

DEVELOPMENT AGREEMENT

PARTIES: 1. City of Meridian
2. Gemini LLLP, 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 **Gemini LLLP**, whose address is 1979 N. Locust Grove Road, Meridian, Idaho 83646, hereinafter called “**OWNER/DEVELOPER**.”

1. RECITALS:

- 1.1 **WHEREAS**, Owner/Developer 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, hereinafter referred to as the “**Property**,” and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, establish provisions governing the creation, form, recording, modification, enforcement and termination of development agreements required or permitted as a condition of zoning that the Owner/Developer make a written commitment concerning the use or development of the 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 and the modification of development agreements; and
- 1.4 **WHEREAS**, Owner/Developer has submitted an application for development agreement modification to remove the property listed in **Exhibit “A”** from an existing Development Agreement recorded on March 17, 2021 in Ada County, Idaho as Instrument #2021-042520, and for the inclusion of the Property into this new Agreement, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the duly noticed public hearings before the Meridian City Council, as to how the property will be developed and what improvements will be made; and

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- 1.6 **WHEREAS**, the record of the proceedings for requested development agreement modification held before the 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 26th of May, 2026, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order ("**Findings**"), which have been incorporated into this Agreement and attached as **Exhibit "B;"** and
- 1.8 **WHEREAS**, Owner/Developer deems 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
- 1.9 **WHEREAS**, the property listed in **Exhibit "A"** shall no longer be subject to the terms of the existing Development Agreement recorded March 17, 2021 in Ada County, Idaho as Instrument #2021-042520 and shall be bound by the terms contained herein in this new agreement; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement modification 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 designations are 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.

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- 3.2 **OWNER/DEVELOPER:** means and refers to **Gemini LLLP**, whose address is 1979 N. Locust Grove Road, Meridian, Idaho 83646, the party that owns said Property and shall include any subsequent owner(s) of the Property.
- 3.3 **PROPERTY:** means and refers to that certain parcel of Property to be bound by this Agreement and located in the County of Ada, City of Meridian as described in **Exhibit "A"** describing a parcel to be removed from existing Development Agreement recorded March 17, 2021 in Ada County, Idaho as Instrument #2021-042520, with such parcel being bound by this new Agreement and legally described in **Exhibit "A,"** 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 the Property shall be generally consistent with the preliminary plat, landscape plan, site plan, qualified open space exhibit, site amenity exhibit, and conceptual building elevations included in Section VIII of the Staff Report attached to the Findings attached hereto as Exhibit "B" and the provisions contained herein.
 - b. No building permits shall be issued prior to the plat being recorded.
 - c. Any future development of the Property must comply with the City of Meridian ordinances in effect at the time of the development.

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:**

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- 7.1 **Acts of Default.** In the event Owner/Developer, or Owner's 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 actions 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 § 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 the 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 ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion therefor in accordance with the terms and conditions of this Agreement and all other ordinance 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.

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 if 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 agrees to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

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:
City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

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

OWNER/DEVELOPER:
Gemini LLLP
1979 N. Locust Grove Rd.
Meridian, ID 83646

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.

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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/Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, has determined that Owner/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 reasonable in giving any consent, approval, or taking any other action under this Agreement.

20. **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.

21. **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.

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 the 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:

Gemini LLLP



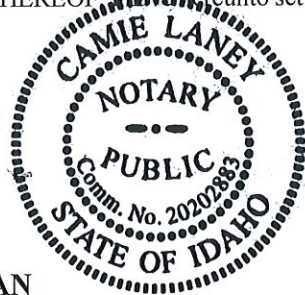
By (name): Jake Cantors
Its (title): Member

State of Idaho)
: ss:
County of Ada)

On this 22nd day of June, 2026, before me, the undersigned, a Notary Public in and for said State, personally appeared Jake Cantors, known or identified to me to be the Member of Gemini LLLP and 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.

(SEAL)



Camie Laneef
Notary Public
My Commission Expires: 8-3-2026

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.

(SEAL)

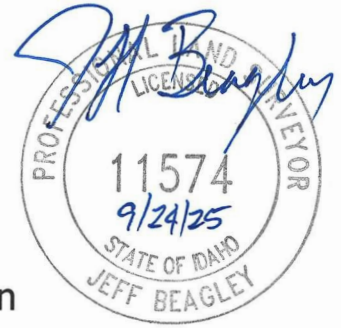
Notary Public for Idaho
My Commission Expires: _____

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Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617



Skybreak Rim Subdivision Boundary Description

BASIS OF BEARINGS is S. $0^{\circ}12'52''$ W. between a found aluminum cap marking the northwest corner and a found aluminum cap marking the W1/4 corner of Section 4, T. 2 N., R. 1 E., B.M., Ada County, Idaho.

A parcel of land located in the Government Lot 3 of Section 4, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap marking the NW corner of said Section 4;

Thence N. $89^{\circ}56'33''$ E., coincident with the north line of the NW1/4 of said Section 4, a distance of 1325.81 feet to the northwest corner (W1/16 corner) of said Government Lot 3;

Thence S. $0^{\circ}24'57''$ W., coincident with the west line of said Government Lot 3, a distance of 459.01 feet to the **POINT OF BEGINNING**;

Thence leaving said west line, N. $89^{\circ}56'33''$ E., parallel with the north line of said Government Lot 3, a distance of 53.32 feet;

Thence S. $43^{\circ}51'24''$ E., 6.16 feet;

Thence S. $27^{\circ}35'44''$ W., 101.30 feet;

Thence S. $62^{\circ}24'16''$ E., 178.00 feet;

Thence N. $27^{\circ}35'44''$ E., 41.58 feet;

Thence S. $43^{\circ}51'24''$ E., 43.94 feet to the beginning of a non-tangent curve to the left;

Thence 11.03 feet along the arc of said curve, having a radius of 37.50 feet, through a central angle of $16^{\circ}50'52''$, subtended by a chord bearing S. $32^{\circ}22'10''$ E., 10.99 feet to the beginning of a compound curve to the left;

Thence 37.30 feet along the arc of said curve, having a radius of 166.00 feet, through a central angle of $12^{\circ}52'26''$, subtended by a chord bearing S. $47^{\circ}13'37''$ E., 37.22 feet;

Thence S. $43^{\circ}51'24''$ E., 957.49 feet to the south line of said Government Lot 3;

Thence S. $89^{\circ}56'41''$ W., coincident with said south line, 921.24 feet to a 5/8" rebar/cap PLS 645 marking the southwest corner of said Government Lot 3;

Thence N. $0^{\circ}24'57''$ E., coincident with said west line, 897.34 feet to the **POINT OF BEGINNING**.

Said parcel contains 9.744 acres more or less.

32 33 T. 3 N. N 89°56'33" E 1325.81' E. LAKE HAZEL ROAD N 89°56'33" E 1325.91'

5 4 NORTHWEST CORNER SECTION 4 PLS 4431 CPF #2019-091022

4 NW 1/4 CORNER SECTION 4 JUP 874 CPF #2017-075211

S. EAGLE ROAD (PUBLIC) 1352.07'

GOVERNMENT LOT 4

GOVERNMENT LOT 3

POINT OF BEGINNING

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	11.03'	37.50'	16°50'52"	S 32°22'10" E 10.99'
C2	37.30'	166.00'	12°52'26"	S 47°13'37" E 37.22'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°56'33" E	53.32'
L2	S 43°51'24" E	6.16'
L3	S 27°35'44" W	101.30'
L4	N 27°35'44" E	41.58'
L5	S 43°51'24" E	43.94'

BASIS OF BEARINGS
S 00°12'52" W 2678.34'



PURA VIDA SUBDIVISION
±9.744 Acres

5 4 NW 1/6 CORNER PLS 13550 CPF #2019-082460

NW 1/6 CORNER PLS 645 CPF # 2022-096554

SKYBREAK SUBDIVISION NO. 1 BOOK 125, PAGES 20019-20025

CNW 1/6 CORNER PLS 4347 CPF # 2022-096555

PROJECT:

SKYBREAK RIM SUBDIVISION
BOUNDARY EXHIBIT
THE NE 1/4 OF THE NW 1/4
SECTION 4, T. 2 N., R. 1 E., B.M.,
ADA COUNTY, IDAHO

OWNER/DEVELOPER:

2030 S. WASHINGTON AVE.

EMMETT, ID 83617

P: (208) 398-8104

F: (208) 398-8105



SAWTOOTH
Land Surveying, LLC

WWW.SAWTOOTHLS.COM

DWG # 125081-EX

PROJECT # 125081

SHEET 1 OF 1



EXHIBIT B

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



In the Matter of the Request for Development Agreement Modification, Planned Unit Development Modification, Rezone and a Preliminary Plat, by Laren Bailey, Conger Group.

Case No(s). H-2026-0001

For the City Council Hearing Date of: May 12, 2026 (Findings on May 26, 2026)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of May 12, 2026, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of May 12, 2026, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of May 12, 2026, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of May 12, 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 May 12, 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 MDA, PP, RZ is hereby approved per the conditions of approval in the Staff Report for the hearing date of May 12, 2026, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or 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).

Notice of Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, acquire building permits, and commence construction of permanent footings, install underground City utilities, or record a final plat. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. 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 conditional use comply with the current provisions of Meridian City Code Title 11(UDC 11-5B-6F).

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 May 12, 2026

By action of the City Council at its regular meeting held on the 26th day of May, 2026.

COUNCIL PRESIDENT JOHN OVERTON

VOTED AYE

COUNCIL VICE PRESIDENT ANNE LITTLE ROBERTS

VOTED AYE

COUNCIL MEMBER DOUG TAYLOR

VOTED

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

5-26-2026

Attest:

Chris Johnson
City Clerk

5-26-2026

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

By:  _____ Dated: 5-26-2026
City Clerk's Office

COMMUNITY DEVELOPMENT DEPARTMENT REPORT



HEARING DATE: 5/12/2026

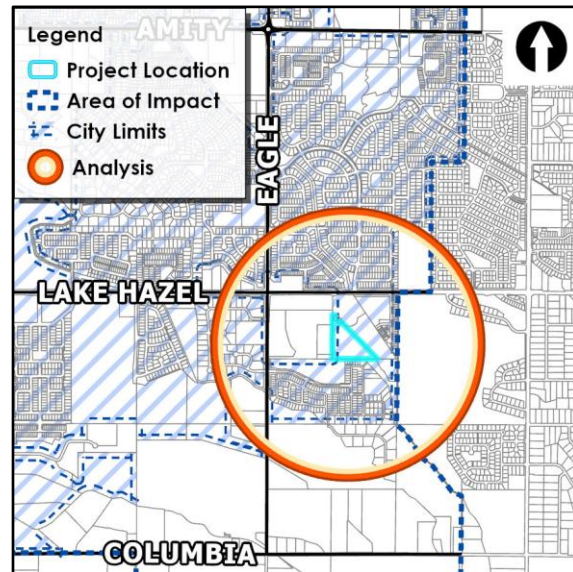
TO: Mayor & City Council

FROM: Bill Parsons, Planning Supervisor
bparsons@meridiancity.org
Linda Ritter, Associate Planner
lritter@meridiancity.org
208-884-5533

APPLICANT: Laren Bailey, Conger Group

SUBJECT: H-2026-0001
Skybreak Rim MDA, PP, RZ

LOCATION: Near the SEC of S. Eagle Road and
E. Lake Hazel Road, located in the
NE ¼ of the NE ¼ of Section 4
Township 2N, Range 1E Parcel #
S1404212755



I. PROJECT OVERVIEW

A. Summary

The Applicant requests approval of the following applications:

- Modification to the existing development agreement (Inst. #2021-042520) to create a new development agreement;
- Planned Unit Development modification to remove the subject property from the boundary of the approved Pura Vita Ridge Ranch Subdivision;
- Rezone of approximately 6.64-acres of land from the R-8 zoning district to the R-15 zoning district;
- Preliminary Plat consisting of 38 single-family residential building lots, 5 common lots, 2 common drive lots, and 1 private street lot on 9.74-acres of land in the proposed R-15 district; AND
- Private Street to provide access to the proposed development.

B. Issues/Waivers

- Per UDC 11-3F-1 Common driveways. No common driveways shall be allowed off of a private street unless the street section allows for parking on at least one (1) side of the street or the development has designated adequate guest parking dispersed throughout, as determined by the director. The applicant is providing parking on one side of the street as required; however, the Commission and Council should also determine if adequate parking has been provided.

- Per UDC 11-3F-4.B.4, states proposed gated developments shall serve no more than one hundred (100) dwelling units. The applicant is proposing to construct private streets that tie into the existing private street network approved with the Skybreak project. A gate is not proposed with this development which means 38 additional homes will be using the two existing gates approved with the Skybreak Subdivision. The Commission and Council should carefully consider if the additional homes should be served by private streets. Planning staff has coordinated with MFD to ensure there is no public safety concerns associated with the request.
- Per UDC 11-3F-4.C.2.c states for private streets serving dwellings, a five-foot-wide attached sidewalk or four-foot-wide detached sidewalk shall be provided on both sides of the private street. This requirement may be waived modified by the decision-making body if the applicant can demonstrate that an alternative, similar pedestrian path exists. The applicant is requesting a Council waiver to construct a 5-foot sidewalk on one side of the street as previously approved with the Skybreak project.

