

EXHIBIT A



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

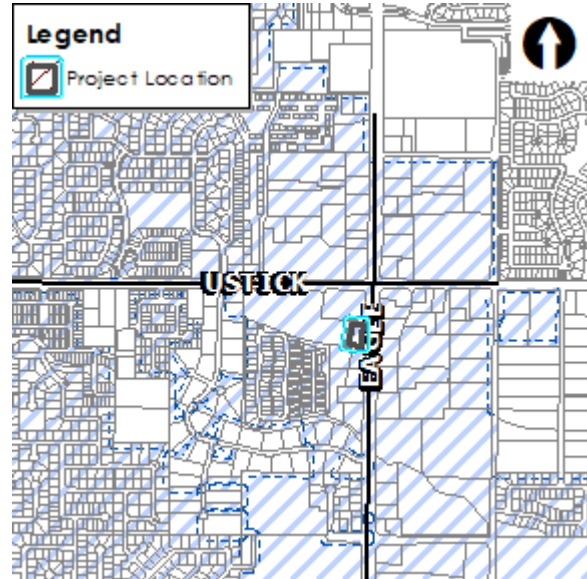
HEARING DATE: 3/18/2021

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0006
Sadie Creek Drive-Through – CUP

LOCATION: South of E. Ustick Rd. on the west side of N. Eagle Rd., in the NE ¼ of Section 5, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Conditional use permit for a drive-through establishment within 300-feet of another drive-through establishment on 1.18-acres of land in the C-G zoning district.

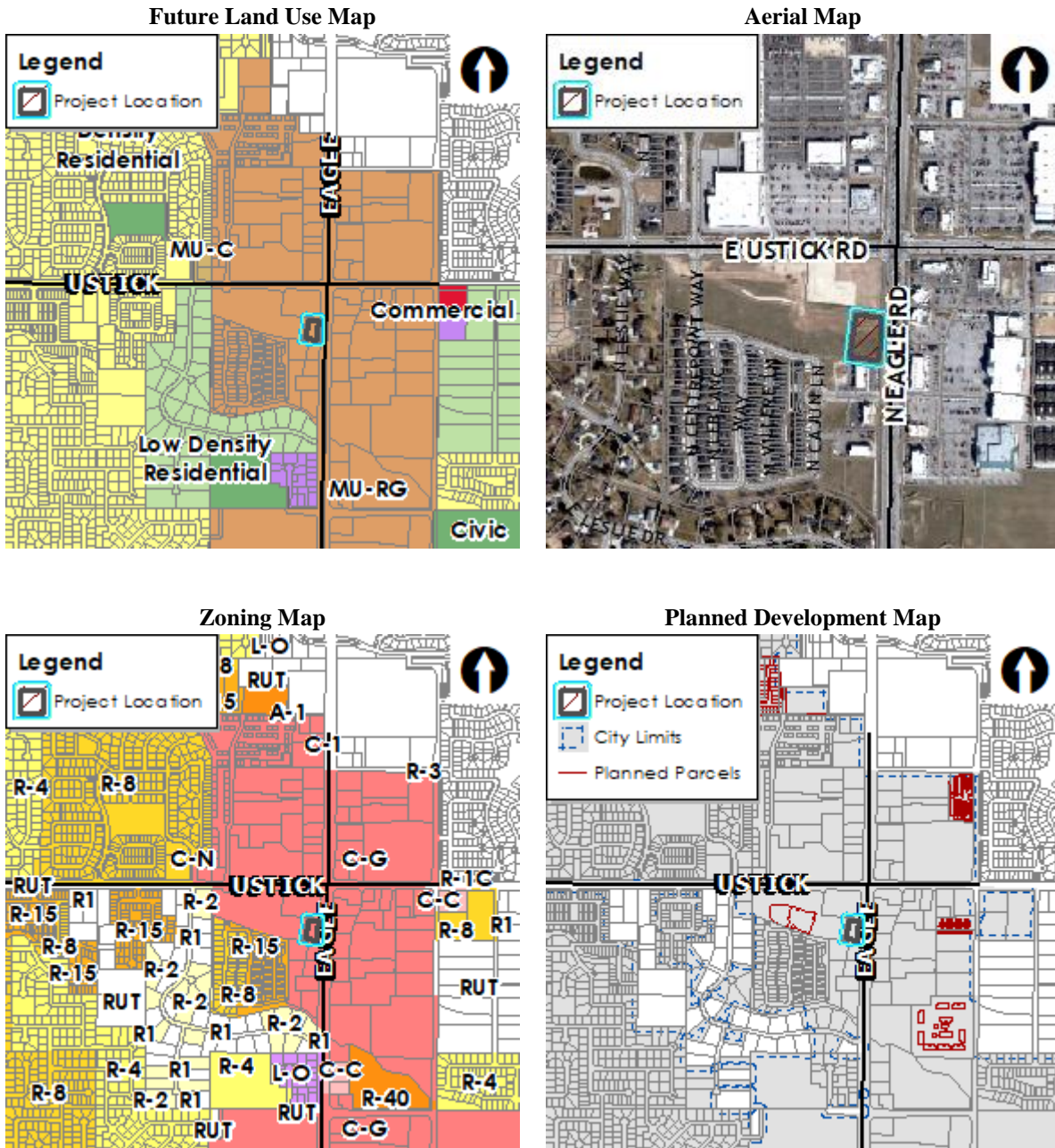
II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.18-acres	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Restaurant (coffee shop) with a drive-through in a multi-tenant building	
Current Zoning	General Retail and Service Commercial District (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	1/11/21; 3 attendees other than the Applicant	
History (previous approvals)	A-2018-0361 (ROS #11747, Parcel F); AZ-05-052 (DA #108008770, Sadie Creek Commons); H-2018-0121 (Villasport MDA, Inst. #2019-060877 – excludes property from previous DA)	

