not show bicycle parking on the site. With future redevelopment, the applicant shall provide bicycle parking.*

3. Building Elevations (Architectural Standards Manual):

The site currently has one (1) existing building that was developed in Ada County. The building meets the majority of the Architectural Standards Manual (ASM) but not all of them. However, since it is an existing building, no façade modification will be required. Any future development will be required to comply with the ASM.

E. Transportation Analysis

1. Access (*UDC 11-3A-3, UDC 11-3H-4*):

Access to this property is currently from E. Franklin Road. As a requirement of the development agreement, staff is recommending the applicant preserve cross access to the east and west for future consolidation of access points when the property redevelops in accordance with the provisions listed in UDC 11-3A-3.

2. Pedestrian Connectivity (*UDC 11-3A-5, UDC 11-3A-8, UDC 11-3A-17*):

The existing site currently has a seven (7) foot sidewalk along Franklin Road and no pedestrian connections internally on the site. This is an existing non-conformity with the site and will not be required to be brought into conformance with the annexation. However, with future development on the property, this non-conformity will need to be brought into compliance.

F. Services Analysis

1. Waterways (*UDC 11-3A-6*):

The snider lateral runs along the northern boundary of the site and is currently piped. The applicant does not propose to change this at this time.

2. Utilities (*UDC 11-3A-21*):

Connection to City water and sewer services is required in accordance with UDC 11-3A-21. The Applicant entered into an agreement with the City for extension of domestic water and sewer service outside Meridian city limits for the subject property (Inst. #2026-012330). The Applicant is currently connected to City utilities.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian 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 \$611.47 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 *IF* City Council determines annexation is in the best interest of the City:

- a. Future development of this site shall be generally consistent with the concept plan, landscape plan, and conceptual building elevations included in Section VIII and the provisions contained herein.
- b. Any future development of the site must comply with the City of Meridian ordinances in effect at the time of the development.
- c. A Certificate of Zoning Compliance and Design Review application(s) shall be submitted and approved prior to submittal of building permit applications for this site.

- d. Remove the Ada parking stall on the southern side of the building, stripe an additional 3 parking stalls on the north portion of the site, and change the circulation to counterclockwise with new arrows.
- e. Stub cross access to the parcels to the east (S1108438545) and west (S1108438512) for future connectivity between the properties.
- f. Comply with UDC 11-1B for non-conforming properties, structures, and signs.

FINDINGS

A. Annexation (UDC 11-5B-3E)

V. 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 City Council finds annexation of the subject property with the C-G zoning district and requirement for the existing development on the property is consistent with the comprehensive plan (see Section IV for more information).
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The City Council finds the proposed map amendment to the C-G zoning district is consistent with the purpose statement in UDC 11-2B-1.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The City Council finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential use should be compatible with adjacent land uses.
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 City Council finds that the proposed zoning amendment will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.

- VI. 5. The annexation (as applicable) is in the best interest of city.
The City Council finds the proposed annexation is in the best interest of the City.

ACTION

A. Staff:

Staff recommends approval of the proposed annexation with the requirement of a Development Agreement per the provisions in Section IX in accord with the Findings in Section X.

B. Commission:

The Meridian Planning & Zoning Commission heard this item on August 20th, 2026. At the public hearing, the Commission moved to approve the subject Annexation request.

1. Summary of the Commission public hearing:
 - a. In favor: Jason Nienhouse
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Nick Napoli
 - 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. The Commission asked the applicant about the restriping and recirculation of the site. The applicant indicated they are in agreement with the department report and that they have revised the proposed parking location.
4. Commission change(s) to Staff recommendation:
 - a. None

C. City Council:

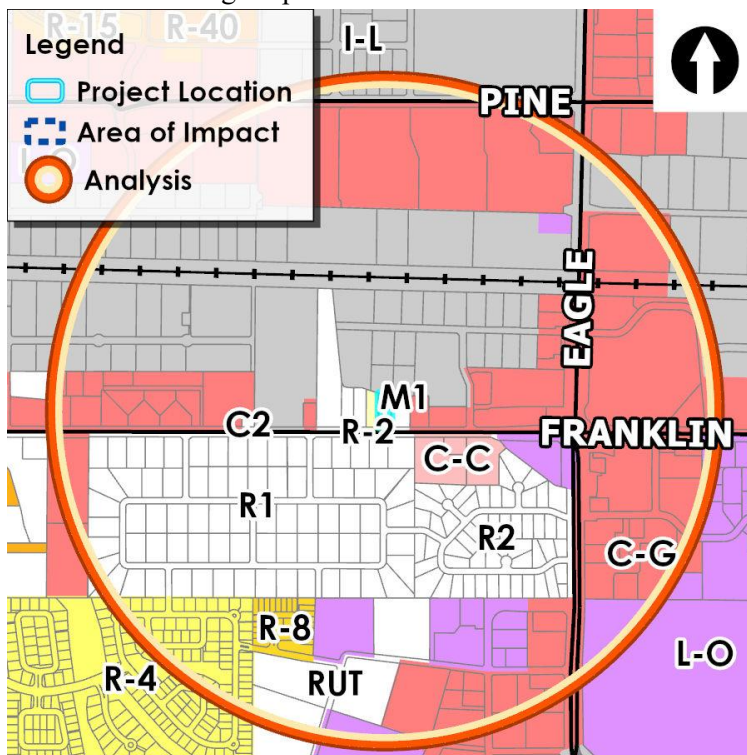
The Meridian City Council heard these items on September 22nd, 2026. At the public hearing, the Council moved to approve the subject annexation requests.