C. Recommendation

Staff recommendation: Approval with conditions

D. Decision

Approved

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Residential	-
Existing Zoning	R-8	VII.A.2
Proposed Zoning	R-15	
Adopted FLUM Designation	Medium High Density Residential	VII.A.3
Proposed FLUM Designation		

Table 2: Process Facts

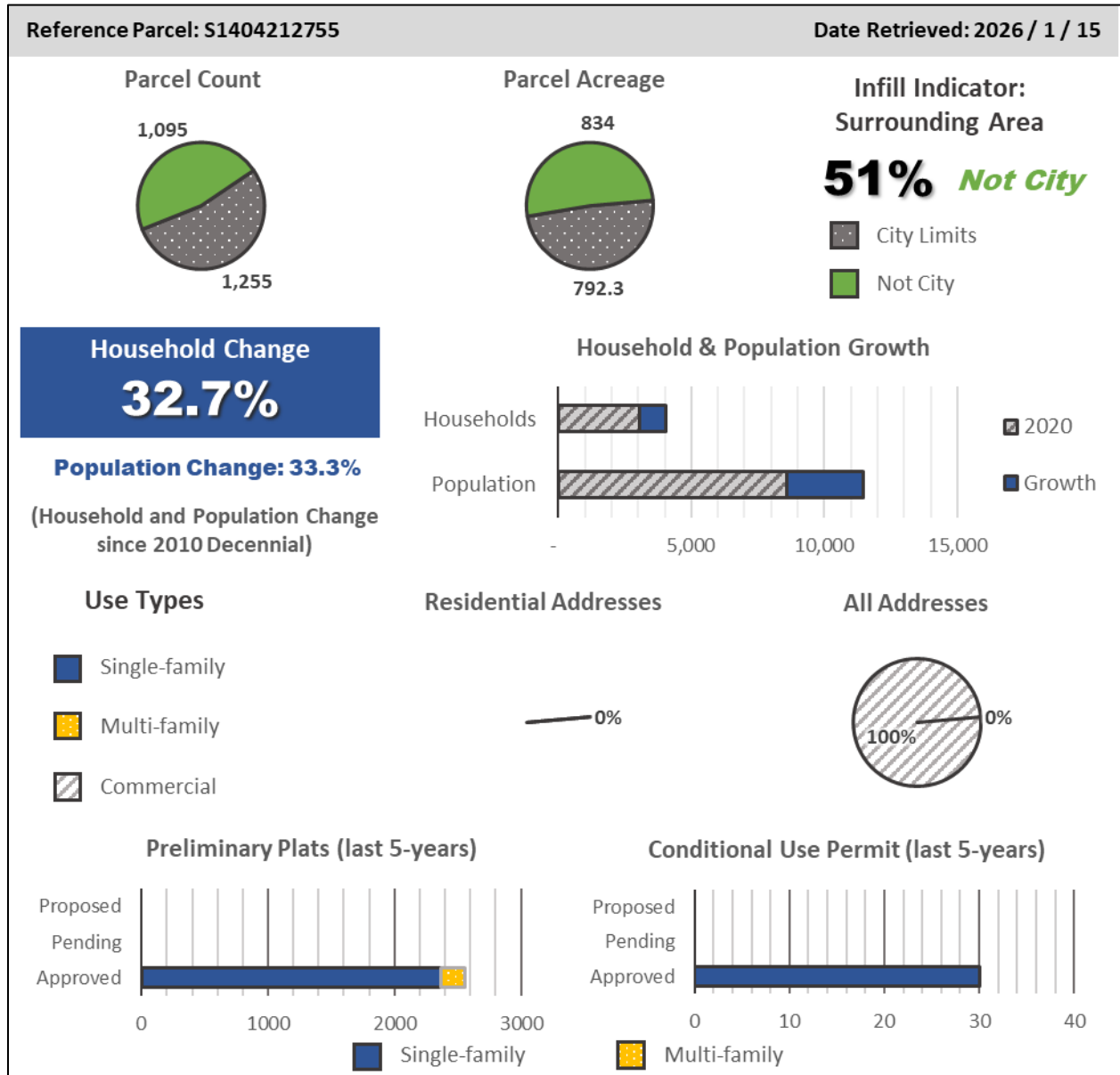
Description	Details
Preapplication Meeting date	12/2/2025
Neighborhood Meeting	12/4/2025
Site posting date	3/30/2026

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		IV.F
• Comments Received	Yes/Letter	-
• Commission Action Required	No	-
• Access	S. Cascabel Lane, which is reached from E. Bingley Lane by way of S. Eagle Road/ Existing Arterial/Local/Private Streets	-
• Traffic Level of Service	N/A	-
Meridian Fire	See conditions of approval	IV.C
Meridian Public Works Wastewater		IV.B
• Distance to Mainline	300 ft to the south in Skybreak Subdivision 4	
• Impacts or Concerns	See conditions of approval	
Meridian Public Works Water		IV.B
• Distance to Mainline	Available at the site	
• Impacts or Concerns	A vault to be located at the bottom of the hill right up against the road so it can be accessed with a truck easily. Vault to be our standard size 7' by 16' vault for a Water Control Valve. Install the valves inside the vault and then provide a straight DIP pipe between valves. City will install the WCV at a later time	
School District(s)	No Comment	

Note: See City/Agency Comments and Conditions Section and public record for all department/agency comments received. Skybreak Rim Subdivision MDA, PP, RZ H-2026-0001 (copy this link into a separate browser).

Figure 1: One-Mile Radius Existing Condition Metrics



Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

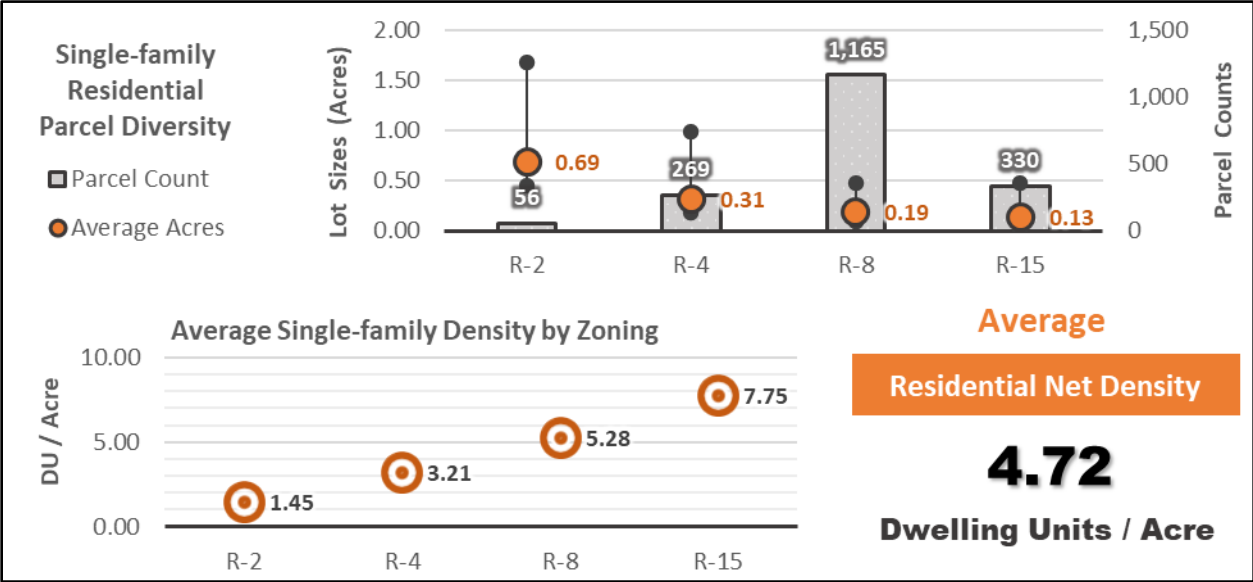
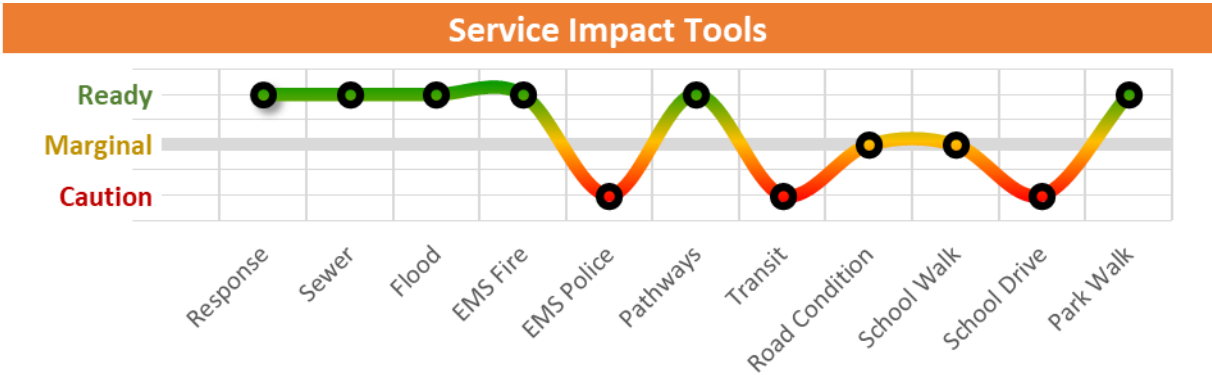


Figure 3: Service Impact Summary



Notes: See VIII. Additional Notes & Details for Staff Report Maps, Tables, and Charts.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Medium High Density Residential (MHDR).

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and project identity.

The applicant is proposing to subdivide the property into 38 single-family residential lots at a gross density of 5.72 dwelling units per acre, which is slightly lower than the density range envisioned within the MHDR designation (8–12 dwelling units per acre). When calculating density for this property, staff excluded approximately 3.1 acres of undevelopable land due to the slope and hillside located on the northern portion of the site. This approach is consistent with staff's analysis during the review of the Pura Vita Ridge Ranch project.

Although the proposed density is lower than anticipated in the MHDR designation, the property is part of a larger MHDR designated area that is not yet fully built out, and future development is expected to contribute to the overall density of the area. Additionally, this site was previously approved for 30 single-family lots, and the current proposal increases the total number of lots by eight contributing to a higher density in this area than the previous approval. Therefore, staff finds the proposed density is generally consistent with the surrounding area.

Table 4: Project Overview

Description	Details
History	AZ, PUD PP (H-2020-0064); DA # 2021-042520; FP-2021-0043; MFP-2022-0001
Phasing Plan	1
Residential Units	38
Open Space	4.78 acres/49.1%
Amenities	1 required/the applicant is proposing a picnic area which includes tables, benches, landscaping, and a structure for shade. The residents of this development will also be able to utilize all the amenities within the existing Skybreak Subdivision. These amenities include the following: Clubhouse with pool, pickleball courts, fountain, play structure, dog parks, walking trails, climbing rock and seating benches.
Physical Features	Significant slope/hillside on east portion of the site
Acreage	9.74
Lots	46 (38 building and 8 common)
Density	Required: 8-12 du/acre Proposed: 5.72

B. History

In 2021, the subject property was included in a planned unit development (PUD) consisting of a mix of residential housing types, including single-family detached, single-family attached, and townhome units. The applicant is now proposing to remove this portion of the property from the PUD, rezone the parcel to R-15 from R-8, add eight additional lots and develop it as a standalone subdivision.

To proceed with these changes, the applicant must amend the existing PUD to demonstrate that removing the parcel will not negatively impact the integrity of the remaining development.

Additionally, the existing development agreement must be modified to exclude the subject parcel, and a new development agreement must be established for the proposed standalone subdivision.

C. Site Development and Use Analysis

1. Existing Structures/Site Improvements (UDC 11-1):
There are no existing structures on the site. The site will be developed as single-family detached residential homes.
2. Proposed Use Analysis (UDC 11-2):
The applicant is proposing single-family detached dwellings which are listed as a principal permitted use in the R-15 zoning districts in UDC Table 11-2A-2. The minimum lot size is 3,826 square feet with a average lot size of 4,543 square feet.
3. Dimensional Standards (UDC 11-2):
The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district. The proposed lots comply with the dimensional standards of the above-mentioned district.
4. Planned Unit Developments (UDC 11-7):
The applicant is requesting to remove the subject property from the boundary of the previously approved Pura Vita Ridge Ranch Planned Unit Development (PUD). Upon review of the prior approvals, the Pura Vita Ridge Ranch Subdivision included single-family detached homes, single-family attached homes, and townhomes. The PUD approval also included deviations from the dimensional standards of the R-15 zoning district to accommodate the variety of housing types proposed within the overall development.
All of the R-8 lots were required to comply with the required dimensional standards. This is the portion of the property that the applicant is proposing to rezone to the R-15 zone and develop single-family detached homes similar to the previous approval. The rezone is desired so the applicant can increase the number of residential lots from 30 to 38. Like the previous approval, no deviations to the dimensional standards are requested or approved. Staff has concluded that the portion subject to the PUD will still provide a mix of housing types as required. Therefore staff is supportive of the applicant increasing the density and providing all single-family detached homes within the proposed development.
The original PUD approval also established specific requirements for amenities and open space to serve the overall development. Based on staff's review, the majority of the approved amenities and open space areas are located on the remaining property that will continue to be governed by the PUD. By removing the subject property from the PUD boundary, the applicant is required to independently meet the City's current open space and amenity requirements.
Based on the analysis above, staff is supportive of this property being excluded for the boundary of the PUD. NOTE: Although not required, the applicant intends to have both developments (Skybreak and Skybreak Rim) share amenities and open space.

D. Design Standards Analysis

1. Structure and Site Design Standards (Comp Plan 2.02.00, Comp Plan 2.02.01B, Comp Plan 3.07.01A, UDC 11-3A-19):
The property is currently vacant and zoned R-8. The applicant is proposing to rezone this area to the R-15 zoning district.

Comprehensive Plan policy 2.02.02C supports infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.

Comprehensive Plan policy 3.07.0 encourages compatible uses and site design to minimize conflicts and maximize use of land.

Comprehensive Plan policy 3.07.01A requires all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.

2. Qualified Open Space & Amenities (Comp Plan 2.02.00, Comp Plan 2.02.01B, UDC 11-3G):
Based on the standards in UDC Table 11-3G-3, a minimum of 15% (or 1-acre) for the R-15 zoning district of qualified open space is required to be provided within the development. An open space exhibit was submitted as shown in Section VII.F, that depicts 49.1% (or 4.78-acres) of open space that meets the required quality and qualified open space standards. Based on the standards set forth in UDC 11-3G-4A, a minimum of one amenity point is required, as the total project area is 6.64 acres.

The applicant indicates that amenities within the existing Skybreak Subdivision will be accessible to residents of the proposed Skybreak Rim Subdivision, as it is intended to function as an extension of the original development. In addition to shared access to these existing amenities, the applicant proposes to provide on-site amenities within Skybreak Rim, including a shade structure, seating areas, and enhanced landscaping. The proposed picnic area, as defined in UDC 11-3G-4.B (includes tables, benches, landscaping, and a shade structure), exceeds 5,000 square feet in size. As such, it qualifies for the maximum of two amenity points, exceeding the minimum requirement.