EXHIBIT A

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Tamara Thompson, The Land Group, Inc. – 462 E. Shore Drive, Ste. 100, Eagle, ID 83616

B. Owner:

Sam Ryan, Sadie Creek Commons, LLC – 10789 W. Twain Ave., Ste. 200, Las Vegas, NV 89135

EXHIBIT A

C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	2/26/2021
Radius notification mailed to properties within 300 feet	2/23/2021
Site Posting Date	3/4/2021
Next Door posting	2/25/2021

V. STAFF ANALYSIS

The proposed drive-through is for a 2,250 square foot coffee shop (classified as a restaurant) within 300-feet of another drive-through establishment, which requires Conditional Use Permit approval (CUP) per UDC Table 11-2B-2. The other drive-through establishment (Jimmy John's) that constitutes the CUP requirement is located directly to the south of this site.

Specific Use Standards: The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. A site plan is required to be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum, the plan is required to demonstrate compliance with the following standards: *Staff's analysis is in italics.*

1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons;

At over 400' from the drive-through window to the nearest drive-aisle that provides access to the parking area, the stacking lane should have sufficient capacity to serve the use without obstructing driveways and drive aisles by patrons. The stacking lane will hold approximately 21 vehicles.

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 designed employee parking.

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

3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

The stacking lane is not located within 10' of any residential district or residence.

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

The stacking lane exceeds 100' in length and an escape lane is proposed.

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

The drive-through is visible from N. Eagle Rd./SH-55, a public street along the east boundary of

EXHIBIT A

the site, for surveillance purposes.

Based on the above analysis, Staff deems the proposed drive-through in compliance with the specific use standards as required.

The proposed restaurant is subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area. Upon any change of use for an existing building or tenant space, a detailed parking plan is required to be submitted that identifies the available parking for the overall site that complies with UDC standards.

