

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



In the Matter of the Request for Conditional Use Permit for Ziggi’s Coffee Shop, Located at 4801 S. Tavistock Avenue in the C-N Zoning District, by KM Engineering.

Case No(s). H-2024-0035

For the Planning & Zoning Commission Hearing Date of: October 3rd, 2024 (Findings on October 17th, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of 10/03/2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of 10/03/2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of 10/03/2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of 10/17/2024, 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 10/03/2024, 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 a conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of 10/03/2024, 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 10/03/2024

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

COMMISSIONER MARIA LORCHER, CHAIRMAN VOTED_____

COMMISSIONER JARED SMITH, VICE CHAIRMAN VOTED_____

COMMISSIONER BRIAN GARRETT VOTED_____

COMMISSIONER ANDREW SEAL VOTED_____

COMMISSIONER PATRICK GRACE VOTED_____

COMMISSIONER MATTHEW SANDOVAL VOTED_____

COMMISSIONER SAM RUST VOTED_____

Maria Lorcher, 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

**COMMUNITY DEVELOPMENT
DEPARTMENT REPORT**

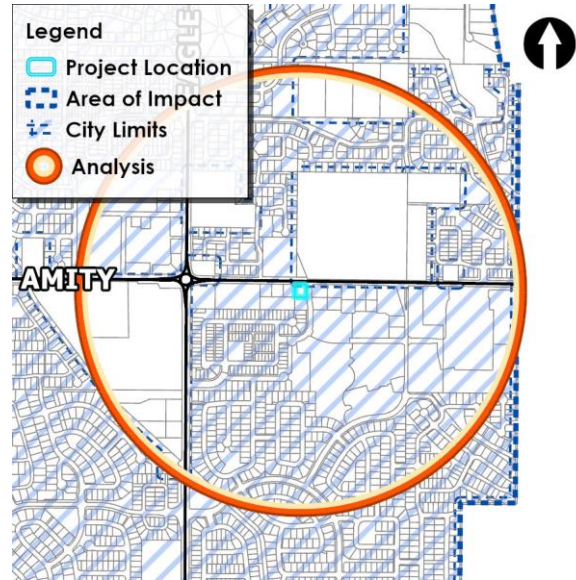


HEARING DATE: 10/3/2024
TO: Planning & Zoning Commission
FROM: Nick Napoli, Associate Planner
208-884-5533
nnapoli@meridiancity.org

APPLICANT: Connor Lindstrom

SUBJECT: H-2024-0035
Ziggi's Coffee

LOCATION: 4801 S. Tavistock Avenue, in the North
½ of Section 33, T.3N., ,R.1E. (Parcel
#R3636010020)



I. PROJECT OVERVIEW

A. Summary

Conditional Use Permit to construct and operate an 825 square foot Drive Through Establishment in the C-N zoning district, by KM Engineering.

B. Issues/Waivers

Staff has concerns with the queuing extending into the private drive aisle during peaks hours and trash pickup going through the drive through to access the enclosure (preliminary approval was granted from Republic Services to the applicant).

C. Recommendation

Staff: Approval with conditions.

D. Decision

Select: Pending.

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Restaurant/Drive Through Establishment	-
Existing/Proposed Zoning	C-N Zoning	V.A.2
Future Land Use Designation	Mixed Use Neighborhood	V.A.3

Table 2: Process Facts

Description	Details
Preapplication Meeting date	Tuesday, May 14, 2024
Neighborhood Meeting	6/13/2024
Site posting date	9/20/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		III.D
• Comments Received	Yes	-
• Commission Action Required	No	-
• Access	Access is proposed off an existing private drive aisle.	-
• ITD Comments Received	No	
Meridian Public Works Wastewater	Distance to Mainline: Stubbed to site; Impacts or Concerns: No	
Meridian Public Works Water	Distance to Mainline: Stubbed to site; Impacts or Concerns: No	

See City/Agency Comments and Conditions Section for all department/agency comments received or see the public record (Please insert this link into your preferred browser: <https://weblink.meridiancity.org/WebLink/Browse.aspx?id=356831&dbid=0&repo=MeridianCity>).

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

This property is designated as Mixed-Use Neighborhood (MU-N) on the Future Land Use Map (FLUM). The use of a drive through coffee shop (restaurant) is consistent with the comprehensive plan for the MU-N designation.

The subject site is among several commercially zoned properties surrounding the intersection of S. Tavistock Avenue and E. Amity Road. The proposed use of a restaurant with a drive-through aligns with the desired uses specified within the Mixed-Use Neighborhood designation in the Comprehensive Plan, as noted above. In conjunction with the already approved daycare development directly to the southwest and the currently approved and under-construction commercial, the proposed use satisfies the general Mixed-Use Neighborhood future land use designation for this area.

A restaurant is a permitted use in the C-N zoning district but the drive through is within 300 feet of a residential district therefore a conditional use permit is required. The proposed restaurant and drive through are required to comply with UDC 11-4-3-11 and 11-4-3-49.