Comprehensive Plan policy 2.02.00 requires the applicant to plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.

Comprehensive Plan policy 2.02.01B requires the applicant to evaluate open space and amenity requirements for consistency with community needs and values.

3. Landscaping (UDC 11-3B):

- i. Storm integration

Per UDC 11-3B-11, the applicant shall meet the intent to improve water quality and provide a natural, effective form of flood and water pollution control through the integration of vegetated, well designed stormwater filtration swales and other green stormwater facilities into required landscape areas, where topography and hydrologic features allow if part of the development.

Development will be required to meet UDC 11-3B-11 for stormwater integration.

- ii. Pathway landscaping

Per UDC 11-3B-12, the landscape strips shall be planted with a mix of trees, shrubs, lawn, and/or other vegetative ground cover. There shall be a minimum of one (1) tree per one hundred (100) linear feet of pathway. If this calculation results in a fraction of five (5) or greater, round up to an additional tree; if the calculation results in a fraction less than five (5), round the number down.

The applicant is required to revise the landscape plan to show how the landscaping for pathways meets the requirements outlined in UDC 11-3B-12.

4. Parking (UDC 11-3C):

Off-street parking is required to be provided for each home based on the total number of bedrooms per unit as set forth in UDC Table 11-3C-6. On-street parking is also available on the proposed streets.

i. Residential parking analysis

Off-street parking is required to be provided for each home based on the total number of bedrooms per unit as set forth in UDC Table 11-3C-6. On-street parking is also available on the proposed streets.

5. Building Elevations (Comp Plan 2.01.01C, Architectural Standards Manual):

Ten (10) conceptual building elevations were submitted for the proposed subdivision as shown in Section VII.G. The proposed housing products throughout the development are single-family detached units featuring a variety of regionally appropriate designs.

Comprehensive Plan policy 2.01.01C encourages the applicants to maintain a range of residential land use designations that allow diverse lot sizes, housing types, and densities. development.

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

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-7. The landscape plan shows a six (6) foot tall solid vinyl privacy fencing along the perimeter of the plat and a five (5) foot open vision fence along the common area on the north and east side of the project. The applicant will be required to extend the open vision fence up to six (6) feet in height.

E. Transportation Analysis

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

Access to the site will be provided via S. Cascabel Lane, which is reached from E. Bingley Lane by way of S. Eagle Road.

2. Multiuse Pathways (UDC 11-3A-5):

No multiuse pathways were required with this development.

3. Pathways (Comp Plan, UDC 11-3A-8):

The previously approved plan showed a pedestrian connectivity plan was submitted that depicts sidewalks along streets, pathways through internal common open space areas providing connections to the multi-use pathway along the creek. A 10' wide multi-use pathway is proposed along the east boundary of the Pura Vida Subdivision site adjacent to the creek in accord with the Pathways Master Plan, a 5' wide concrete pathway is proposed from Road 4 to Road 8 and at the top of the slope in Lot 40, Block 5, and dirt trails are proposed within the unimproved slope area providing connections between the upper ridge and the lower valley lots (see Section IX.G). These walkways provide pedestrian connections to the shelters with picnic tables and benches proposed as amenities within the development. No new multi-use pathways were required for this development.

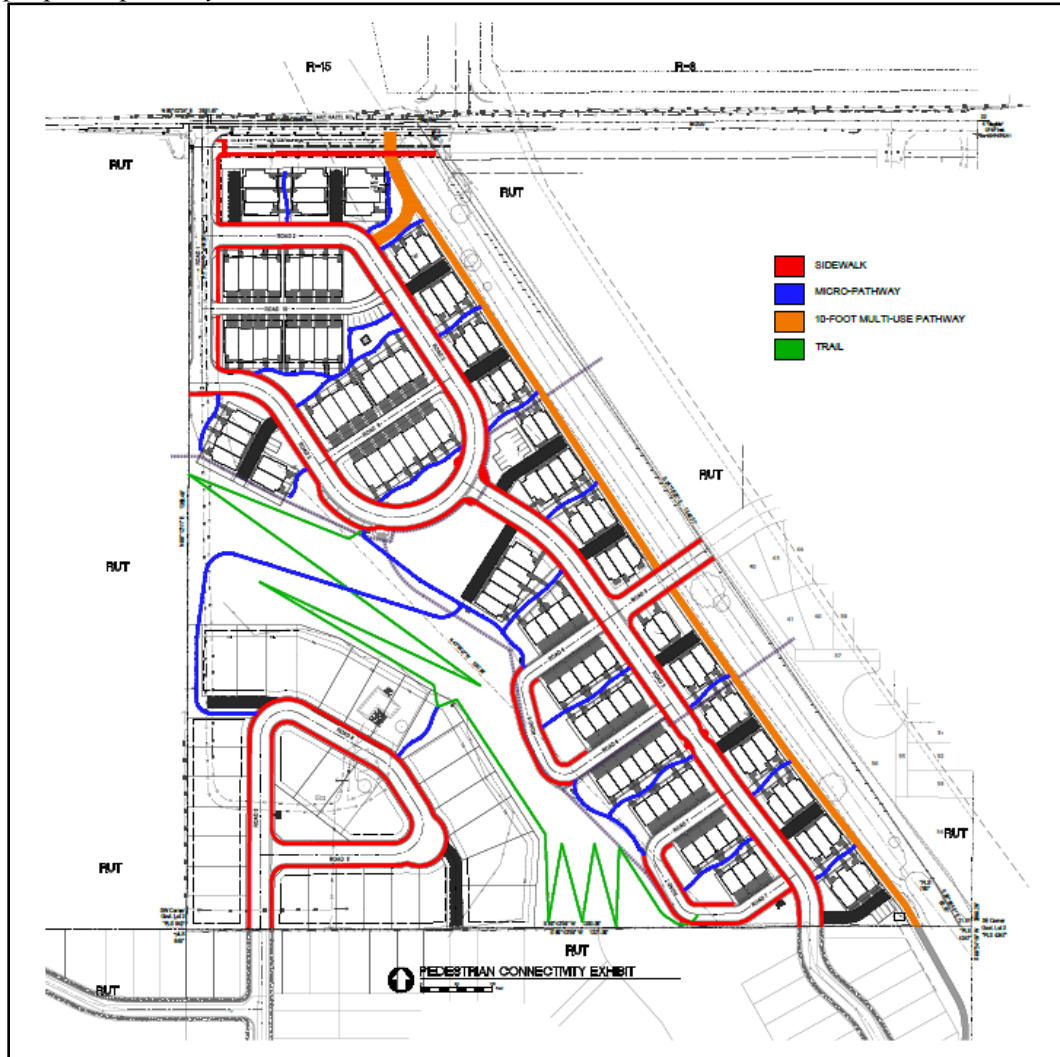
The applicant is proposing a pathway on the north side of the property that connects to a foothill trail descending the slope. This trail will be designed as a natural switchback along the hillside, with disturbed areas reseeded and maintained in a natural condition. In addition, a separate pathway is proposed within the open space area along the private road. This pathway is standalone and does not directly connect to existing sidewalks or other pathway systems.

The applicant needs to update their pedestrian circulation exhibit to show how they plan to connect the proposed pathway below the slope to Pura Vita Subdivision.

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

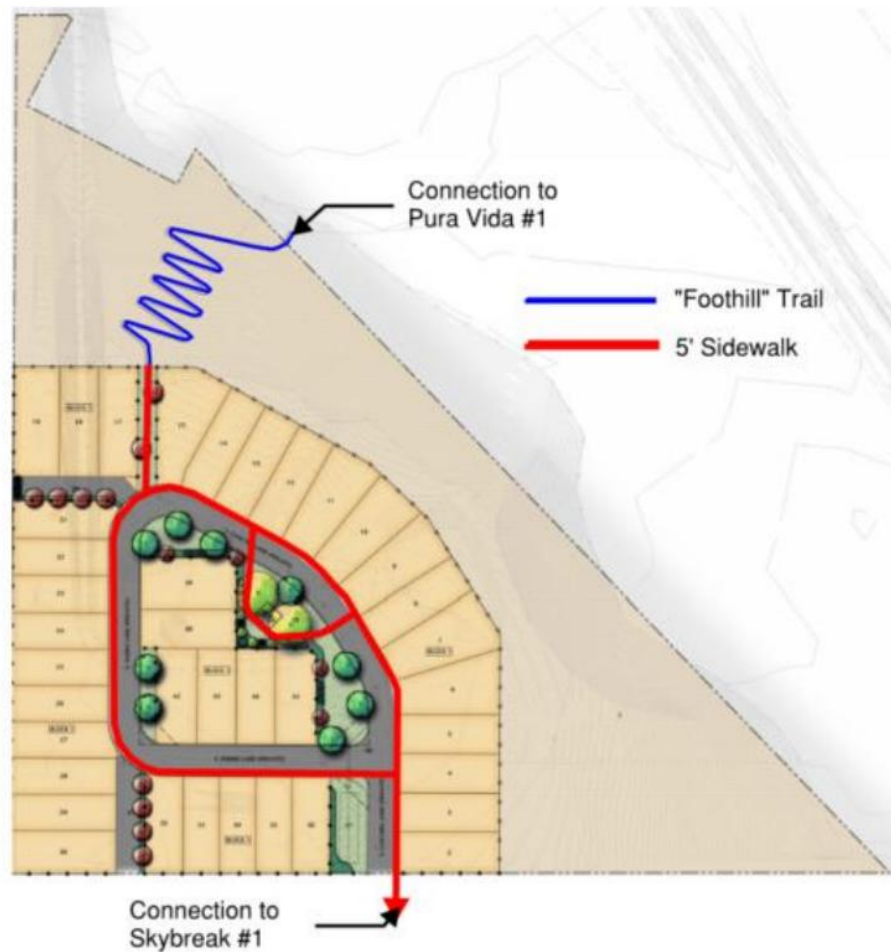
For private streets serving dwellings, a five-foot wide attached sidewalk or four-foot-wide detached sidewalk shall be provided on both sides of the private street. This requirement may be waived or modified by the decision-making body if the applicant can demonstrate that an alternative, similar pedestrian path exists.

The previous approval provided sidewalks on both sides of the public street connecting to the proposed pathway network as seen in the exhibit below.



The applicant is proposing a private street with a 5-foot sidewalk on the east side which does not meet the requirements of UDC 11-3F-4.C.2.b. The applicant is requesting a waiver to design the same street section and sidewalk configuration approved with the original Skybreak Subdivision (see exhibit below).

Pedestrian Connectivity Exhibit



As the private street section of the UDC was changed in 2025, the Planning Commission and City Council should carefully consider whether the proposed request meets the intent of the current UDC for sidewalks associated with private streets.

5. Private Streets (UDC 11-3F-4):

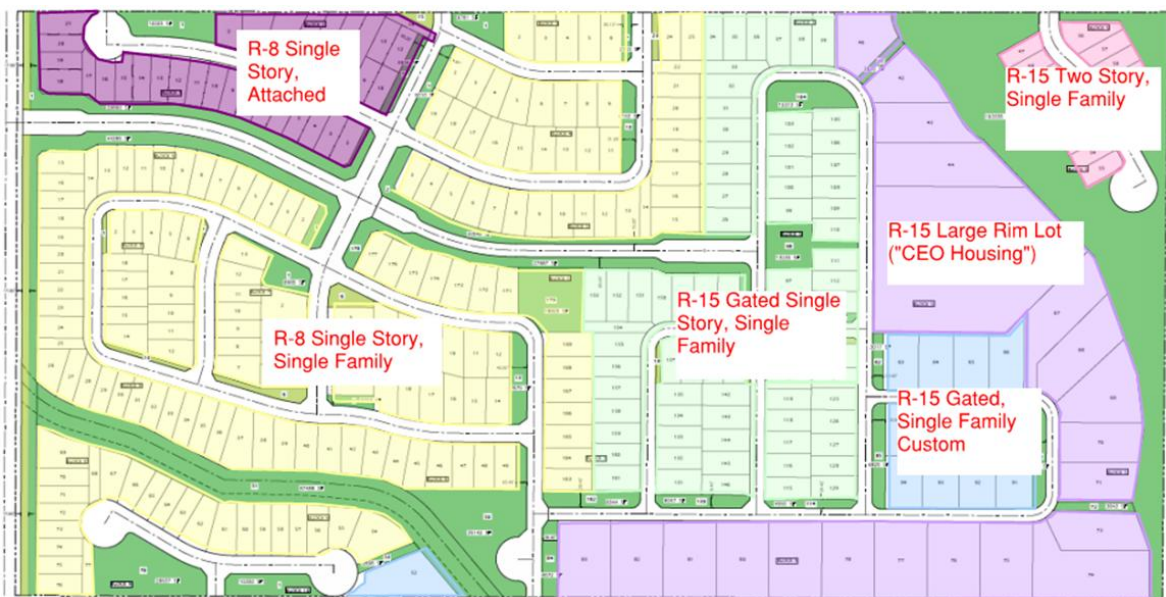
The applicant is required to comply with the private street requirements outlined UDC 11-3. To serve the 38-lot development the applicant is proposing private streets. In doing so, they are proposing to utilize the existing private street network within the Skybreak development. While the proposed subdivision does not include additional gates, the development will connect to and rely on the existing private streets and gated entrances that currently serve the Skybreak community.

The City Council previously approved the Skybreak development with 106 homes served by private streets and two (2) gated accesses. The current proposal would add an additional 38 homes to the private street network.

Pursuant to UDC 11-3F-4, gated residential developments served by private streets shall have no more than one hundred (100) dwelling units, unless a greater number of units is approved through a planned unit development (PUD). The code in effect at the time required

one gated entry for every fifty (50) dwelling units. Given that the previously approved development already exceeded the 100-unit threshold and the applicant is proposing to add an additional 38 homes to the existing private street network, the Planning Commission and City Council should carefully consider whether expanding the number of homes served by this private street system remains appropriate and consistent with the intent of the Meridian City Code.