Access: Access is provided to this site from the west via N. Cajun Ln. and E. Picard Ln., both private streets, across the Villasport property to the west and via E. Ustick Rd., an arterial street, from the north. **A cross-access/ingress-egress easement is needed across the adjacent properties to the west and north (Parcels #S1105110111 and S1105110030) for access to this site. A copy of the recorded easements should be submitted with the Certificate of Zoning Compliance application for this project. Both access driveways should be constructed with development of this site along with all of the frontage improvements along E. Ustick Rd. and N. Eagle Rd./SH-55 in accord with the Development Agreement. All off-site driveways and site improvements should be depicted on the plans.**

Parking: A minimum of one (1) parking space is required to be provided for every 250 square feet of gross floor area for restaurant uses; a minimum of one (1) parking space is required for every 500 square feet of gross floor area for other non-residential commercial uses in the multi-tenant building. The restaurant space is proposed to consist of 2,250 square feet while the remainder of the multi-tenant building is proposed to consist of 5,304 square feet. Based on the requirement, a minimum of nine (9) spaces are required for the restaurant (i.e. coffee shop) and 10 spaces are required for the remainder of the multi-tenant building. A total of 32 spaces are proposed in *excess* of UDC standards on the west and south sides of the building. **To ensure adequate parking is provided in the event other tenant spaces are occupied by restaurants, Staff recommends a condition of approval requiring parking to comply with the more restrictive standards for restaurants listed in UDC 11-4-3-49.**

A minimum 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 minimum of one (1) bicycle space is required to be provided; two (2) spaces are proposed in *excess* of UDC standards.

Pedestrian Walkways: A 10-foot wide multi-use pathway with a public use easement and pedestrian lighting is required within the street buffer along S. Eagle Rd./SH-55 in accord with the standards listed in UDC [11-3H-4C](#). This pathway is required to be constructed with the first phase of development per the Development Agreement, which will be this phase unless the Villasport property to the west develops first.

A pedestrian walkway is depicted on the site plan from the perimeter sidewalk along N. Eagle Rd. to the main building entrance as required by UDC 11-3A-19B.4a. **Where pedestrian walkways cross vehicular driving surfaces, the walkways are required to be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4. The site plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard.**

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C. Landscaping is depicted on the landscape plan in Section VII.B in planter islands within the parking area as required. **A minimum 5-foot wide perimeter landscape buffer is required to be provided adjacent to parking, loading or other paved vehicular use areas as set**

EXHIBIT A

forth in UDC 11-3B-8C.1; landscaping should be provided adjacent to the drive-through lane along the north boundary of the site in accord with this requirement. The easement for the relocated Milk Lateral should be depicted on the plan to ensure no trees are placed within the easement.

The landscape plan depicts the pathway and improvements east of the pathway along N. Eagle Rd./SH-55 as “not a part” to be constructed with the Villasport project. The Development Agreement requires all of the frontage improvements (i.e. street buffers, sidewalks, pedestrian lighting, etc.) on this site and the Villasport site to the west along N. Eagle Rd./SH-55 and E. Ustick Rd. to be installed with the first phase of development. **It was anticipated that Villasport would be the first phase of development; however, if this project ends up being the first phase, it’s responsible for these improvements, including those off-site – the plans should be revised to include these improvements.**

Because the drive-through lane and back of the building (with mechanical equipment) will be highly visible from N. Eagle Rd./SH-55, Staff recommends additional landscaping (i.e. coniferous trees/bushes) is provided within the street buffer to screen this area and these functions while preserving a clear view of the drive-thru window for surveillance purposes.

Landscaping is required along each side of pathways per the standards listed in UDC [11-3B-12C](#); landscaping shall be provided adjacent to the multi-use pathway within the street buffer along N. Eagle Rd./SH-55 in accord with these standards.

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

Building Elevations: Conceptual building elevations were submitted as shown in Section VII.C that incorporate a mix of materials consisting of PAC clad formed metal wall panels in slate gray with metal flashing and trim in light gray, a mix of white and onyx colored brick and with a glass store-front and a flat roof. **These elevations are *not* approved; final design shall be consistent with the design standards listed in the [Architectural Standards Manual](#).**

The trash enclosure should be constructed with similar materials and colors to match the building.

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 VII, UDC standards and design 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.

B. The Meridian Planning & Zoning Commission heard this item on March 18, 2021. At the public hearing, the Commission moved to approve the subject CUP request.