Table 4: Project Overview

Description	Details
History	AZ-15-004 (DA #2015-061375); H-2016-0092 (MDA #2016-119080); H-2018-0127 (MDA - 2nd Addendum to DA #2019-033207); H-2019-0134 (MDA – 3 rd Addendum DA #2020-059662); H-2020-0080 (MDA 4 th Addendum DA 2020-117720); H-2020-0055 Hill’s Century Farm North No.1 Final Plat
Acreage	0.497 acre

B. Site Development and Use Analysis

1. Proposed Use Analysis (*UDC 11-2*):

The proposed use of a restaurant and drive-through establishment aligns well with the Mixed-Use Neighborhood (MU-N) future land use designation, which supports a blend of residential, commercial, and recreational uses. By offering service options within proximity to both residential areas and existing commercial developments, this project contributes to the community’s overall livability and sustainability. Specifically, it adheres to Policy 3.06.02B, which encourages and supports mixed-use areas that provide the benefits of living, shopping, dining, and working nearby, thereby reducing vehicle trips. Additionally, the proposal is consistent with Policy 3.07.02B, which recommends locating smaller-scale, neighborhood-serving commercial uses in clusters that complement and provide convenient access to nearby residential areas, while minimizing direct access to major roadways. The establishment's location adjacent to E. Amity Road and within the Hills Century Farm North and Commercial subdivisions enhances its accessibility and supports the local commercial landscape, fulfilling the need for such amenities in the immediate and broader community.

2. Dimensional Standards (*UDC 11-2*):

Development of the site shall comply with the dimensional standards of the C-N zoning district in UDC Table 11-2B-3. Business hours of operation shall be limited from 6:00 a.m. to 10:00 p.m in accord with UDC 11-2B-3B. *Staff has reviewed the proposed plans and*

building elevations and they comply with the required standards. The hours of operation proposed by the applicant are 6:00 am to 7:00 pm which complies with the required standard.

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

Drive-Through Establishment UDC 11-4-3-11 and Restaurant UDC 11-4-3-49:

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:

- 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 8 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 west. The concept plan also shows that the stacking lane is separate from the drive aisles and parking, however, **staff has some concerns about peak hour stacking as it may back out into the private drive aisle and obstruct traffic impacting neighboring businesses. Staff recommends the property owner work with the neighboring property to the west to create shared access between the two properties. This will allow for additional stacking on site but parking will be reduced. Staff also recommends that the Applicant install additional signage and parking lot striping to clearly mark and guide traffic safely throughout the site. Staff has discussed these modifications but they have elected to move forward with the site plan as submitted.***

- 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 from the circulation lanes for parking, however staff still has concerns that vehicles could block the main entrance waiting to enter the drive-through. Further, as demonstrated on the site plan it appears larger vehicles may have difficulty navigating the turning radius to enter the second stacking lane.

- 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 east side of the building but shall be extended on the south side to provide clear circulation throughout the entire site.

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 E. Amity Road along the east side of the building for surveillance purposes.

If the requested modifications are made, Staff finds the proposed drive-through complies 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). If queuing and parking are shifted as recommended by staff, the parking will move on-site and will still meet UDC standards. *The Applicant did not provide information on how many proposed indoor seats and patio seats will be provided to accommodate customers.*

C. Design Standards Analysis

1. Landscaping (UDC 11-3B):

Comprehensive plan policies related to the landscaping for this project:

- “Require appropriate building design, and landscaping elements to buffer screen, beautify, and integrate commercial multifamily, and parking lots into existing neighborhoods.”
- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors.”

i. Landscape buffers along streets

A 25-foot wide street buffer is required along E. Amity Road and a 10-foot wide street buffer is required along S. Tavistock Avenue, an arterial and a local road. These buffers shall be landscaped per the standards in UDC 11-3B-7C. *The proposed landscaping does not meet the minimum requirements. The landscape buffer along E. Amity Road shall be revised to extend the landscaping to the curb along the arterial roadway. The applicant is working with the developer to meet this requirement along Amity Road.*

ii. Parking lot landscaping

Landscaping is required to be provided along all parking areas per the standards listed in UDC 11-3B-8. *The proposed landscape plan does not meet the minimum requirements. The west landscape buffer shall be widened to 7 feet and the parking stall shall be reduced to 17 feet. An alternative to this is redesigning the site to abut parking with the adjacent property to the west.*

iii. Landscape buffers to adjoining uses

Landscaping is required to meet the standards of UDC 11-3B-9. *The landscape plan should be revised to ensure there is 70% vegetation coverage at maturity.*

iv. Storm integration

Storm drainage is required to comply with the standards listed in UDC 11-3A-18. *Drainage swales should not be within the landscape setbacks along E. Amity Road.*

v. Pathway landscaping

Landscaping is required to be provided along all pathways per the standards listed in UDC 11-3B-12C. *The proposed landscape plan appears to meet the minimum requirements.*

2. Parking (UDC 11-3C):

i. Nonresidential parking analysis

A minimum of one (1) off-street parking space is required per 250 square feet (s.f.) of gross floor area. Based on the 825-square-foot restaurant, a minimum of 4 parking spaces are required. *A total of 8 parking spaces are proposed, exceeding UDC standards. As noted above if the plan is modified as recommended by staff parking may be reduced further on the site.*

ii. Bicycle parking analysis

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.*

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

Goal 2.09.03A of the Comprehensive Plan highlights establishing distinct, engaging identities within commercial and mixed-use enters through design standards to integrate commercial, multifamily, and parking areas with existing neighborhoods. In response, the developer has submitted conceptual building elevations for the proposed structure as shown in Section VII.C. Building materials consist of EIFS stucco, brick, standing seam metal panels, parapet metal wall cap flashing, and glazing.