1. Summary of the City Council public hearing:
 - a. In favor: Jason Nienhouse
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Nick Napoli
 - 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

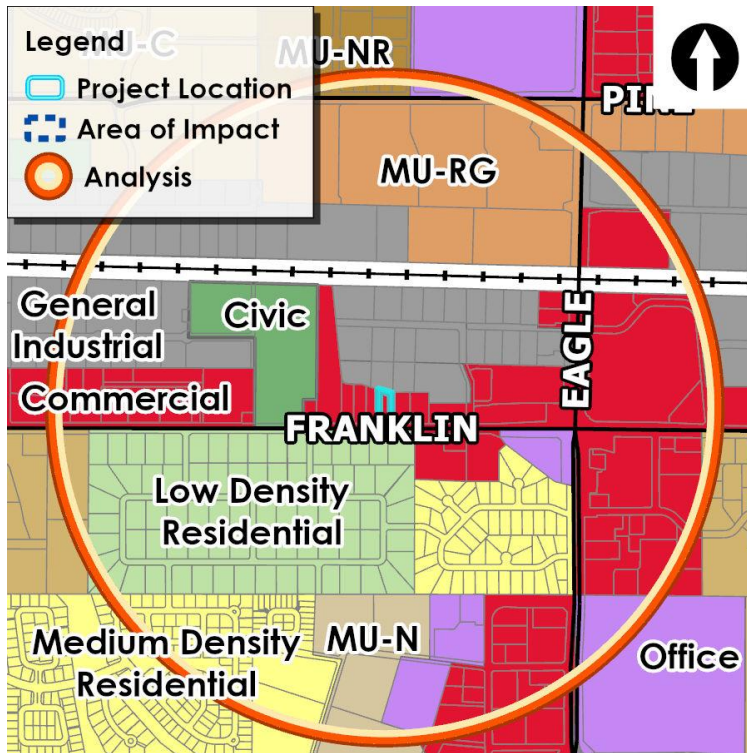
EXHIBITS

A. Project Area Maps

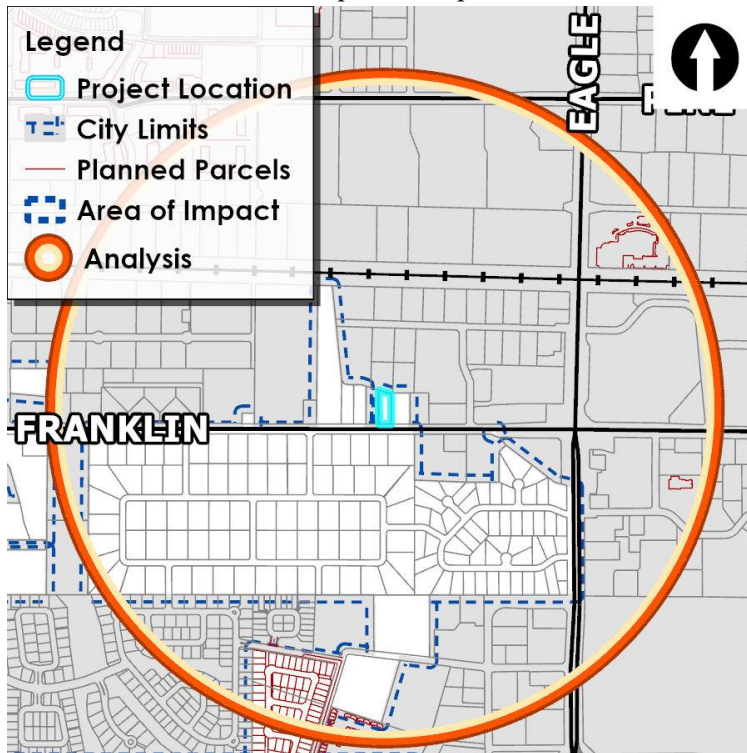
vii. 1. Zoning Map



2. Future Land Use



3. Planned Development Map



B. Service Accessibility Tool (Existing Conditions)

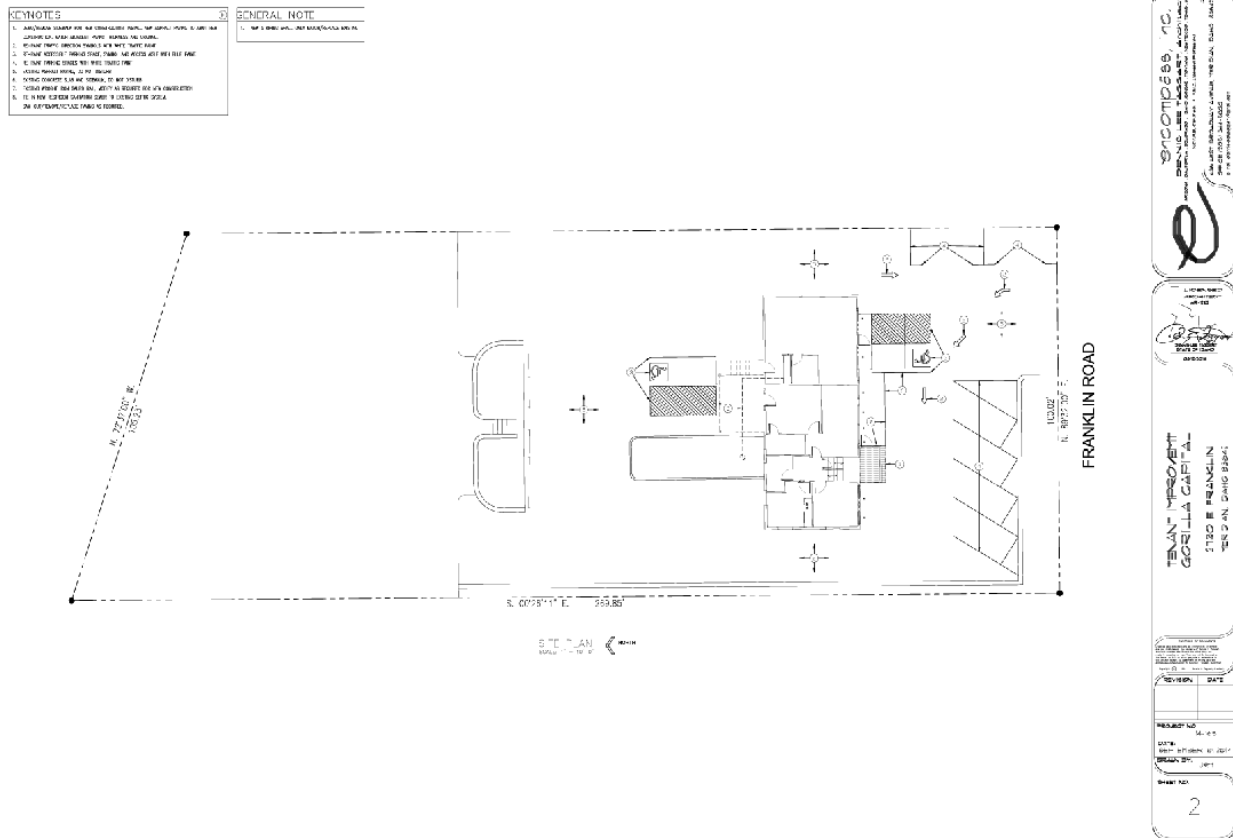
Overall Score: 29	31st Percentile
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Criteria	Description	Indicator
Location	Within 1/2 mile of City Limits	YELLOW
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time < 5 min.	GREEN
Emergency Services Police	Reporting District meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of future pathways	YELLOW
Transit	Not within 1/4 of current or future transit route	RED
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) matches existing (# of lanes)	GREEN
School Walking Proximity	Within 1/2 mile walking	GREEN
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	No park within walking distance by park type	RED

C. Subject Site Photos



D. Site Plan (date: 3/12/2014)



E. Annexation Legal Description & Exhibit Map



A parcel of land lying in a portion of the South $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 3 North, Range 1 East of the Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

COMMENCING at the corner common to Sections 8, 9, 16 and 17, T3N, R1E from which the quarter corner common to Sections 8 and 17 bears South $89^{\circ}32'00''$ West a distance of 2571.02 feet as shown on Record of Survey No. 7747, records of Ada County, Idaho; thence South $89^{\circ}32'00''$ West along the section line for a distance of 1471.18 feet to the **POINT OF BEGINNING**;

Thence South $89^{\circ}32'00''$ West along the section line for a distance of 100.00 feet;

Thence North $00^{\circ}26'11''$ West for a distance of 309.85 feet;

