

DEVELOPMENT AGREEMENT

- PARTIES:**
1. **City of Meridian**
 2. **St. George Enterprises LLC, Owner/Developer**
 3. **Jason St. George and Jackie St. George, Owner/Developer**

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this _____ day of _____, 2026, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY, whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642, and **St. George Enterprises LLC and Jason St. George and Jackie St. George**, whose address is P.O. Box 1438, Meridian, ID, 83680, hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner is the sole owner, in law and/or equity, of certain land in the County of Ada, State of Idaho, described in Exhibit “A,” which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the “**Property**”; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owner and/or Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“UDC”), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner has submitted, or authorized the submission of, an application for annexation and zoning of 2.0 acres of land with a request for the R-15 (Medium High-Density Residential) zoning district on the Property as shown in Exhibit “A” under the UDC, which, together with this Agreement, generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer and/or its representatives made representations at the public hearings before Planning and Zoning Commission and the Meridian City Council as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for the requested rezoning held before Planning and Zoning Commission and the Meridian City Council includes responses of government subdivisions providing services within the City of Meridian planning jurisdiction and includes further testimony and comment; and

- 1.7 **WHEREAS**, on the 17th day of March, 2026, the Meridian City Council approved certain Findings of Fact, and Conclusions of Law and Decision & Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the Meridian City Council takes final action to annex the Property into the City of Meridian; and
- 1.9 **WHEREAS**, Owner/Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation is in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.

3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:

- 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
- 3.2 **OWNER/DEVELOPER:** means and refers to **St. George Enterprises LLC, Jason St. George, and Jackie St. George**, whose address is P.O. Box 1438, Meridian, Idaho 83680, hereinafter called OWNER/DEVELOPER, the party that owns and is developing said Property and shall include any subsequent owner(s)/developer(s) of the Property.
- 3.3 **PROPERTY:** means and refers to that certain parcel(s) of Property to be bound by this Agreement and located in the County of Ada, City of Meridian, legally described in Exhibit “A” describing a parcel to bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed as permitted, conditional and/or accessory uses under the UDC, as amended.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF THE PROPERTY:**

5.1. Owner/Developer shall develop or cause the Property to be developed in accordance with the following special conditions:

a. Future development of this site shall be consistent with the site plan, landscape plan, qualified open space, and a total of three (3) site amenities, one (1) from each category; one (1) vertically integrated residential structures featuring four (4) dwelling units and 8,000 square feet of commercial space along with three (3) multi-family buildings consisting of 19 dwelling units (for a total of 23 residential units); and conceptual building elevations and renderings as proposed in Section VII of the Staff Report attached to the Findings attached hereto as Exhibit “B” and the provisions contained herein.

b. The development shall comply with the Specific Use Standards for a multi-family development outlined in UDC 11-4-3-27 and a vertically integrated residential project as outlined in UDC 11-4-3-41.

c. The Owner/Developer shall submit written documentation to Jason Korn or applicable Flood Plain Administrator to pipe Five Mile Creek if allowed by City Council.

d. Prior to any development on the Property and submittal of the Certificate of Zoning Compliance, the Owner/Developer shall apply for a no-rise certification and floodplain permit and confirm with the Flood Plain Administrator.

e. The existing homes and accessory structures shall be removed prior to submittal of the first building permit.

f. Restaurants and Drinking Establishments shall be prohibited uses in the commercial space in the vertically integrated building.

6. **APPROVAL PERIOD:** If this Agreement has not been fully executed within six (6) months after the date of the Findings, the City may, at its sole discretion, declare the Agreement null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

7.1 **Acts of Default.** In the event Owner/Developer, or Owner/Developer’s heirs, successors, assigns, or subsequent owners of the Property or any other person acquiring an interest in the Property, fail to faithfully comply with all of the terms and conditions

included in this Agreement in connection with the Property, this Agreement may be terminated by the City upon compliance with the requirements of the UDC.

- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's breach of this agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.
- 7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice from City as described in Section 7.2, City shall, upon satisfaction of the notice and hearing procedures set forth in Idaho Code section 67-6511A, have the right, but not a duty, to de-annex all or a portion of the Property, reverse the zoning designations described herein, and terminate City services to the de-annexed Property, including water service and/or sewer service. Further, City shall have the right to file an action at law or in equity to enforce the provisions of this Agreement. Because the covenants, agreements, conditions, and obligations contained herein are unique to the Property and integral to City's decision to annex and/or re-zone the Property, City and Owner/Developer stipulate that specific performance is an appropriate, but not exclusive, remedy in the event of default. Owner/Developer reserves all rights to contest whether a default has occurred, and Owner shall have all rights and remedies available at law or in equity.
- 7.4 **Choice of Law and Venue.** This Agreement and the rights of the parties hereto shall be governed by and construed in accordance with the laws of the State of Idaho, including all matters of construction, validity, performance, and enforcement. Any action brought by any party hereto shall be brought within Ada County, Idaho.
- 7.5 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.
- 7.6 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the rezoning of the Property by

the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agrees to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/Developer agree to abide by all ordinances of the City of Meridian.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:	with copy to:
City Clerk	City Attorney
City of Meridian	City of Meridian
33 E. Broadway Ave.	33 E. Broadway Avenue
Meridian, Idaho 83642	Meridian, Idaho 83642

OWNER/DEVELOPER:
St. George Enterprises LLC
Jason St. George
Jackie St. George
P.O. Box 1438
Meridian, Idaho 83680

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement runs with the property and shall be binding on the Owner/Developer, each subsequent owner of the Property, and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner and/or Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, determines Owner and/or Developer has fully performed its obligations under this Agreement.

18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

20. **REMOVED PROPERTY:** The City is hereby authorized, in its sole discretion, to remove a portion of the Property ("Removed Property") from this Agreement at any time, provided that the City and the owner of the Removed Property concurrently enter into a modified development agreement governing the development and use of the Removed Property. The remaining portion of the Property, which has not been removed from this Agreement as described above, shall continue to be bound by the terms of this Agreement.

21. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

22. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

22.1 No condition governing the uses and/or conditions governing rezoning of the subject Property herein provided for can be modified or amended without the approval of the Meridian City Council after a public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

23. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective upon execution of the Mayor and City Clerk.

[end of text; acknowledgements, signatures and Exhibits A and B follow]

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this Agreement and made it effective as hereinabove provided.

OWNER/DEVELOPER:
St. George Enterprises LLC

Jason St. George Manager
By (printed name):
Its (title):

State of Idaho)
: ss:
County of Ada Valley)

On this 13th day of August, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared Jason St. George, known or identified to me to be the Manager of St. George Enterprises LLC and the person who signed above and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public
My Commission Expires: 05/10/2031

OWNER/DEVELOPER:

Jason St. George

State of Idaho)
: ss:
County of Ada Valley)

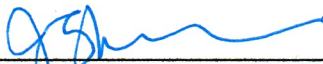
On this 13th day of August, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared Jason St. George, known or identified to me to be the person who signed above and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public
My Commission Expires: 05/10/2031

OWNER/DEVELOPER:



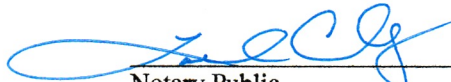
Jackie St. George

State of Idaho)
 : ss:
County of Ada Valley)

On this 13th day of August, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jackie St. George**, known or identified to me to be the person who signed above and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





Notary Public
My Commission Expires: 05/10/2031

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

State of Idaho)
 : ss:
County of Ada)

On this _____ day of _____, 2026, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
My Commission Expires: _____

EXHIBIT A

LEGAL DESCRIPTION FOR JASON GEORGE ANNEXATION DESCRIPTION

All of Lots 1 and 2, Block 2, of the Jewel Subdivision Book 34, Page 2856-2857, being a portion of the Southeast 1/4 of the Southwest 1/4, of Section 16, Township 3 North, Range 1 East, B.M., Ada County Idaho. Being further described as follows:

BASIS OF BEARING:

The South line of the Southwest 1/4 of Section 16, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as South 89°14'13" East with the distance between monuments found to be 2663.69 feet.

BEGINNING at the Intersection of E. Overland Road. and S. Topaz Avenue from which the South 1/4 Corner of Section 16, Township 3 North, Range 1 East, B.M., bears South 89°14'13" East, a distance of 232.30 feet.

Thence Leaving said Intersection and along the Centerline of E. Overland Road North 89°14'13" West, a distance of 249.35 feet;

Thence leaving said Centerline, North 00°51'51" East, to a point on the Northerly Right-of-Way of E. Overland Road a distance of 40.00 feet;

Thence leaving said Right-of-Way and along the common line between Lots 2 and 3, Block 2 of Jewel Subdivision, North 00°51'51" East, to the Northwest Corner of said Lot 2 a distance of 399.67;

Thence leaving said Northwest Corner and along the North line of Lots 2 and 1, Block 2 of Jewel Subdivision South 89°13'37" East, to a point on the Westerly Right-of-Way of S. Topaz Ave, a distance of 204.33 feet;

Thence leaving said Right-of-Way South 89°13'37" East, to a point on the Centerline of S. Topaz Avenue a distance of 25.14 feet;

Thence along said Centerline the following Four (4) Courses:

South 05°13'51" East, a distance of 95.68 feet;

Southerly along a tangent curve to the right with a radius of 1000.00 feet, a central angle of 05°09'12", an arc length of 89.94 feet and chord bearing of South 02°39'15" East, a chord distance of 89.91 feet;

South 00°04'39" East, a distance of 46.63 feet;

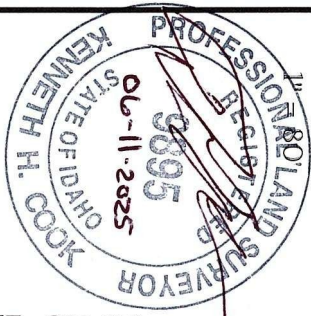
South 00°04'51" East, a distance of 208.12 feet to the **POINT OF BEGINNING**.

Said parcel containing 107,119 square feet or 2.46 acres, more or less and is subject to all existing easements and/or rights-of-way of record or implied.

END OF DESCRIPTION.

Kenneth H. Cook, P.L.S. 9895
Timberline Surveying
316 S. Kimball Ave, Suite 207
Caldwell, Idaho 83605
(208) 465-5687





CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	BEARING	CHORD
C1	975.00'	5°09'12"	87.69'	43.88'	S02°39'15"E	87.66'
C2	20.00'	90°50'38"	31.71'	20.30'	S45°20'28"W	28.49'
C3	1,000.00'	5°09'12"	89.94'	45.00'	S02°39'15"E	89.91'

