

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



In the Matter of the Request for Conditional Use Permit for a new approximate 1,460 square foot coffee shop including a drive-through, parking, and pedestrian access, located within 300-feet of an existing drive-through facility, residential district, and existing residence, Located at 776 N. Cliff Creek Lane in the C-C Zoning District, by CSHQA.

Case No(s). H-2024-0011

For the Planning & Zoning Commission Hearing Date of: June 20, 2024 (Findings on July 18, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of June 20, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of June 20, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of June 20, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of June 20, 2024, 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 Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 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 Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of June 20, 2024, 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 Planning & Zoning Commission'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 Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of June 20, 2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year 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 in accord with UDC 11-5B-6F.1. 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, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.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 Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

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 2024

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, 2024.

COMMISSIONER ANDREW SEAL, CHAIRMAN VOTED _____

COMMISSIONER MARIA LORCHER, VICE CHAIRMAN VOTED _____

COMMISSIONER BRIAN GARRETT VOTED _____

COMMISSIONER JARED SMITH VOTED _____

COMMISSIONER PATRICK GRACE VOTED _____

COMMISSIONER MATTHEW SANDOVAL VOTED _____

COMMISSIONER ENRIQUE RIVERA VOTED _____

Andrew Seal, Chairman

Attest:

Chris Johnson, City Clerk

Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

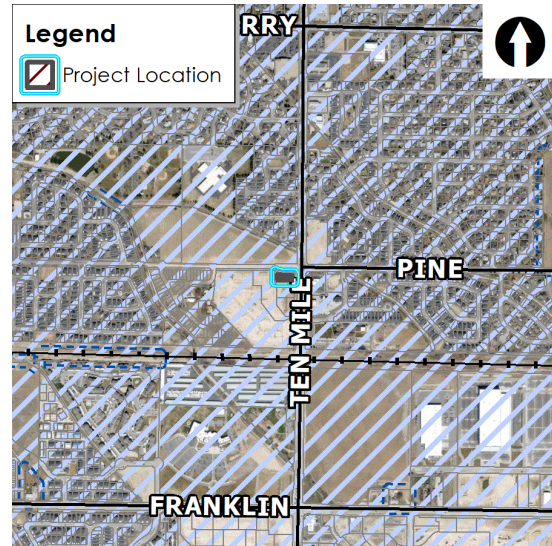
By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 20, 2024
 TO: Planning & Zoning Commission
 FROM: Stacy Hersh, Associate Planner
 208-884-5533
 SUBJECT: Black Rock Coffee - CUP
[H-2024-0011](#)
 LOCATION: 776 N. Cliff Creek Lane (Parcel #R5711030040)



I. PROJECT DESCRIPTION

Conditional Use Permit request for a new 1,460-square foot coffee shop including a drive-through, parking, and pedestrian access located within 300 feet of an existing drive-through facility, residential district, and existing residence, on approximately 0.543 acres of land in the C-C zoning district.

II. SUMMARY OF REPORT

A. Project Summary

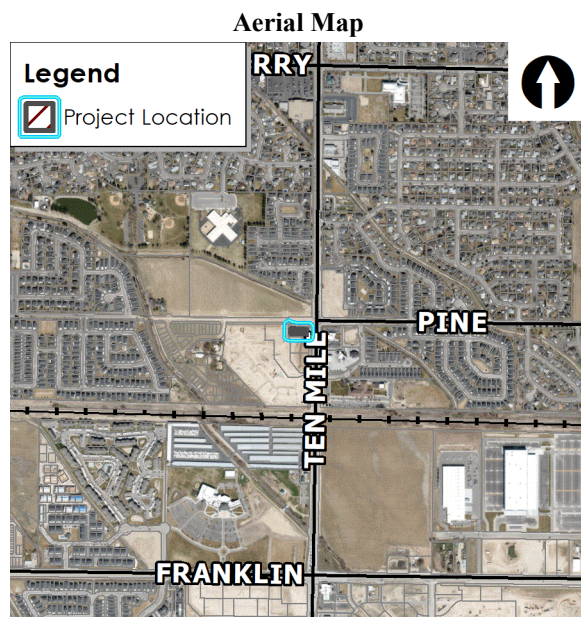
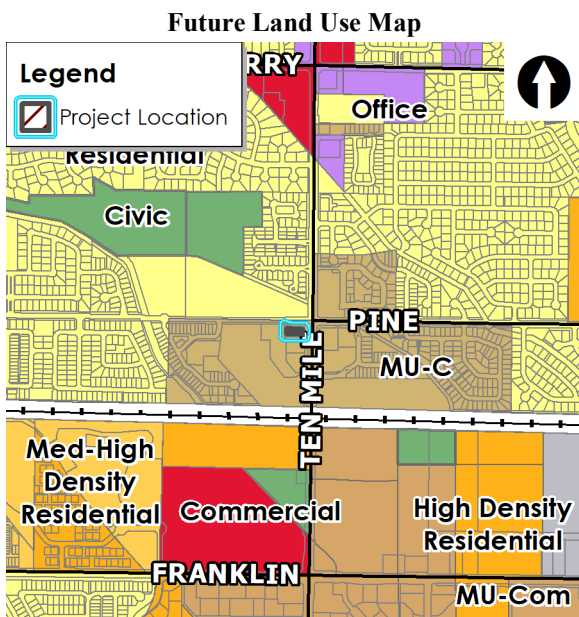
Description	Details	Page
Acreage	0.543 acres (Conditional Use Permit)	
Future Land Use Designation	Mixed Use Community	
Existing Land Use	Vacant/undeveloped	
Proposed Land Use(s)	Black Rock Coffee (restaurant with a drive-through)	
Current Zoning	C-C	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	3/21/2024	