Staff recommends the incorporation of more fenestration and glazing on the North façade as this is the primary façade that is visible from E. Amity Road. The proposed conceptual elevations are not approved. The final design is required to comply with the Architectural Standards Manual for Commercial Design Guidelines.

D. Transportation Analysis

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

Goal 6.01.02B emphasizes reducing the number of access points onto arterial streets by utilizing strategies such as cross-access agreements, access management, and the creation of frontage and backage roads, while also improving connectivity between local and collector streets. The site plan features a single access point via a private drive aisle located on the southern part of the site (backage road). This drive aisle connects to S. Tavistock Avenue (a local street) on the eastern side of the property. Vehicles will enter from the south, with options to either park in the lot west of the building or continue east to the 12-foot drive-through lane and pick-up window, exiting back onto the same drive aisle to the south. An escape lane on the east side of the building shall be extended to the south portion to connect with the entrance/exit. Direct access from E. Amity Road is not permitted.

Staff has concerns with drive-through queuing extending onto the main drive aisle during peak hours, which could conflict with other uses in the immediate area (daycare to the west). Staff recommends the applicant work with the neighboring property to the west to create shared access between the two properties or redesign the site to allow additional stacking. Additionally, there is the option to have the escape lane exit back onto the private drive aisle through the landscape buffer. This could add additional space on the site for queuing.

The Applicant is required to submit a copy of the recorded cross-access/ingress-egress easement for the adjacent property to the south (parcel #R3636010180) to the Planning Division along with the future CZC and Design Review Application, in accordance with UDC 11-3A-3A2.

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

An existing multi-use pathway exist along E. Amity Road, this shall be preserved and protected during construction.

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

The proposed plan includes a pedestrian walkway from the main walkway on the east side of the building connecting to the outdoor patio 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.*

E. Services Analysis

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

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

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

Storm drainage is required to comply with the standards listed in UDC 11-3A-18. Drainage swales shall not be within the street landscape buffer along E. Amity Road.

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

Both the Plan and the UDC establish policy and regulations for extending and connecting to City utilities. Goal 3.03.03G of the Plan mandates urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities. All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

III. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. Future development of this site shall comply with the previous conditions of approval and terms of AZ-15-004 (DA #2015-061375); H-2016-0092 (MDA #2016-119080); H-2018-0127 (MDA - 2nd Addendum to DA #2019-033207); H-2019-0134 (MDA – 3rd Addendum DA #2020-059662); H-2020-0080 (MDA 4th Addendum DA 2020-117720); H-2020-0055 Hill's Century Farm North No.1 Final Plat and the conditions contained herein.

2. The site plan and/or landscape plan, as applicable, shall be revised with the certificate of zoning compliance application as follows:

~~i. The applicant shall revise the plan to create shared access between Lots 1 and 2, Block 1 of Hills Century Farm North Subdivision No.1 (R3636010020 and R3636010040) to allow for more queuing.~~

ii. The west landscape buffer shall be widened to 7 feet and the parking stalls shall be reduced to 17 feet. An alternative to this is redesigning the site to abut parking with the adjacent property to the west.

- iii. The west landscape buffer shall include more vegetation as it currently does not meet 70% vegetation coverage at maturity in accord with UDC 11-3B-5-N
 - iv. The landscape buffer along Amity Road shall be extended to the curbing in accord with UDC 11-3B-7.
 - v. No stacking is allowed in the outside travel lane that serves as an escape lane; depict signage notifying patrons not to block the escape lane.
 - vi. Signage shall be installed ahead of the eastern crossing warning drivers to watch out for pedestrians.
3. Compliance with the standards listed in UDC 11-4-3-49 and 11-4-3-11 is required.
 4. Preserve and protect the existing landscaping on the north and east buffers of the site during construction, per UDC 11-3B-10.
 5. Business hours of operation within the C-N District shall be limited from 6:00 a.m. to 10:00 p.m.
 6. Provide additional fenestration and glazing on the north façade facing E. Amity Road.
 7. 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.
 8. 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. Meridian Public Works

NON-PLAT CONDITIONS

PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. Water services require 20' easements. Easement to extend 10' beyond Water Meters.
2. Water meter to come off the 8" Stub located at the Southwest corner of site.
3. No permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) to be built within the utility easement.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department.
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). Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. 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.
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. 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. The Developer's 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.
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. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
10. 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.
11. 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.
12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
13. Developer shall coordinate mailbox locations with the Meridian Post Office.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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. Irrigation Districts

1. Boise Project Board of Control

FRED BUTLER
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2485 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

20 August 2024

City Clerk's Office
33 E Broadway Avenue, Suite 102
Meridian ID, 83642

RE: Ziggi's Coffee-Watson Land Holdings
4801 S Tavistock Ave, Meridian
New York Irrigation District
Cunningham Lateral 138+00
Sec. 33, T3N, R1E, BM.

