

**Public Hearing for Raising Cane's (H-2024-0006) by Michael O'Reilly,
Kimley Horn, located at 2700 N. Eagle Rd.**

- A. Request: Conditional Use Permit to construct a drive-through restaurant with food and drink services including an indoor/outdoor seating area. The drive-through restaurant will be approximately 2,862 gross square feet overall and is one-story in height with landscaping along two perimeter property lines.

Lorcher: All right. It is a quarter 8:00 and let me see -- oh, we have a -- let's do one more. We have a conditional use permit for Raising Cane's and we will give everybody a chance to get situated and we will start with the staff report.

Ritter: Okay. Good evening, Madam Chair and Commissioners. So, tonight we are here for a conditional use permit request for Raising Cane's. This site consists of 1.46 acres of land, zoned C-G, and it's located at 2700 North Eagle Road. So, the request is for a conditional use permit to construct a drive through restaurant with food and drink serving -- services, including an indoor and outdoor seating area. The drive through restaurant will be approximately 2,862 gross square feet overall and is one story in height with landscaping along two perimeter property lines. A conditional use permit is required as the proposed drive through is within 300 feet of an existing drive through. The proposed hours of operation being requested through this conditional use permit are Sunday through Thursday with the closing time of 1:30 a.m. Friday and Saturday with a closing time of 3:30 a.m. or as restricted through this CUP process. As proposed the use complies with the zoning for this site and is subject to specific standards listed in 11-3-3-11 of the UDC. Conceptual building elevations were submitted for the proposed restaurant. The proposed building design includes composite lumber, brick veneer, metal and aluminum panels. Final design is required to comply with design standards in the Architectural Standards Manual. The applicant shall obtain a certificate of zoning compliance and go through administrative design review approvals before submitting for any building permits with this development. So, the Idaho Transportation Department requested chip generation information to determine what mitigation, if any, may be required to complete. The applicant needs to reach out to ITD to discuss their comments. There was no written testimony for this application and staff recommends approval of this proposed conditional use permit with the conditions outlined in the staff report and so -- excuse me. I need to show you my beautiful slides. I was ready to get this done. So, this is the site plan and this is a landscape plan. This are -- these are the elevations that were submitted and this is an overview of the area. So, at this time staff will stand for any questions that you may have pertaining to this application.

Lorcher: Would the applicant like to come forward?

Chiles: Hi. My name is Kelli Chiles. Address is 1100 West Idaho Street, Suite 210, Boise, Idaho. 83702. I don't know if we have that PowerPoint getting pulled up. Perfect. Apologies. Just making sure we can see it good here. All righty. Good evening, Madam Chair and Commissioners. Tonight we are here talking about the Raising Cane's drive

through restaurant. We are requesting a conditional use permit for this project. So, the project team that we have for this project consists of Michael O'Reilly, who is the engineer for this project. Myself, who is helping out in a planning capacity. R.V. Vann, who is joined with us on the phone, who is a representative of Raising Cane's and Marissa Muja, who is the architect for the project also on the phone and should be available to answer any questions tonight. There we go. Are you changing it also?

Lorcher: It's a little sensitive.

Chiles: I see that. So, the timeline that we took to get to this hearing tonight first started with a pre-app meeting that was held in April of 2024. We, then, rolled into a neighborhood meeting to get community feedback in May. We submitted our applications in May and, then, we are having our Planning and Zoning Commission hearing tonight in September. So, the project is located closest to the cross streets of Ustick and Eagle Road. It is near Gateway Marketplace directly to the north of the site. The address is 2700 North Eagle Road. This is a more zoomed in picture of the area. It consists of 1.46 acres and is located within the Sessions Parkway Subdivision, which on the next slide I have an overall view of just to show what's going -- this property was recently subdivided, so the Raising Cane's restaurant will be in this Lot 1. These associated improvements in roads are currently under construction in the final plat for that will be recording soon. So, the future land use map for this site is designated as mixed-use regional, which is in compliance with the Comprehensive Plan as it calls for commercial land use to provide a mix of employment, retail, residential dwellings and public uses near -- near major arterial intersections. The site is zoned general retail and service commercial, in which a drive through restaurant is a permitted use. Like staff mentioned, a conditional use permit is required because the drive through will be located within 300 feet of another drive through and that drive through that qualifies us is located north of our site in one of those shopping centers. This is our proposed site plan. You can see on this site now -- on the screen now we are proposing a one story 2,862 square foot building. We will be providing two entrances into the site that travel both ways and those will be located off of the internal access road that's being built as a part of the subdivision. We will be providing two drive-through lanes, as well as a bypass lane for people to exit the drive through if they need to early for any reason at all. We are also providing a 35 foot landscape buffer along Eagle Road, as well as a ten foot landscape buffer to the north of the site adjacent to the internal access road. We are also providing 35 parking spaces and the required amount of parking spaces is seven. So, we are well exceeding those requirements. These are some of the conceptual elevations we are suggesting for this site. As you can see the exterior is a mixture of brick and wood veneer. So, we had a chance to review the staff report ahead of time and we are good with all the conditions as they were written in the staff report. The next step in our process is this certificate of zoning compliance. So, the staff will have another chance to provide us feedback and -- and take a look at all the specific items that we are proposing. We did mention already that ITD had a condition that we needed to work with them on the trip generation that this site will be generating and we will comply with all those conditions as well. So, lastly, Raising Cane's would just like to say that this is their first location in Idaho and they are very excited to be in this