Additionally, in order to facilitate the proposed connection to the existing private street network, the applicant is required to modify the existing Skybreak Subdivision plat. Specifically, one of the buildable lots within Skybreak Subdivision (Lot 13, Block 1) must be converted to a common lot to accommodate the connection and circulation associated with the private street system. As a result, the applicant will be required to submit a final plat modification for Skybreak Subdivision and a concurrent private street application to allow the proposed connectivity. These applications must be reviewed and approved by the City prior to submittal of the final plat for the proposed subdivision.



6. Subdivision Regulations (UDC 11-6):

i. Common driveways

Per UDC 11-6C-3D, common driveways shall serve a maximum of four (4) dwelling units. In no case shall more than three (3) dwelling units be located on one (1) side of the driveway.

The applicant is proposing two common driveways that meet the dimensional requirements as outlined in the UDC 11-6C-3D. However, UDC 11-3F-4.B.6 states no common driveways shall be allowed off of a private street unless the street section allows for parking on at least one (1) side of the street or the development has designated adequate guest parking dispersed throughout, as determined by the director. The Planning Commission and City Council should consider whether or not the parking showing is sufficient and meets the intent of UDC 11-3F-4.B.6.

ii. Dead end streets

No streets or series of streets that ends in a cul-de-sac or a dead end shall be longer than five hundred (500) feet except as allowed by UDC 11-6C-3.

There are no dead-end streets being proposed for this development. The Fire Marshal has reviewed and approved a secondary emergency access for this development.

iii. Block face

UDC 11-6C-3- regulates block lengths for residential subdivisions. Staff has reviewed the submitted plat for conformance with these regulations. The intent of this section of code is to ensure block lengths do not exceed 750 ft, although there is the allowance of an increase in block length to 1,000 feet if a pedestrian connection is provided. In no case shall a block face exceed one thousand two hundred (1,200) feet, unless waived by the City Council.

As currently designed, the proposed plat meets the block face requirements.

F. Services Analysis

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

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 receiving development plan approval.

2. 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 practice as adopted by the City as set forth in UDC 11-3A-18. A Geotechnical Evaluation and geotechnical groundwater monitoring report was submitted with this application.

3. Utilities (Comp Plan 3.03.03G, 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.

Comprehensive Plan policy 3.03.03G requires 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

1. Fifteen days prior to the City Council public hearing, the applicant shall submit the following items to the city for review:
 - ~~Submit a revised pedestrian exhibit showing how the pathway from Skybreak Rim connects to the pathways within the adjacent subdivisions.~~
 - ~~Submit an amenity exhibit showing the proposed picnic area amenity, including tables, benches, landscaping, and a structure for shade.~~
 - ~~Provide a rezone exhibit map showing the boundary of the property being rezoned.~~
2. Development Agreement Modification (Pura Vida Subdivision - Parcel S1404212755):
 - 1.1 A new Development Agreement is required and 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 rezone ordinance. The Development Agreement shall, at minimum, incorporate the following provisions:
 - a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, site plan, qualified open space exhibit, site amenity exhibit and conceptual building elevations included in Section VIII of the Staff Report attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit "A" and the provisions contained herein.
 - b. No building permits shall be issued prior to the plat being recorded.
 - c. Any future development of the site must comply with the City of Meridian ordinances in effect at the time of the development.
 2. The applicant shall submit a final plat modification for Skybreak Subdivision and a concurrent private street application to allow the proposed private street access. These applications shall be reviewed and approved by the City prior to submittal of the final plat for the proposed subdivision.
 3. Lots shall meet the dimensional requirements of the R-15 zoning district per UDC 11-2A-7.
 4. The Landscape Plan prepared by Jensenbelts Associates and stamped by Kimberly C. Slegen Thaler, included in Exhibit Section VIIE, dated December 23, 2025, shall be revised as follows:
 - a. Revise the landscape plan to show the required pathway landscaping for Lots 16 and 38 of Block 1. The landscape strips shall be planted with a mix of trees, shrubs, lawn, and/or other vegetative ground cover. A landscape strip a minimum of five (5) feet wide shall be provided along each side of the pathway. The minimum width of the landscape strip shall be two (2) feet to allow for maintenance of the pathway.
 5. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
 6. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
 7. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.

8. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit.
- Per UDC 11-3F-1 Common driveways, no common driveways shall be allowed off of a private street unless the street section allows for parking on at least one (1) side of the street or the development has designated adequate guest parking dispersed throughout, as determined by the director. The applicant is providing parking on one side of the street as required; the Commission and Council should also determine if adequate parking has been provided.
9. All common driveways shall meet the requirements of 11-6C-2-D including a perpetual ingress/egress easement being filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.
10. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
11. Staff's failure to cite all relevant UDC requirements does not relieve the applicant from compliance.

B. Meridian Public Works

Site Specific Conditions of Approval

Water (Per Public Works)

1. A vault to be located at the bottom of the hill right up against the road so it can be accessed with a truck easily. Vault to be our standard size 7' by 16' vault for a Water Control Valve. Install the valves inside the vault and then provide a straight DIP pipe between valves. City will install the WCV at a later time. If you need a figure for the vault let me know.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. 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 development plan approval.

4. 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 receiving development plan approval.
5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. 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.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources (IDWR). The Developer, Owner, or project Engineer, shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment. If wells are to be abandoned, the project owner or their representative must contact the IDWR Groundwater Protection Section (Aaron Skinner, Hydrogeologist 208-287-4972) BEFORE any work is done to decommission an existing well (even if it is believed that the well is less than 18 ft deep). Proof of communication with IDWR must be submitted to the City prior to any work being done to decommission the well. Failure to communicate with IDWR may result in additional work and expense to decommission the well.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. 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.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. 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.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. 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.

17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. 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.
19. 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.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse 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 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.
22. 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, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate 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.

C. Meridian Fire Department

1. Secondary Access from Vantage Point Lane into the Skybreak Subdivision shall be fully paved and capable of supporting 82,000lbs as there is a current section that is unpaved.
2. Signage shall be posted on Vantage Point Lane to indicate/navigate Responding Fire Apparatus to Secondary Access "Fire/Emergency Access Only" as the current signage on Vantage Point indicates "Private Drive No Outlet".

D. Irrigation Districts

1. New York Irrigation District
<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=430080&dbid=0&repo=MeridianCity>
2. Boise Project Board of Control
<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=430080&dbid=0&repo=MeridianCity>

E. Idaho Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=430080&dbid=0&repo=MeridianCity>

F. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=430080&dbid=0&repo=MeridianCity>

V. FINDINGS

A. Private Streets

In order to approve the application, the Director shall find the following:

1. The design of the private street meets the requirements of this article;
Commission finds if the applicant complies with all conditions of approval, the private streets meets the standards, if Commission and Council find adequate parking and a singular sidewalk is sufficient.
2. Granting approval of the private street would not cause damage hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and
Commission finds approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity. Secondary access is being provided to serve the proposed development consistent with MFD requirements.
3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.
Commission finds the use and location of the private street does not conflict with the comprehensive or any regional transportation plans. The applicant intends to connect to an existing private street network to provide access. ACHD has commented on the plat and finds no additional road improvements are required.
4. The proposed residential development (if applicable) is a gated community, promotes infill, or is a planned unit development.
Commission finds the proposed development promotes infill by utilizing an existing private street network and two (2) existing gates. The Commission and Council should determine if this meets the intent of the private standards.

B. 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;
Commission finds the proposed zoning map amendment to rezone the property from the R-8 zoning district to the R-15 zoning district is consistent with the Comprehensive Plan.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
Commission finds the proposed zoning map amendment complies with the regulations outlined in the requested R-15 zoning district.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
Commission finds the proposed zoning map amendment should not be 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
Commission finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

5. The annexation (as applicable) is in the best interest of city.

Not applicable

C. Preliminary Plat (UDC-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code;
Commission finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section IV.
2. Public services are available or can be made available and are adequate to accommodate the proposed development;
Commission finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;
Commission finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's Capital Improvement Program.
4. There is public financial capability of supporting services for the proposed development;
Commission finds there is public financial capability of supporting services for the proposed development.
5. The development will not be detrimental to the public health, safety or general welfare; and
Commission finds the proposed development will not be detrimental to the public health, safety or general welfare.
6. The development preserves significant natural, scenic or historic features.
Commission finds the proposed development preserves the natural topography (i.e. hillside) on this property.

VI. ACTION

A. Staff:

Staff recommendation: Approval with conditions

B. Commission:

The Meridian Planning & Zoning Commission heard these items on April 16, 2026. At the public hearing, the Commission moved to recommend approval of the subject rezone, preliminary plat, development agreement modification, planned unit development modification and private street requests.

1. Summary of Commission public hearing:

- a. In favor: Hethe Clark, representing the applicant
- b. In opposition: Pete and Laurie Szobonya, Margaret and Robert Beckwith, Thomas Grewe, and Danny Cafferty
- c. Commenting: Pete Szobonya, Margaret Beckwith, Thomas Grewe, and Danny Cafferty
- d. Written testimony: Margaret and Robert Beckwith and Pete and Laurie Szobonya
- e. Staff presenting application: Linda Ritter
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. Shared amenities, additional lots utilizing the existing private streets and gates, smaller lots and smaller side yard setbacks, on-street parking and consistency with the Pura Vita Ranch development.
- 3. Key issue(s) of discussion by Commission:
 - a. Parking, number of units proposed, number of units in the gated community, the need for the applicant and Mr. Cafferty to meet and discuss his concerns.
- 4. Commission change(s) to Staff recommendation:
 - a. None
- 5. Outstanding issue(s) for City Council:
 - a. The Commission supported the applicant's waivers finding there is adequate on-street parking, sidewalk connectivity, and allowing additional homes to use the existing gated private streets approved and constructed with the Skybreak Subdivision. The Council is also asked to carefully consider these waivers.

C. City Council:

The Meridian City Council heard these items on May 12, 2026. At the public hearing, the Council moved to approve the subject Rezone, PUD modification, MDA modification, preliminary plat and private street requests.

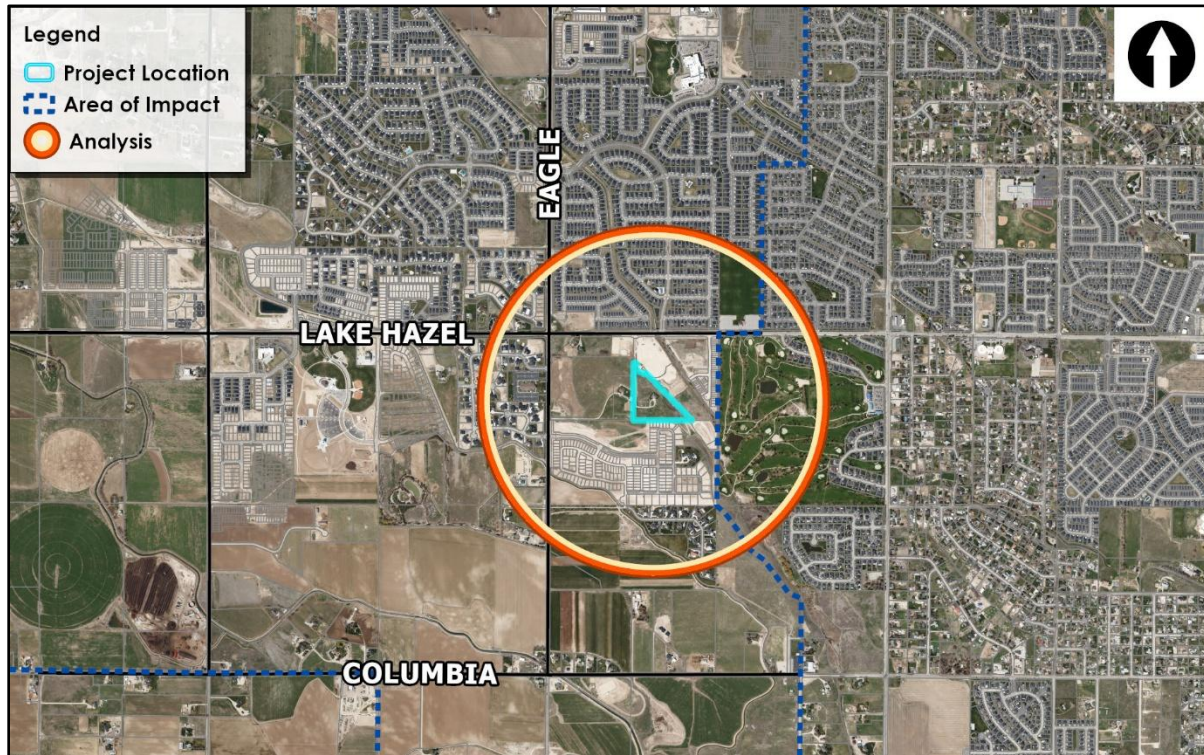
- 1. Summary of the City Council public hearing:
 - a. In favor: Hethe Clark representing the applicant
 - b. In opposition: None
 - c. Commenting: Jim Conger
 - d. Written testimony: None
 - e. Staff presenting application: Linda Ritter
 - f. Other Staff commenting on application: Bill Parsons
- 2. Key issue(s) of public testimony:
 - a. None
- 3. Key issue(s) of discussion by City Council:
 - a. Number of homes behind the gated area, sidewalks along the private road, shared amenities, maintenance of the hillside and drainage from the proposed preliminary plat
- 4. City Council change(s) to Commission recommendation:
 - a. None