H-2024-0035
NY-577-002-03


Nick Napoli:

There are no Boise Project or New York Irrigation District facilities located on the above-mentioned properties, however they do in fact possess a valid water right.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Thomas Ritthaler
Assistant Project Manager

tbr/tr

cc: Kevin Reeves
Terri Hasson
File

Watermaster, Div; 2 BPBC
Secretary-Treasurer, NYID

D. Ada County Highway District (ACHD)



Alexis Pickering, President
Miranda Gold, Vice-President
Jim Hansen, Commissioner
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

August 1, 2024

To: Connor Lindstrom, KM Engineering LLP
5725 N Discovery Way
Boise, ID 83713

Subject: MER24-0076 / H-2024-0035
4801 S Tavistock Ave
Ziggi's Coffee

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee, if applicable. For any questions regarding the traffic impact fee please contact ACHD's Impact Fee Administrator at impactfees@achdidaho.org.
2. If applicable, a traffic impact fee shall be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
3. Payment can be accepted over the phone by calling (208) 387-6170 or can be sent/ delivered to the following address:

Ada County Highway District
Attn: Development Services
1301 N Orchard St, Suite 200
Boise, ID 83706

 - Reference the file number above when making the payment.
 - Please note:
 - Fees are subject to change if not paid prior to October 1st
 - All card payments are subject to a 3% processing fee
 - All e-check payments are subject to a \$1.50 processing fee
4. Submit a driveway approach request for any proposed driveways. Driveway approach permits can be found at:
<https://www.achdidaho.org/home/showpublisheddocument/988/638245965711600000>
5. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
6. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

IV. FINDINGS

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

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

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
The Commission finds the site is large enough to accommodate the proposed use and meets all dimensional and development regulations of the recommended C-N zoning district.
2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.
The Commission finds the proposed restaurant and drive through use will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section IV 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.
The Commission finds the design, construction, operation and maintenance of the proposed use should 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.
The Commission finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section IV of this report.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
The 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.
The 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.
The 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.
The Commission finds the proposed use will not result in the destruction, loss or damage of any such features.
9. Additional findings for the alteration or extension of a nonconforming use:
This finding is not applicable.
10. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,
This finding is not applicable.

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

This finding is not applicable.

IV. ACTION

A. Staff:

Staff recommends approval of the proposed CUP application and finds it in conformance with the Comprehensive Plan, UDC with the conditions included in Section IV. and Findings in V.

B. Commission:

The Meridian Planning & Zoning Commission heard this item on October 3rd, 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: Connor Lindstrom
- b. In opposition: None
- c. Commenting: Connor Lindstrom
- d. Written testimony: None
- e. Staff presenting application: Nick Napoli
- f. Other Staff commenting on application: Kurt Starman

2. Key issue(s) of public testimony:

- a. None

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

- a. Queuing for the drive-through and whether or not there is sufficient space to prevent cars from stacking in the drive aisle.

4. Commission change(s) to Staff recommendation:

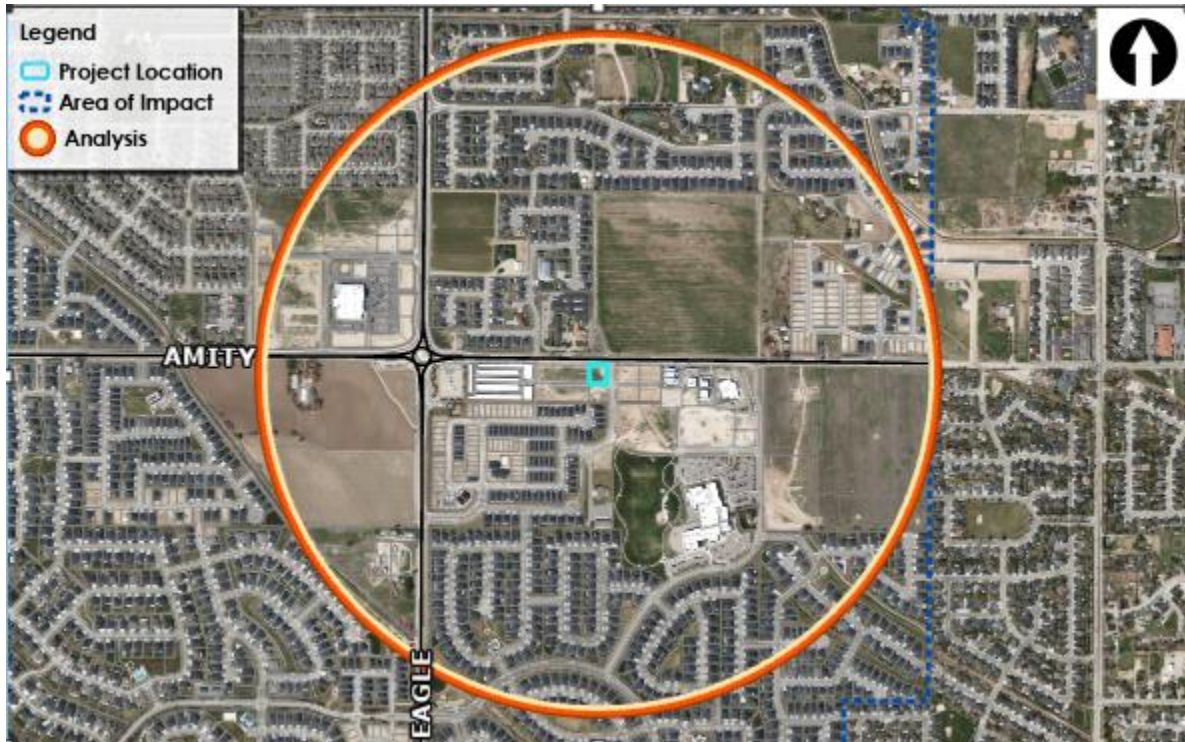
- a. Commission removed staff recommendation to have a shared access with the neighboring property to the west to allow for additional queuing.