market. So, they are excited and so we request approval of the conditional use permit. Thank you so much and I stand for any questions.

Lorcher: Thank you. Commissioners, do we have any questions for the applicant?

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Quick question for the applicant. That east-west sidewalk -- I'm assuming that's a sidewalk. What is the width? Is that a six foot? That goes straight through the center.

Chiles: This guy right here?

Sandoval: Yes.

Chiles: I'm assuming five foot, but I might have to double check that number.

Sandoval: Okay. And, then, does it connect to anything on the far east side?

Chiles: So, there will be a -- a crosswalk through that -- through the drive through that leads up to the -- the sidewalks kind of around the building and that was one of the conditions that was noted in the staff report that that crosswalk should have differing materials, so people going through the drive through can understand that that's a crosswalk a little bit clearer.

Sandoval: Okay. And last question. Is there going to be any kind of bike parking along that east side of the building or anywhere on the patio?

Chiles: Yeah. That -- that is actually another one of the conditions in the staff report that we plan to comply with.

Sandoval: Okay. Thank you.

Grace: Madam Chair?

Lorcher: Commissioner Grace.

Grace: Kelli, you said that there was a neighborhood -- you had your neighborhood meeting in May. Did you get any feedback from neighbors?

Chiles: I wasn't personally present, but based on the no's I'm -- nope.

Grace: I'm not completely an old -- an old curmudgeon, but 3:30 a.m. on Fridays and Saturdays, is that pretty -- is that your business model?

Chiles: So, that is Raising Cane's preferred hours of operations that they have seen in other markets. So, they would like to keep that amount of flexibility if this market does end up demanding that. They -- I think the intent there would be to back those hours off if the market doesn't actually work for that in this area.

Grace: I just -- I don't know of any other establishment or restaurant or anything that's -- that's around there on Eagle Road that's going to be open that late. Maybe there are, but I wonder if it's -- if it has a potential turn out as a place for people to gather that late and directly east of the site are those projected to be multi-family apartments?

Chiles: Yeah. So, what's existing -- so just east of the screen is a multi-family. This -- these three parcels that you see on the screen directly to the east of us is proposed to be a hotel.

Grace: Say that again.

Chiles: A hotel.

Grace: Directly in these lots --

Chiles: To the east. So, yeah, you see like Lots 3, 4 and 5. Those -- those are being combined to be one hotel.

Grace: Okay. All right. Thank you.

Lorcher: Madam Clerk, do we have anybody signed up for -- to testify?

Lomeli: Thank you, Madam Chair. We have Perry Coles.

Lorcher: Hi.

Coles: Good evening. Perry Coles. I represent East River Valley Street, LLC, and Copper Canary Fine Jewelry. We are adjacent to this project.

Lorcher: Can I have your address, please?

Coles: 2590 North Eagle Road.

Lorcher: Okay. Thank you.

Coles: You are welcome. I would like to be able to get on the screen if we can -- or, actually, it is on the screen. Thank you. Where we are located is -- you see Block 1, where -- where Raising Cane's is going in you have a vacant lot below it and, then, just on the other side of that road is where we are.

Lorcher: Okay.

Coles: We recently had our entrance closed on Eagle Road and our new entrance is now a right-turn lane going -- going around the north part of our building. Okay? And, then, it goes into our parking lot. If I can see -- see that again real quick.

Lorcher: We are going to --

Coles: I'm sorry. Oh. Okay. That's fine. Anyway, I will -- I will just go on real -- real quick. What we are concerned with is we are concerned about the amount of traffic. They are -- they are -- you are going to be turning right around their -- their development into that backage road. That backage road connects pretty much to our parking lot and I'm very familiar with Raising Cane's. I came from southern California. I had one in my neighborhood. They are very successful. They are very busy. You know, I think it's wonderful that they are a successful business, but they have people backed up in their drive throughs and onto the street and I -- they look to me where they have the feeling to me like a Chick-fil-A. So, they are a very busy business and I know this is the first time they are coming to Idaho. Most of the people I have talked to are not familiar with them. I'm very familiar, because I lived in a neighborhood for years. When they came in and I saw what happened. What I'm really worried about is I'm worried about the backage road and all the cars coming around and the fact is they are going to -- these cars are going to back up, maybe even up to Eagle Road and, then, once people get smart they are going to -- they are going to come on the other side of -- which -- which is the right turn lane around our building and they are going to come into that backage road the other way. That backage road is not -- is not wide enough. The roads leading into the right turn lanes are not wide enough for the amount of traffic that's going to go. It's not just their business, but right behind them as -- as the developer mentioned, is going to be a Wyndham hotel of over 120 or 30 units. So, that's all dumping on that same road and, then, you have a 330 unit apartment complex dumping on that road right behind the hotel spot and -- and, then, they have -- they have added a connection next to -- just to the south of the new apartments going in and there is another apartment complex right next to it and they have allowed access onto that same road, too. Okay. And, then, you have an empty lot yet, which still isn't developed. You have way too many commercial, you know, businesses and facilities going onto this area and I'm -- what I'm really worried about is I'm very worried about us -- we only have one way out now and that's right on to that -- those roads and so I'm worried about my employees, I'm worried about my customers and you are just going to be free fall and I'm worried about potential accidents, people getting hurt. There is just way too much going on in that particular area and the roads need to be widened. Something needs to happen. I'm not against the development by all means. I'm surrounded by empty lots and they are developing around me and I'm okay with that. It's just what is being proposed here is just, you know, it's just crazy what's going to happen there. There is just too -- there is too many people, too many cars and too much developing on a small -- a small backage road and the right turn lanes -- both right turn lanes aren't adequate either for that amount of traffic.

Lorcher: All right. Thank you very much.

Coles: Okay. Thank you.

Lorcher: Madam Clerk?

Lomeli: Madam Chair, Robert Vann raised his hand online if he would like to speak.

Lorcher: Mr. Vann, please, state your name and address for the record? I see your microphone has a line across it, so I don't think we can hear you. Well, I know we can't hear you.

Vann: Can you hear me now?

Lorcher: Yes.

Vann: Okay. I apologize for that. My name is Robert Vann. I go by R.V. and my address is 6800 Bishop Road, Plano, Texas. 75024. Madam Chair and Commission, I -- I appreciate you all's time and thank you very much for hearing our CUP tonight. I had raised my hand earlier when Kelli was speaking with regard to the hours of operation and I wanted to explain that a little bit. We asked for that and if -- obviously, if our business doesn't demand that time we won't stay open until 3:30 in the morning. If -- if the business shows it's 11:30, 12:00, 1:00 o'clock, yeah, we will -- we will close, because there is, obviously, no reason for us to stay open. But what we -- we -- we ask for that time, so that in the event -- you know, as opposed to asking for a -- let's just say midnight, but, then, we find out, you know, at midnight we still have a demand, we can't stay open past midnight. So, you know, we are not going to -- we are not going to -- we are not going to stay open. There won't be loud music playing and if it's not -- we don't -- we don't create an environment or a habitat for people just to come hang out just because we are open. If -- if we need to close we will close. So, I just wanted to make that clear. That's the reasoning for asking for those times. Those are our standard times. But, again, if there is no demand we will not -- we will not stay open. So, I hope that answers your question.

Lorcher: All right. Thank you very much. Madam Clerk?

Lomeli: Madam Chair, no one else has signed up.

Lorcher: Would the applicant -- oh, is there somebody in Chambers that would like to speak? Will you come up to the microphone. Please state your name and -- we are very formal here. So, please, state your name and address --

Hein: My name is Kristy Hein. I live at 3933 North Amberwood Avenue. Quick comment to add on to the gentleman that owns a jewelry store and with a map already up there I travel Eagle Road everyday home from work and I can tell you right now I think it's a very poor location choice for this restaurant. I am, too, from California, very familiar with this chain. Visited -- a big fan of it, so not anti the chain at all. Just think it's a very poor location and I -- I feel it's going to be a huge safety risk. Being a frequent traveler of this

road I can tell you right now according to the map when you see the jewelry store, which is on there and it's going to be adjacent to the proposed Raising Cane's, the gentleman does have really valid concerns because that portion of Eagle Road, as you are probably aware, it has the two lanes and it does have that third lane right there on the far right that does go out. It is a right turn only lane that a lot of people -- what they do is once they pass that East River Valley Road they rush through the signal light and they try to bypass the traffic, even though they know it's going out and, then, they try to cut into the traffic at the last minute. So, I would say if you are going to propose -- or if you are going to approve that location or consider it -- and, again, it's not going to be possible that it -- it wouldn't have to -- it -- it couldn't have access out to Eagle Road, because that would be foolish, because it would be a right turn only into a lane that's already going out. It's not a lane that anyone goes through. So, you already have a lane that already creates traffic hazards as it is. It forces you to turn right into the parking lot with Five Guys and Servpro. So, to me you are asking for additional accidents. You are asking for increased traffic. It's a -- to me it's -- it's a very dangerous location for this particular type of development. I think there is a more appropriate location for it. This is asking for a lot of trouble. It's going to create additional traffic on Records Avenue, which is already 25 mile per hour one lane each way. I -- I think it's going to cause a disaster and that's just my two cents on this. Thank you.

Lorcher: All right. Thank you very much. Anybody else in Chambers would like to testify? Please come up to the podium. Hi. Please state your name and address for the record.

Vrba: I'm Jeff Vrba. I live at 3005 North LeBlanc Way in Meridian, Idaho.

Lorcher: Thank you.

Vrba: Our house is just basically west of that item going through there. I do drive that road every day. I am all for Raising Cane's going in there. I know you guys probably don't hear that enough in there, but, yes, I agree there might be some traffic issues, but that -- we need to work with the Ada County Highway District to either block those lanes off or something else going in there. I prefer that going in there than the hotel that they were mentioning that's going in behind there with another 120 some cars that could be possibly going through that area on a daily basis. Raising Cane's I -- is -- once again it's limited. It's not going to be busy during major rush hours all the time. It's throughout the entire day, so the traffic's not going to be as bad as the next item we are going to be talking about, so I appreciate your time. Thank you, Madam Chair and Commissioners.

Lorcher: Thank you very much. Anybody else in Chambers have a comment? Please come up to the podium. Hi. State your name and address for the record, please.

Stern: Sure. Doug Stern. 2793 North Centrepont.

Lorcher: Okay.

Stern: I, too, am not here for this particular, but I will -- I'm here for the debacle that's coming after this. I worked for Jack-in-the-Box for 35 years before I moved here and opened up our business. Anybody who thinks that a restaurant open until 3:30 in the morning is not going to attract kids and be a hangout has not worked in the fast food industry. So, I mean we were open 24 hours when I worked for them and that's all that came in -- that finally ended, but the people who say nothing good happens after midnight -- I mean if my grandson thought I was saying anything negative about Raising Cane's he would never talk to me again, but -- and I'm all for it to be there, but I think you should think about the hours.

Lorcher: Thank you. Anybody else in Chambers would like to speak? Would the applicant like to come forward and address some of the concerns. Actually, comments I suppose. There were many. Hi. Please state your name and address for the record.

O'Reilly: Hello, Madam Chair and Commissioners. Michael O'Reilly with Kimley Horn. My address is 1100 West Idaho Street, Boise, Idaho. 83702.

Lorcher: Thank you.

O'Reilly: I just wanted to speak quickly to address some of the traffic concerns that were mentioned. So, a few items. There was a traffic study done with the Sessions Parkway Subdivision. An overall traffic study. And it did contemplate a restaurant with a drive through use and so that traffic study was done in coordination with ITD and the city and, you know, they had to install the improvements that were required for that. So, this use is very compatible with that traffic study, was already contemplated, which was one of the reasons why the new right turn lane went in just north of our site and so it's -- it's something that's been contemplated. Also we are right by Eagle Road, which is, you know, a main thoroughfare. It's where this use is intended to go, honestly. I mean it is a well-trafficked road. I drive it every day. I live right by it, but it's -- it's the kind of -- of area where this use is supposed to be, you know, and that's why it's zoned and -- and allowed; right? So, I just wanted to point that out. Also Raising Cane's tries to do a very good job with their reputation in the community. They try and come in and work well with everyone. If needed they employ off-duty officers for traffic control and just trying to -- to merge seamlessly there. So, I think Raising Cane's wants to see this operate well as -- as much as the rest of us; right? They plan on doing more stores in Idaho and don't want this to be a -- a -- a traffic debacle. So, just want to address some of those concerns. And, then, also point out that our operating hours don't start until 9:30 in the morning, which is after the peak hour. So, in one way it's not really affecting one of the most travel times a day and so just want to point those items out and see if you guys had any other questions.