1. Summary of the Commission public hearing:

- a. In favor: Tamara Thompson, The Land Group
- b. In opposition: None
- c. Commenting: None

EXHIBIT A

- d. Written testimony: Tamara Thompson, The Land Group
- 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. Concern that this could be a user that generates a huge amount of traffic – the Applicant has assured Staff that it's not.
- 4. Commission change(s) to Staff recommendation:
 - a. None

EXHIBIT A

VII. EXHIBITS

A. Proposed Site Plan (dated: 1/27/2021)

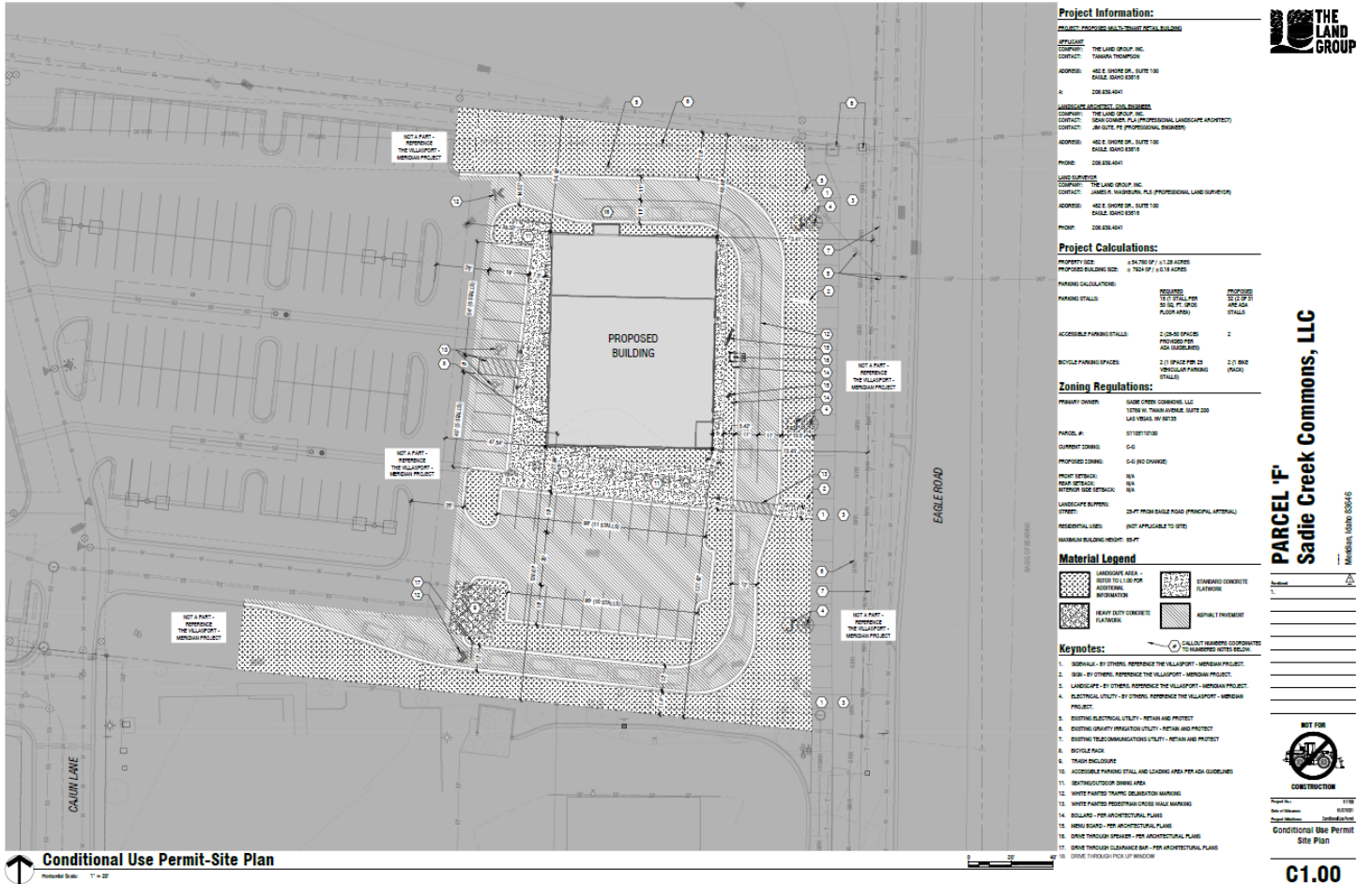


EXHIBIT A

C. Conceptual Building Elevations & Perspectives (dated: 1/19/21 & 2/11/21) & Floor Plan (dated: 1/19/21) **NOT APPROVED**

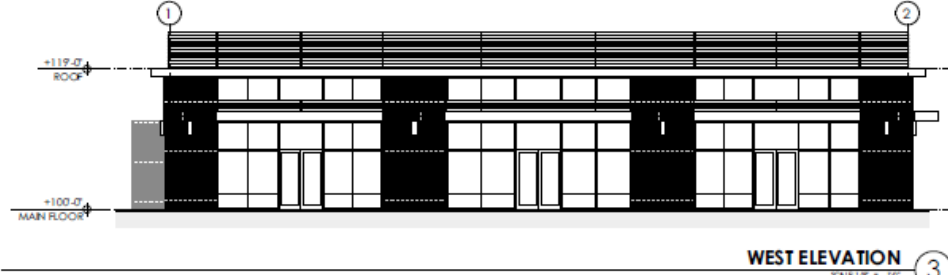
KEYED/REFERENCE NOTES:
 1. SEE _____ FOR _____ NOTES



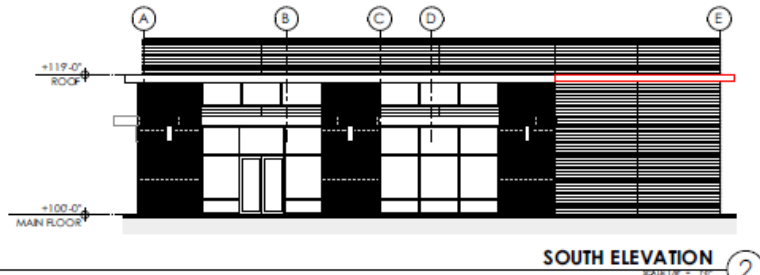
DOCUMENTS PHASE
 Print Date: January 19, 2021

ELEVATION GENERAL NOTES

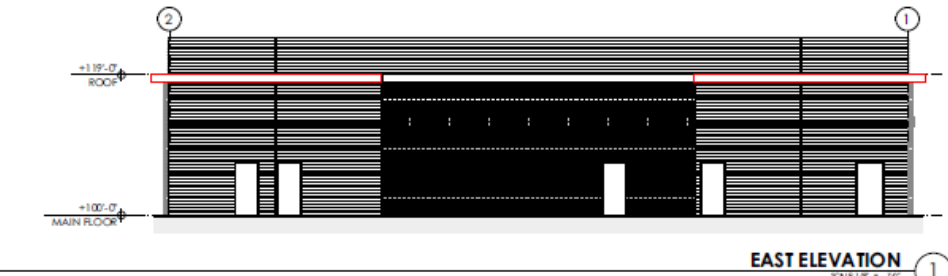
- A. REFER TO FLOOR PLAN FOR EXTERIOR HOLLOW METAL AND ALUMINUM FINISHES.
- B. REFER TO FINISH SCHEDULE FOR ADDITIONAL SURFACE CALLOUTS, MATERIAL CALLOUTS, MATERIAL TRANSITIONS AND DETAILS.
- C. REFER TO MECHANICAL DRAWINGS FOR RADIANT LOCATIONS AND OTHER MECHANICAL WORK AT 94 NETWORK RISE LEVEL.
- D. REFER TO ARCHITECT AND LANDSCAPE ARCHITECT FOR FINISH (E.G.C.) MATERIALS, WINDOW DETAILS, DRINKING FOUNTAIN LOCATIONS, SIGNAGE AND OTHERS IN AND AROUND WORK.