VII. EXHIBITS

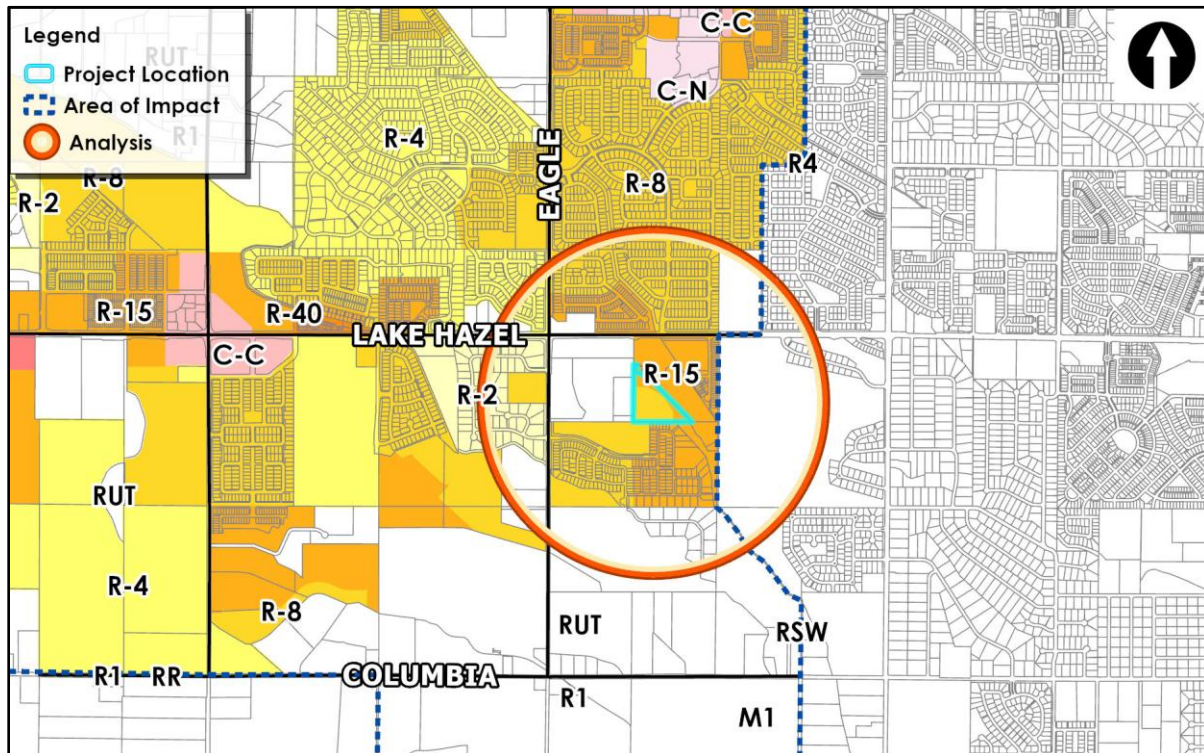
A. Project Area Maps

(link to [Project Overview](#))

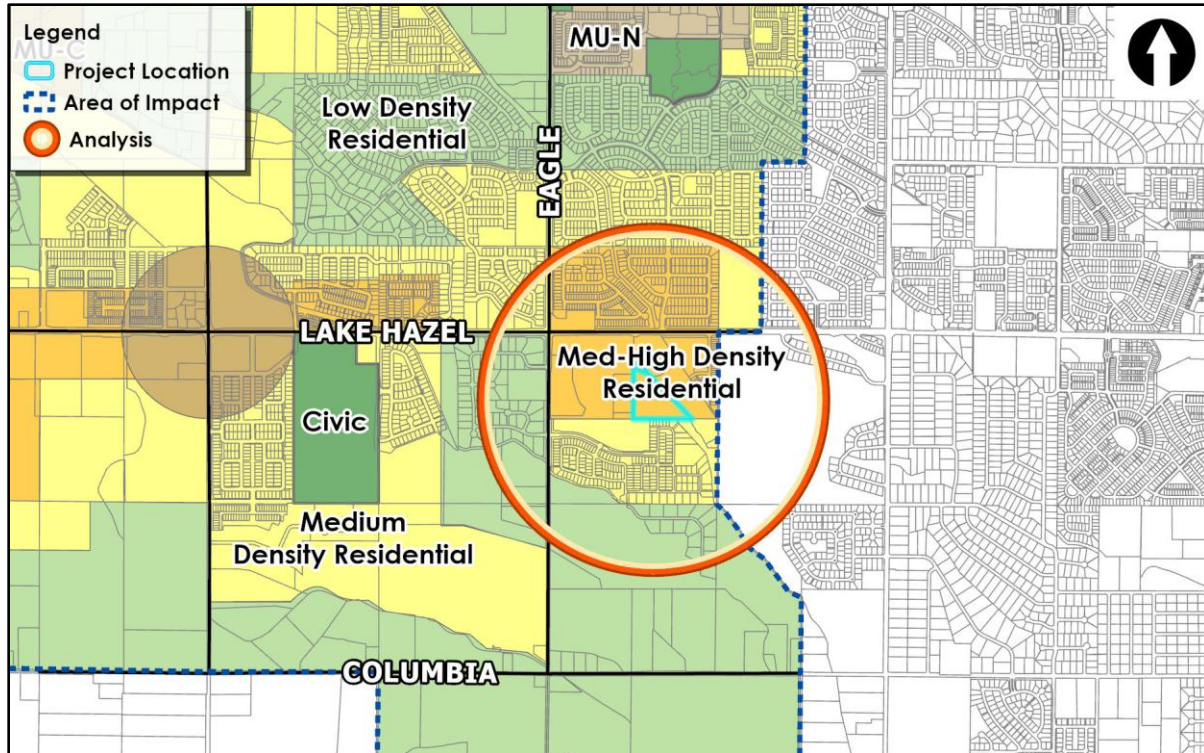
1. Aerial



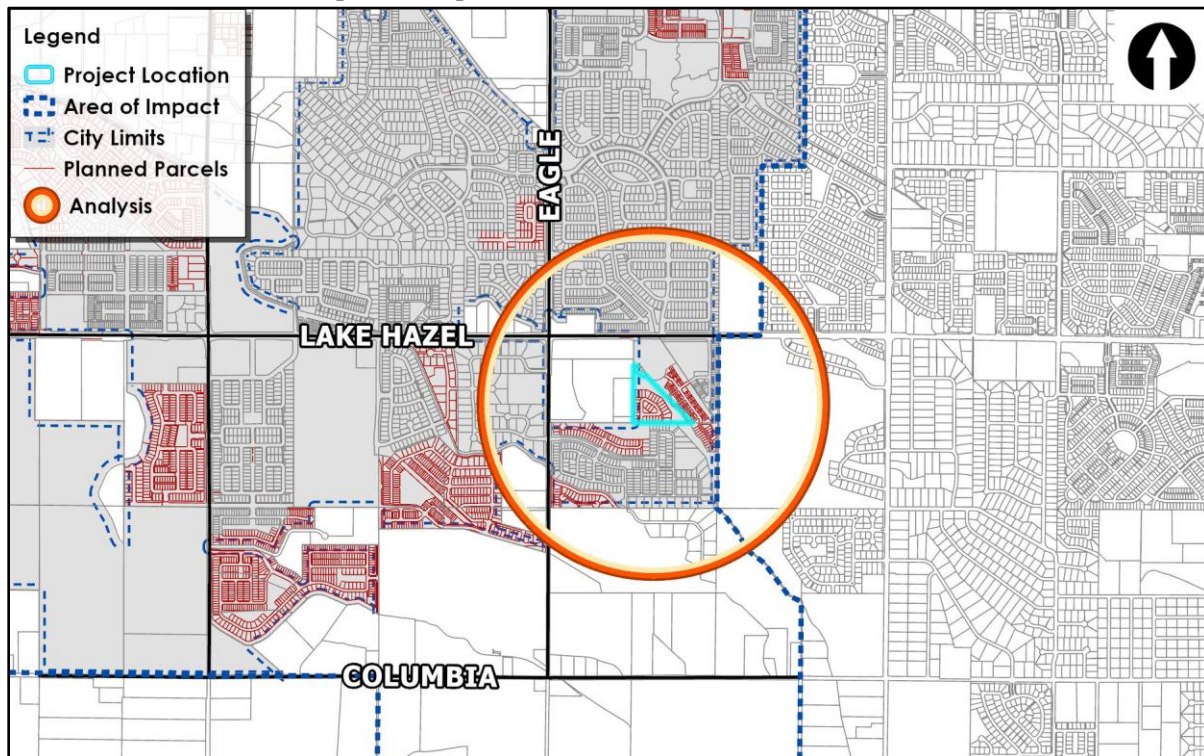
2. Zoning Map



3. Future Land Use



4. Planned Development Map



5. Map Notes

Nearby Recent Preliminary Plats (within last 5-years)

H-2019-0134 H-2020-0095 H-2021-0062 H-2022-0036

Nearby Recent Conditional Use Permits (within last 5-years)

H-2019-0123 H-2020-0009 H-2020-0030 H-2020-0035 H-2020-0064

H-2019-0134 H-2020-0127 H-2021-0046 H-2021-0086 H-2017-0068

H-2018-0043 H-2017-0129 H-2022-0036 H-2023-0047 H-2023-0050

H-2024-0023

B. Service Accessibility Report

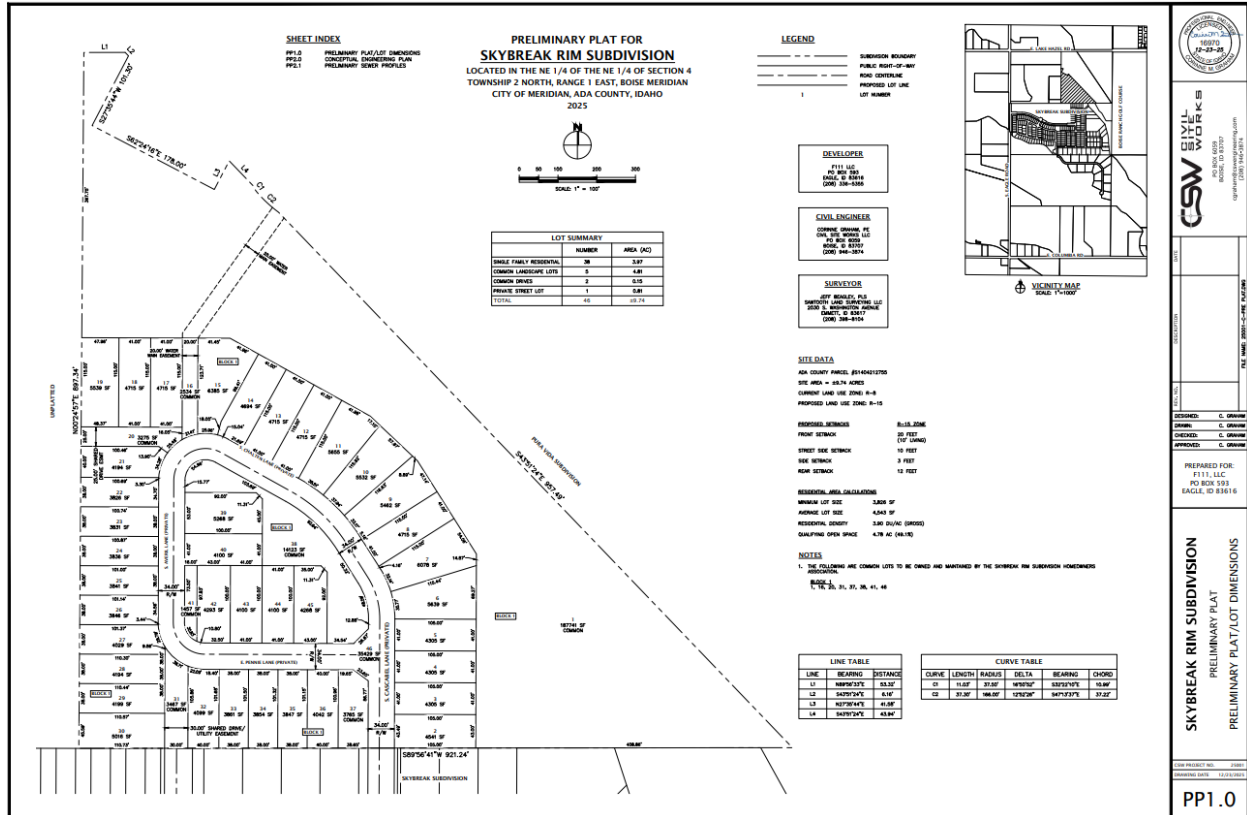
PARCEL S1404212755 SERVICE ACCESSIBILITY