LEGEND

SECTION COR. MONUMENT AS NOTED

1/4 COR. MONUMENT AS NOTED

FOUND 1/2" REBAR AS NOTED

FOUND 5/8" REBAR AS NOTED

CALC POINT

POINT OF BEGINNING

ADJOINER LINE

BOUNDARY LINE

FENCE LINE

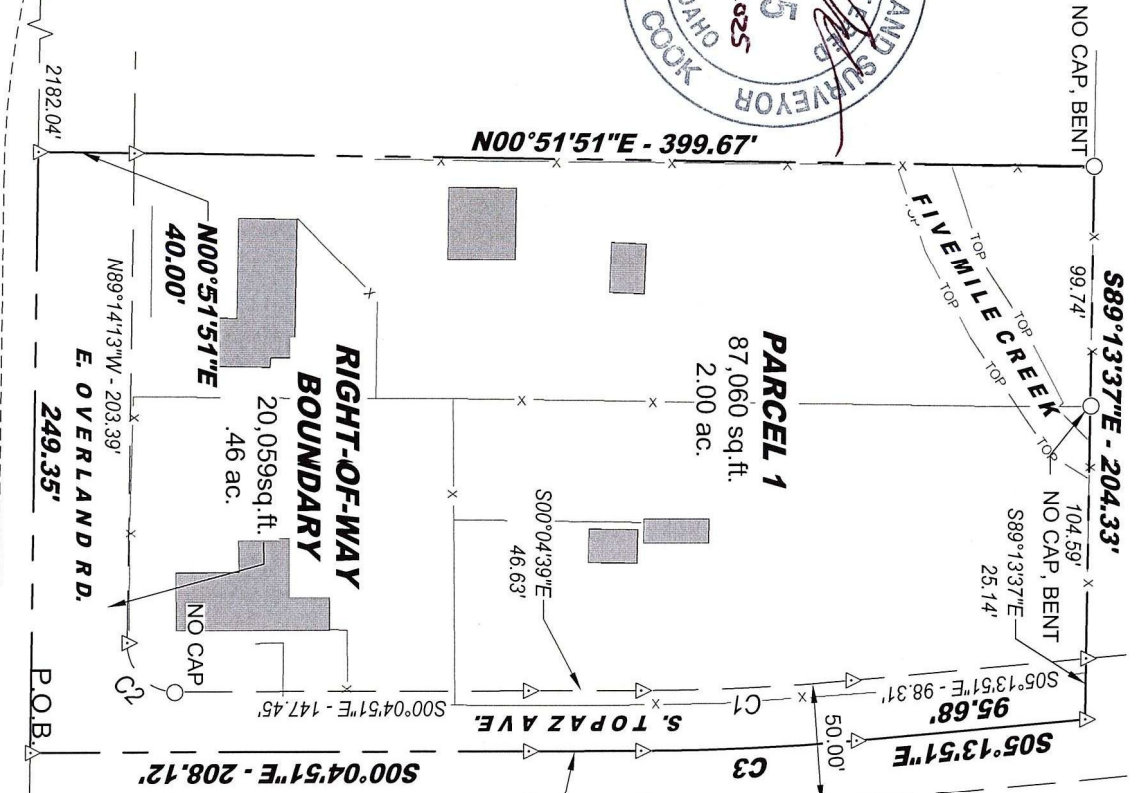
RIGHT OF WAY LINE

SECTION LINE

TIE LINE

EXISTING BUILDING

S. 1/4 COR.
BRASS CAP
P.L.S. 5291
CP&F #108008840



17 16
20 21
SW SEC. COR.

BASIS OF BEARING:

THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, TAKEN AS SOUTH 89°14'13" EAST AND DISTANCE BETWEEN MONUMENTS FOUND TO BE 2663.69 FEET.

BASIS OF BEARING

DISPLAY FOR HECO ENGINEERS

ALL OF LOTS 1 AND 2, BLOCK 2, OF THE JEWEL SUBDIVISION BOOK 34, PAGE 2856-2857, BEING A PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., ADA COUNTY, IDAHO

-2025-

FILE: 24139 - HECO TOPAZ ST DISPLAY.dwg



SURVEYING

366 S. KIMBALL AVE., SUITE 301, CAIDWELL, ID 83605
208-465-5687

EXHIBIT B

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



In the Matter of the Request for Annexation of 2.0 acres with the R-15 zoning district to construct nineteen (19) multifamily units, and one vertically integrated residential building consisting of 7,987 square feet of commercial space, and four (4) residential units. Both uses required a conditional use permit in a proposed R-15 zoning district, by Shaun Wardle and Jason St. George.

Case No(s). H-2025-0004

For the City Council Hearing Date of: March 10th, 2026 (Findings on March 17th, 2026)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 10th, 2026, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 10th, 2026, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 10th, 2026, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 10th, 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 March 10th, 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 and two conditional use permits are hereby approved per the conditions of approval in the Staff Report for the hearing date of March 10th, 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 March 10th, 2026.

By action of the City Council at its regular meeting held on the 17th day of March, 2026.

COUNCIL PRESIDENT JOHN OVERTON

VOTED AYE

COUNCIL VICE PRESIDENT ANNE LITTLE ROBERTS

VOTED AYE

COUNCIL MEMBER DOUG TAYLOR

VOTED AYE

COUNCIL MEMBER LUKE CAVENER

VOTED AYE

COUNCIL MEMBER LIZ STRADER

VOTED _____

COUNCIL MEMBER BRIAN WHITLOCK

VOTED AYE

MAYOR ROBERT SIMISON

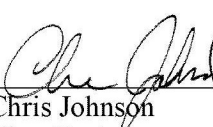
VOTED _____

(TIE BREAKER)



John Overton, Council President 3-17-2026

Attest:



Chris Johnson
City Clerk



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

By:  _____ Dated: 3-17-2026
City Clerk's Office

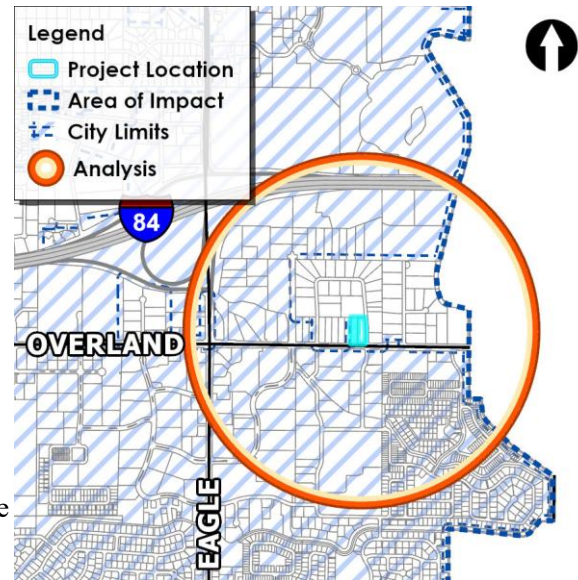
COMMUNITY DEVELOPMENT

DEPARTMENT REPORT



HEARING DATE: 3/10/2026
TO: Mayor & City Council
FROM: Nick Napoli, Associate Planner
208-884-5533
Nnapoli@meridiancity.org
APPLICANT: Jason St. George
SUBJECT: H-2025-0004
St. George

LOCATION: Located at 3870 E. Overland Road and 1545 S. Topaz Avenue in the SE ¼ of the SW ¼ of Section 16, T.3n., R.1E.



I. PROJECT OVERVIEW

A. Summary

Annexation of 2.0 acres with the R-15 zoning district to construct nineteen (19) multifamily units, and one vertically integrated residential building consisting of 7,987 square feet of commercial space, and four (4) residential units. Both uses required a conditional use permit in a proposed R-15 zoning district.

B. Issues/Waivers

NOTE: Staff supports the proposed mix of uses on the site, however the proposed development cannot be supported by staff because the site isn't large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district, as follows:

- The multifamily buildings do not meet the 80 square feet of private usable open space for the residences to use in the multi-family portion of the property. Currently, they are proposing 68 square feet, below the requirement in the UDC.
- Water main placement on the west side does not meet the required 4' setback from the curb; inadequate separation from the infiltration trench; fire hydrants not shown, raising easement and spacing concerns; easement area limits the ability to meet landscaping and tree requirements.
- Proposed balconies/porches may encroach into 20' sewer easement; landscaping within the easement is not allowed, preventing compliance with UDC 11-3B-12.
- The open space proposed for the development does not meet the standards of the Multi-Family Specific Use Standards.

- The landscape buffer along Overland Road does not meet the water conserving design standards, which then does not justify the 50% reduction in the landscape buffer.
- The application lacks critical comprehensive plan elements such as functional integration, a regional park to support recreational needs, and future integration with neighboring properties.
- Multiple alternative compliance requests will be necessary to accommodate the project on the site. The first involves reducing the required landscaping adjacent to the drive aisle from five (5) feet to two (2) feet, and the second involves decreasing the private usable open space requirement.

C. Recommendation

Staff: Denial

Commission: Approval

D. Decision

Council: Approval

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Residential (Single Family)	-
Proposed Land Use(s)	Residential (Multifamily) and Commercial	-
Existing Zoning	R1 in Ada County	VII.A.2
Proposed Zoning	R-15 (Medium to High Density Residential)	
Adopted FLUM Designation	Mixed Use Regional	VII.A.3
Proposed FLUM Designation	Mixed Use Regional	

Table 2: Process Facts

Description	Details
Preapplication Meeting date	1/7/2025
Neighborhood Meeting	1/7/2025
Site posting date	2/27/2026

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		IV.D
• Comments Received	Yes; Staff Report	-
• Commission Action Required	No	-
• Access	Arterial: Overland Road Local: Topaz Avenue	-
• Traffic Level of Service	Overland Road: Better than “E”	
ITD Comments Received	Yes: No comment	-
Meridian Fire		-
• Response Time	5 Minutes or less	
Meridian Public Works Wastewater		-
• Distance to Mainline	Available at the site	
• Impacts or Concerns	Yes, the landscaping within the sewer easement does not permit trees or larger plants. In addition, no permanent structure can overhang into the easement.	
Meridian Public Works Water		-
• Distance to Mainline	Available at the site	
• Impacts or Concerns	Yes, the water main on the west portion of the site does not meet the requirement for the 4’ off the lip of the curb. Water main separation from the infiltration trench is still an issue that is critical to the development's functioning.	
School District(s)	No Comment	-

