

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



**In the Matter of the Request for Conditional Use Permit for a Drive-Through Establishment for a Financial Institution for KeyBank Meridian Branch within 300-Feet of another Drive-Through Establishment, an Existing Residence and Residential Zoning District, on 1.04-Acres of Land in the C-G Zoning District, by HSB Architects + Engineers.**

**Case No(s). H-2022-0076**

**For the Planning & Zoning Commission Hearing Date of: December 15, 2022 (Findings on January 5, 2023)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of December 15, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 15, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 15, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 15, 2022, 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 December 15, 2022, 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 December 15, 2022, 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 December 15, 2022

By action of the Planning & Zoning Commission at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

COMMISSIONER ANDREW SEAL, CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER MARIA LORCHER, VICE CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER NATE WHEELER VOTED \_\_\_\_\_

COMMISSIONER STEVEN YEARSLEY VOTED \_\_\_\_\_

COMMISSIONER PATRICK GRACE VOTED \_\_\_\_\_

COMMISSIONER MANDI STODDARD 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

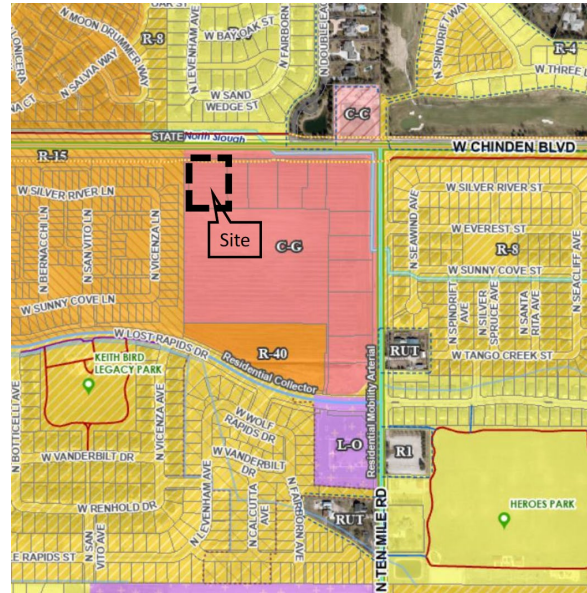
HEARING DATE: 12/15/2022

TO: Planning & Zoning Commission

FROM: Sonya Allen, Associate Planner  
208-884-5533

SUBJECT: H-2022-0076  
KeyBank Meridian Branch – CUP

LOCATION: 3485 W. Chinden Blvd., in the NW 1/4 of Section 27, T.4N., R.1W.



### I. PROJECT DESCRIPTION

Conditional Use Permit for a drive-through establishment for a financial institution within 300-feet of another drive-through establishment, an existing residence and residential zoning district, on 1.04-acres of land in the C-G zoning district.

### II. SUMMARY OF REPORT

#### A. Project Summary

Description	Details	Page
Acreage	1.04-acre	
Future Land Use Designation	Commercial	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Drive-through for a financial institution	
Current Zoning	General Retail & Service Commercial (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	NA	
Neighborhood meeting date; # of attendees:	9/20/22	
History (previous approvals)	<a href="#">H-2018-0004</a> (CPAM, AZ, PP, VAR – Lost Rapids); <a href="#">H-2019-0056</a> (FP – Lost Rapids); Development Agreement (Inst. # <a href="#">2018-079970</a> – GFI – Meridian Investments II, LLC); PBA-2022-0015 (Lots 7 & 8, Block 1, Lost Rapids Subdivision); <a href="#">SHP-2022-0014</a> (Lost Rapids West)	

# EXHIBIT A

## A. Project Area Maps

**Future Land Use Map**

**Aerial Map**

**Zoning Map**

**Planned Development Map**

## III. APPLICANT INFORMATION

### A. Applicant:

Ben Gingrich, HSB Architects + Engineers – 1250 Old River Rd., Ste. 201, Cleveland, OH 44113

# EXHIBIT A

B. Owner:

GFI Meridian Investments II, LLC – 74 E. 500 S., Ste. 200, Bountiful, UT 84010

C. Representative:

Same as Applicant

## IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/30/2022
Radius notification mailed to properties within 300 feet	11/13/2022
Site Posting Date	11/23/2022
Next Door posting	11/28/2022

## V. STAFF ANALYSIS

### Comprehensive Plan:

This property is designated as Commercial on the Future Land Use Map in the Comprehensive Plan. This designation provides for a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Sample zoning include: C-N, C-C, and C-G.

*The subject property is one of several Commercial designated and C-G zoned properties in Lost Rapids subdivision that is in the development process. The proposed development and use of the site with a financial institution and drive-through is a desired use within the Commercial future lane use map designation in the Comprehensive Plan, as noted above, and with adjacent approved uses in the vicinity. Therefore, Staff finds the proposed project is generally consistent with the Comprehensive Plan as required.*

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### Unified Development Code:

The Applicant proposes to construct a new 3,400 square foot (s.f.) financial institution (KeyBank Meridian Branch) with a drive-through on 1.04 acres of land in the C-G zoning district. The branch will serve the community with banking offices for client consultation, a drive-through ATM and a drive-through auto-teller lane.

Note: The configuration of the property depicted on the maps does not yet reflect the recently approved short plat (SHP-2022-0014) which creates the configuration of the subject property. **The short plat needs to be recorded prior to submittal of a building permit application.**

A financial institution is listed as a principal permitted use in the C-G zoning district per UDC [Table 11-2B-2](#), subject to the specific use standards listed in UDC [11-4-3-17](#). A drive-through requires approval of a conditional use permit when it's within 300-feet of another drive-through facility, an existing residence or a residential district per [11-4-3-11A.1](#). In this case, there is a drive-through establishment [i.e. Dutch

# EXHIBIT A

Bros. Coffee (A-2021-0177)] to the east and a residential district (i.e. R-15) and residential uses to the west in Bainbridge Subdivision No. 12 within 300-feet of the subject property; the next two (2) lots to the east of Dutch Bros. also have drive-through uses.

Compliance with the standards listed in UDC [11-3A-16](#) Self-Service Uses for the ATM is required as follows: *(Staff's comments in italics)*

- A. Entrance or view of the self-service facility shall be open to the public street or to adjoining businesses and shall have low impact security lighting. *The entrance and view of the ATM is open to the public street (W. Chinden Blvd.) and the driveway along the west boundary of the site.*
- B. Financial transaction areas shall be oriented to and visible from an area that receives a high volume of traffic, such as a collector or arterial street. *The financial transaction area of the ATM is oriented toward the adjacent driveway along the west boundary of the site and is visible from the public street (W. Chinden Blvd.) along the north boundary of the site.*
- C. Landscape shrubbery shall be limited to no more than three (3) feet in height between entrances and financial transaction areas and the public street. *The reed grass depicted on the landscape plan in the buffer along the west boundary of the site and the falkner boxwood in the buffer along the northern boundary of the site on the west side of the building has a mature height of 4-feet, which is not allowed; the landscape plan should be revised to comply with this standard.*

The proposed use and development plan is in substantial conformance with the provisions in the existing Development Agreement (Inst. # [2018-079970](#)).

**Hours of Operation:** The branch lobby and auto-teller are open normal business hours Monday thru Saturday; the ATM is operational 27/7. Because the proposed use/property does not abut a residential use or district, a conditional use permit is not required for the ATM.

**Specific Use Standards:** The proposed use is subject to the specific use standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and in [11-4-3-17](#) – Financial Institution. *Staff's analysis is in italics.*

## **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 stacking lane and window location is depicted 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. *A safe pedestrian walkway is proposed from the perimeter sidewalk along the southern boundary of the site to the main building entrance in compliance with UDC 11-3A-19B.4a. The sidewalk along the southern boundary of the site continues to the east for pedestrian access between adjacent properties. Vehicular access is proposed from the drive aisle along the southern boundary of the site and safe vehicular circulation within the site is also proposed.*

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 stacking lanes appear to have sufficient capacity to prevent obstruction of drive aisles.*

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 lane is a separate lane from the circulation lanes needed for access and parking.*

## EXHIBIT A

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

*An escape lane is proposed as shown on the 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 on the west side of the building and is visible from W. Chinden Blvd. and from the driveway to/from Chinden along the west side of the property for surveillance purposes.*

### **Financial Institution:**

A. The location, access and safety features of all automated teller machines (ATMs) shall be subject to review and approval by the Meridian Police Department, and in accord with the standards set forth in [section 11-3A-16](#) of this title. ***The Applicant should obtain approval from the Police Dept. for the proposed ATM. See above analysis for compliance with the standards in UDC 11-3A-16.***

B. All ATMs shall be deemed an accessory use to a financial institution.

C. All approaches and entrances to ATMs should be highly visible and adequately lit so that people cannot loiter, or enter, without being seen. The addition of security cameras are highly recommended. *The Applicant shall comply with this standard.*

**Dimensional Standards:** Future development should be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-G zoning district.

**Access:** Access is proposed via the east/west driveway along the southern boundary of the site; direct lot access via Chinden Blvd. and the north/south driveway along the western boundary of the site is prohibited. A reciprocal cross-access easement exists between all lots in the subdivision as noted on the Lost Rapids subdivision plat.

**Parking:** Off-street parking is required to be provided in accord with the standards listed in UDC 11-3A-6B.1. Based on a 3,400 square foot structure, a minimum of six (6) spaces are required. A total of 16 spaces are proposed, exceeding UDC standards.

A minimum of one (1) bicycle parking space is required to 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](#). A bicycle rack is proposed on the south side of the building in accord with this standard.

**The site design requires vehicles that are parked on the east side of the building to exit the site through the drive-through escape lane and vehicles accessing the parking spaces on the south side of the building to travel against traffic leaving the drive-through. Staff is concerned about traffic conflicts within the site that may exist because of the site design, as discussed with the applicant in the pre-application meeting. The Applicant did not share Staff's concerns and proceeded with the proposed site layout.**

**The Applicant should obtain approval from Republic Services for the location of the trash enclosure prior to submittal of a Certificate of Zoning Compliance application.**



# EXHIBIT A

**Landscaping:** Street buffer landscaping was installed within the street buffer along W. Chinden Blvd. with the Lost Rapids subdivision improvements.

Parking lot landscaping is required to be provided in accord with the standards listed in UDC [11-3B-8C](#). **A minimum 5-foot wide perimeter buffer is required along the east boundary of the site per UDC 11-3B-8C.1, landscaped per the standards listed in UDC [11-3B-8C.1b](#).** The buffer on the adjacent property to the east does not meet this requirement; remove from the plan.

**Sidewalks:** A 10-foot wide multi-use pathway exists within a public use easement in the street buffer on the northern portion of this site along W. Chinden Blvd. A sidewalk exists within the landscape buffers along the western and southern boundaries of the site along internal driveways within Lost Rapids Subdivision. A pedestrian walkway is proposed from the perimeter sidewalk along the southern boundary of the site to the main building entrance in accord with UDC 11-3A-19.B.4. **Where the walkway crosses the vehicular driving surface, it's 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 with the Certificate of Zoning Compliance application should reflect compliance with this standard – the proposed striping on the pathway from the perimeter sidewalk to the main building entrance is not approved.**

**The sidewalk on the south and east sides of the building where parking abuts should be widened to 7-feet to allow vehicles to overhang 2-feet (the length of stalls may be reduced to 17-feet); or, wheel stops should be provided within parking spaces to prevent vehicle overhang in accord with UDC 11-3C-5B.3, 4.**

**Easements:** There are existing easements on this lot as shown on the Lost Rapids subdivision plat. The proposed structure shall not encroach within these easements, except as allowed in the UDC.

**Mechanical Equipment:** All rooftop mechanical equipment shall be screened as viewed from the farthest edge of the adjoining right-of-way. The Applicant states rooftop screens are provided for all HVAC equipment. The Applicant also states no ground level mechanical equipment is proposed.

**Building Elevations:** Detailed building elevations were submitted as shown in Section VII.C for a single-story building that incorporates a Dryvit outsulation MD system in a variety of finishes, including EIFS, wood panel, red panel and stone, and glazing on the storefront. Aluminum sunshades are proposed over the windows. A flat roof with parapets of varying heights is proposed. The proposed design complies with the design standards listed in the [Architectural Standards Manual](#) and the Design Review application is approved.

**Certificate of Zoning Compliance:** A Certificate of Zoning Compliance application is required to be submitted for the proposed use prior to submittal of a building permit application to ensure consistency with the conditions in Section VIII and UDC standards.

## VI. DECISION

### A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions included in Section VIII per the Findings in Section IX. The Director approved the Design Review application.

### B. The Meridian Planning & Zoning Commission heard this item on December 15, 2022. At the public hearing, the Commission moved to approve the subject CUP request.

#### I. Summary of the Commission public hearing:

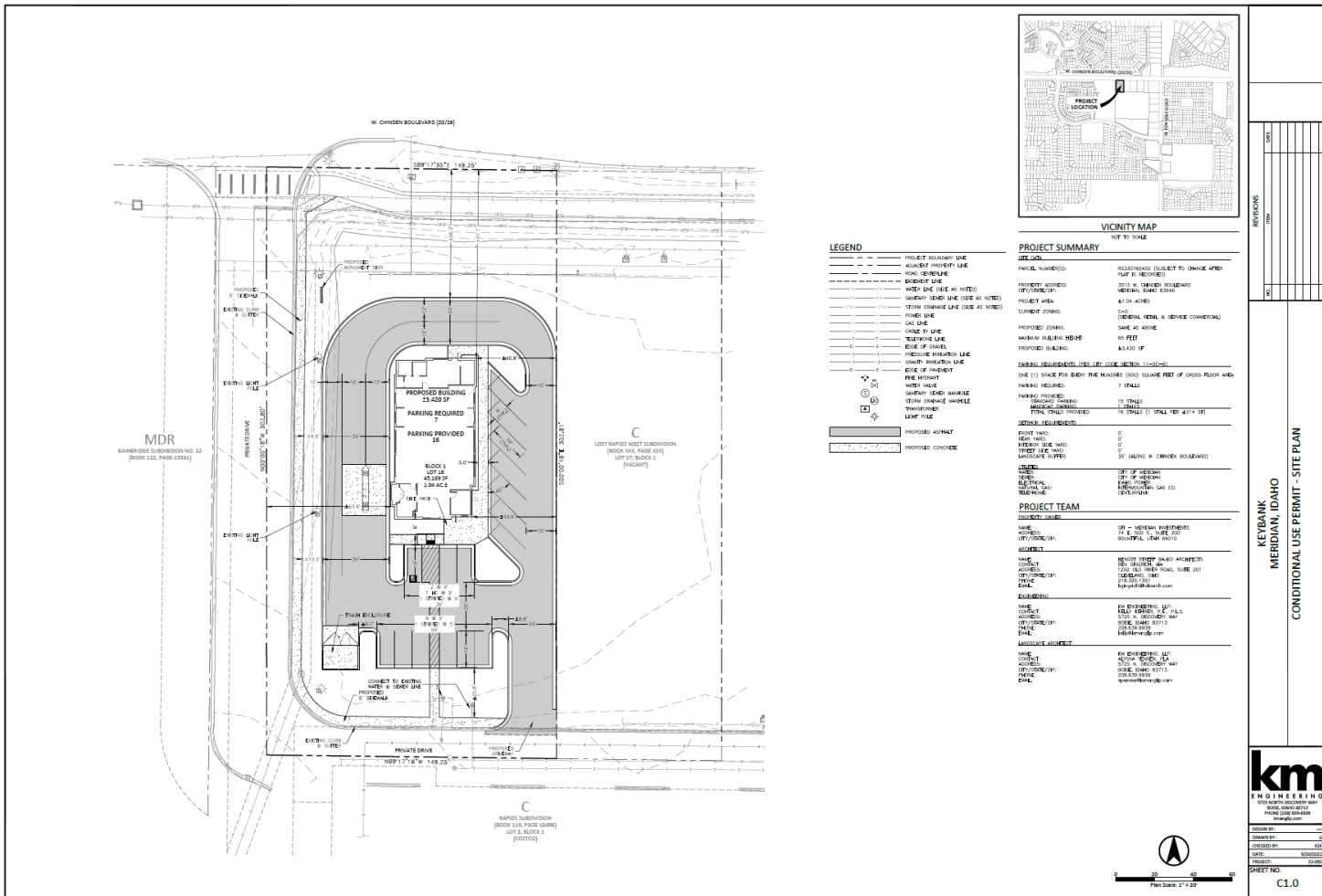
- a. In favor: Ben Gingrich, Applicant
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Ben Gingrich, Applicant (response to staff report)

# EXHIBIT A

- e. Staff presenting application: Bill Parsons
- 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. Commission struck Public Works site specific condition of approval #4.

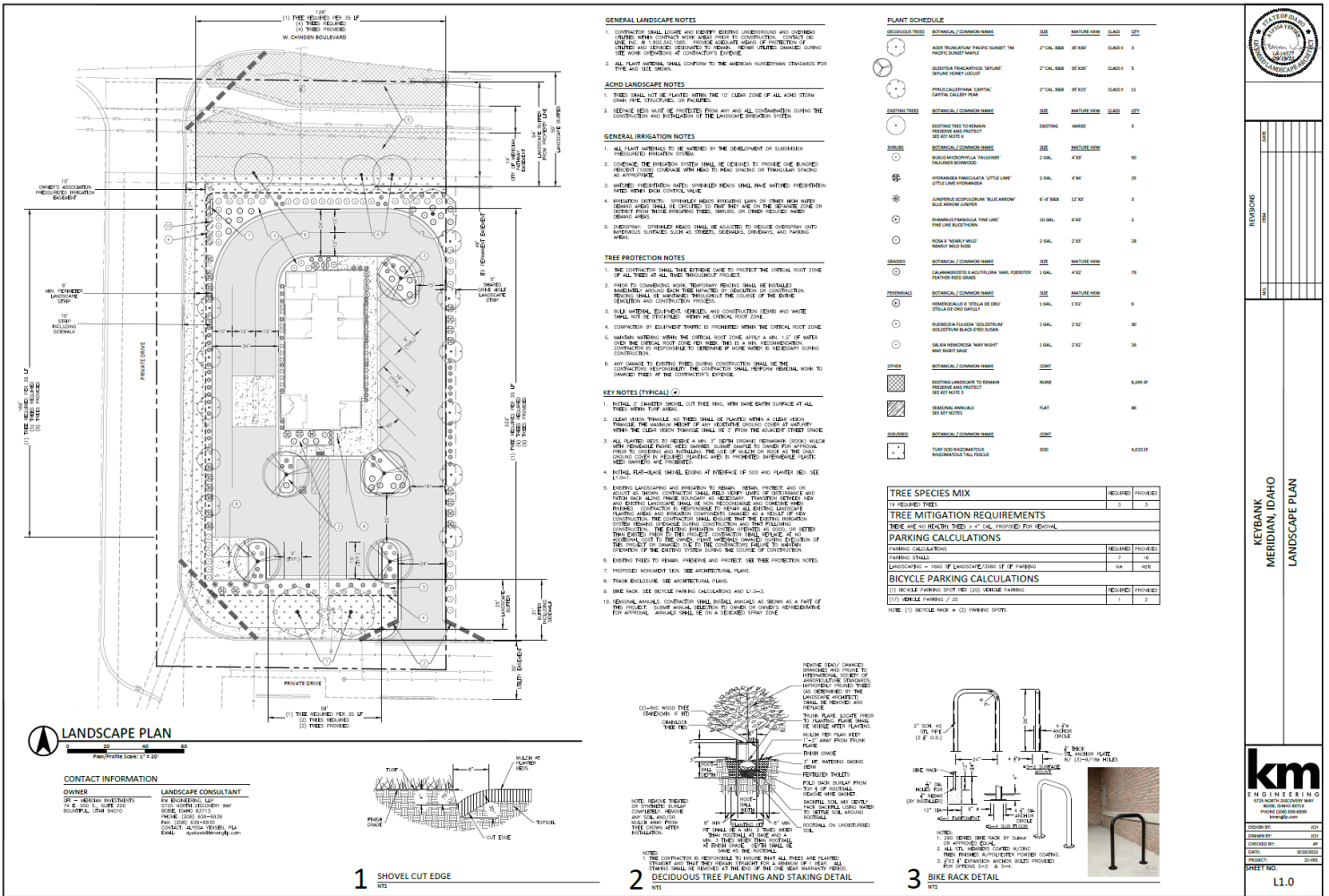
## VII. EXHIBITS

### A. Proposed Site Plan (dated: 4/20/2022)



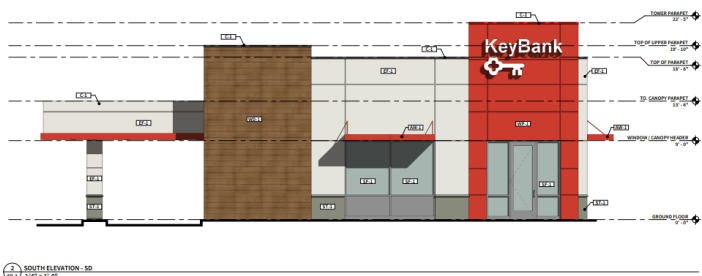
# EXHIBIT A

## B. Proposed Landscape Plan (dated: 9/20/22)



# EXHIBIT A

## C. Building Elevations



1 SOUTH ELEVATION - SD  
1/4\"/>

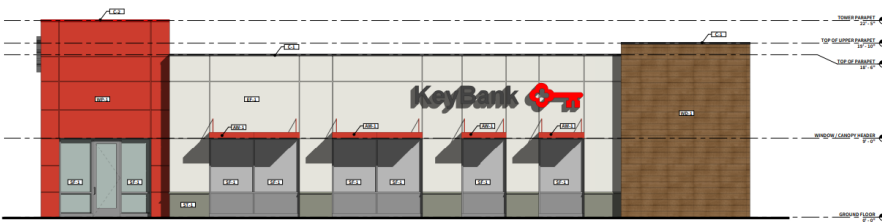
EXTERIOR MATERIALS LEGEND			
TAG	DESCRIPTION	SPECIFICATION	NOTE
AW-1	ALUMINUM SUNSHADE	MAKES PRE-ENGINEERED ALUMINUM SUNSHADE WITH CANTILEVER WALL MOUNTING. SUNSHADE TO RECEIVE LOADERS AND IF SMOOTH FASCIA PER SPEC MANUAL, PROVIDE CUSTOM KRYVAR "RED" TO MATCH KEYBANK PROVIDED SAMPLE.	SEE SPEC MANUAL FOR DETAILS. SEE WALL SECTION FOR THROUGH-BOLT MOUNTING.
C-1	COPING	PREFINISHED ALUM. COPING IN CLEAR ANOD. FINISH.	
C-2	COPING	PREFINISHED ALUM. COPING MATCHING AW-1 FINISH.	
DF-1	DFS	DRYFIT OUTSULATION MD SYSTEM WITH HANDED CLAY COLOR IN SAND PEBBLE FINE FINISH.	
DF-1	STOREFRONT	HANDED TYPAR 415 STOREFRONT SYSTEM WITH 1" CLEAR INSULATED GLAZING AND 1" SPANDREL PANELS WHERE SHOWN. REFER TO WINDOW LEGEND ON A-1 FOR DETAILS. STOREFRONT FINISH TO BE CLEAR.	MAX @ 40 U VALUE
ST-1	STONE	DRYFIT OUTSULATION MD SYSTEM WITH TERRAZZO FINISH, COLOR ADV EURESET.	
WD-1	WOOD PANEL	DRYFIT OUTSULATION MD SYSTEM WITH WOODGRAIN FINISH, COLOR TRO.	
WP-1	RED PANEL	DRYFIT OUTSULATION MD SYSTEM WITH REFLECTIVE FINISH IN CUSTOM RED COLOR TO MATCH KEYBANK SAMPLE.	



NOT FOR CONSTRUCTION

DATE	DESCRIPTION

DRAWN BY: HSB/SG  
JOB NO: 22114

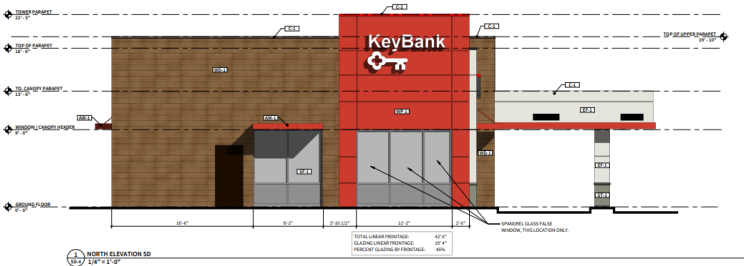


1 EAST ELEVATION - SD  
1/4\"/>

**MERIDIAN, ID BRANCH**  
**KEYBANK NATIONAL ASSOCIATION**  
1200 OLIVEBROOK ROAD, SUITE 1001, CLEVELAND, OH 44115  
WWW.HSBARCH.COM

EXTERIOR ELEVATIONS

**SD-3**



1 NORTH ELEVATION SD  
1/4\"/>

EXTERIOR MATERIALS LEGEND			
TAG	DESCRIPTION	SPECIFICATION	NOTE
AW-1	ALUMINUM SUNSHADE	MAKES PRE-ENGINEERED ALUMINUM SUNSHADE WITH CANTILEVER WALL MOUNTING. SUNSHADE TO RECEIVE LOADERS AND IF SMOOTH FASCIA PER SPEC MANUAL, PROVIDE CUSTOM KRYVAR "RED" TO MATCH KEYBANK PROVIDED SAMPLE.	SEE SPEC MANUAL FOR DETAILS. SEE WALL SECTION FOR THROUGH-BOLT MOUNTING.
C-1	COPING	PREFINISHED ALUM. COPING IN CLEAR ANOD. FINISH.	
C-2	COPING	PREFINISHED ALUM. COPING MATCHING AW-1 FINISH.	
DF-1	DFS	DRYFIT OUTSULATION MD SYSTEM WITH HANDED CLAY COLOR IN SAND PEBBLE FINE FINISH.	
DF-1	STOREFRONT	HANDED TYPAR 415 STOREFRONT SYSTEM WITH 1" CLEAR INSULATED GLAZING AND 1" SPANDREL PANELS WHERE SHOWN. REFER TO WINDOW LEGEND ON A-1 FOR DETAILS. STOREFRONT FINISH TO BE CLEAR.	MAX @ 40 U VALUE
ST-1	STONE	DRYFIT OUTSULATION MD SYSTEM WITH TERRAZZO FINISH, COLOR ADV EURESET.	
WD-1	WOOD PANEL	DRYFIT OUTSULATION MD SYSTEM WITH WOODGRAIN FINISH, COLOR TRO.	
WP-1	RED PANEL	DRYFIT OUTSULATION MD SYSTEM WITH REFLECTIVE FINISH IN CUSTOM RED COLOR TO MATCH KEYBANK SAMPLE.	



NOT FOR CONSTRUCTION

DATE	DESCRIPTION

DRAWN BY: HSB/SG  
JOB NO: 22114

**MERIDIAN, ID BRANCH**  
**KEYBANK NATIONAL ASSOCIATION**  
1200 OLIVEBROOK ROAD, SUITE 1001, CLEVELAND, OH 44115  
WWW.HSBARCH.COM

EXTERIOR ELEVATIONS

**SD-4**

# EXHIBIT A



9 SOUTH-EAST VIEW



10 SOUTHWEST VIEW



11 NORTH-WEST VIEW



12 NORTHEAST VIEW



**ARCHITECTS  
+ENGINEERS**  
1254 OLD RIVER ROAD, SUITE 6001  
CLEVELAND, OH 44113  
WWW.HSBARCH.COM

NOT FOR CONSTRUCTION

DATE	BY

DRAWN BY: Author  
JOB NO: 22114

**MERIDIAN, ID BRANCH  
KEYBANK NATIONAL ASSOCIATION**

W. C. CHANDLER BLDG.  
MERCER, ID

3D VIEWS

**SD-5**

# EXHIBIT A

## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING

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-2018-0004](#) (CPAM, AZ, PP, VAR – Lost Rapids); Development Agreement (Inst. #[2018-079970](#) – GFI – Meridian Investments II, LLC); [H-2019-0056](#) (FP – Lost Rapids); [SHP-2022-0014](#) (Lost Rapids West)].
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
  - a. All mechanical equipment on the back of the building and outdoor service and equipment areas shall 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](#). All ground level mechanical equipment shall be screened to the height of the unit as viewed from the property line; and all rooftop mechanical equipment shall be screened as viewed from the farthest edge of the adjoining right-of-way, in accord with the Architectural Standards Manual (#4.3B, #4.3C).
  - b. The pathway from the perimeter sidewalk along the southern boundary of the site to the main building entrance shall 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.4b](#).
  - c. Depict all easements that exist on the subject lot per the recorded plat (Lost Rapids Subdivision). Any encroachments within existing easements should be permitted through the easement holder or as allowed by the UDC.
  - d. Depict shrubbery that is no more than three (3) feet in height at maturity between entrances and financial transaction areas and the public street as set forth in UDC [11-3A-16C](#). *The reed grass within the planter along the west boundary of the site and the falkner boxwood in the buffer along the north boundary of the site exceed 3-feet in height at maturity and should be replaced with shrubbery that meets this standard.*
  - e. Provide low-impact security lighting around the self-service facility (i.e. ATM) in accord with UDC [11-3A-16A](#). Depict on plan and submit a detail of the proposed lighting that complies with the standards listed in UDC [11-3A-11](#).
  - f. Widen the sidewalk to 7-feet on the south and east sides of the building where parking abuts to allow vehicles to overhang 2-feet (the length of stalls may be reduced to 17-feet); or, provide wheel stops within parking spaces to prevent vehicle overhang in accord with UDC [11-3C-5B.3, 4](#).
  - g. Depict a minimum 5-foot wide perimeter buffer along the east boundary of the site per UDC [11-3B-8C.1](#), landscaped per the standards listed in UDC [11-3B-8C.1b](#); remove the buffer on the adjacent property from the plan.
3. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and [11-4-3-17](#) – Financial Institution.
4. Compliance with the standards listed in [11-3A-16](#) Self-Service Uses (i.e. the ATM) is required.
5. Direct access to W. Chinden Blvd. and the north/south driveway along the west boundary of the

# EXHIBIT A

site is prohibited.

6. The previously approved short plat for Lost Rapids West ([SHP-2022-0014](#)) shall be recorded for the proposed configuration of the property prior to submittal of a building permit application for this site.
7. The location, access and safety features of all automated teller machines (ATMs) shall be subject to review and approval by the Meridian Police Department, and in accord with the standards set forth in [section 11-3A-16](#) of this title per UDC [11-4-3-17](#). *Submit documentation of such approval with the Certificate of Zoning Compliance application.*
8. All approaches and entrances to ATMs should be highly visible and adequately lit so that people cannot loiter, or enter, without being seen in accord with UDC [11-4-3-17](#). The addition of security cameras are highly recommended.
9. Design Review has been approved for the design of the proposed structure as shown in Section VII.C. The proposed structure shall be constructed consistent with these elevations in accord with the Architectural Standards Manual; any modifications to the design shall be approved by the Planning Division.
10. A Certificate of Zoning Compliance application shall be submitted and approved for the proposed use prior to submittal of a building permit application.
11. 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

### Site Specific Conditions of Approval

1. Ensure no sewer services cross infiltration trenches.
2. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.). are built within the utility easement.
3. Applicant must abandon the blow-off at the end of the existing 8" water stub. All required connections (meters, fire-lines, hydrants, etc.) must come off this 8" stub.
4. ~~A reimbursement agreement will need to signed with the City and \$8,465.00 paid to the City for the installation of one streetlight at the property along Chinden prior to any form of occupancy.~~

### General Conditions of Approval

5. 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. 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.
6. 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

# EXHIBIT A

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.

7. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
8. 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.
9. 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.
10. 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.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
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 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.

## **C. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=279718&dbid=0&repo=MeridianCity>

## **D. IDAHO TRANSPORTATION DEPARTMENT (ITD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=282603&dbid=0&repo=MeridianCity>

## **E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=280536&dbid=0&repo=MeridianCity>



# EXHIBIT A

## IX. FINDINGS

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

Findings: 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 development and meet all dimensional and development regulations of the C-G 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 financial institution with a drive-through will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII 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 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.

*The Commission finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII 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. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

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

## EXHIBIT A

9. Additional findings for the alteration or extension of a nonconforming use:
  - a. 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.*
  - b. 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.*

### B. Administrative Design Review

In order to grant approval for an administrative design review, the director shall determine that the proposed structural and/or site designs conform to the standards and meet or exceed the intent of the "City of Meridian Architectural Standards Manual".

*The Director finds the proposed structure and site design conforms to the standards and meets the intent of the Architectural Standards Manual.*