Overall Score: 20	14th Percentile
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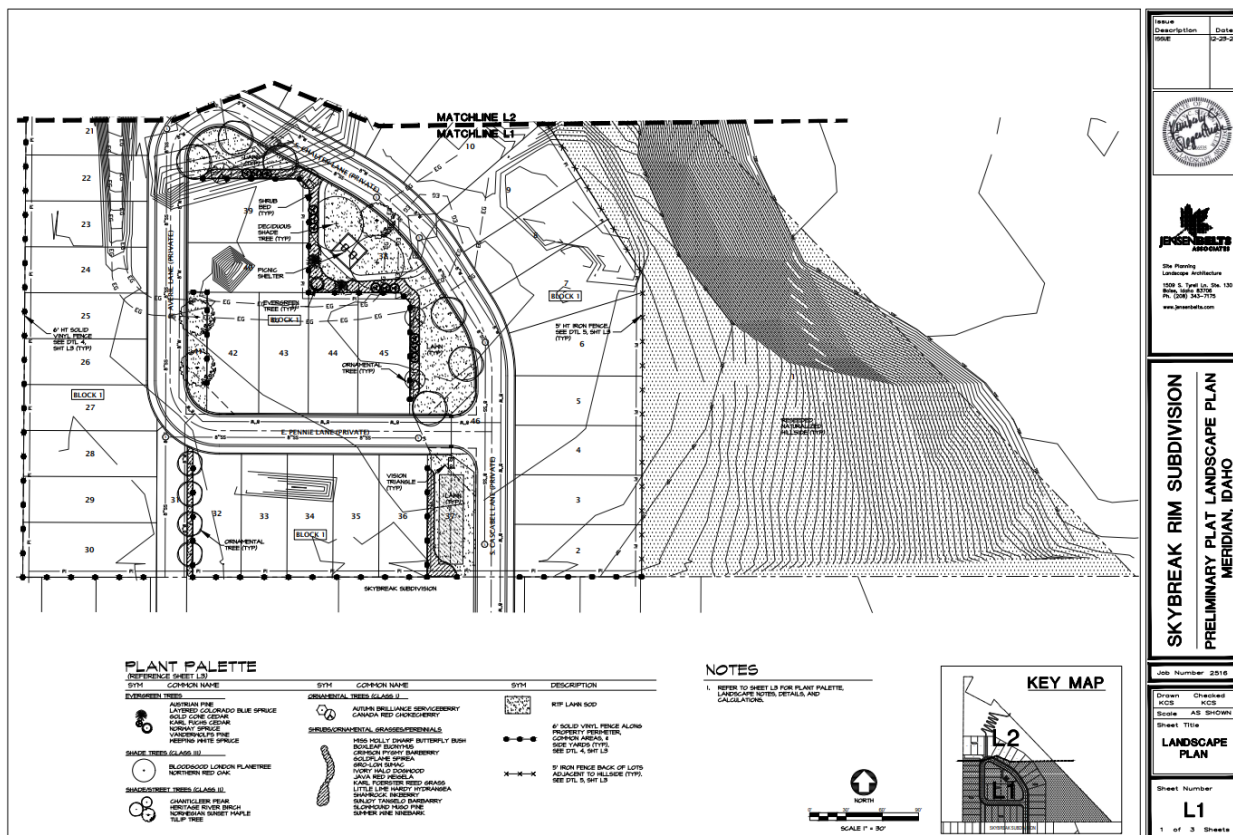
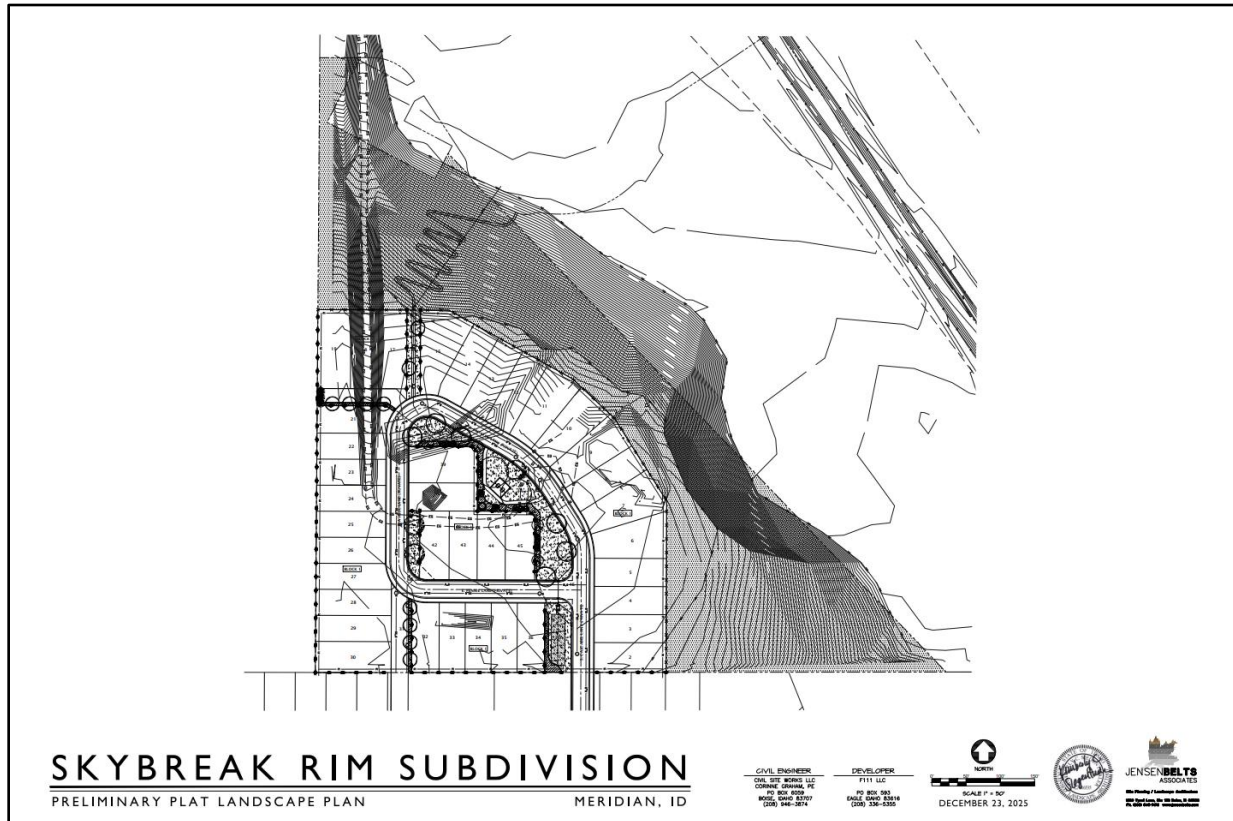
Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time < 5 min.	GREEN
Emergency Services Police	Reporting District does not have enough data to report results	RED
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Not within 1/4 of current or future transit route	RED
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) > existing (# of lanes) & road IS in 5 yr work plan	YELLOW
School Walking Proximity	From 1/2 to 1 mile walking	YELLOW
School Drivability	Not within 2 miles driving of existing or future school	RED
Park Walkability	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

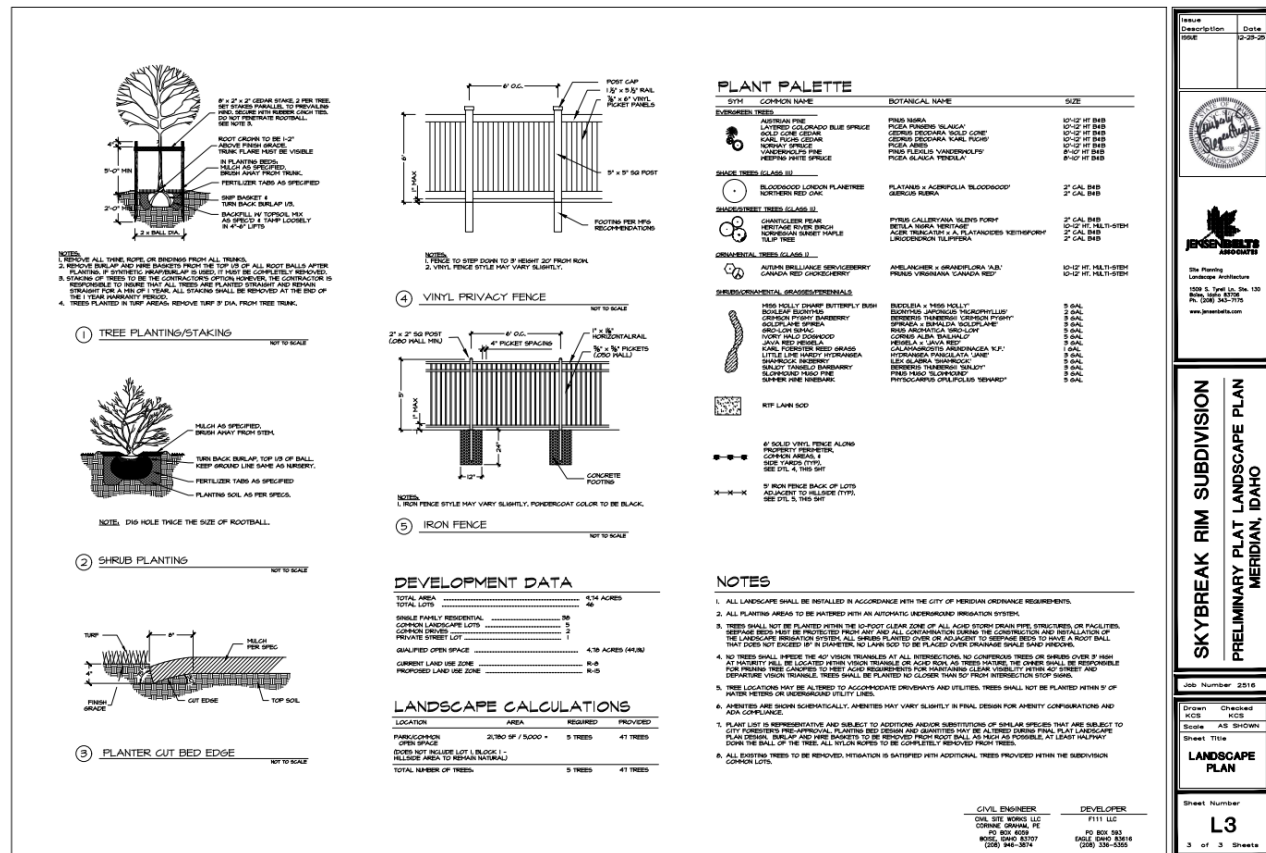
Report generated on 01-15-2026 by MERIDIAN\ritter

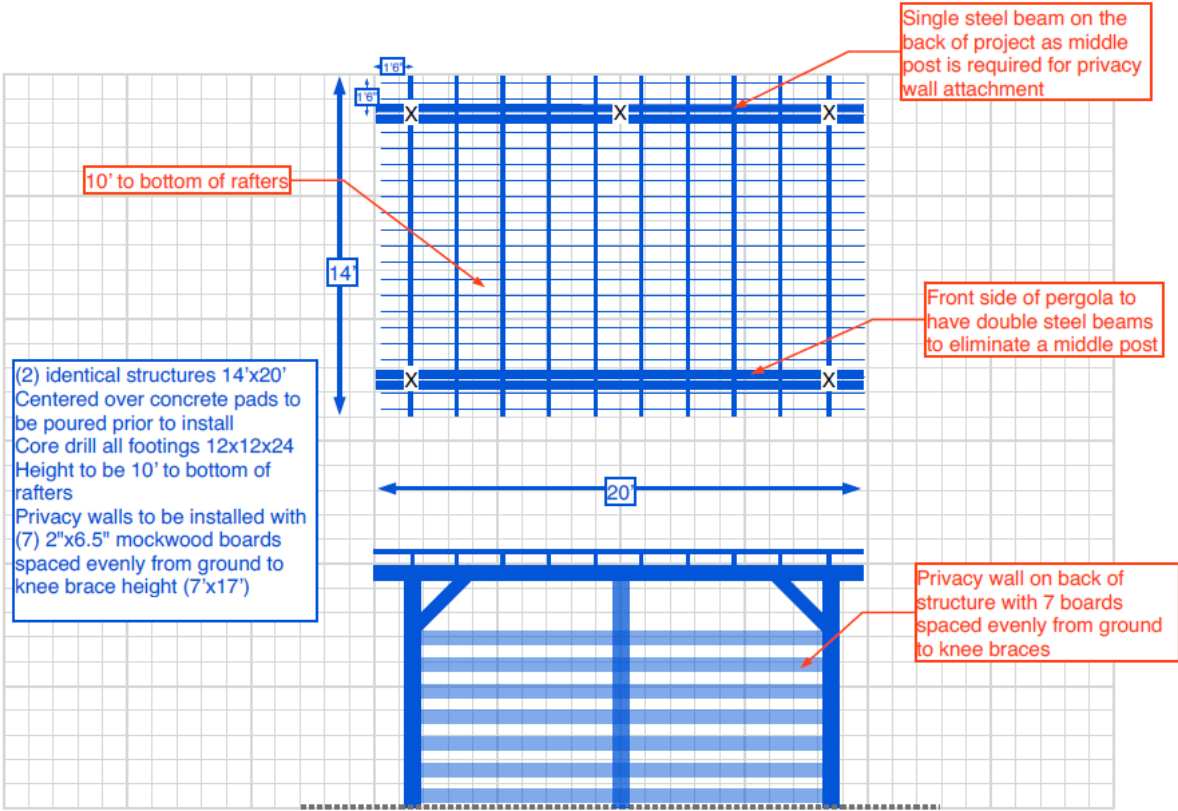
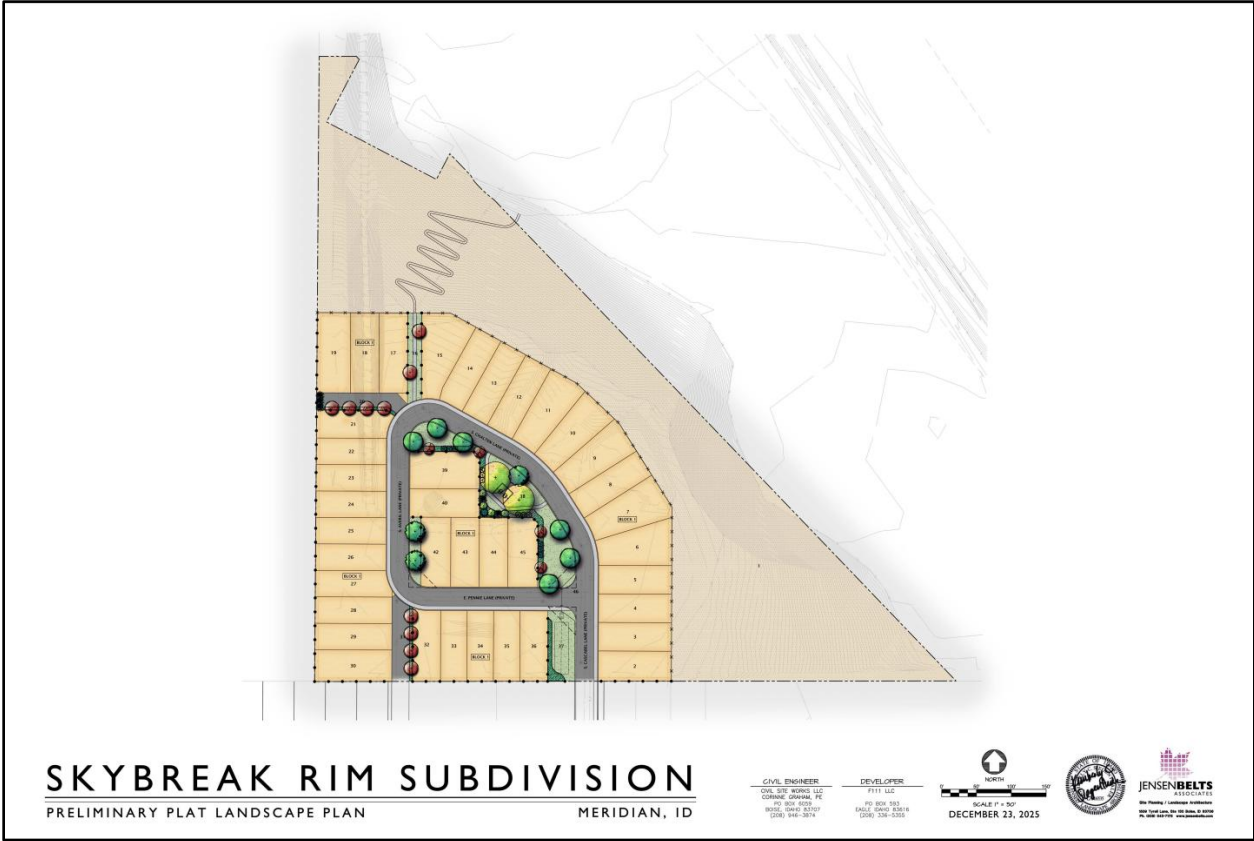
C. Preliminary Plat (date: 12/23/2025)