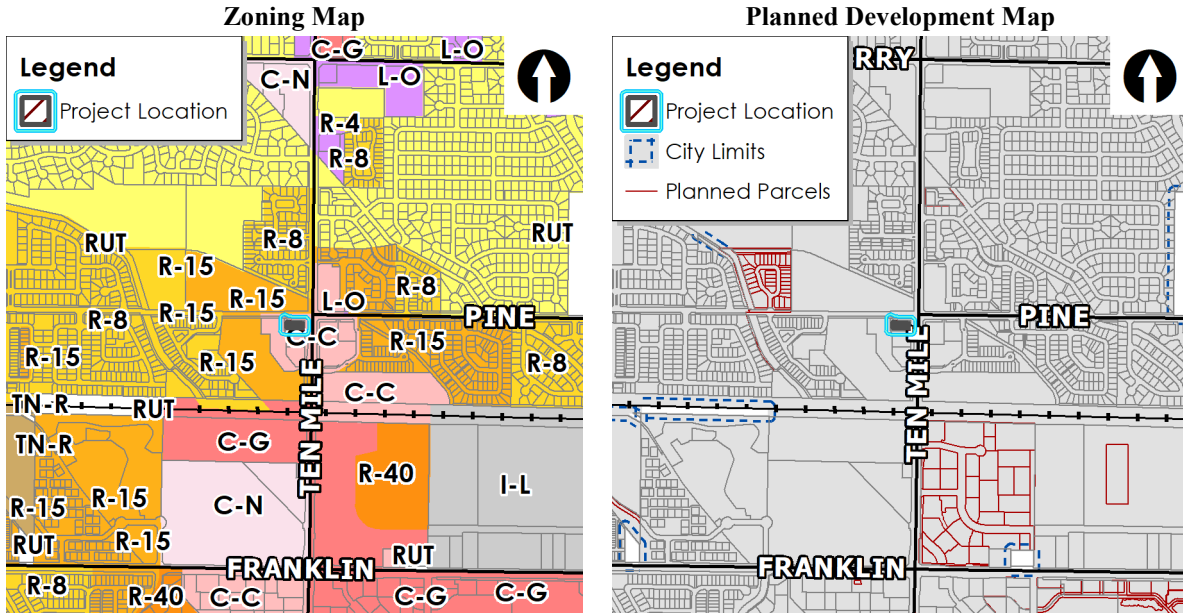
Description	Details	Page
History (previous approvals)	H-2020-0099 AZ, DR, PP, PS, CUP (DA#2021-046525) ; FP-2021-0013	

B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> • Staff report (yes/no) 	Yes
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No
Traffic Impact Study (yes/no)	No
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed from N. Cliff Creek Lane (private street) via W. Pine Avenue at the North boundary of the site.