V. EXHIBITS

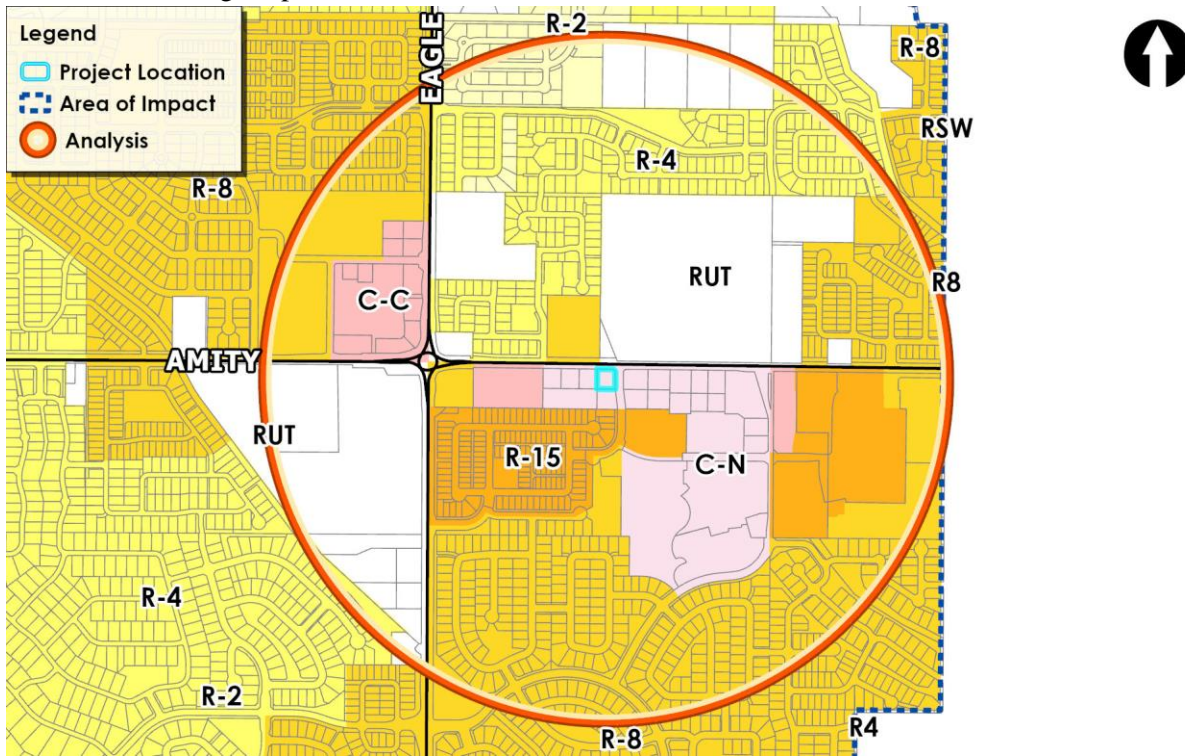
A. Project Area Maps

(link to [Project Overview](#))