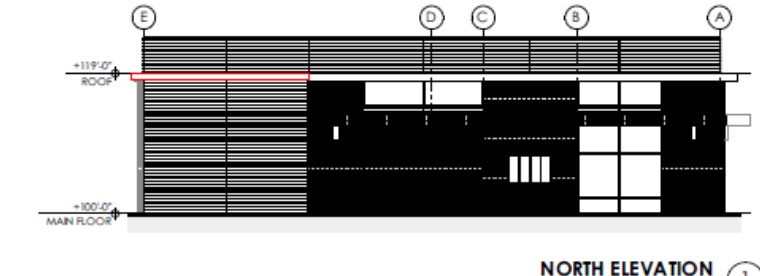
WEST ELEVATION
 SCALE: 1/8" = 1'-0" ③



SOUTH ELEVATION
 SCALE: 1/8" = 1'-0" ②



EAST ELEVATION
 SCALE: 1/8" = 1'-0" ①



NORTH ELEVATION
 SCALE: 1/8" = 1'-0" ①

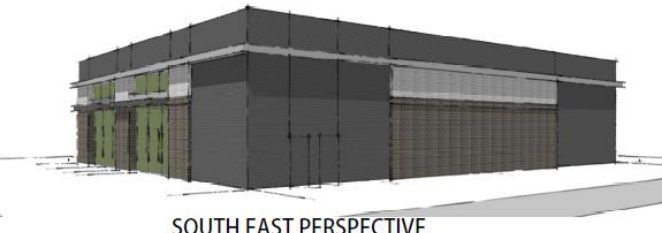
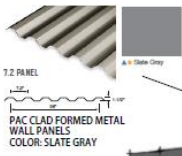


SADDIE CREEK COMMONS LLC
 PARCEL 7 NORTH EAGLE ROAD, MERIDIAN, IDAHO 83446
MULTI-TENANT RETAIL BUILDING

Issue Date:	Drawn By:	Issue Date:	Drawn By:
Check By:	Check By:	Check By:	Check By:
Project No.:	Project No.:	Project No.:	Project No.:
Page of No.:	#Pn	Page of No.:	#Pn

BUILDING ELEVATIONS
A3.11

EXHIBIT A



DESIGN PLANNING & SUSTAINABILITY
SJU>ARCH.
ARCHITECTURE | INTERIOR | ACQUISITION, INC.
400 S. 15TH ST. BOZEMAN, MONTANA 59717-2004 406.553.1979

PROJECT: STAMP AREA REMOVE BRICK FROM WINDOW INTERFACES

DOCUMENTS PHASE
Print Date: February 13, 2021

SADIE CREEK COMMONS LLC
3030 NORTH CALVIN ROAD, MERIDIAN, IDAHO 83646
MULTI-TENANT RETAIL BUILDING

Issue Date	Issue Date
Drawn By	Checked By

Project No: #Pln



PERSPECTIVES
A3.12

EXHIBIT A

KEYED/REFERENCE NOTES:

1. SEE ARCHITECTURAL NOTES



DOCUMENTS PHASE
Print Date: January 19, 2021

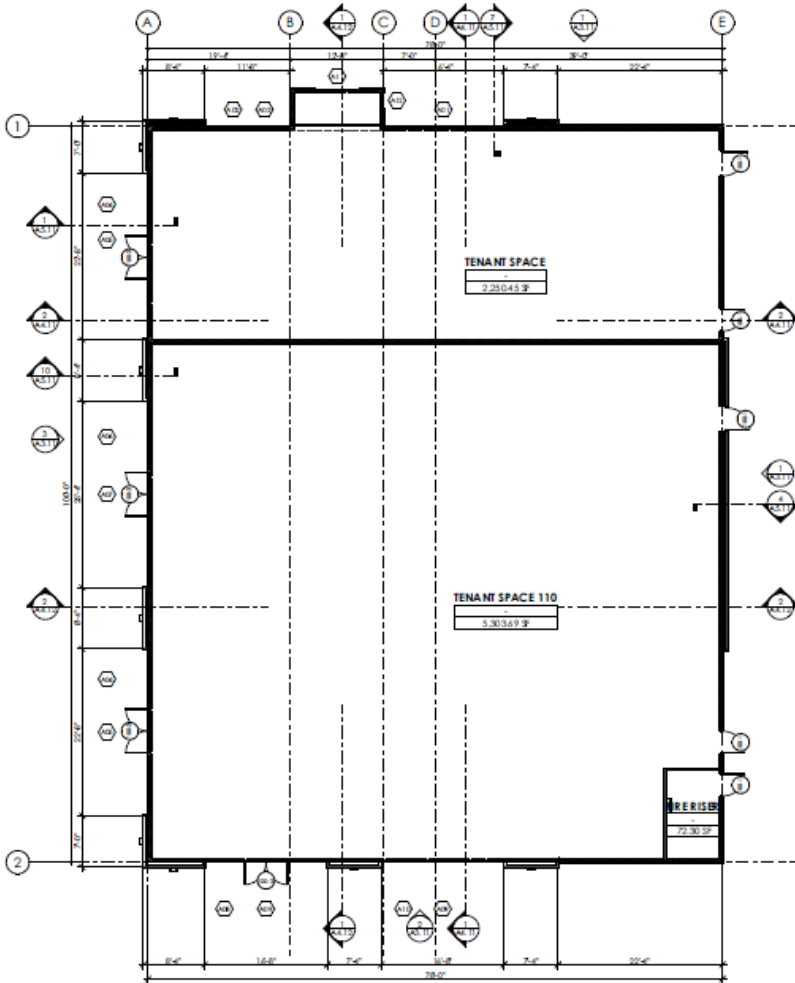
FLOOR PLAN GENERAL NOTES

- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO FINISH CENTER FOR OPEN WALLS AND TO THE FACE OF PARTITION WALLS.
- UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO THE FACE OF PARTITION MASONRY FOR CHAMFERED WALLS.
- FOR FLOOR FINISH, REFER TO THE ARCHITECTURAL SCHEDULES, SHEET A-101 AND FLOOR FINISH PLAN, SHEET A-111.
- UNLESS NOTED OTHERWISE, ALL CORNER WALLS AND 90 DEGREE PARTITION WALLS SHALL HAVE A 4" STICK-OUT RETURN AT ALL DOOR AND WINDOW JAMS.
- FOR SLOPE OF FLOOR FINISH, SEE FACE SCHEDULE REFER TO THE INDICATED DIVISION 10 SECTION 01100 VENEER, CEILING FINISH, LINING AND TRIM SECTION 05100 PARTITIONS AND RELATED ITEMS ON THE WORK DRAWINGS.
- IF A WINDOW OR DOOR FRAME IS TO BE RELOCATED FOR DOOR SWING LOCATION.
- FINISHES SHALL CONFORM TO THE SPECIFICATIONS AND 2015 BUILDING ACCEPTANCE PRACTICES.
- FINISHES SHALL BE FOR INTERIOR USE ONLY, UNLESS NOTED OTHERWISE, AND SHALL BE CONSTRUCTION REQUIREMENTS.
- SEE ARCHITECTURAL PARTIAL FLOOR PLAN FOR ADDITIONAL WALL TYPES.
- FOR GLAZING REFER TO WINDOW SCHEDULES, SECTION 05100 WITH 30 SPECIFICATIONS DIVISION 10 SECTION 01100 VENEER, CEILING FINISH, LINING AND TRIM.
- FOR NEW WALL CONSTRUCTION, REFER TO THE CONSTRUCTION MANUAL, DIVISION 05.11.01.1.
- ALL NEW FLOORING SHALL BE WITH FINISHES & SUB-FLOORING COMPLETED PRIOR TO ANY MECHANICAL INSTALLATION, DIVISION 05 WITH DIVISION 05 OF THE SPECIFICATIONS.