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

Peggy Schinder, CSHQA – P2696 S. Colorado Blvd., Suite 525, Denver, CO 80222

B. Owner:

Tony Pallotta, Black Rock Coffee – 9170 E. Bahia Drive, Suite 101, Scottsdale, AZ 85260

C. Agent/Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	6/4/2024
Radius notification mailed to properties within 500 feet	5/30/2024
Public hearing notice sign posted on site	5/24/2024
Nextdoor posting	5/30/2024

V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPPLAN](https://www.meridiancity.org/compplan)):

Land Use:

This property is designated Mixed Use Community (MU-C) on the Future Land Use Map (FLUM).

The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial-type buildings. Non-residential buildings in these areas tend to be larger than Mixed Use Neighborhood (MU-N) areas, but not as large

as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The subject site is among several commercially zoned properties surrounding the intersection of Ten Mile and Pine Avenue. Numerous commercial establishments currently exist near the intersection, with additional ones under construction directly to the south. The proposed use of a restaurant with a drive-through aligns with the desired uses specified within the Mixed Use Community designation in the Comprehensive Plan, as noted above. In conjunction with the already approved multi-family development directly to the west and the currently approved and under-construction commercial, the proposed use satisfies the general Mixed-Use Community future land use designation for this area. Staff finds the proposed project is generally consistent with the Comprehensive Plan.

COMPREHENSIVE PLAN POLICIES (<https://www.meridiancity.org/compplan>):

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Require all new and reconstructed parking lots to provide landscaping in internal islands and along streets.” (2.01.04B)

All parking lot landscaping is required to comply with the standards listed in UDC 11-3B-8C.

- “Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City.” (3.01.01F)

City water and sewer service stubs have been provided to this site with the development of the subdivision.

- “Plan for a variety of commercial and retail opportunities within the Area of City Impact.” (3.05.01J)

The proposed drive-through restaurant will contribute to the variety of uses and restaurant options within this Area of the City.

- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A).

A proposed 10-foot-wide pathway will be constructed from the building entrance, extending through the drive-through connecting to the property to the south. Additionally, there is an existing 10-foot-wide pedestrian pathway along N. Ten Mile Road, located on the west side of this site, connects the commercial and multi-family developments.

- “Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.” (5.01.01F)

Operation of the proposed use should comply with City ordinances pertaining to noise, lighting, and odor disturbances.

VI. STAFF ANALYSIS

A. CONDITIONAL USE PERMIT (CUP)

Conditional use permit for a new 1,460-square foot coffee shop including a drive-through, parking, and pedestrian access located on approximately 0.543 acres of land in the C-C zoning district to allow the requested drive-through use within 300 feet of another drive-through facility, residential district, and existing residence.

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

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

Drive-Through Establishment: The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. All establishments providing drive-through service are required to identify the stacking lane, menu, and speaker location (if applicable), and window location on the site plan. The site plan is also required to demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum, the plan is required to demonstrate compliance with the following standards: ***Staff recommends signage be installed ahead of the southern crossing warning drivers to watch out for pedestrians.***

1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles, and the public right-of-way by patrons;

The proposed restaurant features a drive-through lane with space to queue 9 vehicles along with an escape lane located on the west side of the site, outside of the drive-through lane. The drive-through itself starts at the south side of the building and exits at the north side, facing W. Pine Avenue. The concept plan also shows that the stacking lane is separate from the drive aisles and parking, which allows for easy access to the rest of the development.

Staff recommends that the Applicant install additional signage and parking lot striping to clearly mark and guide traffic safely throughout the site.

2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking.

The stacking lanes are separate lanes from the circulation lanes needed for access and parking.

3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

The stacking lane is not located within 10' of any residential district or residence.

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

The stacking lane exceeds 100' in length and an escape lane is required. An escape lane is proposed on the southeast side of the building (see site plan).

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

The drive-through is located starting on the south side of the building and ending on the north side of the building. The drive-through is visible from N. Ten Mile Road along the east side of the building for surveillance purposes.

Based on the above analysis, Staff deems the proposed drive-through is in compliance with the specific use standards as required.