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

Figure 1: One-Mile Radius Existing Condition Metrics

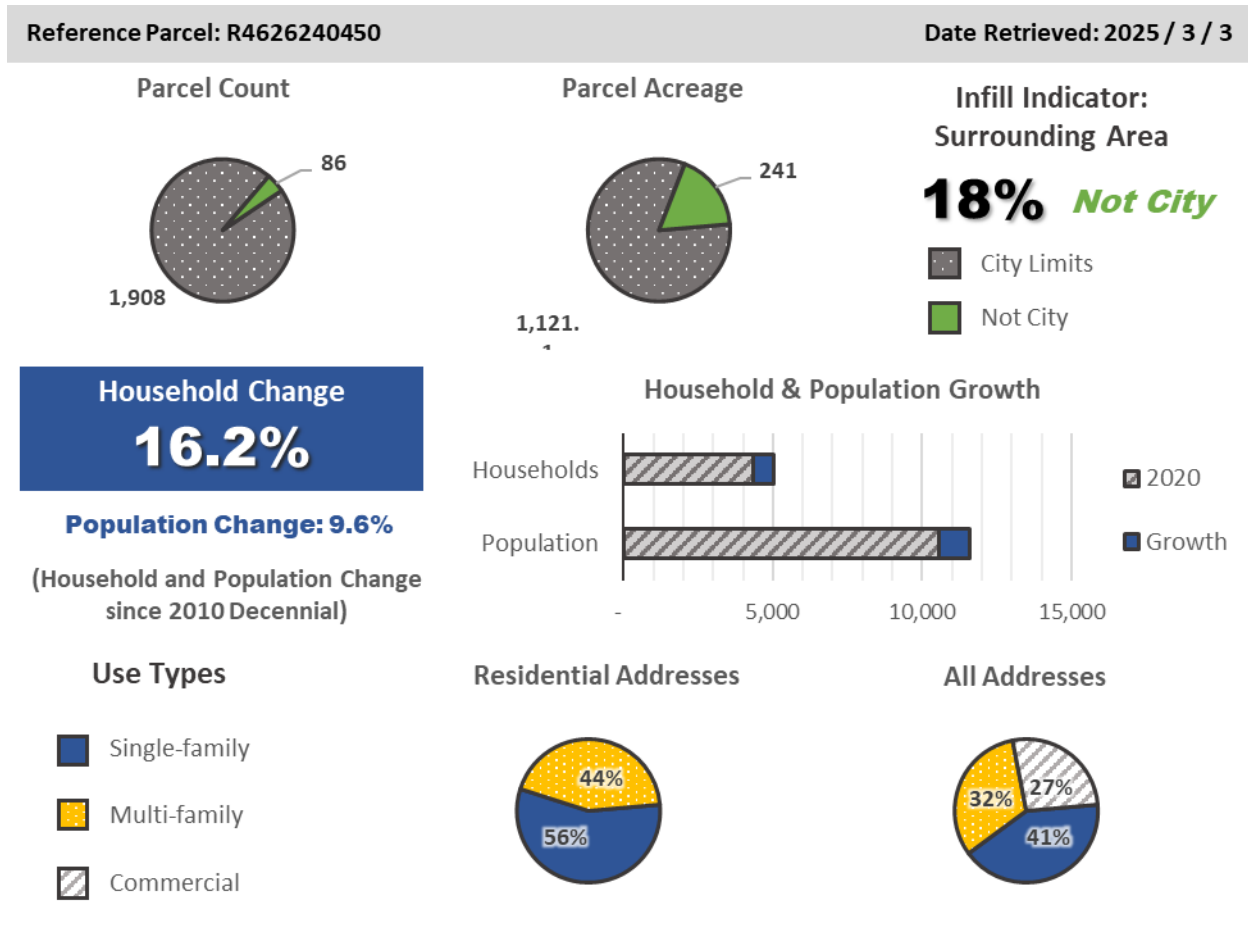


Figure 2: ACHD Summary Metrics

Level of Service Planning Thresholds

1. Condition of Area Roadways

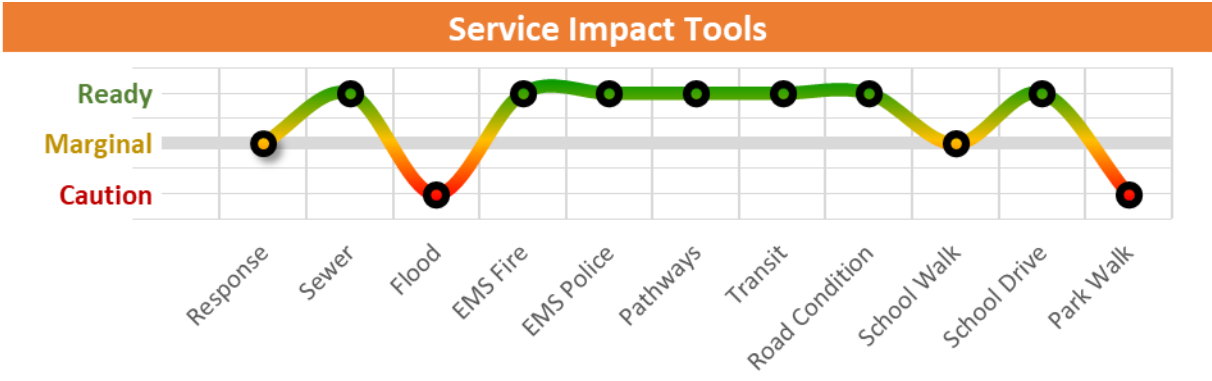
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Overland Road	208-feet	Principal Arterial	927	Better than "E"
Topaz Avenue	162-feet	Collector	N/A	N/A

* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

* Acceptable level of service for a two-lane collector is "D" (425 VPH).

Figure 3: Service Impact Summary



III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

The Future Land Use Map (FLUM) designates the area proposed to be annexed as "Mixed-Use Regional," which is intended to encourage a balanced blend of employment opportunities, retail, residential dwellings, and public uses, particularly in areas near major arterial intersections. This designation supports a diverse and integrated community where residents can live, work, and shop without needing to travel far. An important component of the MU-R designation is to avoid predominantly single-use developments.

The site is currently surrounded by R1 residential county properties to the north and west, with an annexed resident to the east, and a mix of commercial and multifamily in the surrounding area. Additionally, commercial space is located at the north end of S. Silverstone Way, including a Top Golf facility, commercial office, restaurants, and Eagle View Apartments comprising 396 units. To the south, directly across Overland Road are Silverstone Apartments, consisting of 112 residential units, and Movado Village Apartments, consisting of 60 residential units. Furthermore, the property on the northeast corner of S. Topaz Avenue and Overland Road is a recently approved multi-tenant building with a restaurant located in the C-G zoning district.

The project should reflect positive integration with surrounding properties by offering a balanced mix of residential, commercial, and recreational spaces that support the region's broader development vision. The purpose of the MU-R zoning is to foster community and improve the area's overall functionality

The applicant is proposing nineteen (19) Multi-Family Residential Units, four (4) vertically integrated residential units, and 7,987 square feet of commercial space across two (2) acres of land. The vertically integrated building is proposed fronting on Overland Road and has four (4) residential units above 7,987 square feet of commercial space. The applicant states that the development is providing a mix of housing types, promoting connectivity, and encouraging walkability and efficiency through vertically integrated uses. In addition, the applicant has provided 8,330 square feet of open space and amenities in the form of a barbecue grill with a picnic area, pet waste station, and bike repair station.

While the proposed project offers a mix of uses consistent with the MU-R FLUM designation, staff has several concerns. These include insufficient parking, limited functional integration, and the absence of a regional park to support recreational needs. There are also concerns about future integration with neighboring properties and the lack of adequate connectivity, conflicting with the MU-R's goal of fostering a walkable community where residents can live, work, and shop without heavy reliance on driving.

The MU-R and Mixed-Use Integration Standards in the Comprehensive Plan discuss having a larger concept plan for the surrounding area, which staff has asked for but has not received from the applicant. While we understand the applicant owns only the two (2) parcels included in this application, it is important to show how this development can integrate with future development. This design element is critical to showing meaningful functional integration.

Furthermore, there are approximately 560 multi-family units already within the vicinity of this proposed project. A proposed multi-family and vertically integrated residential project was proposed to the east along Overland Road (Rolling Hills) and was denied by the City Council.

Table 4: Project Overview

Description	Details
History	N/A
Phasing Plan	The applicant has indicated that the entirety of the site improvements will be completed with the Vertically Integrated building, and the multifamily will come after the VI building.
Residential Units	23 total units: 19 Multi-Family and 4 Vertically Integrated
Open Space	The development is less than five (5) acres, but still needs to provide open space due to the multi-family standards. The applicant is proposing 8,330 square feet of open space when 5950 is required. However, the open space south of Five Mile Creek does not exceed twenty feet in width, which does not allow for it to be counted.
Amenities	The applicant is proposing a barbecue grill with a patio area, a pet waste station, and a bike repair station.
Physical Features	The north portion of the site is encumbered by Five Mile Creek. The applicant will be required to meet the requirements for the floodplain.
Acreage	2.0 Acres
Lots	1 lot
Density	12 units an acre

B. Site Development and Use Analysis

1. Existing Structures/Site Improvements (*UDC 11-1*):
The current use of the property is residential with several existing buildings on the property. The property consists of two homes and two outbuildings. All structures will be removed, and the existing well and septic system will be abandoned as required.
2. Proposed Use Analysis (*UDC 11-2*):
The proposed uses of Multi-Family residential and Vertically Integrated Residential Projects are conditional uses in the R-15 zoning district.
3. Dimensional Standards (*UDC 11-2*):
The proposal does not meet all of the dimensional standard requirements for the R-15 zoning district.

The applicant has worked with staff on several rounds of revisions to try and make the site meet all of the dimensional standards. To meet the drive aisle requirements, the applicant is requesting alternative compliance to reduce the western landscaping adjacent to the 25-foot drive aisle from five (5) feet to two (2) feet.

However, issues persist with landscaping inside of easements. In communication with the Public Works Department, it was determined that a significant amount of proposed landscaping will need to be removed due to easements encumbering the site. Staff is concerned with this as the proposed development will not meet the landscaping requirements in UDC 11-3B due to inadequate room on the site. Staff has discussed losing units on the site to make adequate room for both the easements, separation, and required landscaping.

However, the applicant did not indicate whether they would be supportive of losing units to better accommodate the site.

In addition, the applicant is proposing water conserving design along Overland Road to reduce the street landscape buffer by 50%; however, the applicant is not in compliance with the water conserving design standards which makes it ineligible for the buffer reduction.

4. Specific Use Standards (UDC 11-4-3):

Multi-Family Development: 11-4-3-27:

Site design.

1. Residential buildings shall provide a minimum setback of ten (10) feet unless a greater setback is otherwise required by this title and/or title 10 of this Code. Building setbacks shall take into account windows, entrances, porches, and patios, and how they impact adjacent properties.

The residential building complies with the minimum setback requirement of 10-feet.

2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street or shall be fully screened from view from a public street.

The site plan depicts screened trash enclosures not visible from a public street; all proposed transformer/utility vaults and other service areas shall comply with this requirement.

3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway, and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standards would create an inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as outlined in section 11-5B-5 of this title.

*The floor plan depicts 68 square foot patios or decks for each unit that does not comply with this standard. **Staff is not supportive of reducing the private usable open space for this project.***

4. For this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space.

None of these areas were used in the open space calculation.

5. No recreational vehicles, snowmobiles, boats, or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area.

The Applicant shall adhere to this standard.

5. The parking shall meet the requirements outlined in chapter 3, "regulations applying to all districts", of this title.

Based on the number of bedrooms per unit, a minimum of 43 off-street parking spaces are required for the multi-family residential portion of the site, which includes two (2) guest parking spaces, 38 spaces covered by carports or garages; a minimum of three (3) bicycle parking spaces are required.

According to the application narrative, a total of 43 spaces are proposed, with 38 of those in a garage.

In addition, if overflow parking is ever needed, it would push residents and commercial customers to park on Topaz Avenue.

7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office. *Not applicable as the development is 19 units.*
 - b. A maintenance storage area. *Not applicable as the development is 19 units.*
 - c. A central mailbox location, including provisions for parcel mail, that provides safe pedestrian and/or vehicular access. *Located in the open space on the north side of the development.*
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. *Not applicable as the development is 19 units.*

The development consists of 19 multi-family units and does not exceed the 20 units required for compliance with these standards.

Common open space design requirements.

1. The total baseline land area of all qualified common open spaces shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *This site is below 5 acres in size; therefore, this is not required. However, see number five (5) below for additional open space requirements, as each unit is required to have a specific amount of open space.*
2. All common open spaces shall meet the following standards:
 - a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for land use after all other development elements have been designed. Open space areas that have been given priority in the development design have:
 - (1) Direct pedestrian access;
 - (2) High visibility;
 - (3) Comply with Crime Prevention through Environmental Design (CTED) standards; and
 - (4) Support a range of leisure and play activities and uses.
 - b. Open space shall be accessible and well-connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.
 - c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering, and relaxation to serve the development.

Staff encouraged the applicant to provide as much open space as possible due to the lack of a regional park in the area.

The applicant does not meet the standards listed above, as the primary common open space along Five Mile Creek is not functionally integrated in the design and is not the priority in the design of the development. The common open space does not provide adequate space for a range of leisure and play activities without conflicts with either drive aisles or Five Mile

Creek. In addition, the bridge across Five Mile Creek may or may not be approved by the Nampa Meridian Irrigation District, which is crucial to the open space proposed.

As a result, the applicant does not meet the purpose statement for the open space due to the functionality of the open space not being a priority which is one of the reasons staff is recommending denial of the project.

3. Alternative compliance is available for the standards listed in subsections (C)1 and (C)2 above, if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land use designations with collectively integrated and shared open space areas.
4. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.
 - a. Minimum size of the common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.
 - b. Alternative compliance is available for these standards if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land-use designations with collectively integrated and shared open space areas.

The submitted plans do not depict a common grassy area of at least five thousand (5,000) square feet, as the development is 19 units and is not required to meet this standard. However, there is no regional park in the area, which raises some concern from staff.

5. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or fewer square feet of living area. *None of the units are below 500 square feet (s.f.) of living area.*
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *21 units are between 500 and 1,200 s.f.; therefore, a total of 0.12 acres (5,250 square feet) of common open space is required.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *Two (2) of the units are above 1,200 s.f. of living area; therefore, a total of .02 acres (700 square feet) of common open space is required.*

A total of 8,330 square feet is proposed, which exceeds the minimum standards. However, the proposed open space does not meet the standards listed above in section two (2) of the open space requirements. The open space does not integrate with the development to promote leisure and play activities without conflicting with drive aisles and Five Mile Creek.

Open space areas consist of half of the street buffer along Overland Road, an arterial street, and linear open space along Five Mile Creek on the north portion of the site. In order to count the buffer along the arterial street, it has to meet the enhanced buffer requirements in UDC 11-4-3-27C.9 and 11-3B-7C.3f.

6. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty (20) feet.

