

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



**In the Matter of the Request for Short Plat to Condominiumize Two (2) Buildings into Five (5) Condominium Units for Building A and Six (6) Condominium Units for Building B for Callen Condominiums, by KM Engineering, LLP.**

**Case No(s). SHP-2026-0002**

**For the City Council Hearing Date of: March 17, 2026 (Findings on March 24, 2026)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of March 17, 2026, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 17, 2026, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 17, 2026, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 17, 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 17, 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 short plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 17, 2026, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Short Plat Duration

Please take notice that approval of a short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

#### 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 17, 2026

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

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

\_\_\_\_\_  
Mayor Robert E. Simison

Attest:

\_\_\_\_\_  
Chris Johnson  
City Clerk

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

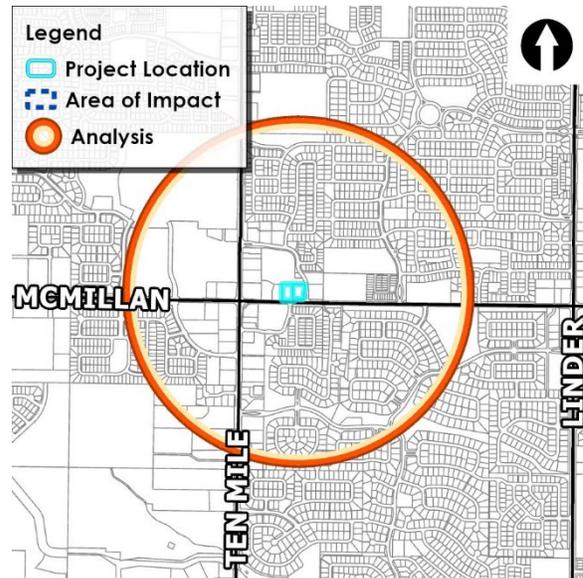
By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office

# EXHIBIT A

## DEPARTMENT REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/17/2026  
TO: Mayor & City Council  
FROM: Sonya Allen, Associate Planner  
208-884-5533  
SUBJECT: SHP-2026-0002  
Callen Condominiums  
LOCATION: 4855 N. Cortona Way, in the SW 1/4 of  
Section 26, T.4N., R.1W. (Parcel  
#R9010680121 & R9010680131)



### I. PROJECT DESCRIPTION

Short Plat to condominiumize two (2) buildings into five (5) condominium units for Building A and six (6) condominium units for Building B, by KM Engineering, LLP.

### II. APPLICANT INFORMATION

A. Applicant:

Cheryl Heath, KM Engineering, LLP – 5725 N. Discovery Way, Boise ID, 83713

B. Owner:

Dave Evans Construction – 7761 W. Riverside Dr. #100, Boise, ID 83714

C. Representative:

Same as Applicant

### III. STAFF ANALYSIS

The proposed short plat depicts the subdivision of air space within two (2) mixed-use buildings that are currently under construction for ownership purposes of individual units. Five (5) condominium units are proposed in Building A and six (6) condominium units are proposed in Building B.

The Certificate of Zoning Compliance and building permit application file numbers associated with these buildings are A-2025-0038 & C-SHELL-2025-0029 – Building A; and A-2025-0046 & C-SHELL-2025-0030 – Building B.

Staff has reviewed the proposed short plat for substantial compliance with the criteria set forth in UDC 11-6B-5A.2 and deems the short plat to be in compliance with said requirements.

#### IV. DECISION

A. Staff:

Staff recommends approval of the proposed short plat with the conditions noted in Section VI of this report and in accord with the findings in Section VII.

B. The Meridian City Council heard these items on March 17, 2026. At the public hearing, the Council moved to approve the subject SHP and request.

1. Summary of the City Council public hearing:

- a. In favor: Cheryl Heath, KM Engineering
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: None
- 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

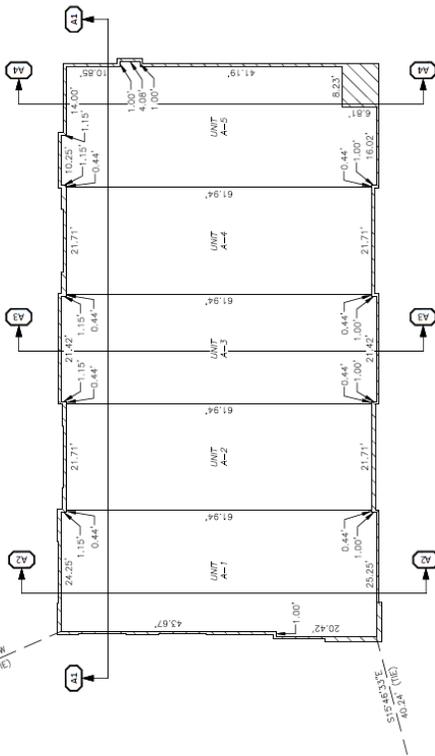
4. City Council change(s) to Commission recommendation:

- a. None

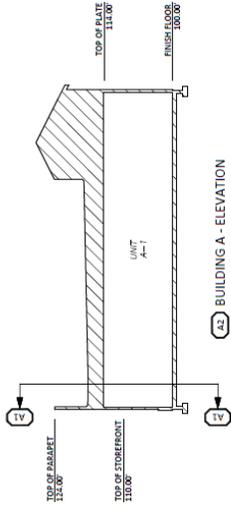


PLAT OF  
CALLEN CONDOMINIUMS

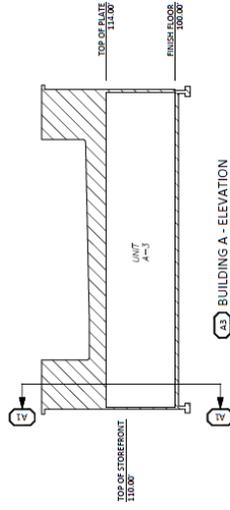
Book \_\_\_\_\_ Page \_\_\_\_\_



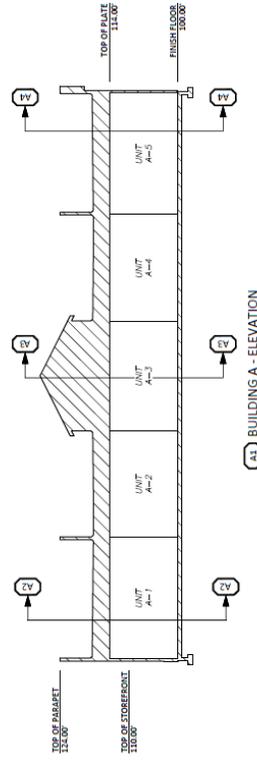
BUILDING A - DETAIL



(A1) BUILDING A - ELEVATION



(A3) BUILDING A - ELEVATION



(A5) BUILDING A - ELEVATION

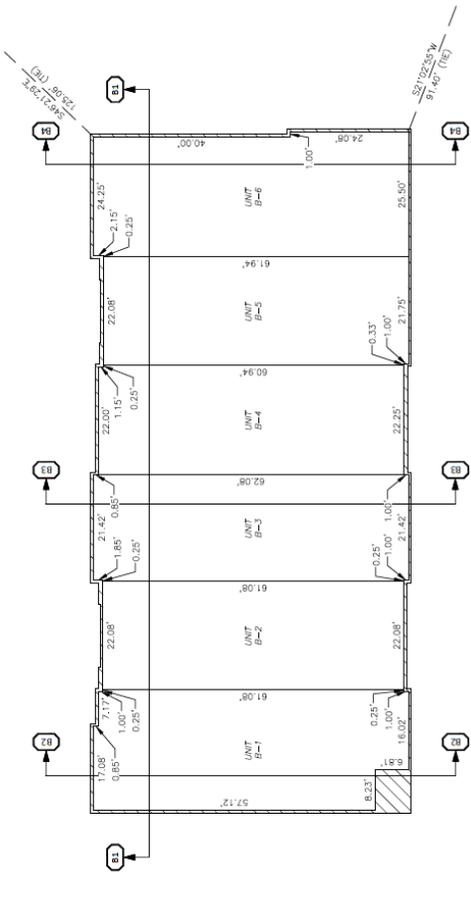


DEVELOPER  
**DAVE EVANS CONSTRUCTION, LLC**  
BOISE, IDAHO

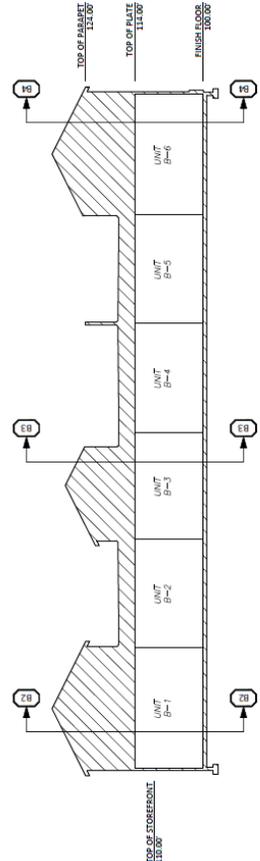
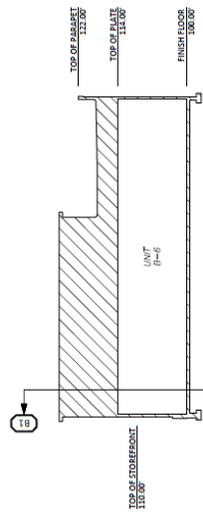
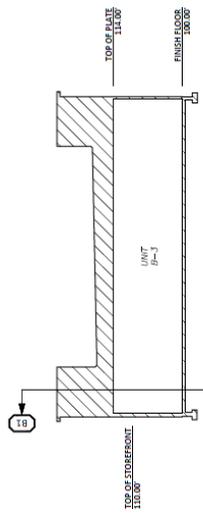
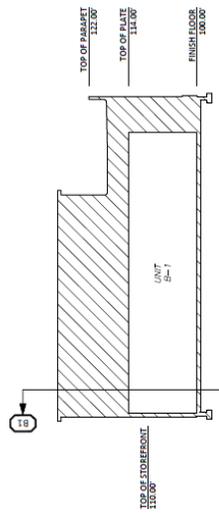