Restaurant: The proposed use is also subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area (see parking analysis below). ***The Applicant did not provide information on how many proposed indoor seats and patio seats will be provided to accommodate customers.***

Dimensional Standards (UDC [11-2](#)):

Development of the site shall comply with the dimensional standards of the C-G zoning district in UDC Table [11-2B-3](#). *Staff has reviewed the proposed plans and building elevations and they comply with the required standards.*

Access (UDC [11-3A-3](#)):

The site plan includes one access point from N. Cliff Creek Lane, a private street located on the western side of the property. Vehicles will enter the site from the west, where they will have the option to park in the lot in front of the building or proceed eastwards towards the 12' drive-through lane and the pick-up window, exiting back to the same drive aisle to the north. A second access is provided from a shared access with the property to the south. An escape lane is also provided on the east side of the site, merging into the exit drive aisle to the north. ***Direct access via N. Ten Mile Road is prohibited. The Applicant should provide a copy of the recorded cross-access/ingress-egress easement with adjoining properties to the south [parcel #R5711030060] to the Planning Division with the future CZC and Design Review Application in accordance with the provisions of UDC 11-3A-3A2.***

Parking (UDC [11-3C](#)):

A minimum of one (1) off-street parking space is required per 250 square feet (s.f.) of gross floor area. Based on the 1,460-square-foot restaurant, a minimum of 6 parking spaces are required. A total of 13 parking spaces are proposed, exceeding UDC standards.

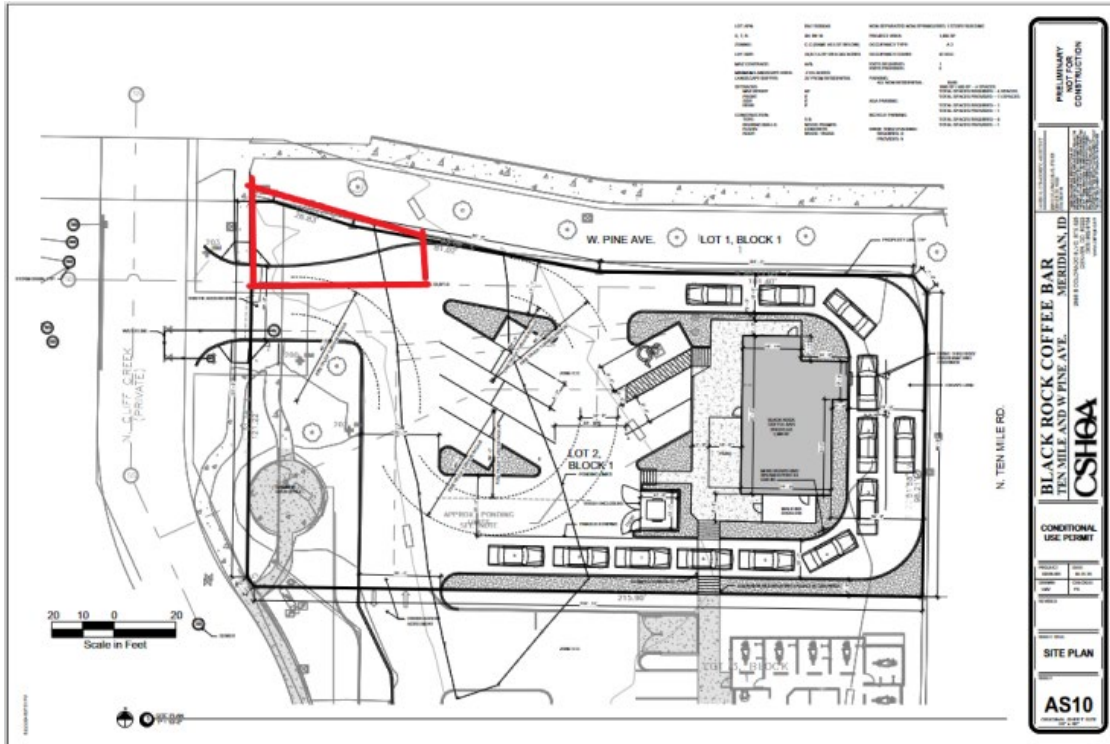
A minimum of one (1) bicycle parking space must be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). ***Bicycle parking is depicted on the plans submitted with this application that meet the requirements. A detail of the bicycle racks shall be provided on the plans submitted with the future Certificate of Zoning Compliance and Design Review Application.***

Pedestrian Walkways (UDC [11-3A-19](#)):

The proposed plan includes a pedestrian walkway from the main walkway in front of the building connecting to the building residing to the south across the drive-through lanes. Where pedestrian walkways cross vehicular driving surfaces, they're required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4. ***The site/landscape plan submitted both reflect compliance with this standard – stamped concrete is proposed.***

Landscaping (UDC [11-3B](#)):