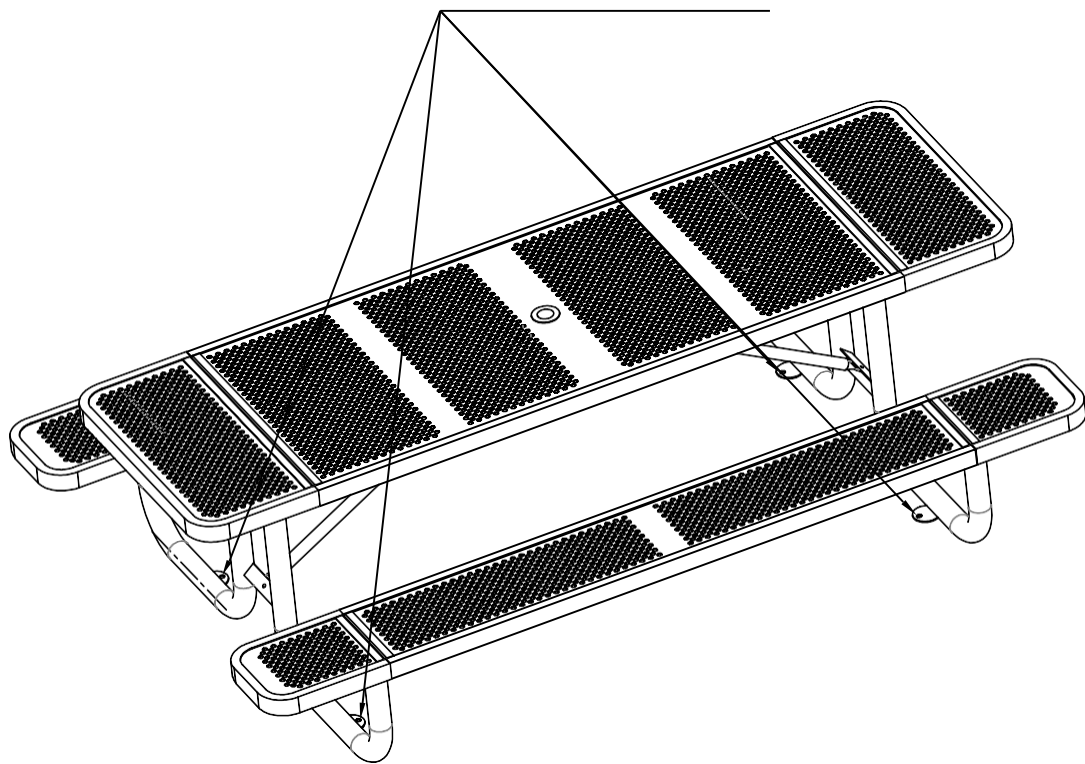


D. Landscape Plan (date: 12/23/2025)









E. Qualified Open Space Exhibit (date: 12/23/2025)

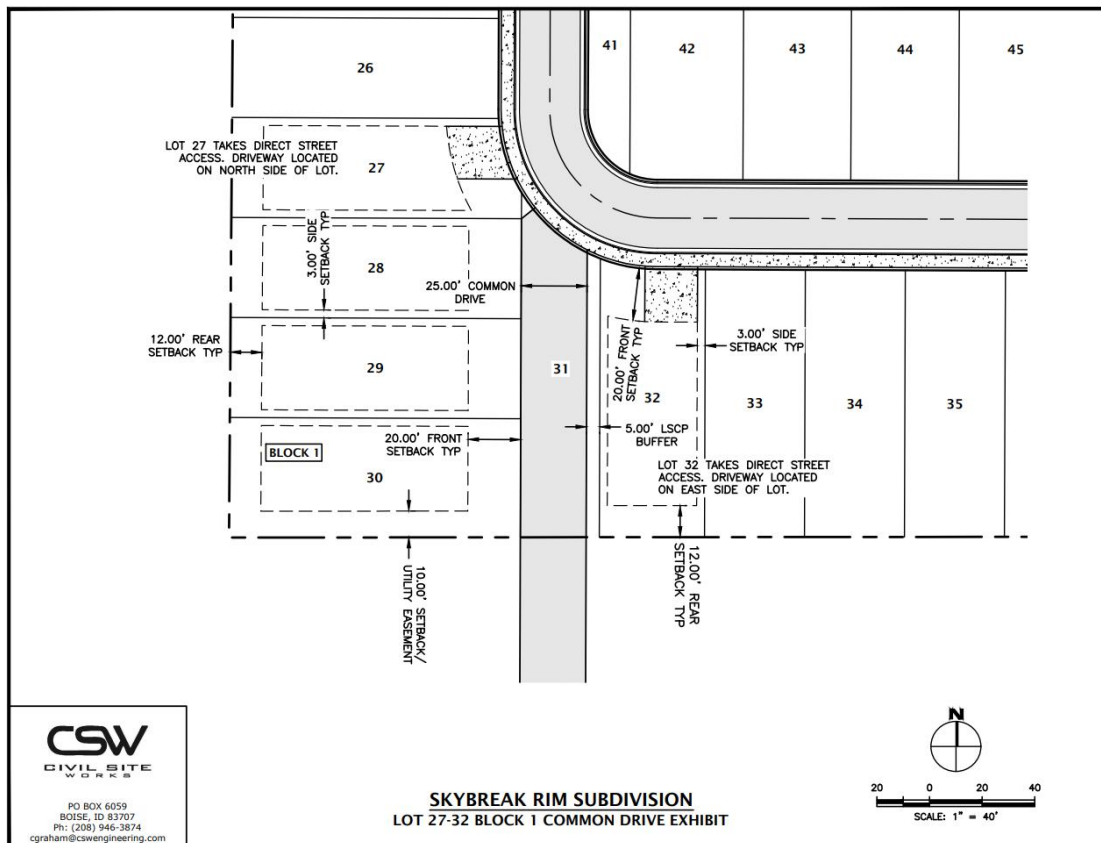
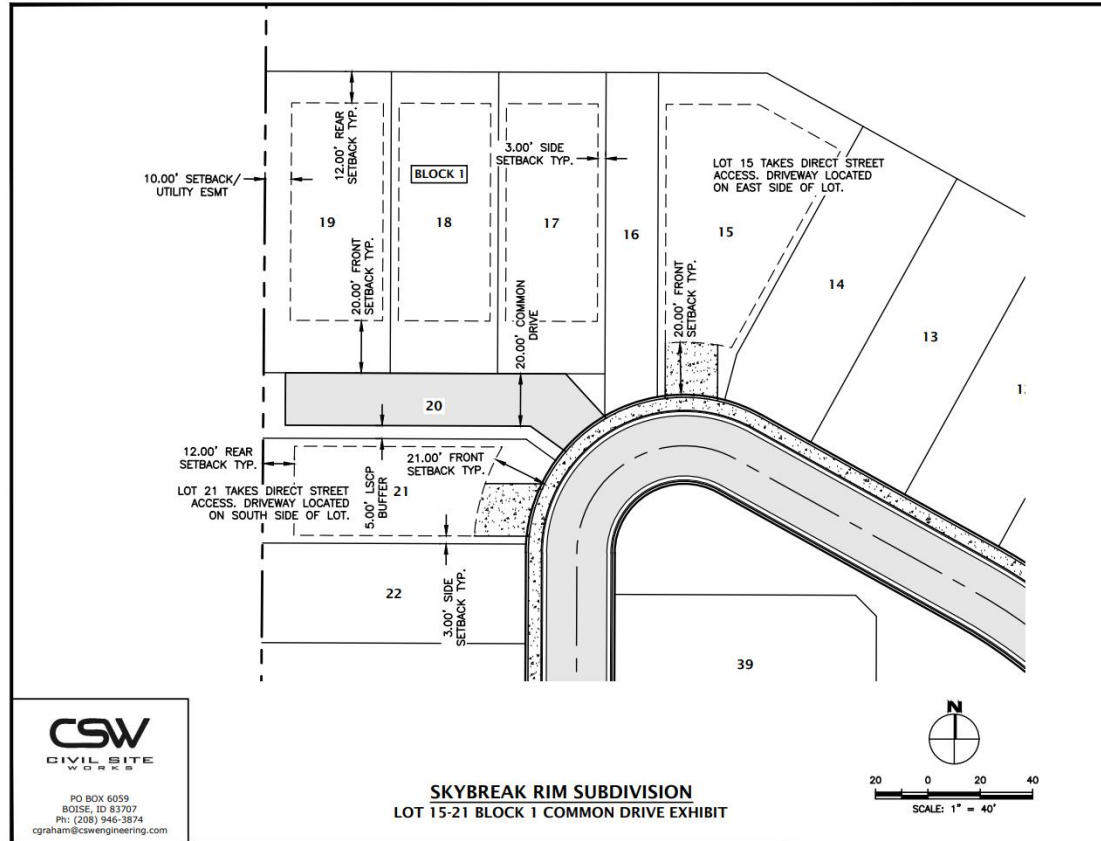


F. Building Elevations (date: 12/23/2025)

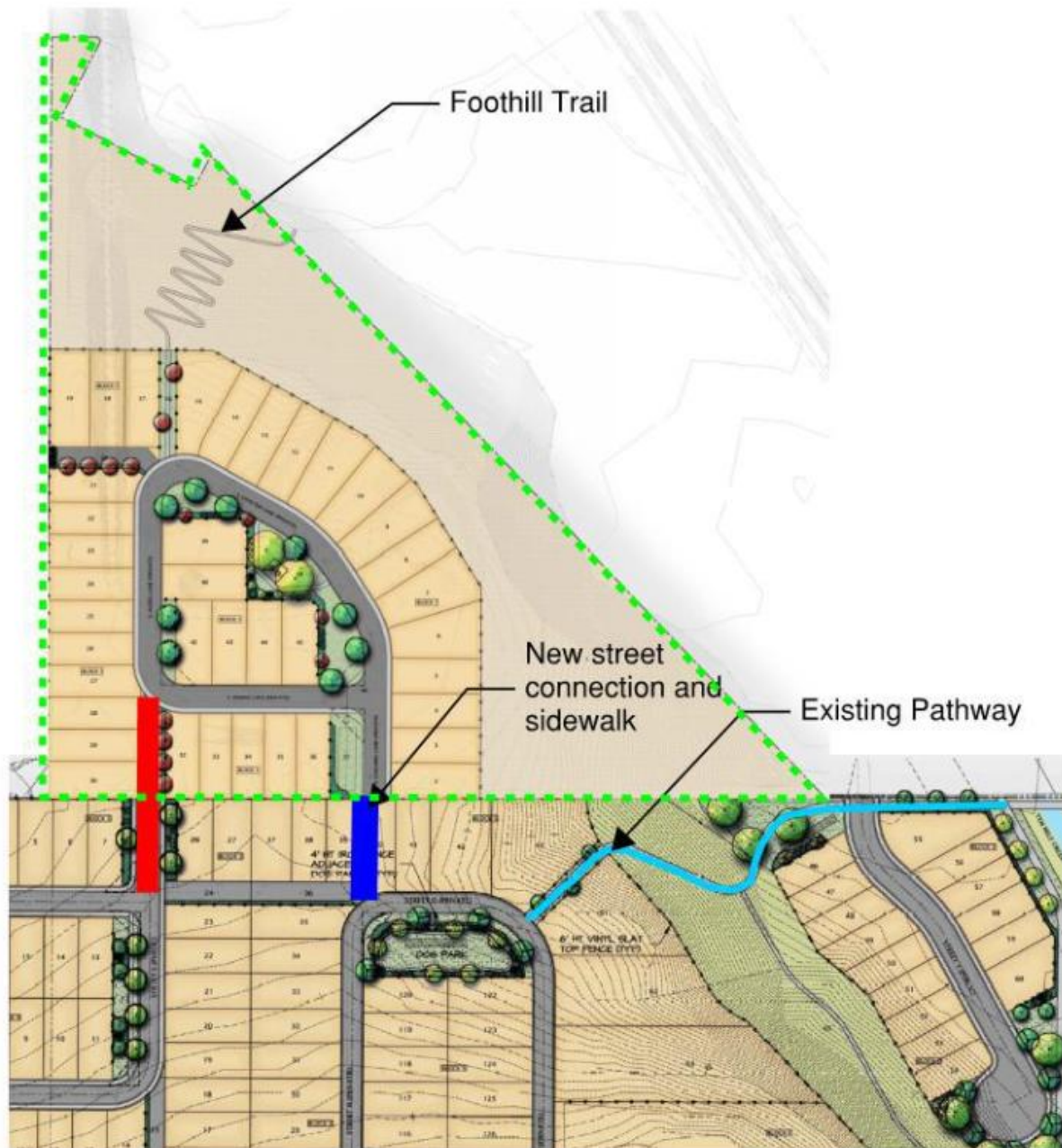




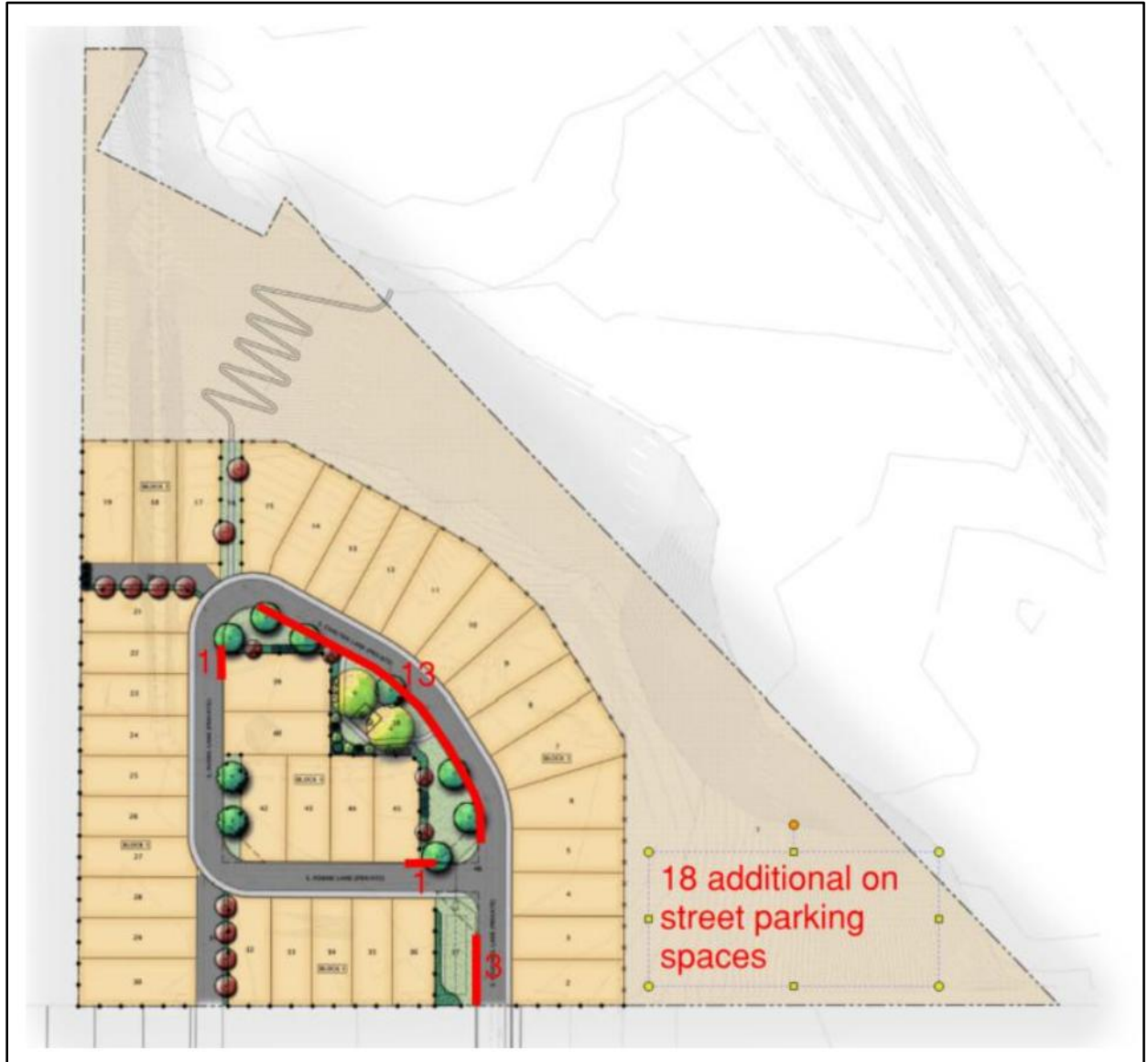
G. Common Drive Exhibit



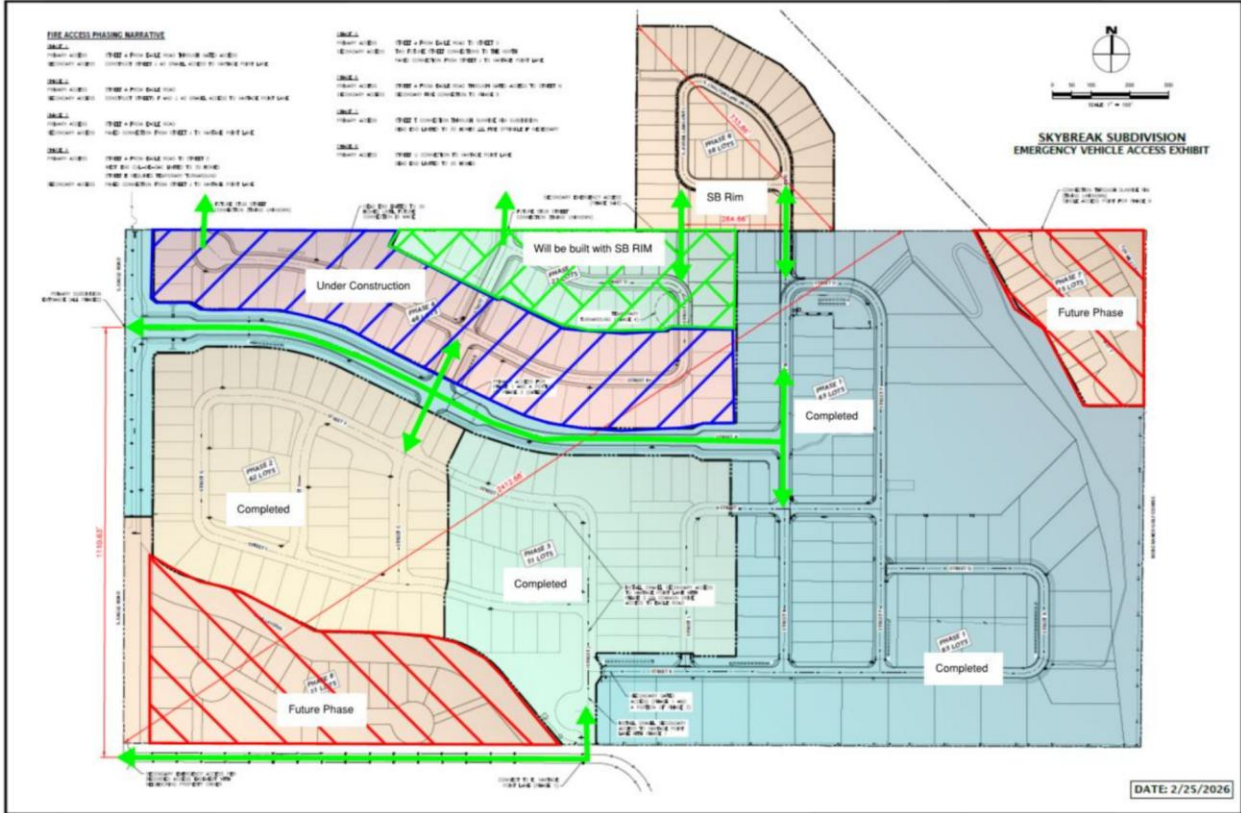
H. Pedestrian Path Exhibit (date: 3/26/2026)



I. Parking Plan Exhibit



J. Emergency Access Plan Exhibit



K. Rezone Exhibit (date: 3/26/2026)



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Skybreak Rim R-15 Zoning Description

The following Describes a Parcel of Land being a portion of Government Lot 3 of Section 4, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County Idaho, and being Tax Parcel No. S1404212750, more particularly described as follows:

COMMENCING at a found Aluminum Cap Marking the Northwest Corner of said Section 4; From which, the North 1/4 Corner of said Section 4 bears, North 89°43'34" East, 2661.67 feet which is being Monumented with a found "Illegible" Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 4, North 89°43'34" East, 1325.81 feet to the Northwest Corner of said Government Lot 3; Thence leaving said Northerly Boundary line, and along the Westerly Boundary Line of said Government Lot 3, South 00°12'11" West, 803.83 feet to the **POINT OF BEGINNING**:

Thence leaving said Westerly Boundary Line, North 90°00'00" East, 227.21 feet to a point;

Thence. South 60°35'33" East, 280.04 feet to a point;

Thence, South 32°19'11" East, 299.15 feet to a point;

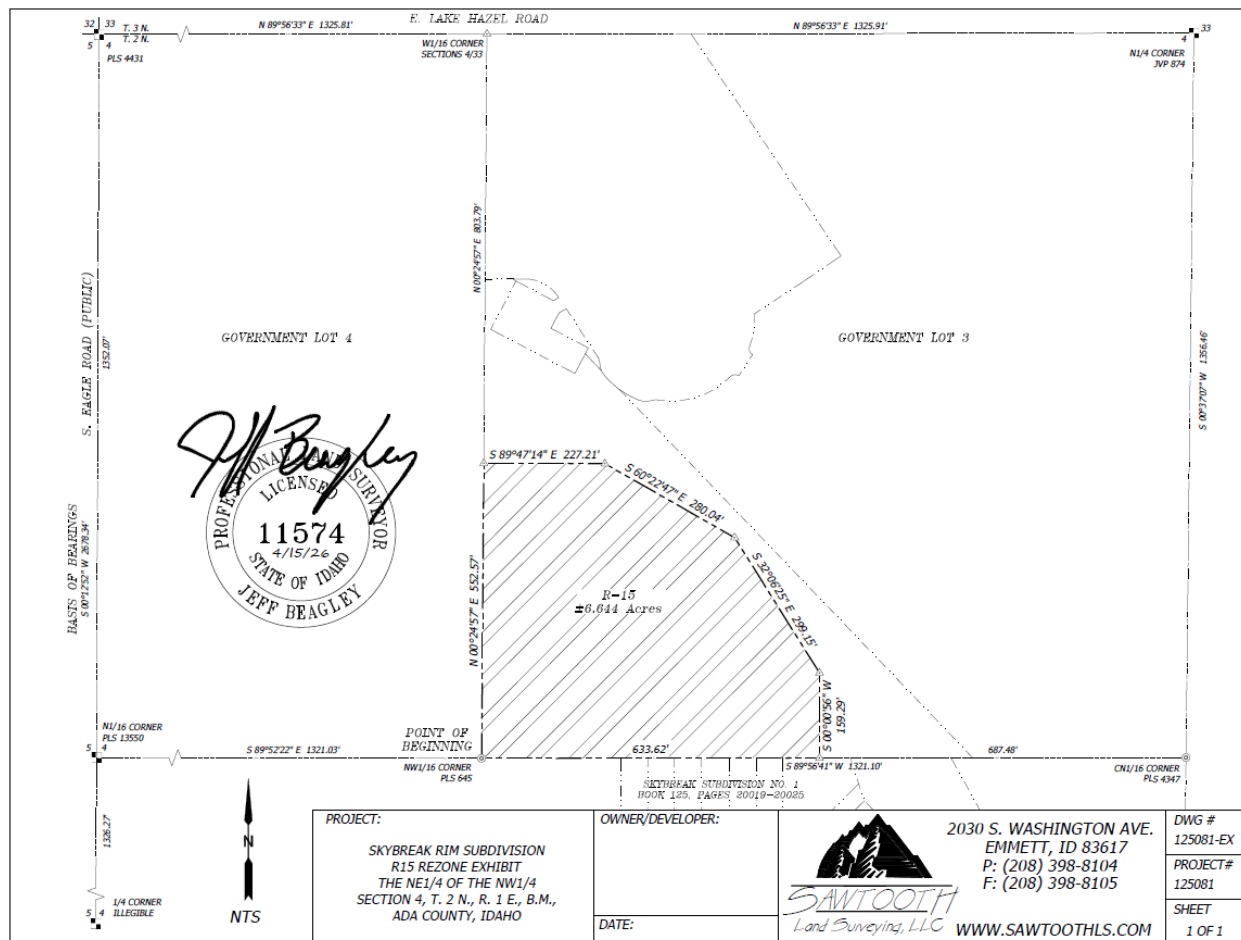
Thence, South 00°11'50" East, 159.31 feet to a point on the Southerly Boundary Line of said Government Lot 3;

Thence along the Southerly Boundary Line of said Government Lot 3, South 89°43'59" West, 633.61 feet to the Southwest Corner of said Government Lot 3 which is being Monumented with a found 5/8" Iron Pin PLS "645" as Shown on Record or Survey No. 1485, Records of Ada County, Idaho;

Thence leaving said Southerly Boundary Line, and along the Westerly Boundary Line of said Government Lot 3, North 00°12'11" East, 552.57 feet to the **POINT OF BEGINNING**.

The above-Described Parcel of Land contains 6.64 Acres, more or less.





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

(link to [Community Metrics](#))

A. One-Mile Radius Existing Condition Notes

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

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

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

B. Mixed Use Analysis Notes

This data is derived from enterprise application and GIS databases, and exported dynamically. Data considered for analysis are only those areas overlapping the overall Mixed Use boundary area. Mixed Use areas across arterial roadways are distinct, separate, and not considered as they do not meet the mixed use principles in the Comprehensive Plan (e.g. pedestrian safety, transportation efficiency, etc.). Mixed Use parcel areas may be greater or smaller than the future land use area designation boundary due parcel size, configuration, right-of-way, and other factors. Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals.

C. Service Assessment Notes

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

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

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

D. ACHD Roadway Infographic Notes

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

- **Existing Level of service (LOS).** LOS indicator is a common metric to consider a driver's experience with a letter ranking from A to F. Letter A represents free flow conditions, and on the other end Level F represents forced flow with stop and go conditions. These conditions usually represent peak hour driver experience. ACHD considers Level D, stable flow, to be acceptable. The LOS does not represent conditions for bikes or pedestrians, nor indicate whether improvements: are possible; if there are acceptable tradeoffs; or if there is a reasonable cost-benefit.
- **Integrated Five Year Work Plan (IFYWP).** The IFYWP marker (yes/no) indicates whether the specified roadway is listed in the next 5-years. This work may vary, from concept design to construction.
- **Capital Improvement Plan (CIP).** The CIP marker (yes/no) indicates whether the specified roadway is programmed for improvement in the next 20-years.