# PLAT OF CALLEN CONDOMINIUMS



BUILDING B - DETAIL



- LEGEND
- UNIT/UNITED COMMON AREA BOUNDARY
  - SURVEY TIE LINE
  - COMMON AREA



DEVELOPER  
**DAVE EVANS CONSTRUCTION, LLC**  
BOISE, IDAHO





## C. CITY/AGENCY COMMENTS & CONDITIONS

### A. Planning Division

#### Site Specific Conditions:

1. The Applicant shall comply with all previous conditions of approval associated with this development (i.e. MI-07-013, DA #108059794; RZ-07-017, DA#108059800; PP-07-022, MI-08-006, Addendum #2 DA #108101152; FP-08-010; H-2019-0126 – Ten Mile & McMillan MDA; H-2022-0011 – Ten Mile & McMillan MDA; A-2025-0038; and A-2025-0046).
2. If the City Engineer's signature is not obtained within two (2) years of the City Council's approval of the short plat, the short plat shall become null and void unless a time extension is obtained, per UDC 11-6B-7.
3. The short plat prepared by KM Engineering, prepared 12/22/25, by Bill Hynson, included in Section V.A shall be revised as follows:
  - a. Include the recorded instrument number for the water easement graphically depicted on Sheet 1.
  - b. Include the recorded instrument number for the 10' sewer easement graphically depicted on Sheet 1.
  - c. Include the recorded instrument number for the 20' sewer and water easement graphically depicted on Sheet 1.
4. Staff's failure to cite specific ordinance provisions or conditions from the previous approvals noted above does not relieve the Applicant of responsibility for compliance.

### B. Public Works

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=431002&dbid=0&repo=MeridianCity>

#### SITE SPECIFIC CONDITIONS:

1. No changes to Public Water infrastructure shown in record. Any changes must be approved by public works. This includes hydrants or the abandonment of water mains. If the condos are individually owned the CC&R must clearly state how billing to individual units will be handled with the Land Development Review and approval of Civil Plans.
2. No permanent structure shall be allowed within a City utility easement including trees, deep-rooted shrubs, fences, trash enclosures, carports, sheds, buildings, etc.

#### GENERAL CONDITIONS:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. Water service to this site is available via extension of existing mains adjacent to the development.
2. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
3. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
4. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.

5. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
6. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
7. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
8. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
9. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
10. Developer shall coordinate mailbox locations with the Meridian Post Office.
11. All grading of the site shall be performed in conformance with MCC 11-1-4B.
12. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
13. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
14. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
15. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting ([http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272)). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
16. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of

way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian’s standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2” x 11” map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.

17. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
18. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6.). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
19. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

**C. Idaho Transportation Department (ITD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=431396&dbid=0&repo=MeridianCity>

After careful review of the transmittal submitted to ITD on February 20, 2026, regarding, Callen Condominiums, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concerns. If you have any questions, please contact Kendra Conder at 208-334-8377 /Kendra.Conder@itd.idaho.gov

**D. Department of Environmental Quality**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=432243&dbid=0&repo=MeridianCity>

**E. Ada County Highway District (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=433982&dbid=0&repo=MeridianCity>

**D. REQUIRED FINDINGS FROM THE UNIFIED DEVELOPMENT CODE**

In consideration of a short plat, the decision-making body shall make the following findings:

**A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;**

The Future Land Use Map (FLUM) designation of these properties in the Comprehensive Plan is Office and Commercial and the current zoning district of the properties is C-G. City Council finds the proposed short plat complies with the Comprehensive Plan and is being developed in accord with UDC standards for the C-G zoning district.

**B. Public services are available or can be made available and are adequate to accommodate the proposed development;**

City Council finds that public services will be provided to this property and are adequate to serve the building sites currently under construction.

**C. The plat is in conformance with scheduled public improvements in accord with the City's capital improvements program;**

City Council finds that the development will not require the expenditure of capital improvement funds. All required utilities were provided with the development of the property at the developer's expense.

**D. There is public financial capability of supporting services for the proposed development;**

City Council finds that the development will not require major expenditures for providing supporting services as services are already being provided to the immediate area.

**E. The development will not be detrimental to the public health, safety or general welfare; and**

City Council finds the proposed short plat to condominiumize the approved structures will not be detrimental to the public health, safety or general welfare.

**F. The development preserves significant natural, scenic or historic features.**

City Council is not aware of any significant natural, scenic or historic features associated with short platting the structure on this site.