

Meeting of the Meridian Planning and Zoning Commission of June 6, 2024, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Maria Lorcher, Commissioner Patrick Grace, Commissioner Jared Smith, Commissioner Brian Garrett and Commissioner Matthew Sandoval.

Members Absent: Commissioner Enrique Rivera.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons, Stacy Hersh and Linda Ritter.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/>	Brian Garrett	<input checked="" type="checkbox"/>	Maria Lorcher
<input checked="" type="checkbox"/>	Matthew Sandoval	<input checked="" type="checkbox"/>	Patrick Grace
<input type="checkbox"/>	Enrique Rivera	<input checked="" type="checkbox"/>	Jared Smith
<input checked="" type="checkbox"/>	Andrew Seal - Chairman		

Seal: At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the City Attorney and Clerk's Offices, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public -- excuse me. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take any questions until the public testimony portion. If you have a process question during the meeting please e-mail cityclerk@meridiacity.org and they will reply as quickly as possible. We will begin with roll call. Madam Clerk. I do have a question. We have registered Commissioner Grace as here with a thumbs up, but we can't hear his audio, so how do you think we should proceed with that?

Starman: Mr. Chairman, that's a bit unusual. I guess I will defer somewhat to Commissioner Grace. I think we -- if he wishes to participate and, obviously, we are not going to be able to hear him, but if he can hear -- maybe Commissioner Grace, if you can indicate you can hear the discussion right now with a thumbs up. If you wish to continue to participate and you can vote that way we can take that as an acknowledgement of yes or a no vote. But, obviously, we won't have the benefit of your comments or deliberation and we won't have the benefit of -- you will not have the benefit of asking questions of the applicant. So, I will defer to you. We do have a quorum without your attendance. So, if you would prefer to excuse yourself that would be okay. If you want to press on that would be okay as well, but with those limitations.

Grace: I will keep trying.

Smith: Mr. Chair, I --

Seal: Go right ahead.

Smith: -- just -- it does -- Zoom is registering him as like picking up audio, so I just want to make sure if there is something on our end that people who are calling in would be able to testify as well. I want to make sure it's not some issue between Zoom and other participants.

Seal: That's a good point.

Grace: I will keep trying to see if you can hear me.

Starman: If you check in -- that's a great suggestion. So, as we are checking on that I just want to indicate for the record that Commissioner Grace indicated that he does intend to continue to participate. So, we will -- he will continue to participate and we will work on the audio problem.

Lomeli: Commissioner Grace, can you say something to see if we can hear you now?

Grace: Can you hear me?

Lomeli: We can. Thank you.

ADOPTION OF AGENDA

Seal: Perfect. Excellent suggestion, Commissioner Smith. All right. So, the first item on the agenda is the adoption of the agenda. The application for the Gateway at 10 Mile, which is File No. H-2024-0010, will be opened for the sole purpose of continuing to a regular scheduled meeting. So, if there is anybody here to testify on that application tonight we will not be taking any public testimony this evening. Can I get a motion to adopt the agenda as amended?

Lorcher: So moved.

Seal: Do I have a second?

Smith: Second.

Seal: It's been moved and seconded to adopt the agenda as amended. All in favor please say aye. Opposed nay? All right. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of May 16, 2024 Meeting of the Planning and Zoning Commission Meeting

Seal: Next item on the agenda is the Consent Agenda and we have one item on the Consent Agenda, which is to approve the minute -- minutes of the May 16th, 2024, meeting of Planning and Zoning Commission. Can I get a motion to accept the Consent Agenda as presented?

Smith: So moved.

Sandoval: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor, please, say aye. Opposed nay? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Seal: I will briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The Clerk will call the names individually of those who have signed up in advance to testify. We will need you to have -- we will need to have you state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and you will be able to run the presentation with the assistance from the clerk if needed. If we have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed in in advance have spoken we will invite any others who may wish to testify. When you are finished if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom, no longer have the ability to speak and please remember we generally do not call people back up. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions or recommendations to City Council as needed.

ACTION ITEMS

2. Public Hearing for Two Mustard Seeds Women's Resale Shop (H-2024-0009) by Arlene Hardy, Expansion International, located at 817 N. Meridian Rd.

- A. Request: Rezone of 0.63 acres of land from the R-8 zoning district to the O-T zoning district for the purpose of converting the existing home into a women's resale retail store.