The common open space areas depicted for the development do not meet this requirement. The open space depicted on the south portion of Five Mile Creek does not exceed twenty (20) feet in width.

7. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *Not applicable; the development will be completed in a single phase.*
8. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to a collector or arterial streets unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.
9. Buffer(s): One hundred (100) percent of the landscape buffer along collector streets and fifty (50) percent of the landscape buffer along arterial streets that meet the enhanced buffer requirements below may count towards the required baseline open space.
 - a. Enhanced landscaping as set forth in Article 11-3B, Landscaping Requirements;
 - b. Multi-use pathways;
 - c. Enhanced amenities with social interaction characteristics;
 - d. Enhanced context with the surroundings.

The buffer shall comply with the enhanced buffer requirements as noted, except for a multi-use pathway, which is not required because there is an existing sidewalk along Overland.

Site development amenities.

1. All multifamily developments shall provide for quality of life, open space, and recreation amenities to meet the particular needs of the residents as follows:
 - a. *Quality of life.*
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with a waste station.
 - (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage
 - b. *Open space.*

- (1) Community garden.
 - (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping, and a structure for shade.
 - c. *Recreation.*
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. *Multi-modal amenity standards.*
 - (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop.
 - (4) Charging stations for electric vehicles.
2. The number of amenities shall depend on the size of the multifamily development as follows:
- a. For multifamily developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multifamily development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one (1) from each category.
 - c. For multifamily development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one (1) from each category.
 - d. For multifamily developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection (D), provided that these improvements provide a similar level of amenity.

The Applicant proposes the following amenities exceeding the requirement for two (2) amenity points on the site:

Open Space: Barbeque with patio area, pet waste station, and a regional pathway that will extend in the future.

Multi-modal: Bicycle repair station

Landscaping requirements.

- 1. Development shall meet the minimum landscaping requirements by chapter 3, "regulations applying to all districts", of this title.
- 2. All street-facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three (3) feet wide.

- b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted.
- c. Ground cover plants shall be planted in the remainder of the landscaped area.

The landscape plan depicts landscape areas at least 3' wide and evergreen shrubs every three (3) linear feet and ground cover plants in the remainder of the landscaped area. This is only required for the building that fronts on Topaz.

Maintenance and ownership responsibilities.

All multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The applicant shall comply with this requirement and provide said document prior to issuance of the Certificate of Occupancy for the development.***

Police access under exigent circumstances.

Multifamily developments with units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.

11-4-3-41: Vertically Integrated Residential Project

1. A vertically integrated residential project shall be a structure that contains at least two (2) stories. *The applicant complies with this standard.*
2. A minimum of twenty-five (25) percent of the gross floor area of a vertically integrated project shall be residential dwelling units; outdoor patio space on the same floor as a residential unit may count towards this requirement. *The applicant is in compliance with this standard. The entire second story is for residential use.*
3. A minimum of ten (10) percent of the gross floor area of a vertically integrated project shall be used for nonresidential uses as specified in subsection E below. *The applicant is in compliance with this standard. The entire first floor is for non-residential uses.*
4. The minimum building footprint for a detached vertically integrated residential project shall be two thousand four hundred (2,400) square feet. *The building footprint for the vertically integrated building is 8,217 square feet, exceeding this requirement.*
5. The allowed nonresidential uses in a vertically integrated project include: arts, entertainment or recreation facility; artist studio; civic, social or fraternal organizations; daycare facility; drinking establishment; education institution; financial institution; healthcare or social assistance; industry, craftsman; laundromat; nursing or residential care facility; personal or professional service; public or quasi-public use; restaurant; retail; or other uses that may be considered through the conditional use permit process.

The applicant acknowledges this and will be required to comply with the approved uses. However, staff has concerns regarding the adequacy of parking for certain potential tenants. Specifically, if a restaurant were to occupy the space, it could create significant parking demand. While the applicant exceeds the minimum commercial parking requirement by four (4) spaces, this surplus is insufficient to support the intensity of a restaurant use.

6. None of the required parking shall be located in the front of the structure. *The parking is located behind the building.*

7. A minimum of fifty (50) square feet of private, usable open space shall be provided for each residential dwelling unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. The Director may consider an alternative design proposal through the alternative compliance provisions as set forth in Section 11-5B-5 of this title. *The applicant is in compliance with this standard.*

C. Design Standards Analysis

1. Structure and Site Design Standards (*Comp Plan, UDC 11-3A-19*):

The proposed concept plan adheres to these standards: At least forty (40) percent of the buildable frontage is occupied by building facades and/or public space; only one drive aisle, with parking on one or both sides, is permitted between the building facades and adjacent streets; and a continuous pedestrian walkway, at least five (5) feet wide, is provided from the perimeter sidewalk to the main building entrances for nonresidential uses.

2. Qualified Open Space & Amenities (*Comp Plan 2.02.00, Comp Plan 2.02.01B, UDC 11-3G*):

Per UDC 11-3G-3, qualified open space is defined as active or passive open spaces. Any open space that is active or passive in its intended use, and accessible by all residents of the development, including, but not limited to: Open grassy area of at least five thousand (5,000) square feet in area; Community garden(s); natural waterways, open ditches, and laterals, protective buffers a minimum of ten (10) feet in width dedicated for active access along these natural open spaces count toward meeting the open space minimum requirements; plaza with a minimum dimension of twenty (20) feet in all directions and including hardscape, seating, lighting in conformance with the standards set forth in section 11-3A-11 and landscaping in conformance with the requirements set forth in Article 11-3B, Landscaping Requirements; or linear open space area that is at least twenty (20) feet and up to fifty (50) feet in width, has an access at each end, and is improved and landscaped as set forth in Article 11-3B, Landscaping Requirements.

Since this development is less than five (5) acres in size, it does not need to meet the 15% open space typically required in the R-15 zone. However, since it is a multifamily development, the following standards apply:

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.*
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.*
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.*

The proposed project includes 8,330 square feet of qualified open space, 2,480 square feet more than the minimum requirement. However, the location of the common open spaces raises concerns about their functionality. The primary common area is situated along the northernmost drive aisle and adjacent to Five Mile Creek, offering limited usable space for resident recreation. Additionally, the Nampa Meridian Irrigation District has not yet confirmed whether a pedestrian bridge may cross the creek; if not permitted, the majority of this open space would become inaccessible and effectively unusable.

The applicant is proposing a bike repair station and a barbecue with a picnic area on a site less than 5,000 square feet, a pet waste station, and a regional pathway that will be extended in the future for a total of three and a half (3.5) points, which exceeds the two (2) amenity points required in the UDC.

The Comprehensive Plan calls for developments to create safe, attractive, and well-maintained neighborhoods with ample open space and a range of amenities that support diverse lifestyle choices. Reducing or omitting these elements, regardless of the parcel's shape or intended demographic, undermines the Plan's core principles and standards.

It's important to recognize that proximity to parks and sports complexes doesn't fully address the need for accessible and usable open space within a neighborhood. The closest park is Gordon Harris Park, which is a little over a mile away. In addition, the residents would still face the challenge of crossing major arterial roads to reach these amenities. Pedestrian and bicycle crossing of these major roadways adversely affects signal performance and signal timing, and is one of the stated reasons for mixed-use area analysis to not include areas bisected by major roadways. This can be a significant barrier, particularly for families with young children, elderly residents, or those without convenient transportation options.

Staff has concerns with the location and functionality of the open space, as Five Mile Creek and the northernmost drive aisle create conflicts for residents to use the open space. Additionally, the plan indicates that a pedestrian bridge is proposed across the Five Mile Creek. If this isn't allowed by NMID, it further impacts the viability of usable open space on the site. The Planning and Zoning Commission and City Council should carefully consider whether the amount and location of the open space is appropriate and whether units should be lost to incorporate more.

3. Landscaping (UDC 11-3B):

i. Landscape buffers along streets

A thirty-five (35) foot wide street buffer is required along Overland Road, an entry way corridor. However, the applicant is proposing a water conserving design which allows for a 50% reduction in the width so the applicant is proposing an eighteen (18) foot wide buffer. The landscaping within this buffer is required to be installed per UDC 11-3B.

The proposed landscape plan does not meet this requirement. The water conserving design standards have not been met, which then does not justify the 50% reduction in the landscape buffer along Overland Road. Without the reduction in the buffer, the applicant does not meet the standards in the UDC.

ii. Parking lot landscaping

Landscaping is required to be provided along all parking areas per the standards listed in UDC 11-3B-8. *The proposed landscape plan does not meet the minimum requirements. Several planter islands and landscaping areas are missing trees or other vegetation due to easements. The Public Works Department expressed concerns regarding proposed landscaping and easement locations as there is also proposed landscaping*

If approved, the applicant shall provide vegetation coverage calculations with the submittal of the certificate of zoning compliance submittal and shall provide a tree in each planter island. If a tree cannot be placed in a planter island due to an easement, relocation of the tree elsewhere on site will be required.

iii. Landscape buffers to adjoining uses

Landscaping is required to meet the standards of UDC 11-3B-9.

The landscape plan does not meet the minimum requirements for the zoning being requested. The applicant cannot place trees in the landscaping on the west portion of the site due to a proposed reduction from five (5) feet in width to two (2) feet in width.

iv. Tree preservation

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). Deciduous specimen trees four-inch caliper or greater may count double towards total calipers lost, when planted at entryways, within common open space, and when used as focal elements in landscape design.

If trees are proposed to be removed, the applicant shall provide mitigation calculations with submittal of the certificate of zoning compliance application.

v. Storm integration

An adequate storm drainage system is 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 as set forth in UDC 11-3A-18.

vi. Pathway landscaping

Landscaping is required to be provided along all pathways per the standards listed in UDC 11-3B-12C.

The applicant does not meet the pathway landscaping requirements and shall revise their site and landscape plan to reflect compliance with these standards. A minimum of ten (10) feet of landscaping is required along pathways with no less than two (2) feet on any one side.

4. Parking (UDC 11-3C):

i. Residential parking analysis

Based on the number of bedrooms per unit, a minimum of 49 off-street parking spaces are required for the residential portions of the site, which includes two (2) guest parking spaces, with 38 of those covered in a carport or garage. *The applicant meets the minimum requirements for parking.*

ii. Nonresidential parking analysis

For the non-residential portion of the site, sixteen (16) parking spaces are required for the parking ratio of one space per 500 square feet of gross floor area. While the applicant exceed the parking ratio by four (4) spaces, restaurants will not be an allowed use as they necessitate one space every 250 square feet which cannot be achieved. In addition, any overflow parking will be pushed onto Topaz Avenue.

iii. Bicycle parking analysis

UDC 11-3C mandates one (1) bicycle parking space shall be provided for every twenty-five (25) proposed vehicle parking spaces or portion thereof, except for single-family residences, two-family duplexes, and townhouses.

The applicant did not propose bicycle parking with this application.

5. Building Elevations (*Comp Plan, Architectural Standards Manual*):

Goals 5.01.02D and 5.01.02A of the Comprehensive Plan emphasize the importance of building design and landscaping in buffering, screening, beautifying, and integrating commercial, multifamily, and parking areas with existing neighborhoods. The schematic renderings for the proposed two-story structures, detailed in Section V.II, reveal a design utilizing lap siding, asphalt shingles, and iron railings in a neutral color scheme.

The final design of all buildings must comply with the standards outlined in the Architectural Standards Manual.

6. Fencing (*UDC 11-3A-6, 11-3A-7*):

All fencing is required to comply with the standards listed in UDC 11-3A-7.

The applicant is proposing two (2) types of fencing. An open vision fencing along Five Mile Creek and a closed vision fence along the western boundary. Both of which meet the standards in UDC 11-3A-7.

7. Parkways (*Comp Plan, UDC 11-3A-17*):

The minimum width of parkways planted with Class II trees shall be eight (8) feet. The width can be measured from the back of curb where there is no likely expansion of the street section within the right-of-way; the parkway width shall exclude the width of the sidewalk. Class II trees are the preferred parkway trees.

The plans submitted appear to be in compliance with this standard.