FLOOR PLAN LEGEND

- WALL TYPE: REFER TO SHEET A-101
- TRAIL AND SIGN ACCESS: REFER TO SHEET A-101
- DOORS: REFER TO SHEET A-101
- REPARTITION: REFER TO DOOR AND WINDOW PARTITIONING SHEETS A-101 & A-111
- WALL TYPE: REFER TO SHEET A-101
- F.O.S. FINISH OF SLAB
- TRAIL / SIGN FACE BOARD - LINING / SIGN BOARD - LINING: REFER TO SECTION 05.11.01.1
- DIMENSION TO FACE OF STUD
- DIMENSION TO GARDEN
- REFER TO ARCHITECTURAL NOTES SHEET A-11 THROUGH A-13

SADDIE CREEK COMMONS LLC
PARCEL 17 NORTH EAGLE ROAD, MERIDIAN, IDAHO 83446
MULTI-TENANT RETAIL BUILDING



GROUND FLOOR PLAN

SCALE: 1/8" = 1'-0"



Issue Date:	Issue By:	Issue Date:	Issue By:
Checked By:	Checked By:	Checked By:	Checked By:
Page of No.:	# of Plots:	Page of No.:	# of Plots:

FLOOR PLAN

A2.11

EXHIBIT A

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the terms of the existing Development Agreement (Inst. #[2019-060877](#), Villasport MDA H-2018-0121) and the conditions contained herein.
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. The stacking lane, menu and speaker location(s), and window location shall be depicted in accord with UDC [11-4-3-11B](#).
 - b. Where pedestrian walkways cross vehicular driving surfaces, the walkways shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#).
 - c. All mechanical equipment on the back of the building and outdoor service and equipment areas 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](#).
 - d. Include additional landscaping (i.e. coniferous trees/bushes) within the street buffer along N. Eagle Rd./SH-55 to screen the back side of the building and mechanical equipment while preserving a clear view of the drive-thru window for surveillance purposes.
 - e. Depict off-site improvements required by the Development Agreement, including a 35-foot wide street buffer along N. Eagle Rd./SH-55, an entryway corridor, and a 25-foot wide street buffer is required along E. Ustick Rd., landscaped per the standards listed in UDC [11-3B-7C](#) per UDC Table 11-2B-3. A 10-foot wide multi-use pathway is required within a public use easement and pedestrian lighting and landscaping is required to be provided within the street buffer along N. Eagle Rd./SH-55 in accordance with the standards listed in UDC [11-3H-4C.3](#) and [11-3B-12C](#).
 - f. A minimum 5-foot wide perimeter landscape buffer is required to be provided adjacent to parking, loading or other paved vehicular use areas as set forth in UDC 11-3B-8C.1; landscaping shall be provided adjacent to the drive-through lane along the north boundary of the site in accord with this requirement.
 - g. Graphically depict the easement for the Milk Lateral along the north and east boundaries of the site; no trees should be placed within the easement.
 - h. Depict both access driveways to this site via E. Ustick Rd. and E. Picard Ln./N. Cajun Ln.
3. Direct access via N. Eagle Rd./SH-55 is prohibited.
4. A recorded cross-access/ingress-egress easement shall be obtained across the adjacent properties to the west and north (Parcel #S1105110111 and #S1105110030) for access to this site; a copy of the easements shall be submitted to the Planning Division with the Certificate of Zoning Compliance application.
5. The driveway accesses from the north via E. Ustick Rd. and from the west via E. Picard Ln./N. Cajun Ln. shall be constructed with development of this site or with the development of the Villasport site to the west, whichever occurs first.
6. All of the frontage improvements (i.e. street buffers, sidewalks, pedestrian lighting, etc.) on

EXHIBIT A

- this site along E. Ustick Rd. and N. Eagle Rd./SH-55 shall be installed with the first phase of development as set forth in the Development Agreement (Villasport – Inst. #2019-060877). *If the Villasport site to the west develops prior to this site, these improvements will be required with that development.*
7. Compliance with the standards listed in UDC 11-4-3-11 – Drive-Through Establishment is required.
 8. Compliance with the standards listed in UDC 11-4-3-49 – Restaurant is required.
 9. Parking for the overall site shall be provided in accord with the standards listed in UDC 11-4-3-49 for restaurants.
 10. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC 11-3A-19 and the design standards listed in the Architectural Standards Manual.
 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. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=222991&dbid=0&repo=MeridianCity>

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

Staff Report:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=223257&dbid=0&repo=MeridianCity>

TIS:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=222928&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=223265&dbid=0&repo=MeridianCity>

IX. 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.

EXHIBIT A

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

The Commission finds the proposed restaurant (coffee shop) 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.

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.