Seal: So, at this time I would like to open the public hearing for Item No. H-2024-0009 for Two Mustard Seeds Women's Resale Shop. We will begin with the staff report.

Ritter: Good evening -- good evening, Commissioners. I'm Linda Ritter, associate planner, and tonight we are here for -- the applicant is requesting a rezone of 0.63 acres of land located at 817 North Meridian Road from R-8 to Old Town Zoning District for the purpose of converting the existing home into a women's resale retail store. The proposed 2,463 square foot retail store will be located in the downtown area within the Meridian Urban Renewal District. The home was built in 1902 and is slated for further improvements to meet city code requirements and enhance the customer experience. The remodel will include a handicapped bathroom, access -- and ramp for store access, as well as new flooring, paint, landscape and other minor interior makeovers. Access to the site is off of North 1st Street -- Northwest 1st Street and parking with handicapped stalls will be located at the back of the retail store. Walk-in handicap ramps will be -- provide access to the front door. There is a five foot -- there is five off-street parking spaces are being proposed as part of this rezone from residential to commercial. The proposed hours for the operation will be from Wednesday to Saturday from 9:00 a.m. to 5:00 p.m. So, this is like the existing floor plan and this is the proposed. So, they are taking away a few items in the down -- in the downstairs and converting it to the commercial and this is the upstairs where they have bedrooms and they are converting it to -- from bedrooms to office and storage. And these are pictures of the property. It's a beautiful piece of property. So, for this property the city may require a development agreement in conjunction with the rezone pursuant to the Idaho Code, but due to the size of the development staff believes that a DA should not be required. Again, the existing home has unpaved parking in the rear of the property and the applicant is required to pave both the access and the area for the -- for the five parking spots with this development. We are asking that wheel restraints be added to prevent overhang beyond the designated parking stall dimensions in accordance with the UDC. There are existing sidewalks along North Meridian Road and Northwest 1st Street and there is existing landscaping along North Meridian Road, so no additional landscaping will be required, except for the buffers adjacent to the residential uses in accordance with the UDC. There was no written testimonies on this and because of this staff recommends approval of the proposed rezone with the conditions per the findings in the staff report. And so at this time I will stand for any questions that you have.

Seal: Great. Thank you very much. Would the applicant might come forward? Good evening. I will need your name and address for the record, please.

Hardy: My name is Arlene Hardy. My address is 2484 East Summer Dawn Street in Meridian. 83646. Well, I just wanted to say thank you for having us today and getting on the agenda. On behalf of Expansion International and the board of directors there I just want to say we are very excited about this property and -- and being able to come into the City of Meridian. We are excited about having the store and we know that it can be a great place for the community of Meridian. We have been doing resale -- a pop up store once a year for the past ten years. Very successful. About a thousand people shop the sale every year. So, we think it's a great sale item for the City of Meridian as well, because we will bring in a lot of traffic for the city. We also really see that our demographic being women that are -- have young families or, you know, that age group between 30 and 45, that's really a lot of people -- a lot of families in Meridian are our demographic and so we feel like that will draw them in and as well draw them to shop other places in Meridian and shop around the Meridian area. So, we are very excited about this project. We think it's going to be a great asset to the City of Meridian and we are excited that it's so close to the downtown area. The pictures she showed are beautiful. There -- it's a hundred -- over a hundred year old house and we are not planning to change it very much, just do the -- the ramp on the side of the house and change that bathroom into an ADA. Of course we will put in new floors and paint and, you know, clean up inside and it's going to be a boutique type store and offer, you know, women who come there to enjoy the shopping experience as well. So, thank you for hearing us tonight and I look forward to any questions you have.

Seal: Thank you very much. Commissioners, do we have any questions for the applicant or staff? Commissioner Smith?

Smith: My question -- I can wait until --

Seal: No? No. All right. Do we have anybody signed up to testify?

Lomeli: Mr. Chair, a Lauren Phillips.

Seal: Okay. Would anybody else like to come up and testify? All right. Going once. Going twice. Don't know if the applicant has anything further to add or -- if not, then, we can go ahead and -- so, if -- if you have nothing further to add then -- and the applicant is indicating that they do not have any -- anything further to add; right? Thank you very much. And with that I will take a motion to close the public hearing for File No. H-2024-0009.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2024-0009 for Two Mustard Seeds Women's Resale Shop. All in favor, please, say aye. Opposed nay? The hearing is closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Comments, questions, anyone?