Goal 6.01.01J of the Comprehensive Plan emphasizes the importance of ensuring and encouraging new development to include buffered sidewalks, a sidewalk separated from the motor vehicle lane by a planter strip, especially on collector and arterial roadways.

D. Transportation Analysis

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

Goals 6.01.01H and 6.01.02B of the Comprehensive Plan emphasize reducing the number of access points onto arterial streets through methods such as cross-access agreements, access management, and frontage or backage roads. These goals also stress the importance of enhancing local and collector street connectivity and incorporating pedestrian access connectors to link subdivisions and promote neighborhood connectivity within the community pathway system.

One full access is proposed on the south portion of the site via S. Topaz Avenue (currently a local street but will be a future collector). Additionally, a one-way access is proposed on the north portion of the site for the multifamily residents to use. According to ACHD's staff report, the applicant should construct Topaz Avenue as a ½ collector roadway with a five (5) foot detached sidewalk and eight (8) foot parkway. In addition, ACHD is asking for the applicant to dedicate a total of 62 feet from the centerline of Overland Road.

The applicant is also stubbing a cross-access drive with an easement to the property to the west, as this property is anticipated to use this access in the future when it redevelops.

2. Multiuse Pathways/ Pathways (*Comp Plan, UDC 11-3A-8, UDC 11-3A-5*):

The applicant is proposing to construct a ten (10) foot multi-use pathway along Five Mile Creek and leave the existing attached seven (7) foot pathway along Overland Road. These pathways are consistent with the pathways master plan, however, the applicant shall provide adequate landscaping on both sides of the ten (10) foot multi-use pathway along Five Mile Creek. Currently, the applicant does not meet the standards of landscaping along a pathway. A total of ten (10) feet of landscaping with no less than two (2) feet on one side of the pathway shall be required if the application is approved.

In addition, the applicant shall revise the plan to show a fourteen (14) foot easement for the multi-use pathway.

It is important to note that if Nampa Meridian Irrigation District does not allow for the pedestrian bridge across Five Mile Creek, the ten (10) foot multi-use pathway will be inaccessible.

3. Sidewalks (*UDC 11-3A-17*):

All sidewalks around buildings and serving public streets shall be a minimum of five (5) feet in width, except if detached sidewalks are provided on local public streets in residential subdivisions, the minimum sidewalk width may be reduced to four (4) feet. The Applicant has provided a pedestrian connection to each location throughout the site in compliance with this standard. However, there is not a clear pathway to the open space on the northwest portion of the site.

E. Services Analysis

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

Goal 4.05.01D and Goal 6.01.04B of the Comprehensive Plan emphasize the importance of improving and protecting creeks and other natural waterways throughout commercial, industrial and residential areas. Develop and implement agreements with irrigation districts and the Union Pacific Railroad to allow for bike/pedestrian pathways. The Five Mile Creek runs along the northwest boundary of the site and is proposed to be preserved as a natural amenity in accordance with UDC 11-3A-6. The Applicant prioritizes the preservation of the existing creek by incorporating the creek into the site design as a natural amenity. The Applicant is proposing to protect and enhance Five Mile Creek by adding planters with trees and shrubs on both sides of the creek. Additionally, the multi-use pathway is proposed to run parallel to the Creek, along with a bridge running across the creek to allow for residential access. Nampa Meridian Irrigation District has not confirmed whether they will allow the pedestrian bridge across the easement. The Applicant shall coordinate with Nampa Meridian Irrigation District (NMID) to ensure that the development adheres to best practices for waterway protection.

2. Pressurized Irrigation (*UDC 11-3A-15*):

Underground pressurized irrigation water is required to be provided with this development as set forth in UDC 11-3A-15.

3. Storm Drainage (*UDC 11-3A-18*):

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best

management practices adopted by the City as set forth in UDC 11-3A-18. **The public works water division has concerns with the water main separation from the infiltration trench.**

4. Utilities (*Comp Plan, UDC 11-3A-21*):

Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development. All utilities are available to the site. Water main, fire hydrant and water service require a twenty-foot (20) wide easement that extends ten (10) feet past the end of main, hydrant, or water meter. No permanent structures, including trees, are allowed inside the easement.

In addition, the Public Works Department has raised concerns about the site being able to move forward with the next steps in the process, as there are issues with several landscaping, separation, and easement issues.

Comprehensive Plan policy 3.03.03G require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

~~No conditions of approval, as City staff is recommending denial of the application.~~

- A. 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. A Certificate of Zoning Compliance and Design Review Application will not be accepted until the Ordinance and Development Agreement are recorded.

Currently, a fee of \$303.00 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 approval of the annexation Findings. The DA shall, at minimum, incorporate the following provisions IF City Council determines annexation is in the best interest of the City:

- B. Future development of this site shall be consistent with the site plan, landscape plan, qualified open space, and a total of three (3) site amenities one (1) from each category; one (1) vertically integrated residential structures featuring four (4) dwelling units and 8,000 square feet of commercial space along with three (3) multi-family buildings consisting of 19 dwelling units (for a total of 23 residential units); and conceptual building elevations and renderings as proposed in Section VII and the provisions contained herein.
- C. The Development shall comply with the Specific Use Standards for a multi-family development outlined in UDC 11-4-3-27 and a vertically integrated residential project as outlined in UDC 11-4-3-41.
- D. The applicant shall submit written documentation to Jason Korn or applicable Flood Plain Administrator to Pipe Five Mile Creek if allowed by City Council
- E. Prior to any development on the property and submittal of the certificate of zoning compliance, the applicant shall apply for a no rise certification and floodplain permit and confirm with the Flood Plain Administrator.
- F. The existing homes and accessory structures shall be removed prior to submittal of the first Building Permit.
- G. Restaurants and Drinking Establishments shall be prohibited uses in the commercial space in the vertically integrated building.

- H. Any future development of the site must comply with the City of Meridian ordinances in effect at the time of the development

Conditional Use Permit

1. The site and landscape plan shall include the following revisions:
 - Depict all proposed fencing and provide a fencing exhibit.
 - Implement directional signs and striping to indicate the northern entrance off of Topaz Avenue as one-way.
 - In order to count the buffer along the arterial street, it has to meet the enhanced buffer requirements in UDC 11-4-3-27C.9, 11-3B-5, 11-3G-3, and 11-3B-7C.3f.
 - Provide parking lot landscaping in accordance with UDC 11-3B-8 or apply for alternative compliance to relocate the trees to the buffer along Overland Road.
 - Provide bicycle parking for the multi-family and non-residential uses in compliance with UDC 11-3C.
 - Leave Five Mile Creek in its natural state and remove the northernmost unit in Building A to incorporate additional open space, and relocate the three (3) amenities, one from each category, be relocated to the open space south of Five Mile Creek.
2. The proposed development is required to comply with the dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district.
3. The Applicant shall obtain a Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approvals before submitting any building permit within this development.
4. Off-street parking is required to be provided by the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
5. No recreational vehicles, snowmobiles, boats, or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area.
6. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as outlined in UDC 11-3B-14.
7. With the submittal of the first certificate of zoning compliance application, the applicant shall provide a maintenance agreement for the development.
8. With the submittal of the first certificate of zoning compliance application, the applicant shall submit and get the 14-foot pedestrian easement for the future pathway.
9. The Conditional Use Permit approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as outlined in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as outlined in UDC 11-5B-6F.4.
10. ~~Fifteen (15) days prior to the City Council hearing, the applicant shall provide the revised concept plan, landscaping plan and open space exhibit to match, provide details for the amenities, and relocate the open space.~~
11. The Applicant shall comply with all ACHD's conditions of approval.
12. Staff's failure to cite all relevant UDC requirements does not relieve the applicant from compliance.

B. Meridian Police Department

The Meridian Police Department is equipped to service this development if approved, as it already provides coverage for this geographic area.

For any climate controlled multi-family developments, the Meridian Police Department requires police access into each building's entry point using a multi-technology keypad per UDC 11-4-3-27G. This will allow police access, if there is an emergency, into the building if someone isn't able to come to the door to allow police entrance. Otherwise, police would have to breach the door to gain access which isn't ideal for anyone and delays our response. This does not apply to Garden Style multi-family developments.

In addition, if the development has vertically integrated buildings incorporated into this development, the Meridian Police Department request these buildings also be designed to have the same multi-technology keypads. Note that this is not required by code for vertically integrated buildings but would greatly assist law enforcement in emergencies. Knowing this is a vertically integrated project, the police would like to request multi-technology keypads for access into the development for emergency calls for service. Police will work with the applicant on placement of these keypads if needed. Police will have their own access code (same for each building) to use in an emergency and will have to be coordinated with the supervisor of Meridian PD Code Enforcement.

All townhomes and or multi-family units shall be clearly marked with addresses and unit numbers visible day or night for emergency response. The applicant shall place a way-finding map at each entrance that is visible day or night. All qualified open space provided in the development, to include all amenities, must be in an open area to allow for natural observation opportunities. Pathways and landscaping should not create hiding spots or blind spots that would promote criminal opportunities. The Meridian Police Department will support all Community Development Staff recommendations, Traffic Impact Studies from ITD and ACHD to improve access, roadways, intersections, pathways and sidewalks before the project is fully completed.

C. Meridian Park's Department



Reviewer: Kim Warren / Pathways Project Manager

Planner Assigned: Nick Napoli

Project Name: St. George **File No:** H-2025-0004– AZ, CUP **Date:** 5.16.2025

In addition to the pathway conditions issued 3.19.2025, the following will be required for the pedestrian bridge:

PEDESTRIAN BRIDGE + ACCESS REQUIREMENTS

1. Verify that the pathway edge adjacent to the north bank of the Fivemile Drain is set back far enough to be stable. Some setback from the bank (min 2' shoulder) is necessary to allow for thorough compaction of base material and paving. Submit a grading plan or version of the site plan that shows the relationship of the pathway and bridge improvements to existing and proposed grades.
2. The pedestrian bridge design will need to be approved by Nampa and Meridian Irrigation District and Meridian City prior to construction. Verify that NMID will allow this bridge crossing, as the proposed open space will not function as a connected amenity without the pedestrian bridge.
3. As it is shown on the plan, the proposed pathway will also need to serve as a NMID maintenance road. Sometimes the irrigation district will permit shared access along drains. Obtain NMID approval to share this access before finalizing plans.
4. The pedestrian bridge must be owned and maintained by the project developer/subsequent HOA.
5. The bridge will require a building permit, with inspection of concrete abutments and installation.
6. A pedestrian ramp/curb cut will be needed along the north driveway to provide ADA access to the bridge crossing. Additional ramps will be needed on site to provide accessible routes from each building to the open space amenity. Depict ramps on site grading plan.
7. Show accessible pedestrian routes from the buildings to the pathway. Parallel parking on the north side of Building B appears to block pedestrian access to pathway and open space amenity.

Reviewer: Kim Warren / Pathways Project Manager

Planner Assigned: Nick Napoli

Project Name: St. George **File No:** H-2025-0004– AZ, CUP **Date:** 3.19.2025

The following will be required for development of the proposed project:

CONDITIONS OF APPROVAL - PATHWAYS

1. The project developer shall design and construct multi-use pathways consistent with the location and specifications set forth in the Meridian Pathways Master Plan Map and Master Pathways Plan Document Chapter 3). Any proposed adjustments to pathway alignment shall be coordinated through the Pathways Project Manager. *Interactive Pathways Map*

2. Prior to final approval the applicant shall dedicate a public access easement for a multi-use pathway **along the north side of the Fivemile Creek. Pathway segment shall be constructed at the same time as the bridge crossing and general improvements to the common open area across the Fivemile Creek.**

Easements shall be a minimum of 14' wide (10' pathway + 2' shoulder each side). All pathways shall be located outside of irrigation district easements unless permission is specifically obtained from the governing irrigation district. Pathway alignment shall not be impeded/encroached upon by bridge abutments.

Easement need only be dedicated for multi-use pathways that lie outside the public ROW.

*Use standard City template for public access easement. **Submit all easements online through Citizen's Access Portal.***

3. Construct multi-use pathways per paving section based on existing site conditions as recommended by project civil engineer in accord with UDC 11-3A-8 and 11-3B-12. Prior to final approval the applicant's engineer shall provide written documentation that the pathway segment was constructed per the recommended specifications.
4. The owner (or representative association) of the property affected by each public access easement shall have an ongoing obligation to maintain the multi-use pathway.
5. 6' high open vision fencing shall be installed between pathways and (live) water irrigation canals and laterals as detailed in the Meridian Pathways Master Plan, Chapter 3, page 3-5. All other fence details per UDC 11-3A-7. **As noted in review notes, the Fivemile Creek is not Live Water. Fencing, if installed, shall allow for maintenance access to one side of the creek by Nampa and Meridian Irrigation District.**
6. Project developer shall be responsible for obtaining license agreement and other permission(s) as required for constructing within irrigation district easements.
7. Should any discrepancy exist between these conditions of approval and the requirements of the irrigation district, the developer shall work with Pathways Project Manager to achieve a pathway design that meets both City and irrigation district objectives. City requirements as stated shall not (nor are they intended to) override those of the irrigation district having jurisdiction over the project area.

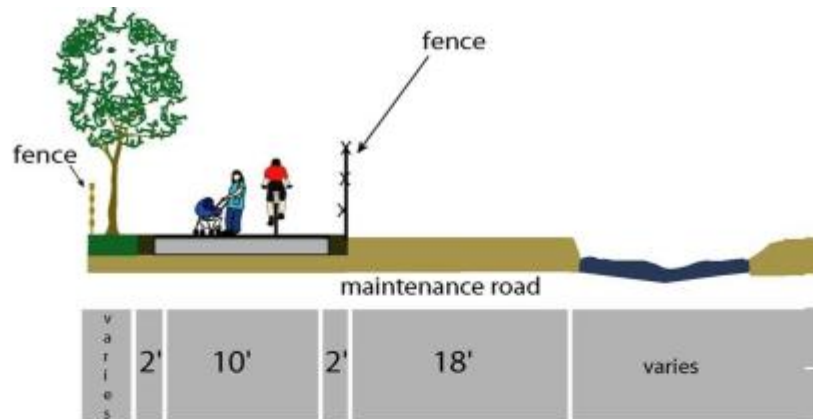


Figure 3-4. Shared-Use Pathway along Lateral or Canal

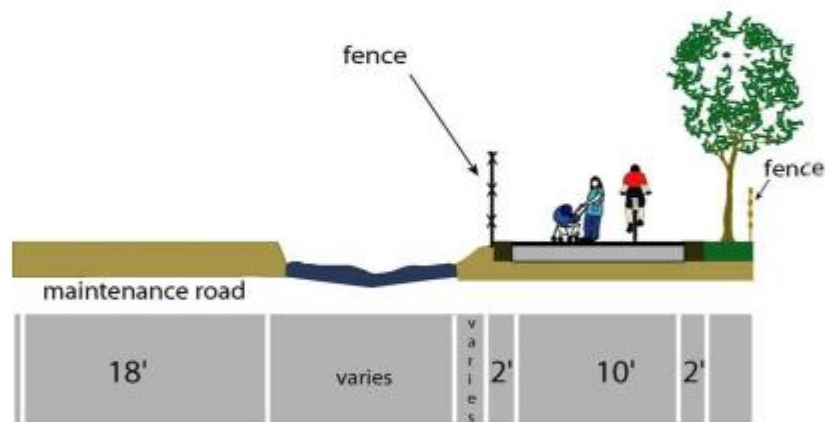


Figure 3-5. Shared-Use Pathway along Lateral or Canal

Other Waterways

Figure 3-6 illustrates a typical shared-use pathway design that is appropriate for pathways along other designated waterways such as drainages and ditches. This pathway is designed to accommodate the same type of non-motorized traffic as a canal pathway. The design for this type of waterway pathway (a ditch, drainage, creek, etc) is different from the canal and lateral pathway design based on the volume of water being transported, the destination of the water, and a reduced need for access to the corridor by the irrigation districts.

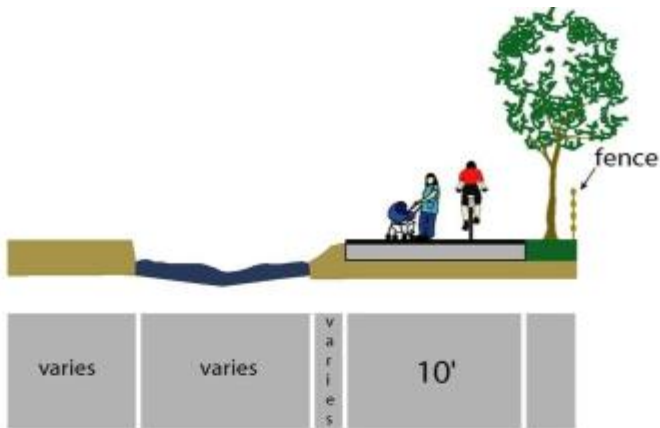


Figure 3-6. Shared-Use Pathway along Other Designated Waterways

Residential Pathway

Figure 3-7 illustrates a typical shared-use pathway design that is appropriate for pathways through new residential developments where there is no feasible natural feature (such as a canal) to locate the pathway. The pathway is designed to accommodate two-way bicycle and pedestrian traffic. The pathway is typically located within the road right-of-way and parallels the roadway through the residential development. It is located on one side of the road and separated by a planting buffer 6-8 feet wide. The pathway is paved (asphalt or concrete) to meet ADA requirements.

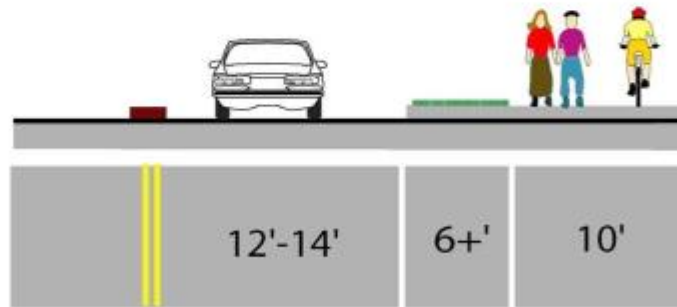


Figure 3-7. Shared-Use Pathway through Residential Developments in Road Right-of-Way

Treasure Valley Rail-with-Trail Pathway

Figure 3-8 illustrates a typical shared-use pathway design for a rail-with-trail pathway through Meridian. As noted earlier, rail service includes two to three trains daily that travel 20-25 mph through the city with active spur lines as well. The railway generally has a 200-foot easement. This pathway is designed to

D. Ada County Highway District (ACHD)



Miranda Gold, President
Alexis Pickering, Vice-President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner
Patricia Nilsson, Commissioner

Date: April 9, 2025

To: Jason St. George, via email

Staff Contact: KaraLeigh Troyer, Planner

Project Description: St. George

Trip Generation: This development is estimated to generate 164 vehicle trips per day, 13 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Proposed Development Meets	
All ACHD Policies	X
Requires Revisions to meet ACHD Policies	

Traffic Impact Study	
Yes	
No	X
If yes, is mitigation required	

Area Roadway Level of Service	
Do area roadways meet ACHD's LOS Planning Thresholds?	
Yes	X
No	
Area roads will meet ACHD's LOS Planning Thresholds in the future with planned improvements?	
Yes	
No	

ACHD Planned Improvements	
FYP	X
CIP	X

Livable Street Performance Measures	
Pedestrian	LTS 1
Cyclist	*LTS 4 & 1

Is Transit Available?	
Yes	X
No	

Comments: *Overland Road has an LTS 4 for cyclists and Topaz Avenue has an LTS 1.

connecting you to more

Ada County Highway District - 5800 N Meeker Avenue - Boise, ID - 83713 - PH 208-387-6100 - FX 345-7650 - www.achdidaaho.org

V. FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

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 the applicants proposal to annex two (2.0) acres of land with the R-15 zoning district for the development of 19 multi-family units, 4 vertically integrated residential

units, and 7,987 square feet of commercial space is consistent with the Mixed-Use Regional FLUM designation for this property.

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 R-15 and conceptual development plan generally complies with the R-15 purpose statement as it is contributing to a variety of residential units into the area with a commercial component that is consistent with the comprehensive plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The City Council finds the proposed map amendment will not be materially detrimental to the public health, safety, and welfare.
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 City services are available to be provided to this development.
5. The annexation (as applicable) is in the best interest of the city.
The City Council overturned staff's recommendation for denial and finds the annexation is in the best interest of the city. The Commission found that the open space being provided was adequate for the development, the corrected issues were substantial enough to overcome their concerns, and that the subject development integrates with the surrounding area in compliance with the comprehensive plan.

B. Conditional Use (UDC 11-5B-6E)

The commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
The City Council finds the site is large enough to accommodate the proposed use and meet all the dimensional standards of the district. This determination is based on several factors, including the applicant's functional integration with adjacent properties, revised open space that meets the specific use standards for multi-family developments, the proposed open space being functional.
2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.
The City Council finds the proposed uses will be harmonious with the Meridian comprehensive plan.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.
The City Council finds the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood as the area currently stands.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The City Council that the subject development will not adversely affect other property in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The City Council finds the proposed use can be served adequately by essential public facilities and services, however, as previously mentioned, staff has concerns with being able to accommodate all of the easements for water and sewer while meeting landscaping requirements.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The City Council finds the proposed uses will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The City Council finds the proposed uses will not involve activity or processes, materials, equipment and conditions of operation that will be detrimental to any person, property, or the general welfare. In addition, ACHD indicated Overland Road has capacity to service this development.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

The City Council finds the proposed use will not result in the destruction, loss, or damage of a natural, scenic or historic feature. The applicant is proposing to leave Five Mile Creek open as a natural waterway.

9. Additional findings for the alteration or extension of a nonconforming use:

Not Applicable.

10. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

Not Applicable.

11. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

Not Applicable.

VI. ACTION

A. Staff:

Staff recommends denial of the proposed Annexation and Conditional Use Permits as discussed above in Section III, per the Findings in Section V.

B. Commission:

The Meridian Planning & Zoning Commission heard these items on November 6th, 2025 and it was continued to February 5th, 2026. At the public hearing, the Commission moved to recommend approval of the subject annexation and two conditional use permit requests.

1. Summary of Commission public hearing:

- a. In favor: Shirley Sterner, Shaun Wardle, Jim Escobar, and Jesse Christensen
- b. In opposition: Anita Gallagher, Robert Taylor, Lynette Adsitt, and Lyman Holyoke
- c. Commenting: None
- d. Written testimony: None
- e. Staff presenting application: Nick Napoli
- f. Other Staff commenting on application: Bill Parsons and Kurt Starman

2. Key issue(s) of public testimony:

- a. On November 6th, 2025 the following public comments were received at the public hearing:
 - Anita Gallagher: Concerns regarding overflow parking, no sidewalks along the local streets creating conflict with cars and pedestrians, density being too high, and height difference between new development and existing homes.
 - Robert Taylor: Concerns regarding traffic and congestion, the safety of having more units coming off of Topaz without a signal, noise, and reduced privacy from the height disparity between the existing homes and proposed new multi-family.
 - Lynette Adsitt: Concerns regarding traffic and safety with increased trips on Topaz and Overland, lack of integration with the existing area, and too much density.
 - Lyman Holyoke: Concerns regarding traffic and safety, integration with the existing neighborhood, and having too much residential.

On February 5th, 2026 the following public comments were received:

- Shirley Sterner: In support of the project. She is a realtor representing five (5) property owners in the county subdivision. They would like to get the highest and best value for their properties and believe this is a start to doing that.

3. Key issue(s) of discussion by Commission:

- a. On November 6th, 2025, the Planning and Zoning Commission had large concerns with the outstanding issues that staff highlighted in their staff report. As a result, the Commission decided to continue the application to allow for the applicant to work with City Staff to fix the outstanding issues. This then leads to February 5th, 2026, where the Planning and Zoning Commission still had concerns regarding open space and Five Mile Creek; however, they determined that these issues were not the individual property owners issue to solve. As a result, the commission decided to recommend approval with changes to the staff report.