Street buffer: The street buffer along N. Ten Mile Road and W. Pine Avenue was constructed with the improvements for the Mile High Pines development for the common area site improvements. ***Staff recommends that the Applicant protect the existing landscape buffers and trees per [UDC 11-3B-10](#). The landscape planter adjacent to the buffer along the northwest side of the drive aisle entrance/exit should incorporate shrubs and rock mulch (reference figure below). Staff recommends that the Applicant submit a revised landscape plan with the future CZC application.***



Parking lot: Interior parking lot landscaping shall be required on any parking lot with more than twelve (12) spaces. Landscape planters shall contain a minimum of fifty (50) square feet, and the planting area shall not be less than five (5) feet in any dimension, measured inside curbs. The only exception to the five-foot minimum dimension is at the tip of triangular planters located at the end of rows of angled parking. Each interior planter that serves a single row of parking spaces shall be landscaped with at least one (1) tree and shall be covered with low shrubs, lawn, or other vegetative ground cover. Each interior planter that serves a double row of parking spaces shall have at least two (2) trees and shall be covered with low shrubs, lawn, or other vegetative ground cover. Trees shall be centered within the planters and provide urban canopy. Deciduous urban canopy trees shall be pruned to a minimum height of eight (8) feet above the adjacent parking areas. Evergreen trees and class III trees are prohibited in interior planters. *The planter islands appear sparse. The required landscape areas shall be at least seventy (70) percent covered with vegetation at maturity, with mulch used under and around the plants in accordance with UDC 11-3B-5.*

Outdoor Lighting (UDC 11-3A-11):

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C. Light fixtures that have a maximum output of 1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

Staff recommends that the Applicant provide details of the lighting that demonstrate compliance with the standards listed in UDC 11-3A-11 with the future CZC application submittal.

Mechanical Equipment (UDC 11-3A-12):

All mechanical equipment on the back of the building and outdoor service and equipment should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#). If mechanical equipment is proposed to be roof-mount, all equipment should be screened and out of view as noted above.

Building Elevations (UDC [11-3A-19](#) | [Architectural Standards Manual](#)):

Conceptual building elevations were submitted for the proposed structure as shown in Section VII.C. Building materials consist of western rib metal panels, western wave metal wall panels, woodstone Hardie lap siding, parapet metal wall cap flashing, and glazing.

The proposed conceptual elevations are *not* approved. Final design is required to comply with the Architectural Standards Manual for Commercial Design Guidelines.

Certificate of Zoning Compliance (UDC [11-5B-1](#)):

A Certificate of Zoning Compliance (CZC) is required to be submitted for approval of the site and building design prior to submittal of building permit applications.

VII. DECISION

A. Staff:

Staff recommends approval of the Conditional Use Permit per the provisions included in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard this item on June 20, 2024 . At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

- a. In favor: Sasha Rubinshteyn, CSHQA**
- b. In opposition: None**
- c. Commenting: None**
- d. Written testimony: None**
- e. Staff presenting application: Bill Parsons, Planning Supervisor**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. None**

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

- a. None**

4. Commission change(s) to Staff recommendation:

- a. None**

VIII. EXHIBITS

A. Site Plan (date: 5/20/24)

LOT/AREA	AREA/TYPE	TOTAL IMPROVED C/S (APPROXIMATE) ± (SQ FT) (C/200)
A.T.P.	AS TO IS	PROJECT LABEL: 1, 201/24
ZONING	C-2 COMM. RESIDENTIAL	PERMIT TYPE: P-1
LOT AREA	JOINTLY OWNED LOT (C/200)	PERMIT CODE: 2024
NET LOT COVER	50%	DATE PREPARED: 5/20/24
PREPARED BY/DATE	JPA/JRM	DRAWN BY: JPA
REVISIONS	1. 05/20/24: PREPARED FOR REVIEW	2. 05/20/24: PREPARED FOR REVIEW
DATE	05/20/24	SCALE: AS SHOWN