Smith: Mr. Chair?

Seal: Go ahead.

Smith: And this is a perfect fit for the idea of what downtown -- or for Old Town zoning is -- is for and what the -- kind of the Old Town vision is. Fully in support of it.

Seal: Okay. I will say on the application I'm very happy to see that there is some parking provided with it, so -- as well as, you know, a beautiful piece of property that's going to be well maintained in the future for Meridian. So, I do like to see that in the Old Town area. So, parking is always -- whenever we can get a parking space we will take it. So, I'm glad to see that that's happening and very happy to see this happening in Old Town. If there is nothing further I will always take a motion.

Smith: Mr. Chair?

Seal: Commissioner Smith, go right ahead.

Smith: After -- sorry. After considering staff, applicant and public testimony I move to recommend approval to the City Council of File No. H-2024-0009 as presented in the staff report.

Lorcher: Second.

Seal: It's been moved and seconded to approve -- recommend approval of file H-2024-0009, Two Mustard Seeds Women's Resale Shop to City Council. All in favor, please, say. Opposed nay? Item passes. Thank you very much and good luck.

MOTION CARRIED: SIX AYES. ONE ABSENT.

3. Public Hearing for Maddies Wine and Whiskey (H-2024-0008) by Steve Bainbridge, Owner, located at 835 E. Fairview Ave.

- A. Request: Conditional Use Permit to change the use of the existing 6,400 square foot building to a drinking establishment on 0.867 acres of land in the C-G zoning district.

Seal: And with that I would like to open File No. H-2024-0008 for Maddie's Wine and Whiskey and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commissioners. The applicant has submitted a conditional use permit. The site consists of 0.867 acres of land currently zoned C-G,

located at 835 East Fairview Avenue. History on the property is there are multiple certificate of zoning compliances that -- applications that were approved. The Comprehensive Plan FLUM designation is commercial. The proposed use will be a drinking establishment within the existing 6,400 square foot commercial building, which requires a CUP. The drinking establishment will operate from 11:00 a.m. to 11:00 p.m., Wednesdays through Saturdays, and from 11:00 to 8:00 p.m. on Sundays. The proposed use is subject to the specific use standards as listed in the UDC. The building and site improvements for the proposed drinking establishment were approved with a separate certificate of zoning compliance and design review application. The applicant is not proposing to further renovate the interior-exterior of the building at this time. The applicant intends to submit a future certificate of zoning compliance application to expand the dining area by adding a vinyl cover over the existing outdoor patio area to create more space during the colder months. The conditional use is a process to ensure any impacts associated with a particular use are mitigated. Based on the location presently if a drinking establishment or expansion of such located within 300 feet of a property used for a church or any other place of worship or any public or private education institution it may be allowed with the approval of the decision making body per the UDC. The proposed drinking establishment is not located within 300 feet of any existing church or any -- and/or public or private education institution. If this is not approved by the city the applicant should operate in accordance with the arts entertainment or recreation facilities indoors and outdoors specific use standards. The parking analysis approved with the certificate of zoning compliance and design review for this site require one parking space for every 250 square feet of floor space as a restaurant use. The applicant currently provides 51 parking stalls on the site within a parking agreement established with the adjoining property owners for cross-access parking after normal business hours. The applicant meets the parking requirements listed in the UDC. The applicant is currently operating their commercial kitchen out of a food trailer permanently parked in a designated space on the property. The use of a food truck for this proposal cannot be approved under the conditional use permit, as it is not an allowed use according to the Unified Development Code. However, the applicant can apply for a temporary use permit through the City Clerk's Office for the use of a food truck on the site. Staff is currently processing a code change to allow food trucks as an accessory use with bars, breweries and entertainment facilities. Staff anticipates the proposed code changes to be discussed with Commission during the June 20th hearing. So, written testimony on this property is none and staff does recommend approval of the conditional use permit per the conditions in the staff report and per the findings in the staff report as well and that concludes staff's presentation and I stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward? Good evening, sir. I will need your name and address for the record, please.

Bainbridge: Steve Bainbridge. And address here in Meridian is 2579 West Piazza Drive. 83645. I have been a resident of Meridian for 30 years and this is a great community and we are proud to be where we are at at Maddie's and all we want to do is make a change.

Seal: Okay. Commissioners, do we have any questions for the applicant or staff?