Lorcher: All right. Thank you very much.

Grace: Madam Chair, can I ask a question?

Lorcher: Yes.

Grace: Michael, the comments about Raising Cane's being a busy restaurant to the point that it -- it could look -- you know, it could have lots of backed up traffic in the drive through and look like some other places I have seen. In your experience with your other locations is that accurate?

O'Reilly: It's certainly a busy restaurant. I mean it's a successful restaurant. I think you have heard that a lot of people are excited about it, including myself. But I think with this site layout there is a lot of queuing allowed. We have the double lanes and the emergency escape lane, as well as on-site queuing. So, we don't anticipate stacking out into the shared drive, much less out toward Eagle.

Grace: And -- and maybe this is what you are getting at, but do you take measures to manage that traffic, like some restaurants have people -- employees walking out and doing things. Do you take --

O'Reilly: Right. Yeah. During high use hours they will have the employees with the tablets walking, moving traffic along very quickly and efficiently. You know, multiple lanes open to do that to speed up the ordering. As I stated before, if needed they do employ, like I said, off-duty officers who are used for traffic control, although we don't anticipate that with this location. But, yes, they do try and move everyone through efficiently and keep things from being clogged.

Grace: Okay. Thank you.

Lorcher: Have you had a conversation with the jewelry store next door to be able to address some of his concerns?

O'Reilly: Unfortunately we haven't. We did have the neighborhood meeting and there was no attendees, so we -- we weren't able to address it at that point, nor when we got the staff report was there any comments in there that we saw, at least at the time when we received it. Honestly, those concerns seem to be a little bit more of a -- a global concern, you know, with -- with all of the -- with the development as a whole and not necessarily a one parcel. You know, ITD closing that access is consistent with their goal to reduce access points onto a major street like Eagle, which in the end is better for -- for collisions, because you have fewer accesses, but it does put -- put more traffic onto the accesses you have. That's not really a Cane's decision or something we are involved with.

Lorcher: Okay. Commissioners, do you have any other questions for the applicant? All right. Thank you very much.

O'Reilly: Thank you.

Lorcher: Can I get a motion to close the public hearing?

Smith: So moved.

Grace: Second.

Lorcher: It's been moved and seconded to close the public hearing for Raising Cane's. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Starman: Madam Chair, I wonder if I could take just a moment. I think this might be helpful for the Commission and perhaps for our audiences as well, the members of the public, but I just want to take a moment to kind of frame the issues before the Commission. So, this is one of those projects -- number one, you are the decision making body tonight, so you will make the decision as to whether to grant this CUP and under what conditions, but it's also one of these projects that was -- has a lot of entitlements in place already. So, it has a development agreement that allows certain things to happen on this site. It has zoning in place that allows certain things to happen on this site and so it has a plat that contemplates uses of this nature. So, this property is well into the entitlement process. It's before you tonight because it -- this particular applicant is looking for a drive through that's within 300 feet of another drive through, therefore, our code says we need to go through a CUP process. By this point to make sure we understood the context that this -- this site has been heavily entitled up to this point in time. To some of the concerns you heard tonight, however, I would say that's exactly what a CUP is for. If you have -- you know, if you foresee potential problems or issues or constraints with the site, that's your prerogative as Commissioners is to place conditions on this permit that says to make the site work well, you know, the site layout or other conditions, that you may want to place to make sure it functions correctly, that's all within your purview, but I primarily want to make the point that this site is largely entitled today for uses just like this. The conditional use permit process is really to put some -- some side boards on that to make sure it functions well and you can make some tweaks to site designs and things of that nature, but it's not really a question of whether, you know, the use of this nature goes in there or not, it's what conditions would be placed around it to make sure it works well.

Lorcher: Thank you for the clarification. Where did we leave off? Oh, we are talking about it. Commissioners, do we have any comments about Raising Cane's?

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Is it too late to ask staff a question? I know I should have done that a little earlier. May I?

Lorcher: Go ahead.

Sandoval: Two questions. One is the other drive through directly north or is it a different one south of the proposed project?

Ritter: Can you see my cursor?

Sandoval: Yes.

Ritter: There is a Firehouse Sub right here.

Sandoval: Okay. Thank you. Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: So, from what I see there is a pretty good divide there and that would be the only reason that we would be doing this CUP was that 300 feet. That's my understanding at least. I do disagree a little bit with Commissioner Grace as far as the hours and that is solely because I travel all the time and I wake up at 3:00 a.m. every morning and I'm the only thing that's awake. So, as far as hours I'm much more flexible to market conditions, especially when there is going to be a hotel directly abutting it or adjacent to it. I think that's a pretty smart use, especially if you are traveling from out of town and the only thing that's open is a gas station. You are probably going hungry that night, as I have many times. So, overall, I -- I think we should approve it and I don't think we really need to place any conditions on it. I'm open to hearing what the other Commissioners have to say about it though.

Lorcher: Thank you.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Thank you. I -- I -- I agree pretty -- one to one with Commissioner Sandoval's thoughts around the time -- timing especially. I think, you know, as someone who is also a bit more of a night owl in -- in daily life, sometimes you are trying -- you realize that 11:59 p.m. that you haven't eaten that day or you haven't eaten, you know, since breakfast or something like that and it's nice for there to be some options and I think there is -- given the time that a lot of other things close, I think it's -- it's -- it's -- there is a potential, especially here a hotel and on -- on a major street, I think there is value to kind of being willing to -- to kind of see how -- the results of this. I think Raising Cane's -- I can -- I can confirm. I'm also someone who is originally from southern California, but I can confirm what the applicant said of Raising Cane's properties have always been well maintained, the ones that I have seen and I -- I haven't seen any of the kind of deterioration or -- or lack of care that -- that might invite some more, you know, gathering or -- or -- or some -- some seedy behavior or things like that and so I think if there is -- if there is an applicant to kind of test the waters on this, the -- the type of applicant like Raising Cane's is -- I think is -- is more in line with what I would expect to be able to responsibly fit those -- those -- those needs from what I have seen in my -- my personal experience. So, it's not the end of the world if we want to set some restrictions if that's where the majority lies, but I would be fine without those restrictions on that.

Lorcher: I guess my only comments are -- this is a flagship store for this chain and so if it goes poorly, then, that limits their marketability for the rest of the state. So, I have a feeling that everything is going to be done very well and I'm sure you are going to be a good neighbor and move things along. Eagle Road is a thoroughfare and it's designed for businesses. ITD is asking you to do some mitigations, so as they connect with you I'm sure you will be compatible to that. So, I'm in favor of it well. Do you have any comments, Commissioner Grace?

Grace: Madam Chair, just that I don't know if it's -- I just -- what I don't want to see is what I see in other places right around Eagle Road, maybe a little bit further south, with cars backing up forever. I -- I do -- I can empathize with the folks that are going to be living and working in those streets -- not Eagle Road necessarily, but those streets that are right around there, because if it's as busy as what I'm hearing, you got to find a place to put those vehicles and -- but I also would say if you -- if -- if you -- if Eagle Road is not the right place for this I don't know what is. This -- there is probably no other better great place for this kind of activity. The hours I think will probably adjust themselves. I'm not as concerned. But, you know, Doug's comments are well -- are well taken about what goes on after midnight. But we are -- we got to grow up and we got to -- you know, if -- if things need to be -- you know, as a city and as a community and if things need to be open later that's fine. I do -- I am concerned about the -- the traffic. I just don't know what you do to address it, other than telling people they just can't wait in line, which I'm not prepared to do, so I -- overall I probably would not be voting against this.

Lorcher: Okay. Well, I confirmed with our city attorney that I am allowed to give a motion. So, after considering all staff, applicant and public testimony, I move to approve File No. H-2024-0021 as presented in the staff report -- no, that's not right. File No. H-2024-0006 as presented the staff report with no modifications.

Grace: Second.

Lorcher: It's been moved and seconded to approve Raising Cane's File 2024-0006 with no modifications. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Everybody who is in the Chambers I know that you have been waiting very patiently and we appreciate that, but can we have a five minute break just to gather ourselves for a moment and we will take the last application. Okay? Thanks.

(Recess: 8:25 p.m. to 8:31 p.m.)