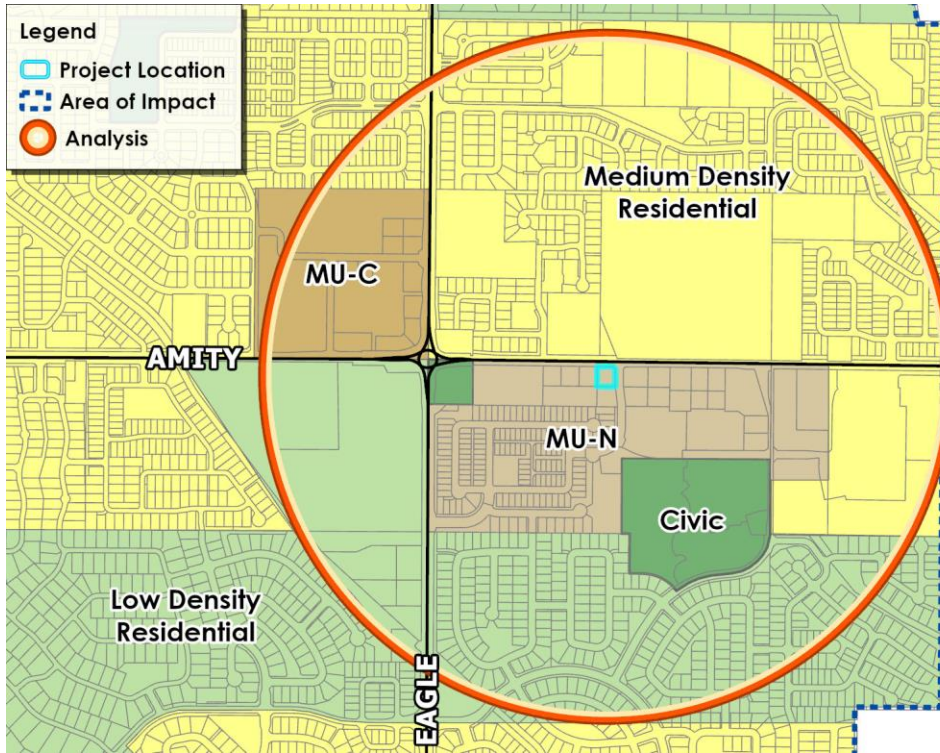
1. Aerial



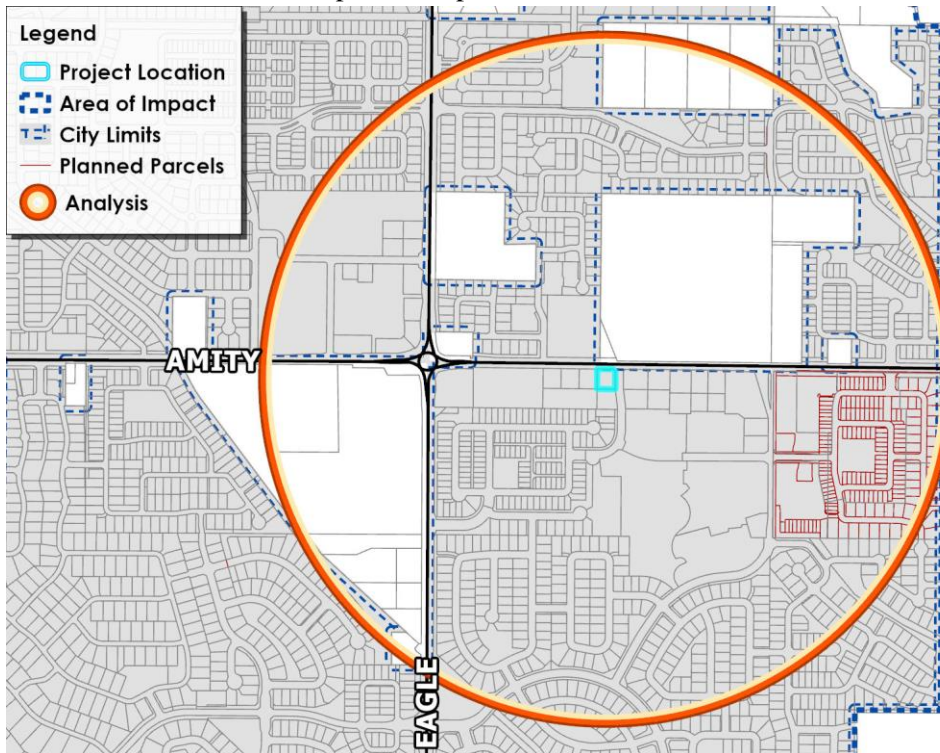
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Subject Site Photos



