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**MEMORANDUM**

May 21, 2026

To: Planning and Zoning Commission  
From: Bill Parsons, Current Planning Supervisor  
Re: Ustick Commercial/McUstick Subdivision – H-2025-0059 and H-2026-0007

On May 7, 2026, the Planning and Zoning Commission continued the Ustick Commercial/McUstick Subdivision project to the May 28, 2026 hearing. The continuance was required to allow this project to be discussed during the same hearing as the Durango Subdivision and bring forward draft conditions of approval for the Commission's consideration.

Below are the draft conditions of approval that staff believes are most relevant to the subject application should the Commission recommend approval. Staff has also identified additional considerations for the Commission to evaluate during deliberations on the application.

Further, the applicant has provided exhibits demonstrating how the proposed commercial development is intended to transition and integrate with the proposed residential development known as Durango Subdivision (see attachments below).

**Draft Conditions of Approval**

**A. Meridian Planning Division**

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

A fee for the DA shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the date of City Council approval of the Findings of Fact, Conclusions of Law and Decision & Order for the Annexation request. The DA shall, at minimum, incorporate the following provisions:

- i. Future development of this site shall be generally consistent with the conceptual development plan and building elevations, preliminary plat, landscape plan, and buffer exhibits included below in Section VII and the provisions contained herein.
- ii. The final design of all structures shall comply with the design standards in the Architectural Standards Manual (ASM).
- iii. The development is subject to the Oaks lift station & West Ada School District reimbursement agreements.

- iv. The site design shall comply with the site design standards in UDC 11-3A-19.B.2b, which require a minimum of thirty (30) percent of the buildable frontage of the property to be occupied by building facades and/or public space.
  - v. Business hours of operation in the C-C zoning district shall be limited from 6:00 am to 11:00 pm when the property abuts a residential use or district as set forth in UDC 11-2B-3B. Extended hours of operation may be requested through a conditional use permit.
  - vi. Access to W. Ustick Rd is prohibited in accord with UDC 11-3A-3.
  - vii. Any future development of the site must comply with the City of Meridian ordinances in effect at the time of the development.
2. The final plat(s) shall include the following revisions:
    - i. Depict cross-access/ingress-egress easements between all lots in the subdivision and to adjoining properties either by recorded easement or as a note on the final plat as set forth in UDC 11-3A-3A.2.
    - ii. Depict a minimum 20-foot wide drive aisle connection with pedestrian facilities on each side to the property to the north.
  3. The landscape plan submitted with the final plat application(s) shall include the following revisions:
    - i. Where pedestrian pathways are proposed from perimeter sidewalks to the main building entrances, pathways shall be distinguished from vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks, per UDC 11-3A-19B.4b.
    - ii. Lawn and other grasses requiring regular mowing shall comprise no more than sixty-five (65) percent of the vegetated coverage of a landscape (street) buffer per UDC 11-3B-7C.3e; calculations or a note demonstrating compliance should be included on the plan.
    - iii. Mitigation information shall be included for all existing trees four-inch caliper or greater that are removed from the site as set forth in UDC 11-3B-10.
    - iv. Depict a 25-foot-wide buffer to adjoining residential land uses with landscaping per the standards in UDC 11-3B-9C.
  4. Additional design features consisting of a dry creek bed with river rock and boulders shall be included in the street buffer along W. Ustick Rd., an entryway corridor, as proposed, in accord with UDC 11-3B-7C.3f.
  5. A public use easement shall be submitted for all multi-use pathways/sidewalks located outside of the adjacent ACHD right-of-way, as required by the Park's Dept.
  6. Staff's failure to cite all relevant UDC requirements does not relieve the applicant from compliance.
  7. A Certificate of Zoning Compliance and Design Review application shall be submitted for the commercial development and approved by the Planning Division prior to submittal of application(s) for building permits.
  8. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer's signature on a final plat within two years of the date of the approved findings; or obtain approval of a time extension as set forth in UDC 11-6B-7.

### Other Considerations for the Commission

1. Draft Condition of Approval 2.ii above requires a northern vehicular connection to the Durango Subdivision in lieu of pedestrian connectivity only. The applicant believes adequate access is already being provided to the commercial property without the addition of the northern vehicular connection. The condition should be removed if the Commission finds additional vehicular connectivity is warranted.
2. DA provision v. restricts the operating hours between 6 am and 11 pm unless otherwise approved by a CUP. The applicant has indicated the future tenant of Lot 1, Block 1 operates 24 hours a day, 7 days a week. The applicant is requesting that the Commission allow a 24 hour use on said lot because the property isn't currently adjacent to a residential use/district. This DA provision should be modified if Commission supports the 24hr operation.
3. The applicant is requesting that the Commission allow one building permit to be issued for the site prior to recording the plat. The applicant would like the ability to begin site work and prepare the property for development prior to recording the final plat. A new DA provision should be added if this request is supported by the Commission.

### Landscape Buffer Exhibits