W. PINE AVE. LOT 1, BLOCK 1

LOT 2, BLOCK 1

N. TEN MILE RD.

N. CLIFF CREEK (PRIVATE)

Scale in Feet: 20 10 0 20

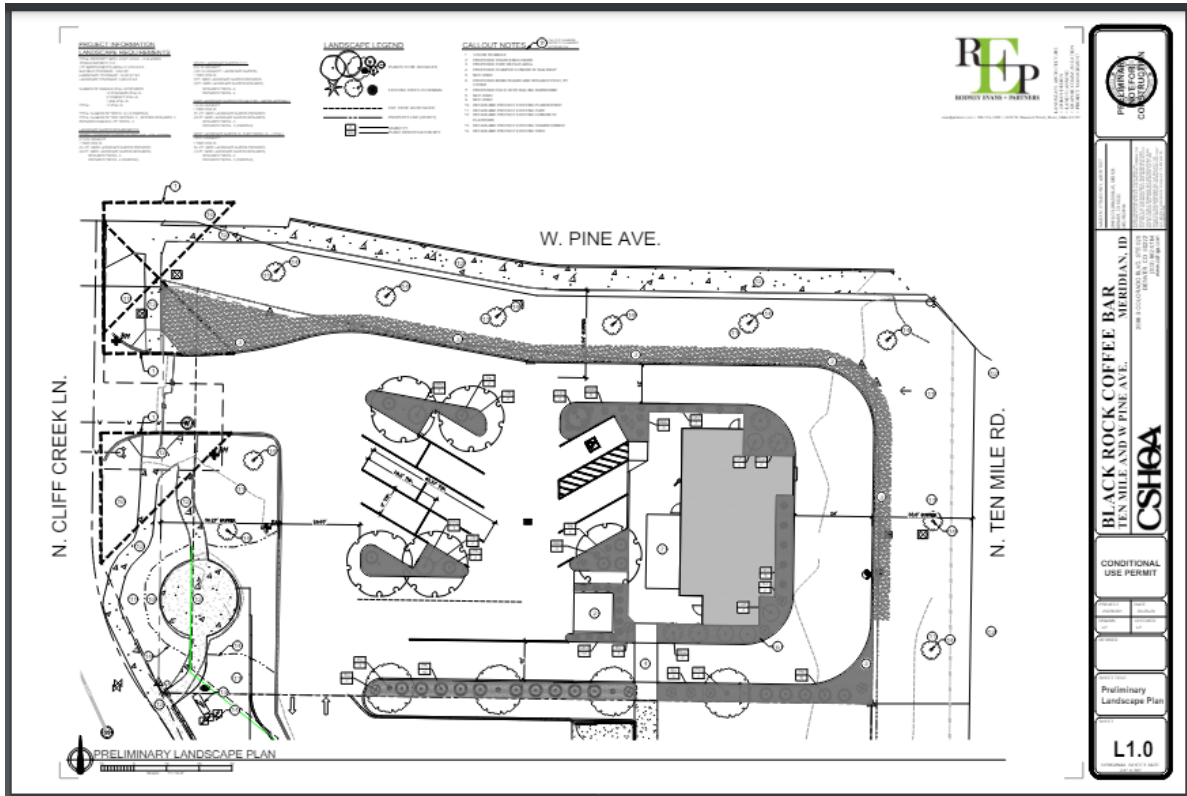
PRELIMINARY NOT FOR CONSTRUCTION

BLACK ROCK COFFEE BAR
TEN MILE AND W. PINE AVE.,
MERIDIAN, ID
OWNER: CASH CO. LLC
DESIGNER: CSH&A

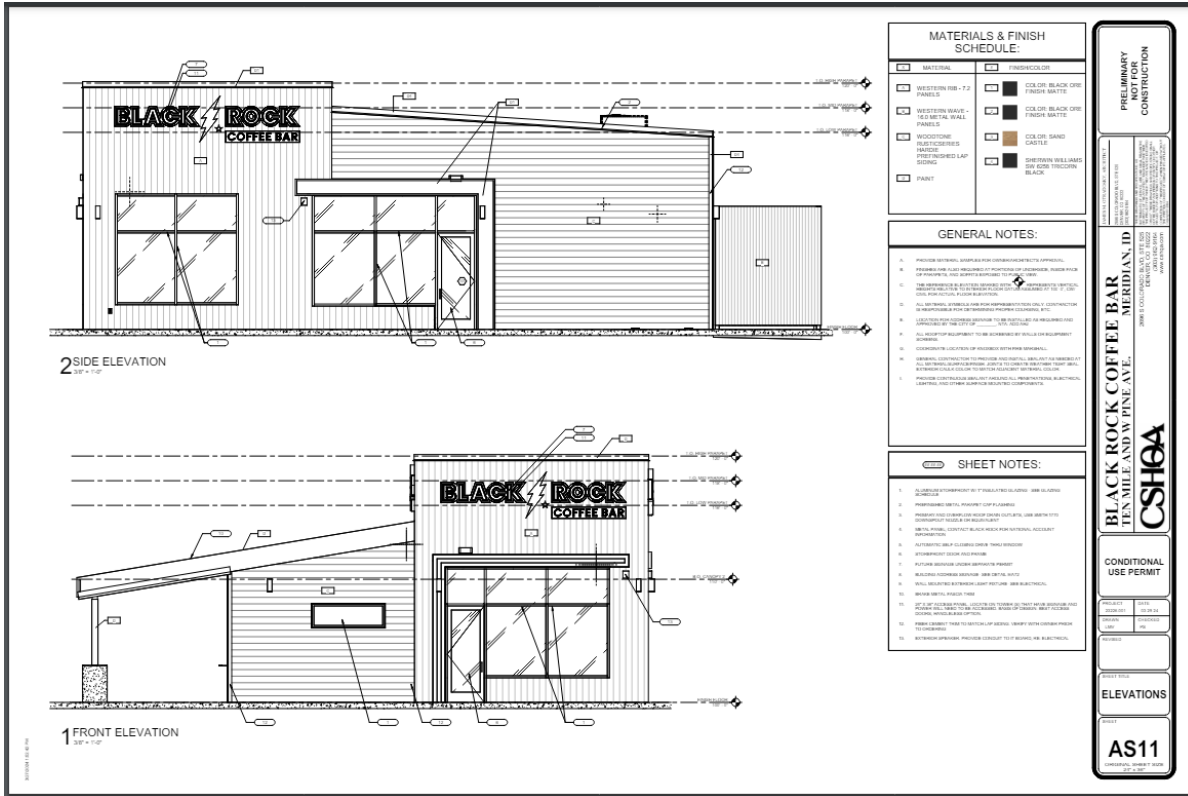
CONDITIONAL USE PERMIT

AS10

B. Lanscape Plan (date: 3/29/24)



C. Black Rock Coffee Proposed Elevations



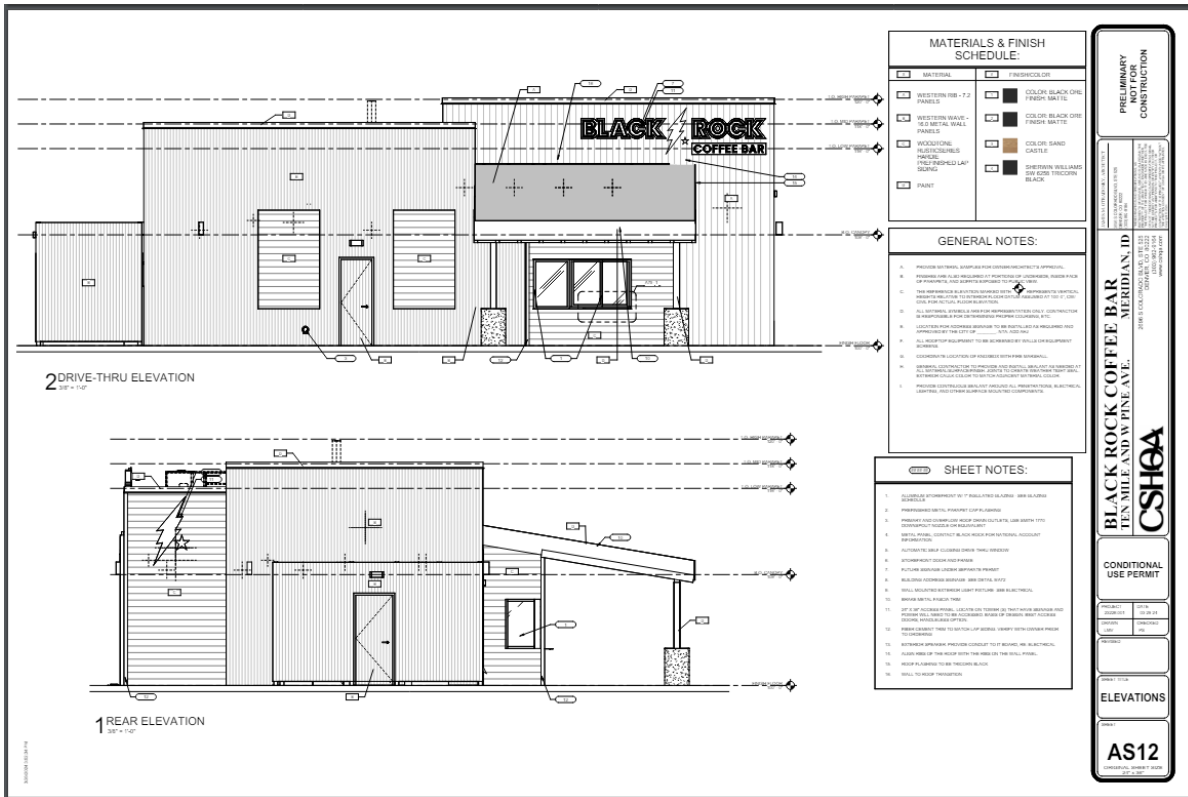
BLACK ROCK COFFEE BAR
TEN MILE AND W PINE AVE.

PRELIMINARY NOT FOR CONSTRUCTION

CONDITIONAL USE PERMIT

ELEVATIONS

AS11



BLACK ROCK COFFEE BAR
TEN MILE AND W PINE AVE.

PRELIMINARY NOT FOR CONSTRUCTION

CONDITIONAL USE PERMIT

ELEVATIONS

AS12



01 - SIDE ON



02 - FRONT ON

PRELIMINARY
CONSTRUCTION

BLACK ROCK COFFEE BAR - MERIDIAN, ID
TEN MILE AND W PINE AVE.
CSH6A

CONDITIONAL
USE PERMIT

<small>PROJECT NO.</small>	<small>DATE</small>
<small>APPLICANT</small>	<small>DATE</small>
<small>PROJECT</small>	<small>DATE</small>

EXTERIOR
RENDERINGS

AS13

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit:

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement and the conditions contained herein [[H-2020-0099 AZ, DR, CUP, PP, PS \(DA#2021-046525\)](#); [FP-2021-0013](#)].
2. The site/landscape plans shall be revised as follows:
 - a. All mechanical equipment on the back of the building and outdoor service and equipment areas should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).
 - b. Additional signage and parking lot striping are required throughout the site to efficiently and adequately direct patrons to the menu boards and throughout the site with minimal conflict.
 - c. Install additional signage ahead of the southern crossing warning drivers to watch for pedestrians.
 - d. Incorporate shrubs and rock mulch in the landscape planter adjacent to the buffer along the northwest side of the drive aisle entrance/exit in accordance with UDC 11-3B-8C.
 - e. The required landscape areas within the planters shall be at least seventy (70) percent covered with vegetation at maturity, with mulch used under and around the plants in accordance with UDC 11-3B-5.
 - f. Provide a copy of the recorded cross-access/ingress-egress easement to adjoining properties to the south [parcel #R5711030060] to the Planning Division with the future CZC and Design Review application in accordance with the provisions of UDC 11-3A-3A2.
3. The existing landscaping buffers along N. Ten Mile Road and W. Pine Avenue shall remain in place and shall be protected during construction on the site per [UDC 11-3B-10](#).
4. Compliance with the standards listed in UDC [11-4-3-11](#)– Drive-Through Establishment and standards listed in UDC [11-4-3-49](#)– Restaurant is required.
5. Direct access via S. Ten Mile Road and W. Pine Avenue is prohibited.
6. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC [11-3A-19](#); the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.
7. The conditional use permit is 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, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346087&dbid=0&repo=MeridianCity>

C. FIRE DEPARTMENT

No comments were submitted.

D. POLICE DEPARTMENT

No comments were submitted.

E. KUNA SCHOOL DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346103&dbid=0&repo=MeridianCity>

F. IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346723&dbid=0&repo=MeridianCity>

G. VALLEY REGIONAL TRANSIT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346195&dbid=0&repo=MeridianCity>

H. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=348393&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346344&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346116&dbid=0&repo=MeridianCity>

X. FINDINGS

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

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

Commission finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the C-C district (see Analysis, Section VI for more information).

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

Commission finds the proposed restaurant with a drive-through will be harmonious with the uses allowed in the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section IX of this report.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Commission finds the design, construction, operation and maintenance of the proposed use will be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the area.

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

Commission finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area.

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

Commission finds the proposed use will be served by essential public facilities and services as required.

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

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

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

Commission finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005).

Commission finds the proposed use will not result in the destruction, loss or damage of any such features.