4. Commission change(s) to Staff recommendation:

- a. The Planning and Zoning Commission recommended approval and changed the conditions of approval to remove the requirement to lose the northernmost unit of Building A and to remove the recommendations for Five Mile Creek being left open instead of being piped. The Commission would like City Council to make the decision on the piping of Five Mile Creek.

5. Outstanding issue(s) for City Council:

- a. - Whether the subject development is in the best interest of the city.

- The UDC prohibits piping natural waterways; however, the applicant has suggested that this is their preferred option. The City Council should carefully consider whether leaving the creek open is appropriate.
- Whether the open space is functional and adequate for the subject development.
- Whether the subject property integrates with the existing neighborhood effectively.
- Traffic and safety in the immediate area.

C. City Council:

The Meridian City Council heard these items on March 10th, 2026. At the public hearing, the Council moved to approve the subject annexation and two conditional use permit requests.

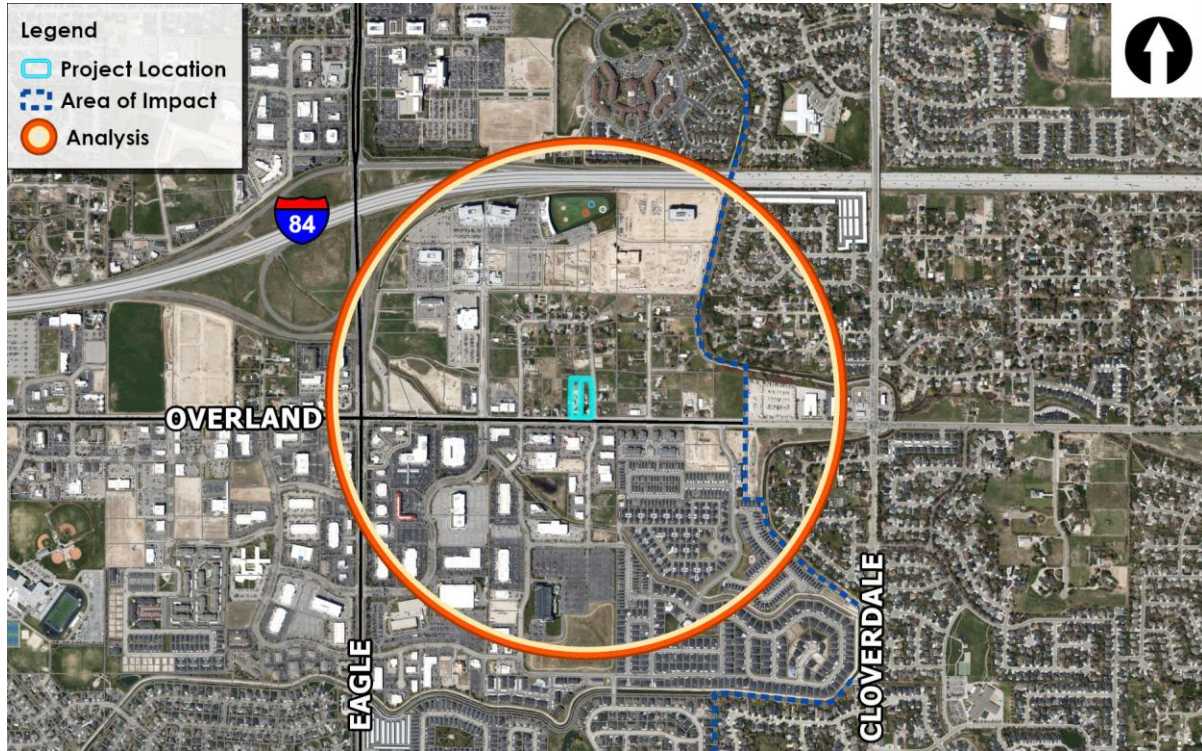
1. Summary of the City Council public hearing:
 - a. In favor: Shaun Wardle and Jim Escobar
 - b. In opposition: Robert Taylor
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Nick Napoli
 - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
 - a. - Robert Taylor: Concerns regarding traffic and congestion, the safety of having more units coming off of Topaz without a signal, noise, and reduced privacy from the height disparity between the existing homes and proposed new multi-family.
3. Key issue(s) of discussion by City Council:
 - a. City Council had substantial discussions about connectivity and overflow parking. Ultimately, the Council has determined this property is the start of the redevelopment in the area and will help start the construction of the collector roadway. In addition, the overflow parking was the largest concern and Council determined that the parking would be adequate as proposed.
4. City Council change(s) to Commission recommendation:
 - a. None – City Council granted to the alternative compliance request.

VII. EXHIBITS

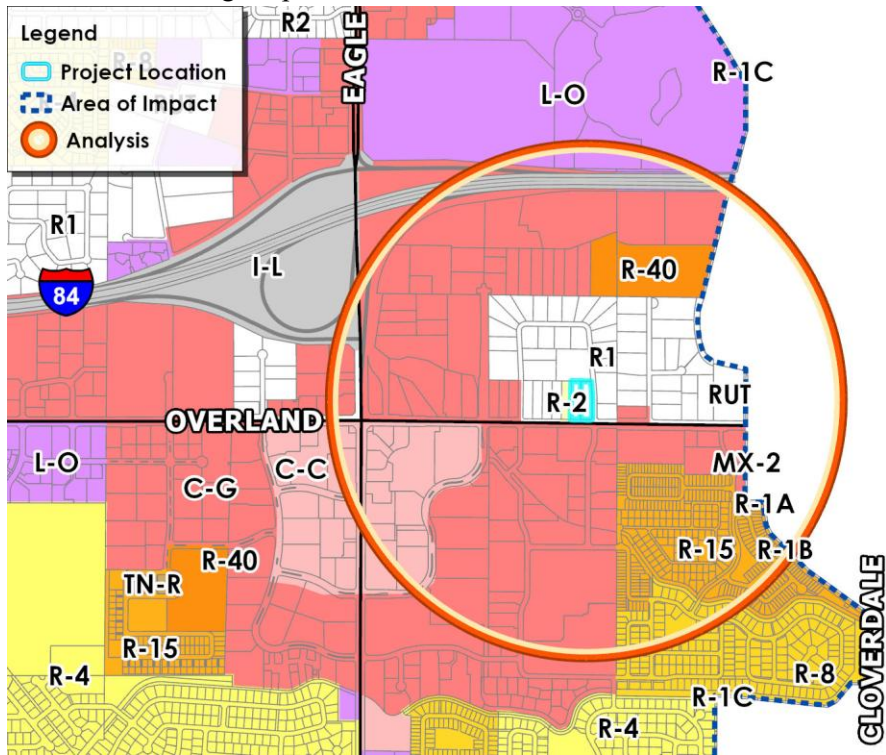
A. Project Area Maps

(link to [Project Overview](#))

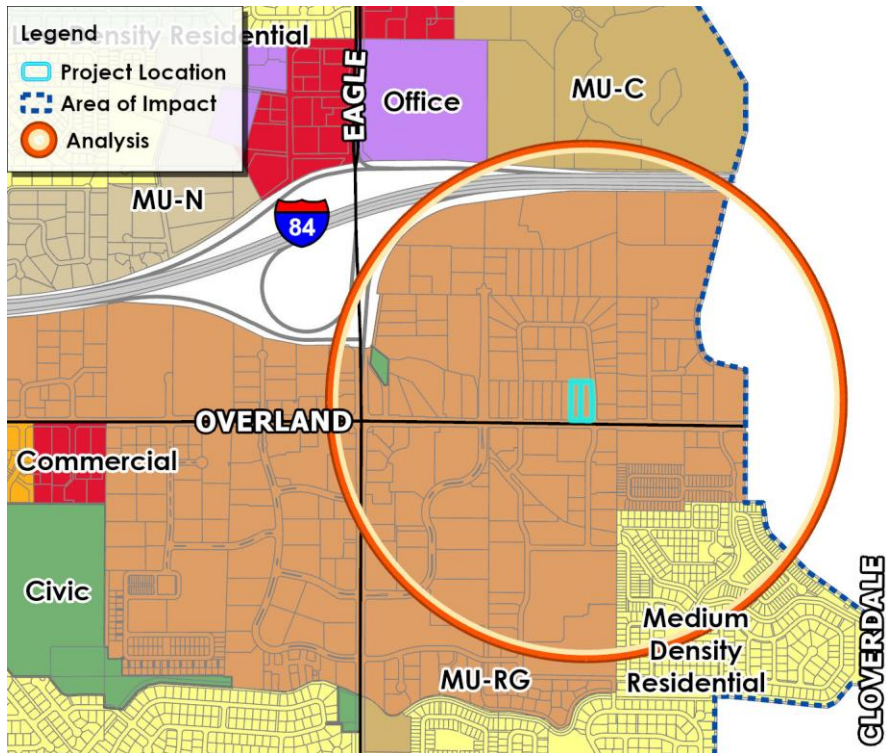
1. Aerial



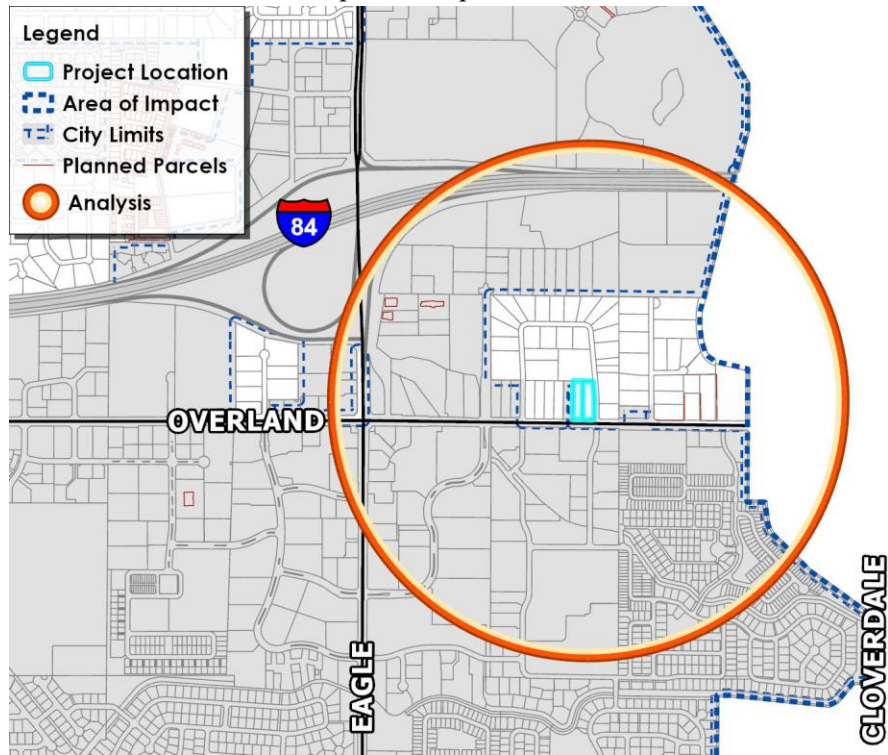
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Subject Site Photos