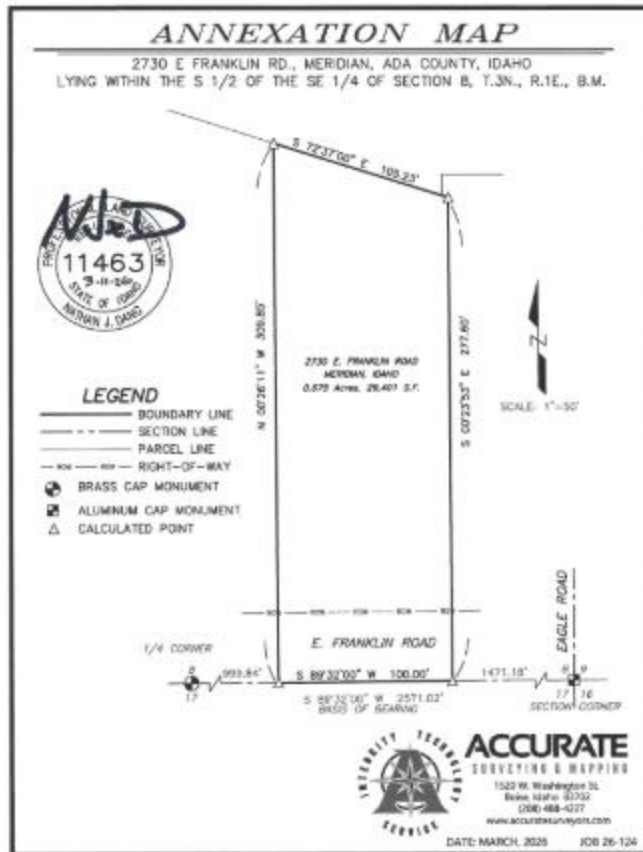
Thence South $72^{\circ}37'00''$ East for a distance of 105.23 feet;

Thence South $00^{\circ}23'53''$ East for a distance of 277.60 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.675 acres, or 29,401 square feet, more or less.



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ADDITIONAL NOTES & DETAILS FOR STAFF REPORT MAPS, TABLES, AND CHARTS

(link to [Community Metrics](#))

VIII.

A. One-Mile Radius Existing Condition Notes

This data is automatically derived from enterprise application and GIS databases, and exported dynamically. Data retrieved notes generally reflect data acquired or processed within the last 30-days. Analysis is based on a one-mile radius from the centroid of the identified parcel. Parcel based data excludes certain properties and represents land as it exists now. Properties considered are only those with a total assessed value greater than 0 (i.e. excludes most HOA area, transitional development, government, and quasi government facilities). The following values also constrain included property acreage to reduce outliers and non-conforming instances from distorting averages: R-2 < 5.0; R-4 < 2.0; R-8 < 1.0; R-15 < 0.5; R-40 < 0.25.

Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals. Some approved entitlements, and particularly older ones, may be constructed.

Decennial population counts and household counts are based on the most recent Decennial Census. Current population and current household values are COMPASS estimates, usually for the year previous, and are based on traffic analysis zone boundaries (TAZ's).

B. Service Assessment Notes

This data represents existing conditions derived from our enterprise application and GIS database, exported through dynamic reporting. The system references the most recent available data from various sources, including sewer main lines, sewer trunk sheds, floodplain, fire service areas and response times, police crime reporting, pathway information, existing and planned transit, roadway improvements, school and park proximity, and other resources.

The tool provides context for project review, using multiple indicators consistently. Data from similar topics may vary based on different levels of review.

The overall score is based on weighted criteria (not a ranked order), and the percentile score compares the parcel to others in the city (higher is better). This tool was developed as a City Council priority and outcome of the 2019 Comprehensive Plan. Scores, whether high or low, are just one data point and should not be the sole basis for decisions.

C. ACHD Roadway Infographic Notes

The Ada County Highway District utilizes a number of planning and analysis tools to understand existing and future roadway conditions.

- **Existing Level of service (LOS).** LOS indicator is a common metric to consider a driver's experience with a letter ranking from A to F. Letter A represents free flow conditions, and on the other end Level F represents forced flow with stop and go conditions. These conditions usually represent peak hour driver experience. ACHD considers Level D, stable flow, to be acceptable. The LOS does not represent conditions for bikes or pedestrians, nor indicate whether improvements: are possible; if there are acceptable tradeoffs; or if there is a reasonable cost-benefit.
- **Integrated Five Year Work Plan (IFYWP).** The IFYWP marker (yes/no) indicates whether the specified roadway is listed in the next 5-years. This work may vary, from concept design to construction.

- **Capital Improvement Plan (CIP).** The CIP marker (yes/no) indicates whether the specified roadway is programmed for improvement in the next 20-years.