Smith: Mr. Chair, I have a question for staff, so -- currently they would have to be using TUPS, because it's not allowed under to the CUP. Is it -- I just want to make sure I'm on the right page. As it is and it's presented in the staff report, if this code change passes, they would have to, then, come back and apply for a CUP. Is that right? Or would that be kind of grandfathered in almost?

Hersh: Mr. Chair, Commissioner Seal -- Smith. Sorry. So, the applicant -- applicant -- if the -- if the code changes are approved June 20th it would be an accessory to it. So, this is already going through the conditional use permit to be approved as a drinking establishment. So then -- and, therefore, it would just be approved.

Smith: Okay. Thank you.

Hersh: New projects that come in will require to go through that process.

Smith: Perfect. Thank you.

Lorcher: Mr. Chair?

Seal: Go ahead, Commissioner Lorcher.

Lorcher: So, the -- the parking lot agreement is -- is it with also Uncharted Recreation because it used to be the -- the Auto Ranch?

Bainbridge: No. They just basically had put everything in. We haven't had a chance to go talk to them, but right now we don't need their parking.

Lorcher: You don't need their parking? Okay. Where -- I see it -- I just drive by Fairview, so I see it along the edge of -- what is that Lake Street -- Lake -- The Lakes. Is there more parking behind that we can't see from the road?

Bainbridge: There is a lot of office buildings back there that have parking.

Lorcher: And that's where you have the agreement?

Bainbridge: Yes. And we also have another parking lot that was given to us when the car wash was in place. So, we have 11 or 12 more parking spots back there.

Lorcher: Okay. Perfect. Thank you.

Seal: Anything else, Commissioners? All right. Thank you very much, sir. Do we have anybody signed up to testify?

Lomeli: Mr. Chair, no one has signed up to testify.

Seal: Anybody else? No? I don't see anybody else online, so -- if the applicant has nothing further to add you can just shake your hand no. The applicant has nothing further to add, so I will take a motion to close the public hearing for File No. H-2024-0008.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public -- public hearing for File No. H-2024-0008 for Maddie's Wine and Whiskey. All in favor, please, say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who wants to go first?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I have not had a chance to go there yet, but it's -- every time I drive by I tell my husband we got to pop in there. I think it was very clever of you to be able to take a car wash -- to have that vision and turn it into an event space or restaurant or bar. So, that's very clever and it sounds like you have enough parking, you just really want to change the coding really and I would be in support of whatever they needed to do to continue their business.

Garrett: Mr. Chair?

Seal: Go ahead.

Garrett: Yeah. I just wanted to say I have been in there several times and I compliment you, so -- I have enjoyed the -- the ambiance and the -- the wine and the refreshments and great charcuterie reports.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: After considering all staff and public testimony I move to approve File No. H-2024-0008 as presented in the staff report for the hearing date of June 6th, 2024, with no modifications.

Smith: Second.

Seal: It's been moved and seconded to approve File No. H-2024-0008 for Maddie's Wine and Whiskey. All in favor, please, say aye. Opposed nay? The application is approved. Thank you very much. I would imagine more of us will be there. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT.

4. Public Hearing for The Gateway at 10 Mile (H-2024-0010) by KM Engineering, LLP., located at the North East corner of W. Franklin and N. Ten Mile Rd.

- A. Request: Conditional Use Permit for 390 multi-family units in the R-40 zoning district.
- B. Request: Preliminary Plat consisting of 31 buildable lots and 3 common lots on 38.99 acres of land zoned C-G and R-40.

Seal: And with that I would like to open File No. H-2024-0010, the Gateway at 10 Mile for continuance to July 18th, 2024.

Lorcher: Mr. Chair?

Seal: Go ahead.

Lorcher: I move that we continue the Gateway at 10 Mile, H-2024-0010, for continuance for July 18th, 2024, to allow additional time to coordinate with ACHD and the city on access on traffic comments.

Seal: Do I have a second?

Smith: Second.

Seal: Okay. It's been moved and seconded to continue File No. H-2024-0010 to the date of July 18th, 2024. All in favor, please, say aye. Opposed nay? The item is continued.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: All right. And with that I will take one more motion.

Smith: Mr. Chairman?

Seal: Go ahead.

Smith: Move to adjourn.

Sandoval: Second.

Seal: It's been moved and seconded that we adjourn. All in favor say aye. Opposed nay? We are adjourned.

MOTION CARRIED: SIX AYES. ONE ABSENT.

MEETING ADJOURNED AT 6:28 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK