

ADDENDUM TO DEVELOPMENT AGREEMENT

PARTIES:

1. **City of Meridian**
2. **BR TRH ID Jackson LLC, Owner/Developer**

THIS ADDENDUM TO DEVELOPMENT AGREEMENT is dated this _____ day of _____, 2026, (“ADDENDUM”), by and between **City of Meridian**, a municipal corporation of the State of Idaho (“CITY”), whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642; and **BR TRH ID Jackson LLC**, whose address is c/o Bedrock Land Finance LLC, 3200 Cherry Creek South Dr., Ste. 630, Denver, Colorado 80209 hereinafter called “OWNER/DEVELOPER.”

RECITALS

A. OWNER/DEVELOPER submitted an application for a Modification to the existing Development Agreement recorded November 2, 2024 as Instrument #2024-063338 in Ada County, Idaho for the purpose of requesting allowance of a 5-foot-wide detached sidewalk instead of a 10-foot-wide detached multiuse pathway along the east side of the norther portion of the collector street (S. Farmyard Ave.) connecting to W. Victory Rd. The Meridian City Council approved said application with Findings of Fact and Conclusions of Law as in the attached Exhibit “A.”

B. CITY and OWNER/DEVELOPER now desire to amend said Development Agreement, which terms have been approved by the Meridian City Council in accordance with Idaho Code Section 67-6511.

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

1. OWNER/DEVELOPER shall be bound by the terms of the Development Agreement recorded November 2, 2024 as Instrument #2024-063338 in Ada County, Idaho, except as amended as follows:

Amend provision 5.1.e to read as follows:

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

2. That OWNER/DEVELOPER agrees to abide by all ordinances of the City of Meridian and the Property shall be subject to de-annexation if the Owner/Developer, or their assigns, heirs, or successor shall not meet the conditions of this Addendum, and the Ordinances of the City of Meridian as herein provided.

3. This addendum excludes parcel R0831430027 from the conditions of this addendum and remains subject to only those conditions of the original Agreement.

4. This Addendum 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 Addendum shall be binding on the Owner/Developer of the Property, each subsequent owner and any other person(s) 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 hereon 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/Developer, to execute appropriate and recordable evidence of termination of this Addendum if City, in its sole and reasonable discretion, had determined that Owner/Developer have fully performed its obligations under this Addendum.

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

6. This Addendum sets forth all promises, inducements, agreements, conditions, and understandings between Owner/Developer and City relative to the subject matter herein, and there are no promises, agreements, conditions or under-standing, 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 Addendum 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.

- a. Except as herein provided, no condition governing the uses and/or conditions governing development of the subject Property herein provided for can be modified or amended within the approval of the City Council after the City has conducted 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.

7. This Addendum shall be effective upon execution by the Mayor and City Clerk.

8. Except as amended by this Addendum, all terms of the previous Agreements shall remain in full force and effect.

[End of text. Acknowledgements, signatures, and Exhibit A follow.]

ACKNOWLEDGMENTS

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

OWNER/DEVELOPER:
BR TRH ID Jackson LLC


By (printed name): Matthew Osborn
Its (title): Authorized Signatory

STATE OF Colorado)
County of Denver) ss.

On this 13th day of August, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared Matthew Osborn, known or identified to me to be the Authorized Signatory of **BR TRH ID Jackson LLC** and the person who signed above and acknowledged to me that they executed the same on behalf of said corporation.

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: May 21, 2030

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)
County of Ada) ss.

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 City 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

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



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

Case No(s). H-2026-0019

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

A. Findings of Fact

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

B. Conclusions of Law

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



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

C. Decision and Order

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

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

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

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

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

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

E. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

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



By action of the City Council at its regular meeting held on the 11th day of August, 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 AYE

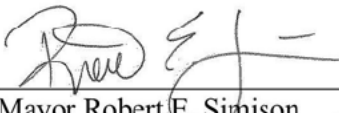
COUNCIL MEMBER BRIAN WHITLOCK

VOTED AYE

MAYOR ROBERT SIMISON

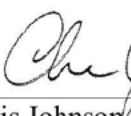
VOTED _____

(TIE BREAKER)



Mayor Robert E. Simison 8-11-2026

Attest:



Chris Johnson 8-11-2026
City Clerk



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

By:  _____ Dated: 8-11-2026
City Clerk's Office



STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: July 28, 2026

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

SUBJECT: H-2026-0019
Burnside Ridge Estates

APPLICANT: Givens Pursley

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



I. PROJECT OVERVIEW

A. Summary

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

B. Recommendation

Staff: Approval

C. Decision

City Council: Approved

D. Table of contents

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II. COMMUNITY METRICS

Table 1: Land Use

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

Table 2: Process Facts

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

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

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. History

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

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

B. General Overview

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

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

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

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

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

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

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

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

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

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

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

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

B. Department of Environmental Quality (DEQ)

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

V. ACTION

A. Staff:

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

B. City Council:

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

1. Summary of the City Council public hearing:

- a. In favor: Jeff Bower, Givens Pursley (Applicant's Representative)
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Jeff Bower, Givens Pursley (Applicant's Representative)
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by City Council:

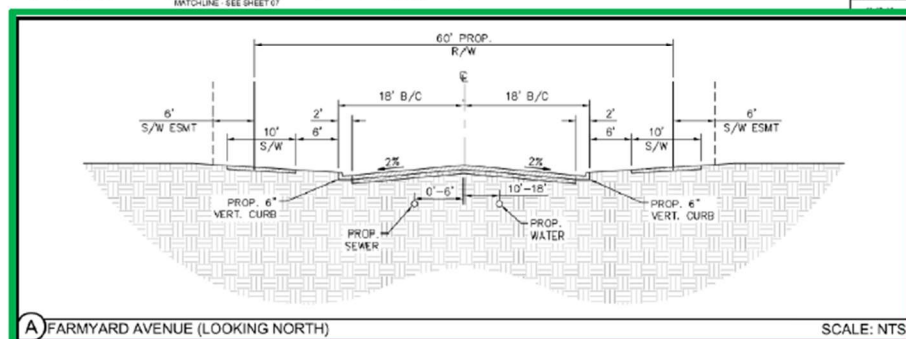
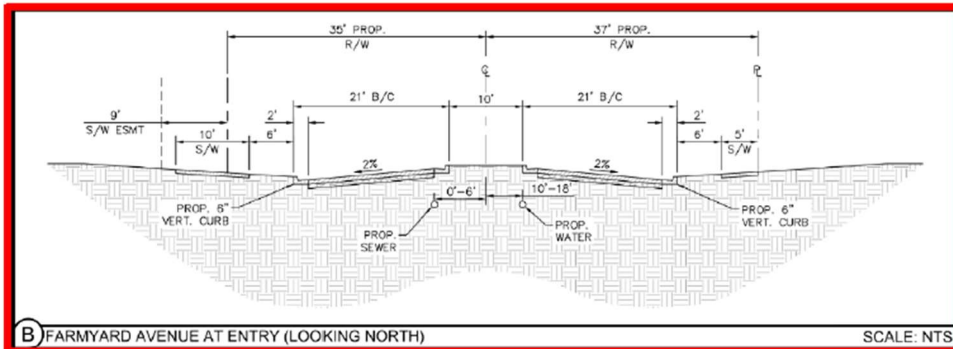
- a. None

4. City Council change(s) to Commission recommendation:

- a. None
-

A. Preliminary Plat and Street Sections

Exhibit A – Preliminary Plat and Street Sections



[illegible]