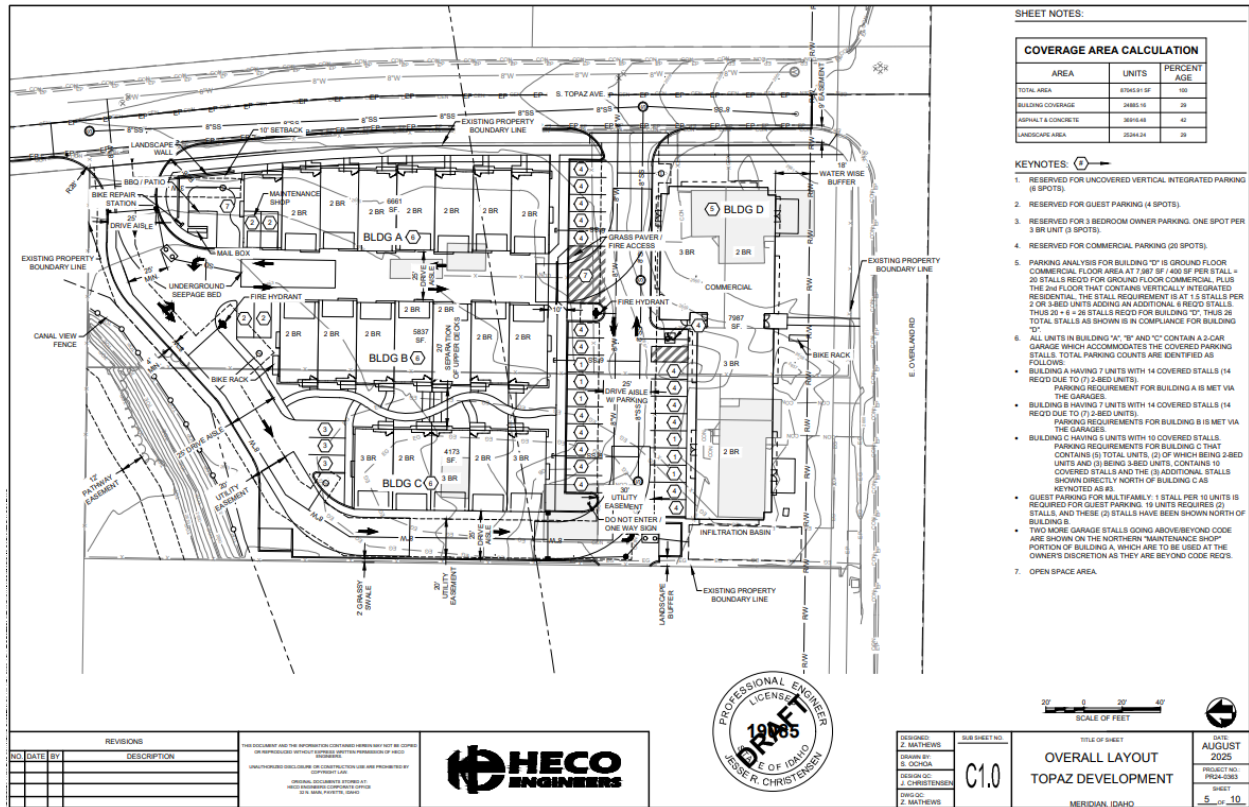
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION & ORDER
FOR (ST. GEORGE – H-2025-0004)

C. Service Accessibility Report

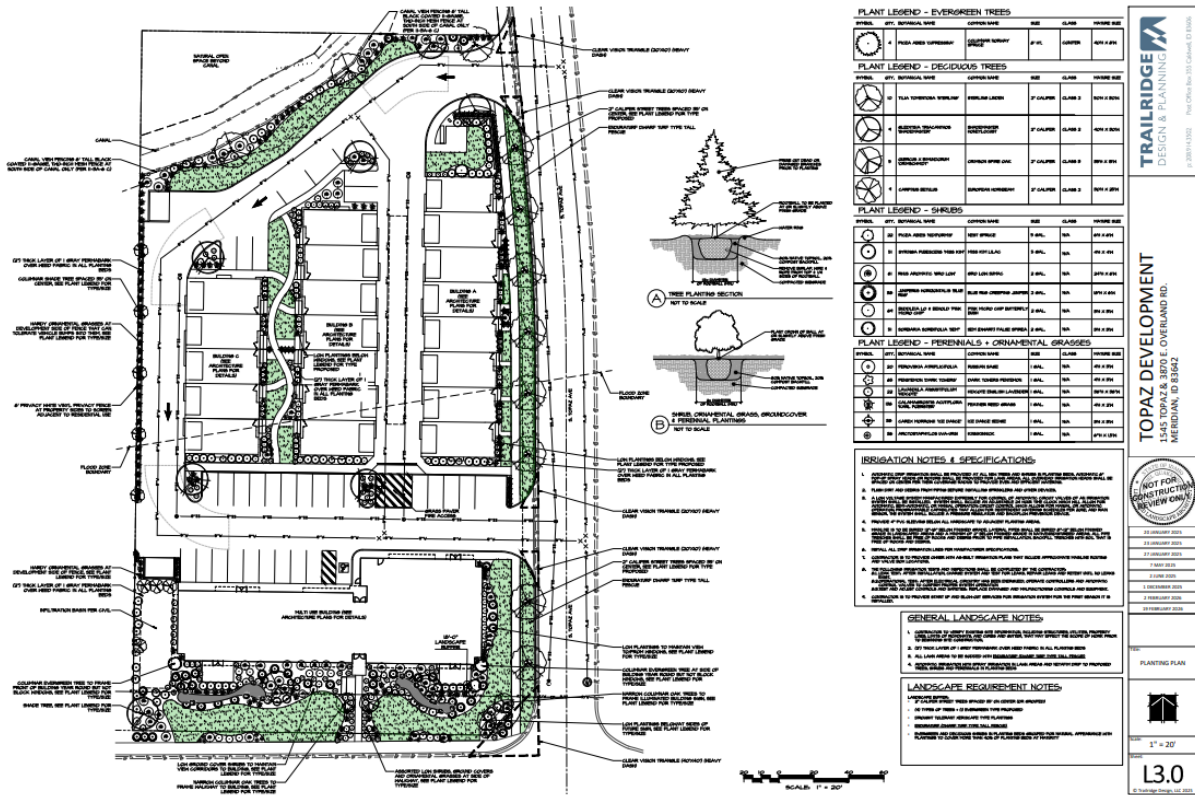
Overall Score: 27	24th Percentile
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Criteria	Description	Indicator
Location	Within 1/2 mile of City Limits	YELLOW
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Within 100 yr floodplain & < 2 acres	RED
Emergency Services Fire	Response time < 5 min.	GREEN
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Within 1/4 mile of current transit route	GREEN
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) matches existing (# of lanes)	GREEN
School Walking Proximity	From 1/2 to 1 mile walking	YELLOW
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

D. Site Plan (date: 2/19/2026)



E. Landscape Plan (date: 2/19/2026)



This is a detailed site plan for the 'Kiln' development. The plan shows a large rectangular building footprint on the left, with a parking lot to its right. A central green space with a winding path separates the building from another parking lot. To the right of the parking lot is a long, narrow building footprint. Further right is a road with a dashed center line and arrows indicating traffic flow. The plan includes various landscaping elements like trees and shrubs, and a small circular feature with a cross-hatch pattern. The overall layout is organized around a central green corridor and a parking area.

SITE COVERAGE KEY	
DESCRIPTION	
	QUALIFIED OPEN SPACE: REQUIRED: 2% OF GROSS BEACH CALCULATOR PROPORTIONED BY (AS SHOWN)
	OTHER OPEN/COMMON SPACES: - 5% OF ALONG TOPAZE EXTRACTOR & 300M - 10% OF ALONG E COVER AND 100M OF A ROW DUE TO ARTERIAL ROAD CLAIM
TOTAL LOT SIZE: 20,000 SF	
TOTAL OPEN SPACE PROPORTIONED INCLUDING QUALIFIED OPEN SPACE: 2,000 SF	
20,000 / 2,000 = 10X PROPORTION TOTAL OPEN SPACE	

Introduction			
- A data visualization translates a data representation (e.g. graphical) into a table. - A table should be both easy to understand and easy to read (e.g. columns, rows).			
Description			
Column	Header	Notes	
1. User Registration Date/Time	1	Timestamps in ISO 8601 format	
2. User Email Address	2	Email address of the user	
3. User Password	3	Password of the user	
4. User Name	4	Full name of the user	
5. User Age	5	Age of the user	
6. User Gender	6	Gender of the user	
7. User Address	7	Address of the user	
8. User Phone Number	8	Phone number of the user	
9. User Profile Picture	9	Profile picture of the user	
10. User Last Login Date/Time	10	Timestamps in ISO 8601 format	
11. User Last Login IP Address	11	IP address of the user	
12. User Last Login User Agent	12	User agent of the user	
13. User Last Login Location	13	Location of the user	
14. User Last Login Device	14	Device of the user	
15. User Last Login Browser	15	Browser of the user	
16. User Last Login OS	16	Operating system of the user	
17. User Last Login Referrer	17	Referrer of the user	
18. User Last Login Campaign	18	Campaign of the user	
19. User Last Login Source	19	Source of the user	
20. User Last Login Channel	20	Channel of the user	
21. User Last Login Medium	21	Medium of the user	
22. User Last Login Platform	22	Platform of the user	
23. User Last Login Device Type	23	Device type of the user	
24. User Last Login Device Model	24	Device model of the user	
25. User Last Login Device Manufacturer	25	Device manufacturer of the user	
26. User Last Login Device OS Version	26	Device OS version of the user	
27. User Last Login Device App Version	27	Device app version of the user	
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[illegible]

G. Building Elevations (date: 1/9/2025)







1 3D View South West



2 Roof Isometric Views



3 3D View South East



4 3D View North West



5 3D View North East

THIAD DESIGN



PO Box 1077
Fargo, ND 58104
701.234.1824

CONCLUSION

THESE PLANS WERE PREPARED BY THE ARCHITECT OR
UNDER HIS OR HER CLOSE PERSONAL SUPERVISION AND
TO THE BEST OF HIS OR HER KNOWLEDGE AND BELIEF THEY
COMPLY WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS.

C. E. H. St. George Enterprises LLC
St. George Residences @ Overland
1400 West 10th Street, Suite 100
Fargo, ND 58104
701.234.1824

PROFESSIONAL SEAL

NOT FOR PERMIT

DATE: 08/14/2025

BY: [Signature]

3D VIEWS

AD212

DATE: 08/14/2025

BY: [Signature]

H. Annexation Legal Description & Exhibit Map

LEGAL DESCRIPTION FOR JASON GEORGE ANNEXATION DESCRIPTION

All of Lots 1 and 2, Block 2, of the Jewel Subdivision Book 34, Page 2856-2857, being a portion of the Southeast 1/4 of the Southwest 1/4, of Section 16, Township 3 North, Range 1 East, B.M., Ada County Idaho. Being further described as follows:

BASIS OF BEARING:

The South line of the Southwest 1/4 of Section 16, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as South 89°14'13" East with the distance between monuments found to be 2663.69 feet.

BEGINNING at the Intersection of E. Overland Road, and S. Topaz Avenue from which the South 1/4 Corner of Section 16, Township 3 North, Range 1 East, B.M., bears South 89°14'13" East, a distance of 232.30 feet.

Thence Leaving said Intersection and along the Centerline of E. Overland Road North 89°14'13" West, a distance of 249.35 feet;

Thence leaving said Centerline, North 00°51'51" East, to a point on the Northerly Right-of-Way of E. Overland Road a distance of 40.00 feet;

Thence leaving said Right-of-Way and along the common line between Lots 2 and 3, Block 2 of Jewel Subdivision, North 00°51'51" East, to the Northwest Corner of said Lot 2 a distance of 399.67;

Thence leaving said Northwest Corner and along the North line of Lots 2 and 1, Block 2 of Jewel Subdivision South 89°13'37" East, to a point on the Westerly Right-of-Way of S. Topaz Ave, a distance of 204.33 feet;

Thence leaving said Right-of-Way South 89°13'37" East, to a point on the Centerline of S. Topaz Avenue a distance of 25.14 feet;

Thence along said Centerline the following Four (4) Courses:

South 05°13'51" East, a distance of 95.68 feet;

Southerly along a tangent curve to the right with a radius of 1000.00 feet, a central angle of 05°09'12", an arc length of 89.94 feet and chord bearing of South 02°39'15" East, a chord distance of 89.91 feet;

South 00°04'39" East, a distance of 46.63 feet;

South 00°04'51" East, a distance of 208.12 feet to the **POINT OF BEGINNING**.

Said parcel containing 107,119 square feet or 2.46 acres, more or less and is subject to all existing essements and/or rights-of-way of record or implied.

END OF DESCRIPTION.

Kenneth H. Cook, P.L.S. 9895
Timberline Surveying
316 S. Kimball Ave, Suite 207
Caldwell, Idaho 83605
(208) 465-5687



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