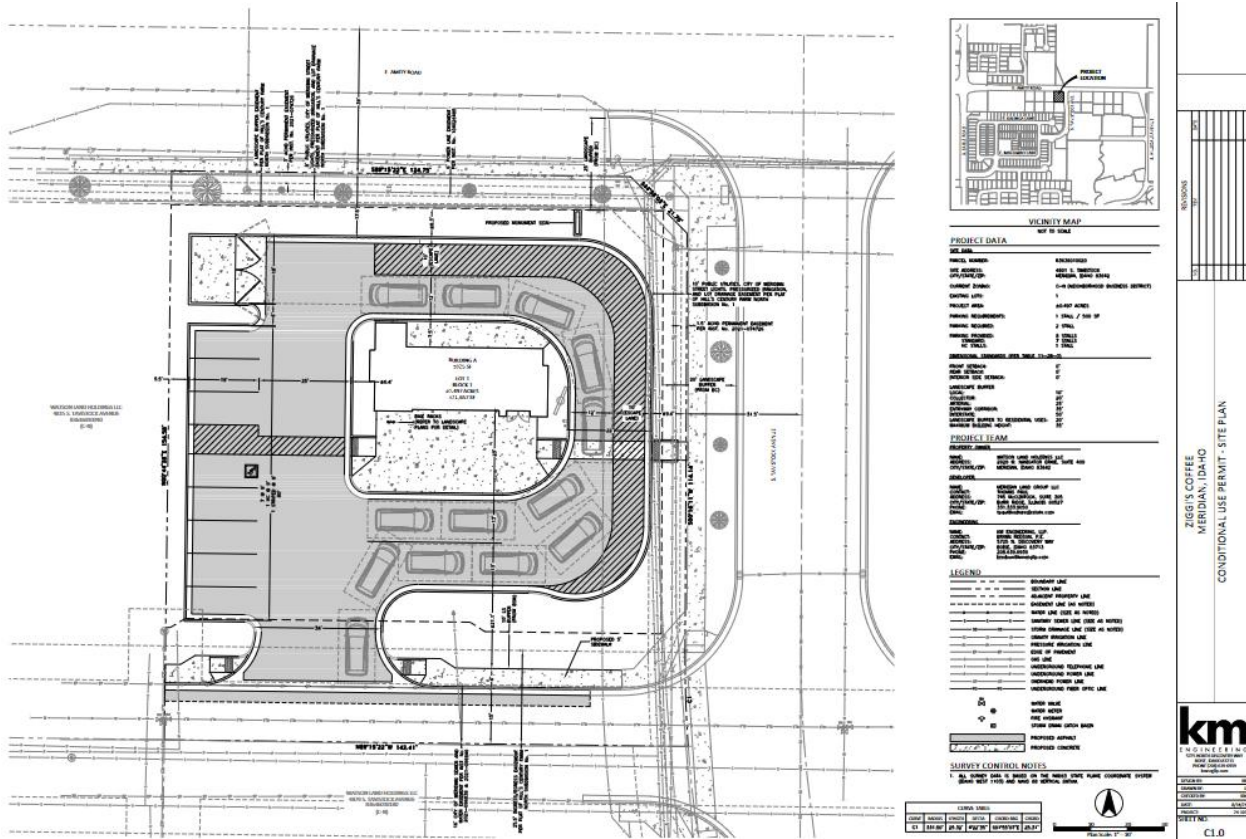


C. Service Accessibility Report

Overall Score: 28	29th 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	Not enough data to report average response time	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) matches existing (# of lanes)	GREEN
School Walking Proximity	Within 1/2 mile walking	GREEN
School Drivability	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	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

D. Site Plan (date: 8/14/2024)



E. Landscape Plan (date: 8/15/2024)

PLANT SCHEDULE

SYMBOL	DESCRIPTION	QUANTITY	REMARKS	CLASS
1	2" CAL. BASS	37		CLASS 1
2	3" CAL. BASS	47		CLASS 2
3	4" CAL. BASS	17		CLASS 3
4	5" CAL. BASS	17		CLASS 4
5	6" CAL. BASS	17		CLASS 5
6	7" CAL. BASS	17		CLASS 6
7	8" CAL. BASS	17		CLASS 7
8	9" CAL. BASS	17		CLASS 8
9	10" CAL. BASS	17		CLASS 9
10	11" CAL. BASS	17		CLASS 10
11	12" CAL. BASS	17		CLASS 11
12	13" CAL. BASS	17		CLASS 12
13	14" CAL. BASS	17		CLASS 13
14	15" CAL. BASS	17		CLASS 14
15	16" CAL. BASS	17		CLASS 15
16	17" CAL. BASS	17		CLASS 16
17	18" CAL. BASS	17		CLASS 17
18	19" CAL. BASS	17		CLASS 18
19	20" CAL. BASS	17		CLASS 19
20	21" CAL. BASS	17		CLASS 20
21	22" CAL. BASS	17		CLASS 21
22	23" CAL. BASS	17		CLASS 22
23	24" CAL. BASS	17		CLASS 23
24	25" CAL. BASS	17		CLASS 24
25	26" CAL. BASS	17		CLASS 25
26	27" CAL. BASS	17		CLASS 26
27	28" CAL. BASS	17		CLASS 27
28	29" CAL. BASS	17		CLASS 28
29	30" CAL. BASS	17		CLASS 29
30	31" CAL. BASS	17		CLASS 30
31	32" CAL. BASS	17		CLASS 31
32	33" CAL. BASS	17		CLASS 32
33	34" CAL. BASS	17		CLASS 33
34	35" CAL. BASS	17		CLASS 34
35	36" CAL. BASS	17		CLASS 35
36	37" CAL. BASS	17		CLASS 36
37	38" CAL. BASS	17		CLASS 37
38	39" CAL. BASS	17		CLASS 38
39	40" CAL. BASS	17		CLASS 39
40	41" CAL. BASS	17		CLASS 40
41	42" CAL. BASS	17		CLASS 41
42	43" CAL. BASS	17		CLASS 42
43	44" CAL. BASS	17		CLASS 43
44	45" CAL. BASS	17		CLASS 44
45	46" CAL. BASS	17		CLASS 45
46	47" CAL. BASS	17		CLASS 46
47	48" CAL. BASS	17		CLASS 47
48	49" CAL. BASS	17		CLASS 48
49	50" CAL. BASS	17		CLASS 49
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51	52" CAL. BASS	17		CLASS 51
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80	81" CAL. BASS	17		CLASS 80
81	82" CAL. BASS	17		CLASS 81
82	83" CAL. BASS	17		CLASS 82
83	84" CAL. BASS	17		CLASS 83
84	85" CAL. BASS	17		CLASS 84
85	86" CAL. BASS	17		CLASS 85
86	87" CAL. BASS	17		CLASS 86
87	88" CAL. BASS	17		CLASS 87
88	89" CAL. BASS	17		CLASS 88
89	90" CAL. BASS	17		CLASS 89
90	91" CAL. BASS	17		CLASS 90
91	92" CAL. BASS	17		CLASS 91
92	93" CAL. BASS	17		CLASS 92
93	94" CAL. BASS	17		CLASS 93
94	95" CAL. BASS	17		CLASS 94
95	96" CAL. BASS	17		CLASS 95
96	97" CAL. BASS	17		CLASS 96
97	98" CAL. BASS	17		CLASS 97
98	99" CAL. BASS	17		CLASS 98
99	100" CAL. BASS	17		CLASS 99
100	101" CAL. BASS	17		CLASS 100

KEY NOTES (TYPICAL)

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
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10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.

GENERAL LANDSCAPE NOTES

1. LANDSCAPE SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
2. LANDSCAPE SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
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10. LANDSCAPE SHALL BE DONE IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.

TREE PROTECTION NOTES

1. ALL TREES SHALL BE PROTECTED IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
2. ALL TREES SHALL BE PROTECTED IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.
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10. ALL TREES SHALL BE PROTECTED IN ACCORDANCE WITH THE CITY OF MERIDIAN LANDSCAPE PLAN SPECIFICATIONS AND THE IRRIGATION DESIGN SPECIFICATIONS.

CONTACT INFORMATION

OWNER: [Name]
LANDSCAPE CONSULTANT: [Name]
ADDRESS: [Address]
PHONE: [Phone]
EMAIL: [Email]

TOTAL LANDSCAPE PROVIDED

6,500 SF	100
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PARKING ISLAND TREE CALCULATIONS

NO. TREES / PARKING ISLAND	NO.	PROV.
TOTAL PARKING ISLAND TREES		
TREE SPECIES MIX		
TOTAL SITE TREES		

BICYCLE PARKING CALCULATIONS (1 RACK - 2 STALLS)

NO. ONE PARKING SPACES / 2 BIKE STALLS	NO.	PROV.
TOTAL BICYCLE PARKING SPACES		
TOTAL BICYCLE PARKING SPACES TOTAL		

1. DETAIL: TREE PLANTING AND STAKING DETAIL

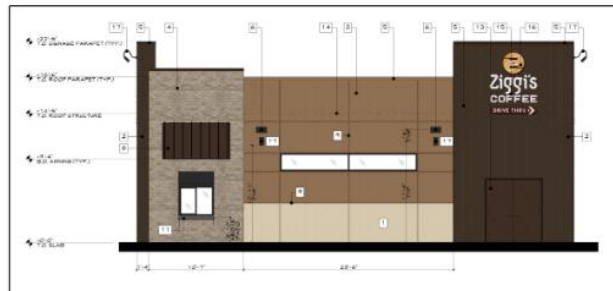
2. BICYCLE RACK DETAIL

3. SHOVEL CUT EDGE DETAIL

F. Building Elevations (date: 7/2/2024)

EXTERIOR ELEV NOTES

- 1) BRICK FLOOR SYSTEM PANELS OR DRIVOT EQUAL TO BRICK PATIEN
- 2) BRICK FLOOR SYSTEM PANELS OR DRIVOT EQUAL TO BRICK PATIEN
- 3) BRICK FLOOR SYSTEM PANELS OR DRIVOT EQUAL TO BRICK PATIEN
- 4) BRICK FLOOR SYSTEM PANELS OR DRIVOT EQUAL TO BRICK PATIEN
- 5) EQUIPMENT SQUARE PANEL LOCATED AT ONE CORNER AS SHOWN FOR PRE-CAST CONCRETE WALL LIFT
- 6) STAINLESS STEEL METAL PANEL AS SHOWN AS SCHEDULED. PAINT AS SCHEDULED
- 7) PRE-PAINTED JOINTS MEET INTO JOINTS AS SHOWN
- 8) FINISHES OF WALL CORNER AT CORNER THROUGHOUT WALL TO MATCH BRICK PATIEN
- 9) FINISHES OF WALL CORNER AT CORNER THROUGHOUT WALL TO MATCH BRICK PATIEN
- 10) FINISHES OF WALL CORNER AT CORNER THROUGHOUT WALL TO MATCH BRICK PATIEN
- 11) FINISHES OF WALL CORNER AT CORNER THROUGHOUT WALL TO MATCH BRICK PATIEN
- 12) FINISHES OF WALL CORNER AT CORNER THROUGHOUT WALL TO MATCH BRICK PATIEN
- 13) METAL SIDING AS SCHEDULED WITH BRICK PATIEN TO MATCH FLOOR SYSTEM PANELS
- 14) USE OF SINGLE GLASS INSULATED PANELS OVER INSULATED WALL SYSTEM
- 15) LOCATIONS FOR EXTERIOR WALL JOINT SYSTEMS AS SCHEDULED. LIGHT FIXTURE TO BE CENTERED BETWEEN JOINTS
- 16) APPROXIMATE LOCATION FOR BUILDING SIGNAGE BY DESIGN. SIGNAGE TO BE DETERMINED BY OWNER FOR SIGNAGE TO BE PURCHASED AND INSTALLED BY DESIGNER. CONSTRUCTION COSTS TO BE DETERMINED BY OWNER.
- 17) LOCATIONS FOR EXTERIOR WALL JOINT SYSTEMS AS SCHEDULED. LIGHT FIXTURE TO BE CENTERED BETWEEN JOINTS
- 18) ROOF TOP SET WITH CURB BEHIND WALL PERMANENTLY



Ziggie's COFFEE

1211 S. CENTRAL BLVD. TREATMENT
 DUNCAN, OKLAHOMA 73113
 918.259.7146
 WWW.MAHGROUP.COM

ZIGGIE'S COFFEE
 THE "865" PROTOTYPE
 EAGLE ROAD & AMITY ROAD
 MERIDIAN, ID 83642

Project Number:
 Design:
 Scale:
 Date:
 Date:
 Design By:
 Checked:
 Color or Elevation:
 Date: