

**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 within 300-feet of another Drive-through Facility and Residential Use and per Requirement of the Development Agreement for WaFed, Located at 3423 E. Ustick Rd. in the C-G Zoning District, by WP5 Meridian, LLC.**

**Case No(s). H-2023-0068**

**For the Planning & Zoning Commission Hearing Date of: February 1, 2024 (Findings on February 15, 2024)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of February 1, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of February 1, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of February 1, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of February 1, 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 February 1, 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 February 1, 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 February 1, 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 JARED SMITH VOTED\_\_\_\_\_

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

COMMISSIONER ENRIQUE RIVERA VOTED\_\_\_\_\_

COMMISSIONER MATTHEW SANDOVAL VOTED\_\_\_\_\_

COMMISSIONER BRIAN GARRETT 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

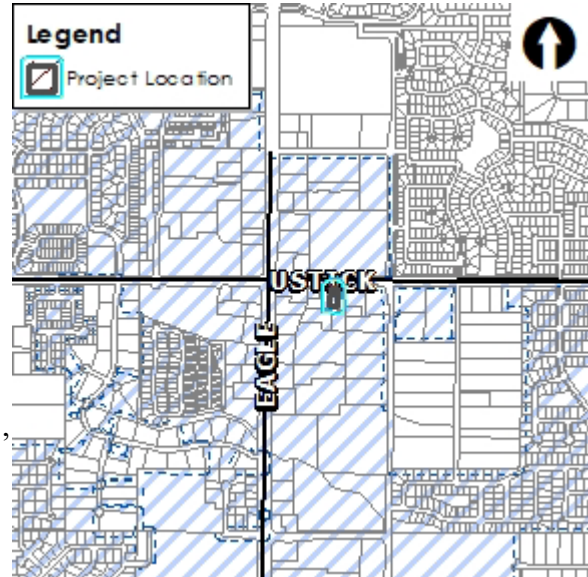
HEARING DATE: 2/1/2024

TO: Planning & Zoning Commission

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

SUBJECT: WaFed – CUP  
[H-2023-0068](#)

LOCATION: 3423 E. Ustick Rd. in the NW 1/4 of Section 4, T.3N., R.1E. (Lot 10, Block 1, Southeast Corner Marketplace Subdivision No. 2)



### I. PROJECT DESCRIPTION

A Conditional Use Permit (CUP) is requested for a drive-through establishment within 300-feet of another drive-through facility and a residential use and per requirement of the development agreement. The site consists of 0.76-acre of land and is in the C-G zoning district.

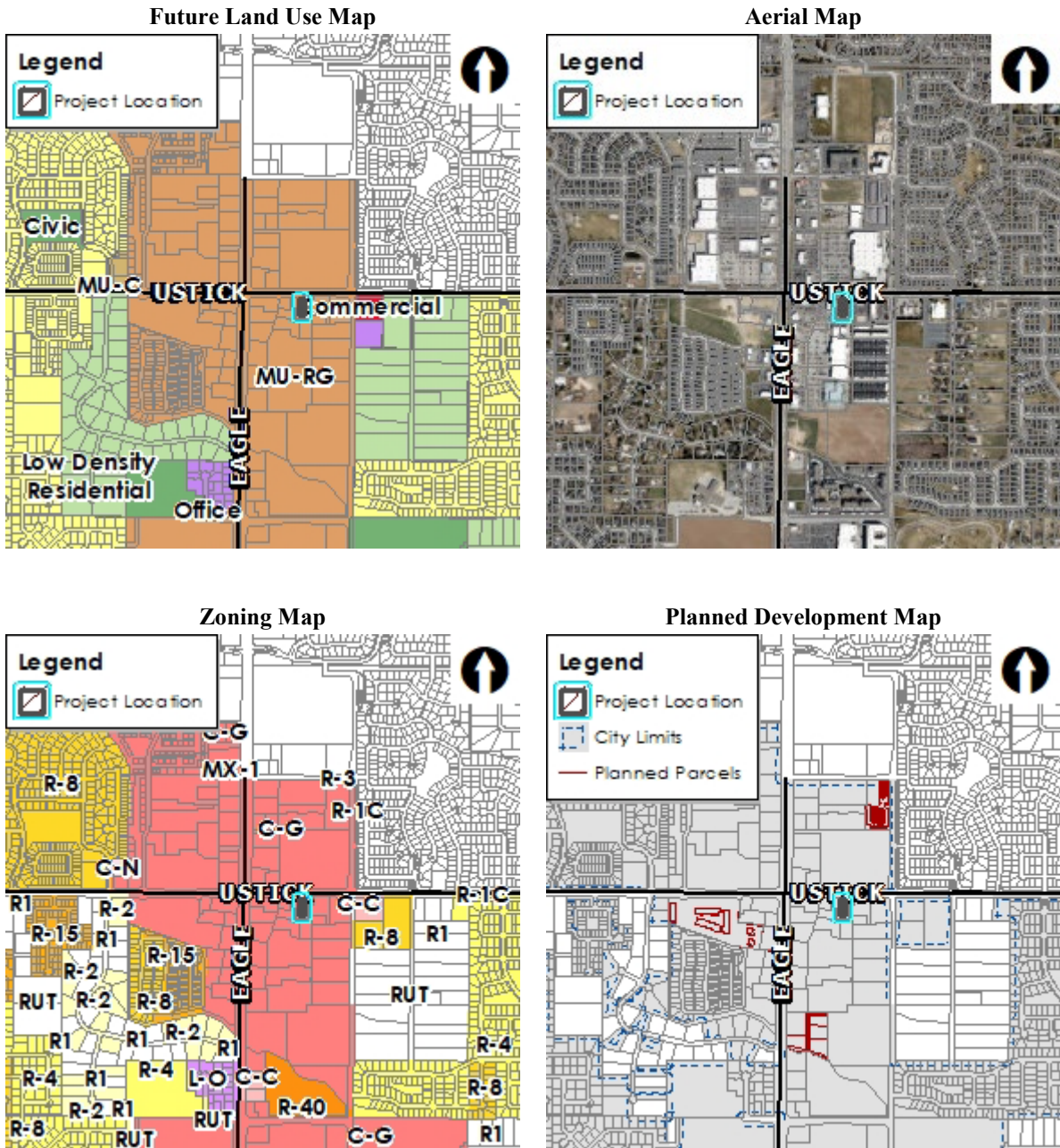
### II. SUMMARY OF REPORT

#### A. Project Summary

Description	Details	Page
Acreage	0.76-acre	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Financial institution with a drive-through	
Current Zoning	General Retail & Service Commercial (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	NA	
Neighborhood meeting date; # of attendees:	11/14/23	
History (previous approvals)	AZ-03-022 (Kissler Dealy, DA Inst. # <a href="#">104093292</a> ); MI-07-008 (Gateway Marketplace, amended DA Inst. # <a href="#">108080951</a> )	

# EXHIBIT A

## A. Project Area Maps



## III. APPLICANT INFORMATION

### A. Applicant:

Andy Neff, WP5 Meridian, LLC – 2950 Airway Ave., Unit A9, Costa Mesa, CA 92626

### B. Owner:

Same as Applicant

# EXHIBIT A

C. Representative:  
Same as Applicant

## IV. NOTICING

	<b>Planning &amp; Zoning Posting Date</b>
Newspaper Notification	1/16/2024
Radius notification mailed to properties within 300 feet	1/12/2024
Site Posting Date	1/17/2024
Next Door posting	1/10/2024

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

### Land Use:

This property is designated Mixed Use – Regional (MU-R) on the Future Land Use Map (FLUM).

The purpose of this designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses.

### 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 were provided to this lot with development of the subdivision.*

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

*The proposed bank with a drive-through will contribute to the variety of uses and services in this area.*

# EXHIBIT A

- “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 and lighting.*

## VI. STAFF ANALYSIS

The Applicant proposes to construct a new 3,100 square foot (s.f.) building with a drive-through for WaFed Bank on a 0.76-acre lot in the C-G zoning district.

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 establishment requires approval of a Conditional Use Permit (CUP) 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 are two (2) other drive-through establishments that exist within 300 feet of the property – ICCU to the west and Culver’s restaurant to the east; and existing residences within 300 feet of the property to the southeast. The existing development agreement also requires CUP approval of all uses on the site (AZ-03-022 Kissler Dealy, DA Inst. #[104093292](#); MI-07-008 Gateway Marketplace, amended DA Inst. #[108080951](#)).

**Specific Use Standards:** *Staff’s analysis is in italics.*

- **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 proposed site plan depicts the stacking lane and service locations.*

The site plan is required to demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties. *Pedestrian walkways are depicted on the site plan that should provide safe pedestrian connectivity to the south and to the north to the sidewalk along Ustick Rd. Vehicular access and circulation is provided on this site and with adjacent properties that should be safe.*

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 stacking lane provides sufficient capacity to prevent obstruction of driveways and drive aisles by patrons.*

- 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.*

- 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 depicted on the site plan.*

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



## EXHIBIT A

surveillance purposes.

*The drive-through is located on the west side of the building and is visible from E. Ustick Rd.*

- **Financial Institution:** The proposed use is also subject to the specific use standards listed in UDC [11-4-3-17](#) for financial institutions, as follows:
  - 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 Police Dept. has reviewed and approved the proposed site plan.*
  - 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. *One (1) ATM is located in the drive-through on the west side of the building visible from Ustick Rd. and two (2) others are located on the south side of the building visible from the parking lot and adjoining businesses. Wall sconces/lighting are depicted on the south elevation on both sides of the area where the ATM's are located; **lighting should also be provided on the west side of the building in the ATM location. Security cameras should be provided in all ATM locations.***
- **Self-service Uses:** Any unattended, self-service uses, including, but not limited to, laundromats, automatic teller machines (ATMs), vehicle washing facilities, fuel sales facilities, and storage facilities, shall comply with the following requirements. The Meridian Police Chief or designee may approve alternative standards where it is determined that a similar or greater level of security is provided.
  - 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 ATM located on the west side of the building is visible from Ustick Rd.; the ATM's located on the south side of the building are visible from the driveway along the east boundary of the site that provides access to the development via Ustick Rd. and from internal driveways and adjoining businesses. Wall sconces/lighting are depicted on the elevations on both sides of the area where the ATM's are located on the south side of the building; **lighting should also be provided in the ATM location on the west side of the building.***
  - 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 ATM on the west side of the building is visible from Ustick Rd., an arterial street; the ATM's located on the south side of the building are not visible from a collector or arterial street but will be visible from the driveway along the east side of the property that provides access for the development via Ustick Rd.*
  - 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 Appliance should comply with this standard; modifications to the existing street buffer landscaping along Ustick Rd. may be necessary.***

**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 north/south driveway along the eastern boundary of the site and other existing driveways within the subdivision; direct access via E. Ustick Rd. is prohibited. A cross-access easement (Inst. #106032444) exists between all lots in the subdivision as noted on the

# EXHIBIT A

Southeast Corner Marketplace Subdivision No. 2 plat (note #6).

**Parking:** Off-street parking is required in accord with the standards listed in UDC [11-3C-6B.1](#), which requires one (1) space for every 500 square feet of gross floor area. Based on 3,100 s.f., a minimum of six (6) spaces are required; a total of 16 spaces are proposed, exceeding the minimum standards by 10 spaces.

A bicycle rack capable of holding at least one (1) bicycle is required 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 bike rack is depicted on the site plan; **a detail should be included on the site plan submitted with the Certificate of Zoning Compliance application that complies with the aforementioned design standards.**

**Landscaping:** Street buffer landscaping was installed within the street buffer along E. Ustick Rd. with the subdivision improvements as shown below:

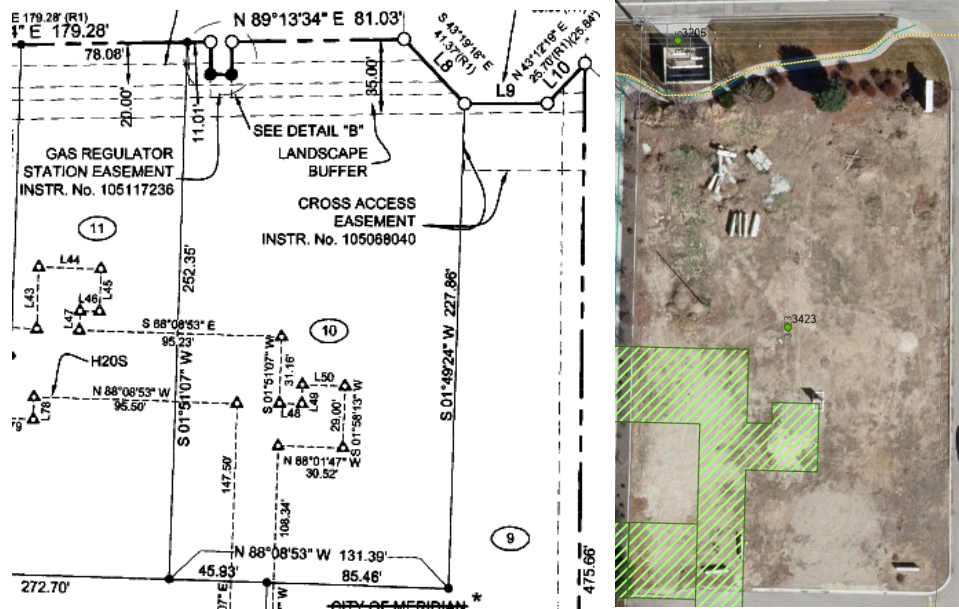


Parking lot landscaping is required to be provided in accord with the standards listed in UDC [11-3B-8C](#), except for the perimeter buffer along the west boundary. Because there is an existing buffer with trees that meet UDC standards on the adjacent property to the west, no trees are required within the perimeter buffer on this site. **The tree classification should be included in the Tree Schedule on the landscape plan to ensure compliance with UDC 11-3B-8C.1b. The perimeter buffer along the west boundary of the site in the area adjacent to parking shall be widened to a minimum of 7 feet to allow for vehicle overhang in accord with UDC [11-3C-5B.4](#), unless wheel stops are provided (if wheel stops are provided, the length of the parking spaces must be 19 feet). Staff recommends the walkway in the southern parking area in the planter island is shifted to the east side of the island with all of the landscaping on the west side of the walkway to prevent “cut-throughs” by pedestrians through the landscape area to the walkway.**

**Sidewalks:** A detached sidewalk exists along the northern perimeter boundary of the site within the street buffer along E. Ustick Rd. A 5-foot wide pedestrian walkway is proposed from the perimeter sidewalk to the main building entrance in accord with UDC [11-3A-19.B.4](#). **The walkway is required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks; the site plan should be revised accordingly.**

**Easements:** There are existing easements on this lot as shown on the Southeast Corner Marketplace Subdivision No. 2 plat, included below; **these easements should be depicted on the site plan to demonstrate the building doesn't encroach within the easements.**

# EXHIBIT A



**Mechanical Equipment:** All mechanical equipment on the back of the building or on the rooftop and all 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](#).

**Trash Enclosure:** The proposed location for the trash enclosure is within a City water/sewer easement; therefore, relocation of the enclosure is necessary outside of any and all easements. A receptacle for recycling should be provided within the trash enclosure; a detail should be submitted that demonstrates compliance.

**Building Elevations:** Conceptual building elevations were submitted as shown in Section VIII.C for a single-story building that incorporates a mix of materials consisting of stucco with stone veneer accents and metal awnings and canopies. **The final design shall be consistent with the design standards listed in the [Architectural Standards Manual](#).**

**Certificate of Zoning Compliance & Design Review:** A Certificate of Zoning Compliance and Design Review 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 IX, UDC standards and design standards.

## VII. DECISION

### A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions included in Section IX per the Findings in Section X.

### B. The Meridian Planning & Zoning Commission heard this item on February 1, 2024. At the public hearing, the Commission moved to approve the subject CUP request.

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

a. In favor: Andy Neff, WP5 Meridian, LLC (Applicant's Representative)

b. In opposition: None

c. Commenting: None

d. Written testimony: Andy Neff, WP5 Meridian, LLC (Applicant's Representative)

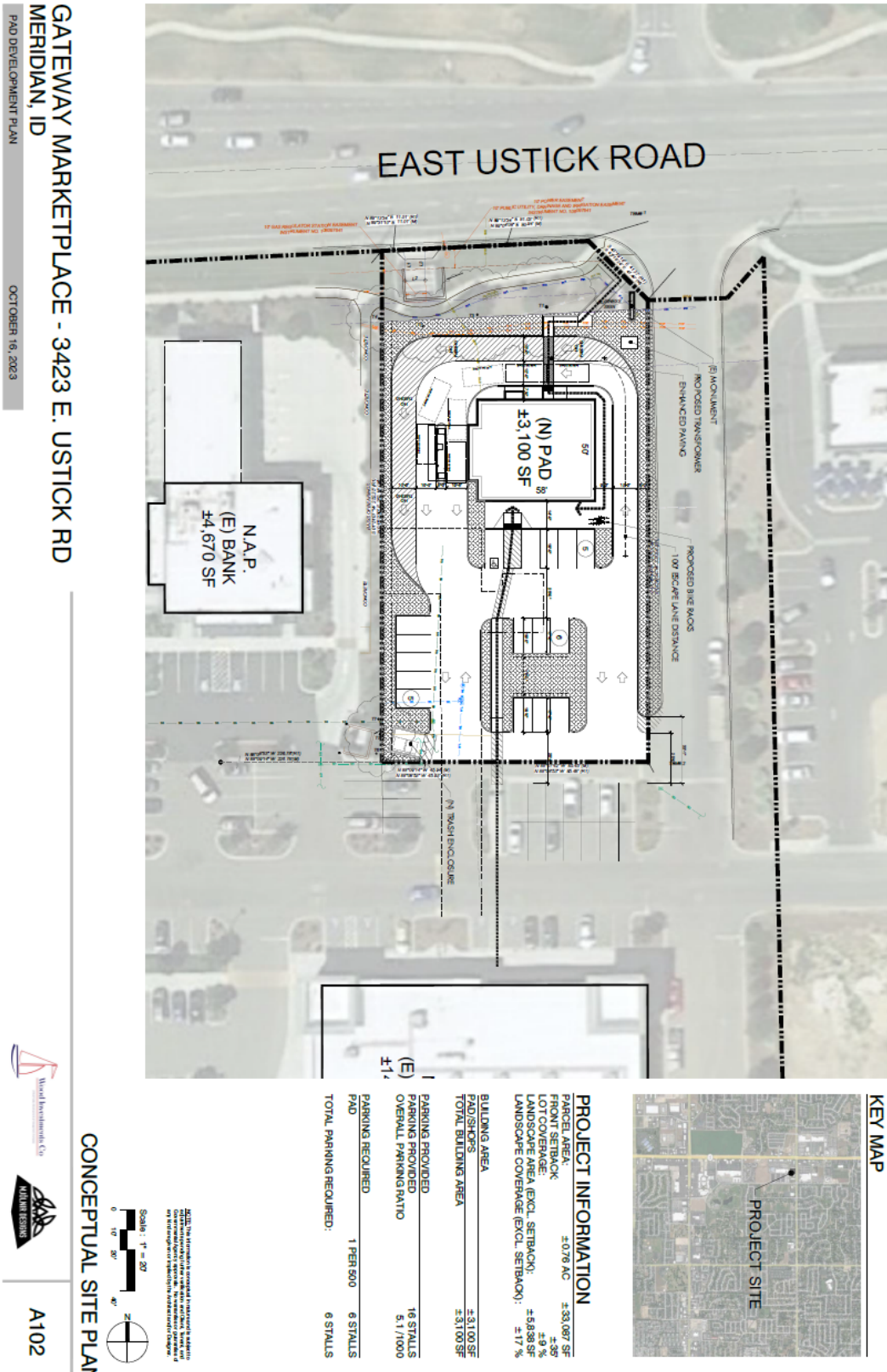
## EXHIBIT A

- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
  - a. None
- 3. Key issue(s) of discussion by Commission:
  - a. None
- 4. Commission change(s) to Staff recommendation:
  - a. None

# EXHIBIT A

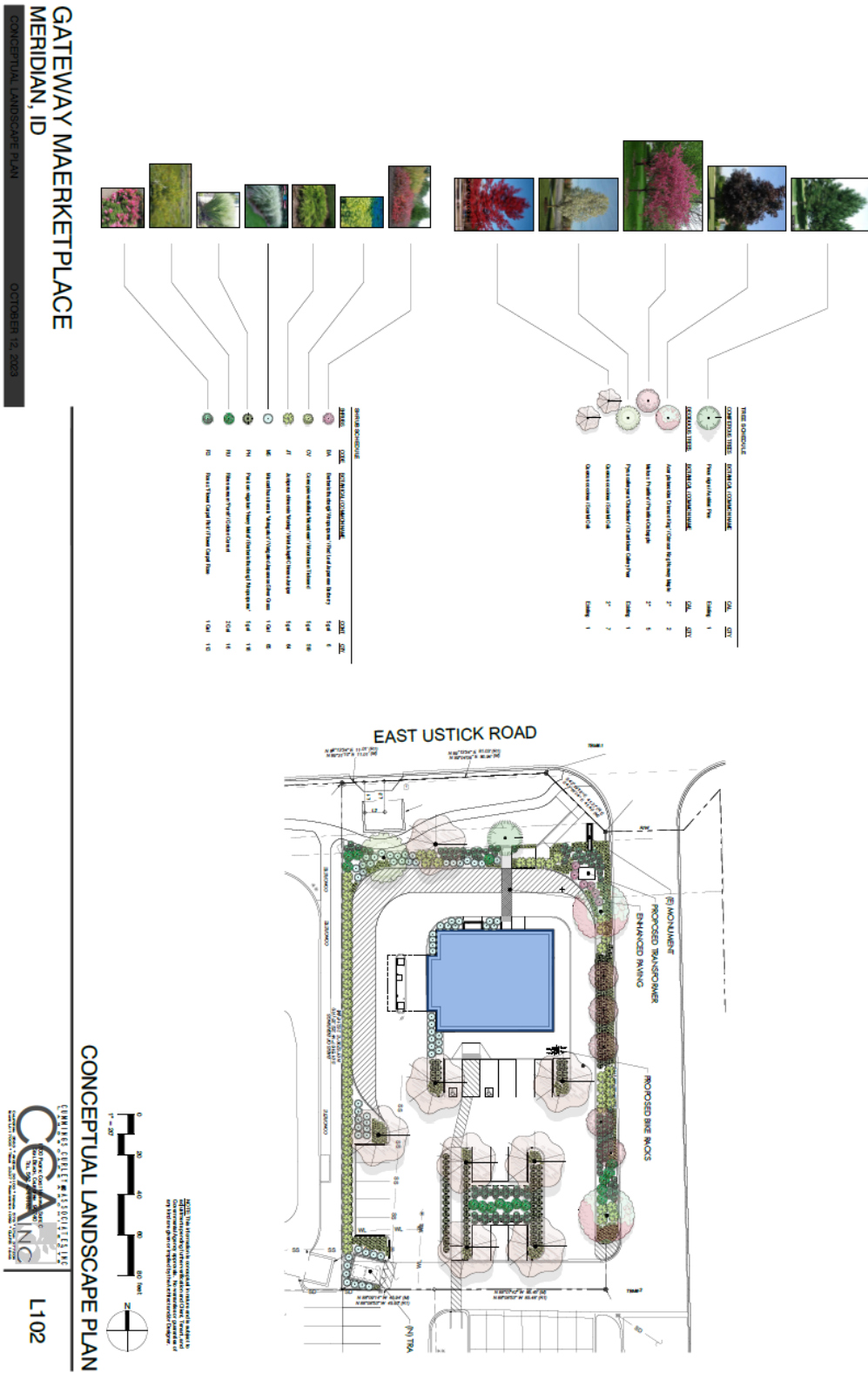
## VIII. EXHIBITS

### A. Proposed Site Plan (dated: 10/16/23)



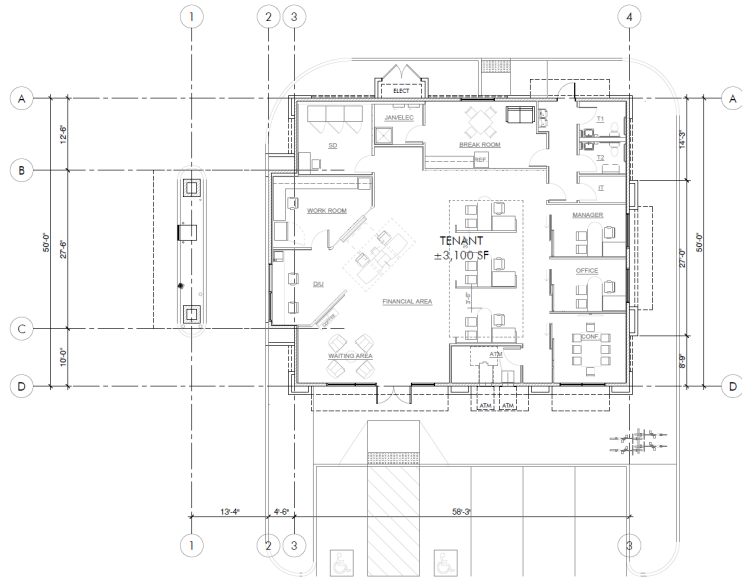
# EXHIBIT A

## B. Proposed Landscape Plan (dated: 10/12/23)



# EXHIBIT A

## C. Floor Plan & Building Elevations (dated: 10/16/23)



Scale: 3/16" = 1'-0"  
FLOOR PLAN

GATEWAY MARKETPLACE - 3423 E. USTICK RD  
MERIDIAN, ID  
PAD DEVELOPMENT PLAN      OCTOBER 16, 2023



A201



1 SOUTH ELEVATION - PAD (PROPOSED)  
FRONT - FACING EXISTING SHOPS



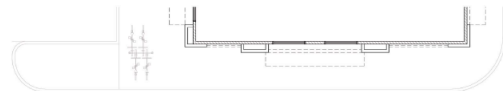
2 NORTH ELEVATION - PAD (PROPOSED)  
REAR - FACING USTICK ROAD



3 WEST ELEVATION - PAD (PROPOSED)  
SIDE - FACING IDAHO CENTRAL CREDIT UNION



4 EAST ELEVATION - PAD (PROPOSED)  
SIDE - FACING CULVERS (ADJACENT PARCEL)



Scale: 1" = 8'

### CONCEPTUAL ELEVATIONS - COLOR

GATEWAY MARKETPLACE - 3423 E. USTICK RD  
MERIDIAN, ID

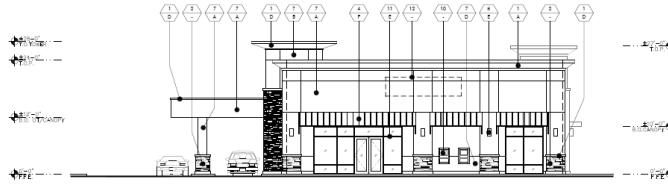
PAD DEVELOPMENT PLAN

OCTOBER 16, 2023

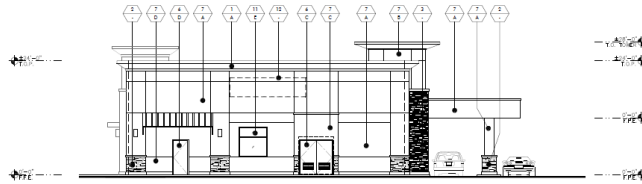


A301C

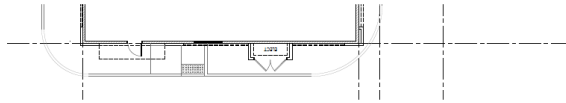
# EXHIBIT A



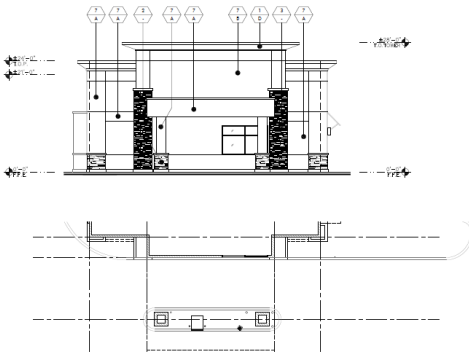
1 SOUTH ELEVATION - PAD (PROPOSED)  
FRONT - FACING EXISTING SHOPS



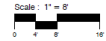
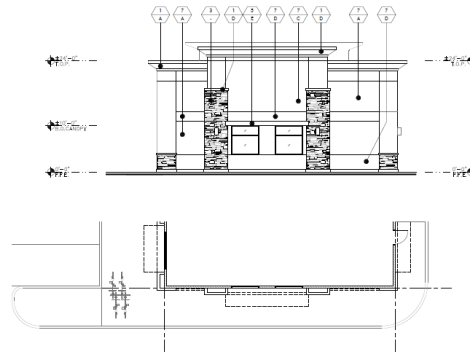
2 NORTH ELEVATION - PAD (PROPOSED)  
REAR - FACING USTICK ROAD



3 WEST ELEVATION - PAD (PROPOSED)  
SIDE - FACING IDAHO CENTRAL CREDIT UNION



4 EAST ELEVATION - PAD (PROPOSED)  
SIDE - FACING CULVERS (ADJACENT PARCEL)



CONCEPTUAL ELEVATIONS

GATEWAY MARKETPLACE - 3423 E. USTICK RD  
MERIDIAN, ID



A301

PAD DEVELOPMENT PLAN

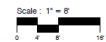
OCTOBER 16, 2023

## MATERIALS

- |   |   |
|---|---|
| ① TRIM - PAINTED  | ⑩ STUCCO - PAINTED  |
| ② EL DORADO STONE VENEER<br>LIMESTONE YORK<br>(TO MATCH EXISTING CENTER)            | ⑪ WALL SCIENCE<br>(TO MATCH EXISTING CENTER)  |
| ③ EL DORADO STONE VENEER<br>STACKED STONE - DRY CREEK<br>(TO MATCH EXISTING CENTER) | ⑫ WALL PACK<br>(TO MATCH EXISTING CENTER)   |
| ④ METAL AWNING - PAINTED  | ⑬ ATM (BY OTHERS)   |
| ⑤ METAL CANOPY - PAINTED  | ⑭ GLAZING w/ ALUMINUM STOREFRONT SYSTEM   |
| ⑥ METAL DOOR - PAINTED TO MATCH<br>ADJACENT COLOR                                   | ⑮ PROPOSED SIGN AREA SIGNING TYP<br>w/ 3/4" PLYWOOD BACKING BEHIND<br>FINAL SIGNAGE BY OTHERS |

## COLORS

- |   |  |
|---|--|
| ① DES148 ANTIQUE LINEN<br>DUNN EDWARDS    | ⑦ DES124 'SOUTHWESTERN CLAY'<br>DUNN EDWARDS |
| ② DES246 RUSTY ORANGE<br>DUNN EDWARDS     |  |
| ③ DES117 'BIGQUE TAN'<br>DUNN EDWARDS     |  |
| ④ DES112 'BUNGALOW TAUPÉ'<br>DUNN EDWARDS |  |
| ⑤ DARK BRONZE                             |  |



CONCEPTUAL ELEVATIONS

GATEWAY MARKETPLACE - 3423 E. USTICK RD  
MERIDIAN, ID



A302

PAD DEVELOPMENT PLAN

OCTOBER 16, 2023



# EXHIBIT A

## IX. 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 Agreements and the conditions contained herein [AZ-03-022 (Kissler Dealy, DA Inst. #[104093292](#)); MI-07-008 (Gateway Marketplace, DA Inst. #[108080951](#))].
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 depicted on the plans and 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. The pedestrian walkway from the perimeter sidewalk along E. Ustick Rd. 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. Include the tree classification in the Tree Schedule that demonstrates compliance with the standards in UDC [11-3B-8C.1b](#).
  - d. Include a detail for the bicycle rack that complies with the design standards listed in UDC [11-3C-5C](#).
  - e. Depict the existing easements on this lot as shown on the Southeast Corner Marketplace Subdivision No. 2 plat – no structures shall encroach in any existing easements; relocate the trash enclosure accordingly.
  - f. Landscape shrubbery shall be limited to no more than three (3) feet in height between entrances and financial transaction areas and the public street as set forth in UDC [11-3A-16C](#); modifications to the landscaping in the existing street buffer along Ustick Rd. may be necessary.
  - g. The perimeter buffer along the west boundary of the site in the area adjacent to parking shall be widened to a minimum of 7 feet to allow for vehicle overhang in accord with UDC [11-3C-5B.4](#) unless wheel stops are provided (if wheel stops are provided, the length of the parking spaces shall be 19 feet).
  - h. Shift the walkway in the southern parking area in the planter island to the east side of the island with all of the landscaping on the west side of the walkway to prevent “cut-throughs” by pedestrians through the landscape area to the walkway.
3. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment, [11-4-3-17](#) – Financial Institution and [11-3A-16](#) Self-service Uses is required.
4. Lighting and security cameras shall be provided in all ATM locations in accord with UDC [11-3A-16A](#) and [11-4-3-17C](#).
5. Direct access E. Ustick Rd. is prohibited.
6. A receptacle for recycling shall be provided within the trash enclosure; include a detail of the trash enclosure that demonstrates compliance.
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

## EXHIBIT A

of the site and structure shall comply with the standards listed in UDC 11-3A-19 and the design standards listed in the Architectural Standards Manual.

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. PUBLIC WORKS DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=325913&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=325915&dbid=0&repo=MeridianCity>

### D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331451&dbid=0&repo=MeridianCity>

### E. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=328631&dbid=0&repo=MeridianCity>

## X. FINDINGS

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 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.

*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.*

## EXHIBIT A

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 IX 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.*

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.*